

RCCL

Residential Child Care Licensing Overview

The Texas Department of Family and Protective Services is granted its authority to regulate child care facilities and child placing agencies by the Texas Legislature in Chapter 42 of the Texas Human Resources Code.

The purpose of regulation is to protect a group or class of children by establishing and enforcing statewide minimum standards

Total Average Filled Full Time Equivalent (FTE) Staff*

Caseworkers	90.3
Supervisors	22.6
Other Staff	58.6
Total RCCL Staff	171.5

Worker Demographics

Turnover Rate	20.4%
Agency Tenure:	
Less Than 1 Year	21.7%
1 - 3 Years	12.5%
Greater than 3 Years	65.8%
Entry Salary (Inv)*	\$36,251.04
Entry Salary (Non Inv)*	\$32,328.96
Average Age	38.7
Race/Ethnicity:	
African American	36.7%
Anglo	32.5%
Hispanic	27.5%
Other	3.3%

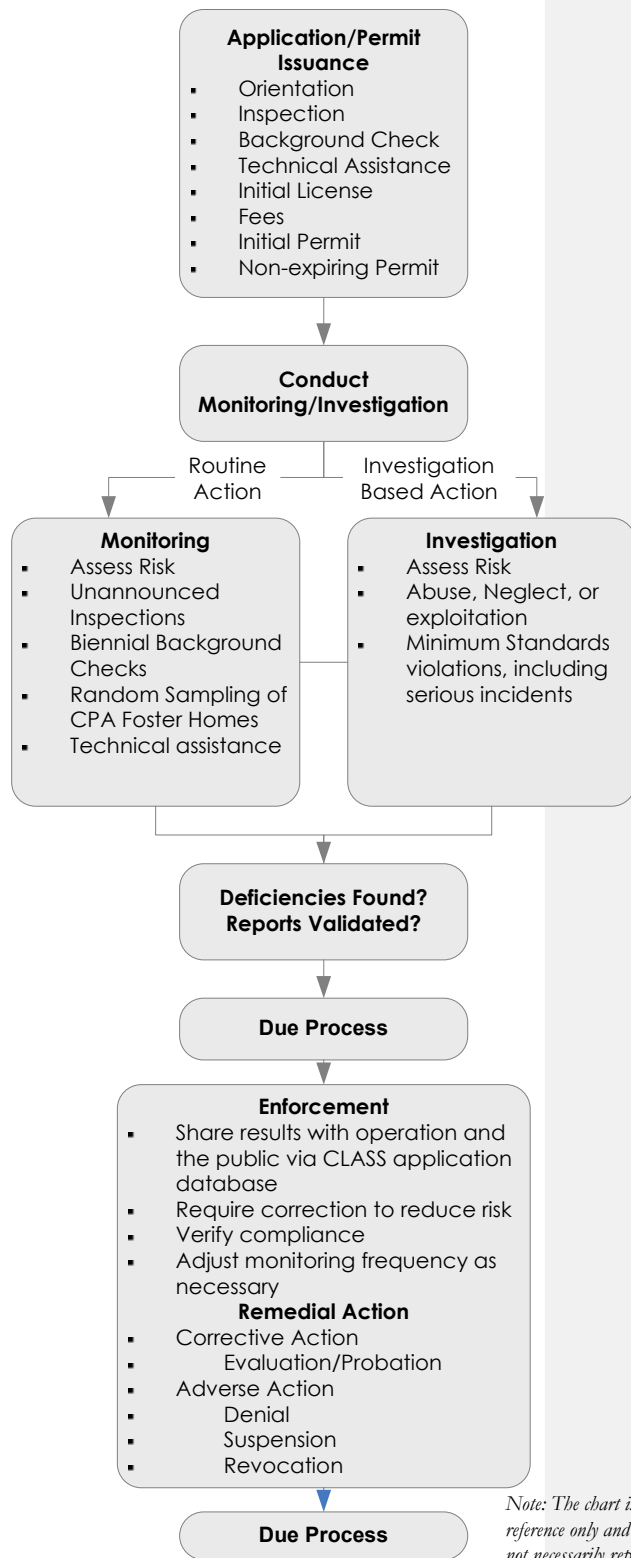
Supervisor Demographics

Turnover Rate	0.0%
Tenure as Supervisor:	
Less Than 1 Year	13.6%
1 - 3 Years	40.9%
Greater than 3 Years	45.5%
Entry Salary*	\$47,331.00
Average Age	41.5
Race/Ethnicity:	
African American	45.5%
Anglo	31.8%
Hispanic	22.7%
Other	0.0%

RCCL Expenditures*

RCCL Staff	\$9,246,528
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* Source: DFPS Office of Finance and FY 2016-17 LAR (plus benefit replacement pay)



Note: The chart is for reference only and does not necessarily represent the flow of a case.

Statistics FY 2014

24-Hour Care Facilities	10,307
Capacity of Facilities	40,525
Abuse/Neglect Investigations	2,165
Non-Abuse/Neglect Investigations	3,851
Inspections	4,543
Adverse Actions	0

Legal Responsibility for Child-Care Licensing

Day Care and Residential Care: Statutory References
Social Security Act
Human Resources Code, Chapters 40, 42, and 43
Texas Family Code, Title 5
Texas Government Code
Texas Health and Safety Code, Chapter 249
Texas Administrative Code, Title 40

Major Provisions:

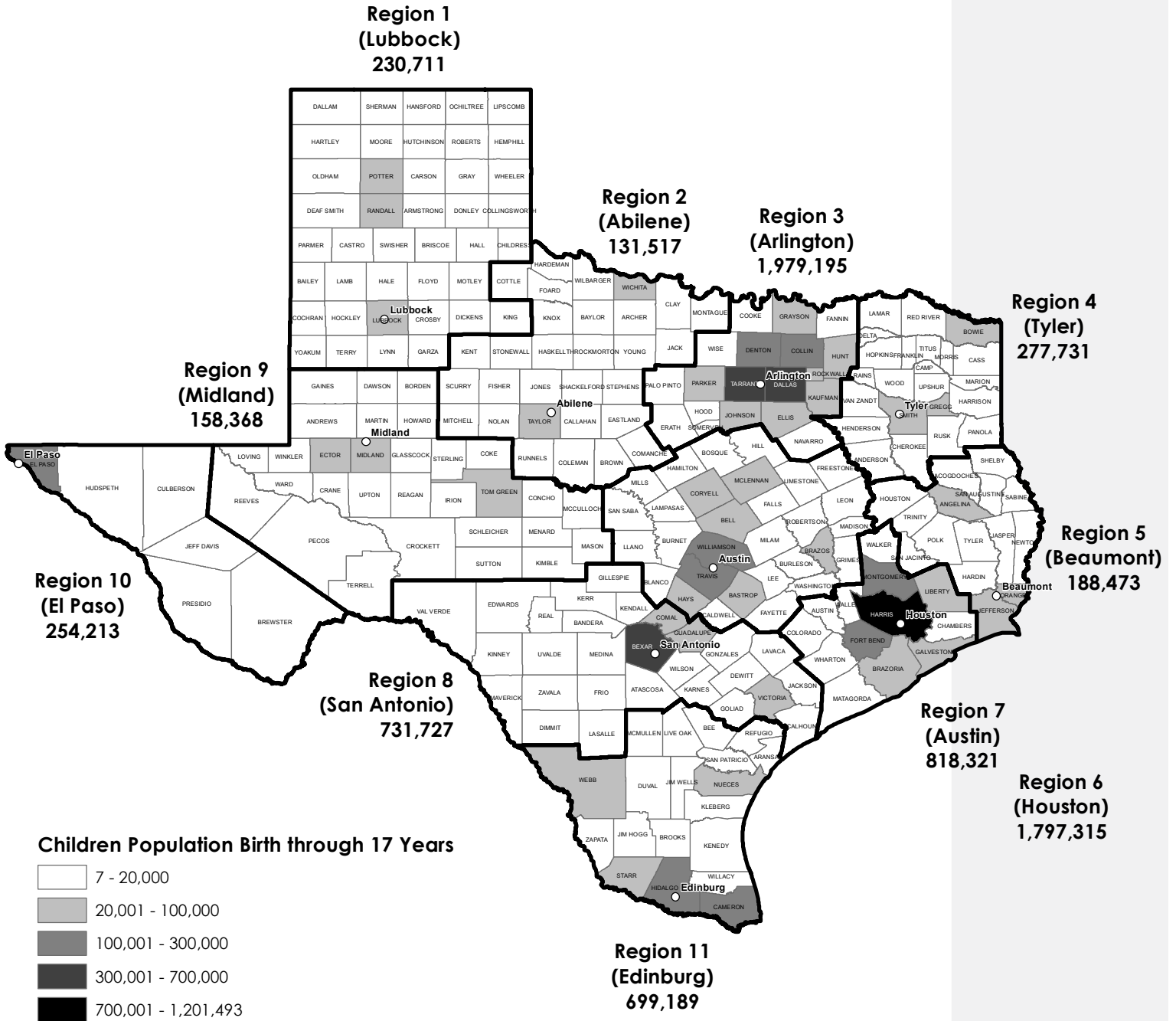
- Develop minimum standards to promote the health, safety, and well-being of children in out-of-home care.
- Inspect child-care operations to ensure they maintain compliance with minimum standards.
- Investigate allegations of abuse/neglect, investigate violations of standards or the law and ensure appropriate enforcement actions are taken.
- Conduct criminal background checks and DFPS Central Registry checks on all adult staff or caregivers, other adults and youth ages 14 to 18 who will be in regular or frequent contact with children in child-care operations.
- Take corrective and adverse actions when necessary.
- Offer consultation to potential applicants and permit holders about meeting and maintaining compliance with licensing standards.
- Educate the general public about choosing regulated child-care and inform them of the child-care options in Texas through media campaigns and by maintaining an online database of child-care providers, including information regarding each operation's compliance history.
- Enforce regulatory requirements for all child-care providers, including illegally operating child-care providers.
- Conduct inspections of a random sample of agency foster homes.
- Conduct annual enforcement team conferences to thoroughly review operations.

Other Programmatic Information: Challenges

- Consistently enforcing adherence to minimum standards across the state.
- Developing cooperative, professional, and effective relationships with operations resulting in increased compliance and stronger protection for children.
- Providing technical assistance to all child care operations, especially focusing on those struggling to maintain compliance with standards.
- Providing thorough, efficient and timely background check results to over a quarter of a million people each year seeking to work in child care, provide foster care or adopt a child.
- Maximizing technology resources to improve the efficiency and effectiveness of regulatory practices and allow licensing staff to become an increasingly mobile workforce.
- Creating standards that protect the health and safety of children in care without impacting the affordability and availability of that care.

**Texas Child Population
Ages Birth through 17 Years
Fiscal Year 2014**

State Total: 7,266,760



Population Data Source: Texas State Data Center, University of Texas (San Antonio). Based on Census 2010 data.

Residential Child Care Licensing Operations* in Texas on August 31 by Fiscal Year

Fiscal Year	Child Placing Agencies (CPA)**	Homes Verified by CPAs	General Residential Operations	Residential Treatment Centers	Independent Foster Family and Group Homes	Maternity Homes***	Total
2010	341	9,731	154	79	7	10	10,322
2011	350	10,167	160	85	4	8	10,774
2012	362	9,849	157	80	5	6	10,459
2013	370	9,676	161	74	4	0	10,285
2014	381	9,692	156	75	3	0	10,307

*Counts do not include applicants.

**Counts include Branch Offices

***See definition of maternity homes for more information.

Residential Child Care Licensing Operations in Texas on August 31 by Fiscal Year

	2013		2014	
	Count	Capacity	Count	Capacity
Child Placing Agencies*				
Main Offices	217	N/A	221	N/A
Branch Offices**	153	N/A	160	N/A
Subtotal	370		381	
Homes Verified by Child Placing Agencies	Count	Capacity	Count	Capacity
Agency Foster Homes ***	7,216	21,731	7,550	22,003
Agency Group Homes ***	364	3,199	342	3,004
CPS Foster Family Homes	1,366	3,877	1,181	3,363
CPS Foster Group Homes	6	36	12	73
CPS Adoptive Homes	724	NA	607	NA
Subtotal	9,676	28,843	9,692	28,443
Licensed Residential Operations	Count	Capacity	Count	Capacity
General Residential Operations	161	8,464	156	8,533
Residential Treatment Centers ****	74	3,498	75	3,520
Independent Foster Homes	0	0	0	0
Independent Foster Group Homes	4	38	3	29
Subtotal	239	12,000	234	12,082
Total Residential Child Care Licensing Operations	10,285	40,843	10,307	40,525

* Includes 11 DFPS Regional Child Placing Agencies

** Branch Offices operate under the license authority of the main office.

*** Adoptive only homes are not included in the number of private agency homes.

**** Residential Treatment Centers (RTC) are a care type of General Residential Operations (GRO). To determine the total number for the GROs, add the counts for RTCs to the counts for GROs.

Region Count of Residential Child Care Operations by Fiscal Year

Child Placing Agencies

Region	Main Offices		Branch Offices		Total CPAs	
	2013	2014	2013	2014	2013	2014
1 Lubbock	10	11	11	11	21	22
2 Abilene	7	7	13	11	20	18
3 Arlington	67	67	26	26	93	93
4 Tyler	6	6	8	11	14	17
5 Beaumont	4	4	6	6	10	10
6 Houston	43	44	26	25	69	69
7 Austin	37	38	17	18	54	56
8 San Antonio	31	32	15	15	46	47
9 Midland	4	4	4	5	8	9
10 El Paso	3	3	6	6	9	9
11 Edinburg	5	5	21	26	26	31
Unknown/Out Of State	0	0	0	0	0	0
Total	217	221	153	160	370	381

Homes Verified by Child Placing Agencies

Region	Agency Foster Homes		Agency Group Homes		CPS Foster Homes	
	2013	2014	2013	2014	2013	2014
1 Lubbock	299	353	16	12	126	110
2 Abilene	205	253	15	12	52	15
3 Arlington	1,815	1,886	81	89	267	220
4 Tyler	291	297	13	11	99	105
5 Beaumont	160	174	14	12	116	120
6 Houston	1,642	1,701	64	57	228	181
7 Austin	1,034	986	41	39	153	139
8 San Antonio	1,033	1,079	63	56	134	101
9 Midland	147	160	9	9	31	1
10 El Paso	130	141	3	1	42	33
11 Edinburg	459	511	45	44	46	37
Unknown/Out Of State	1	9	0	0	72	119
Total	7,216	7,550	364	342	1,366	1,181

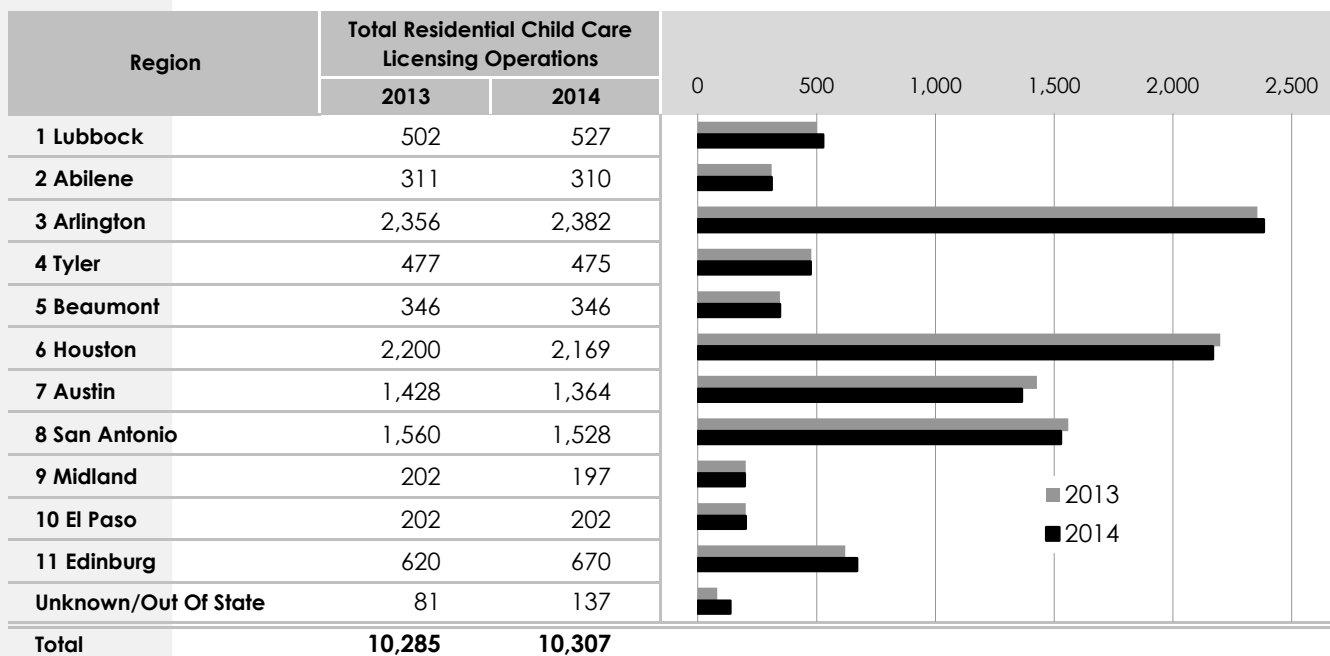
Region	CPS Foster Group Homes		CPS Adoptive Homes		Subtotal - Total Homes Verified by CPAs	
	2013	2014	2013	2014	2013	2014
1 Lubbock	2	2	25	15	468	492
2 Abilene	0	0	13	6	285	286
3 Arlington	2	3	72	66	2,237	2,264
4 Tyler	0	0	50	35	453	448
5 Beaumont	1	2	38	22	329	330
6 Houston	0	0	132	95	2,066	2,034
7 Austin	0	2	107	106	1,335	1,272
8 San Antonio	1	1	241	203	1,472	1,440
9 Midland	0	0	3	14	190	184
10 El Paso	0	0	11	11	186	186
11 Edinburg	0	2	24	25	574	619
Unknown/Out Of State	0	0	8	9	81	137
Total	6	12	724	607	9,676	9,692

Region Count of Residential Child Care Operations by Fiscal Year

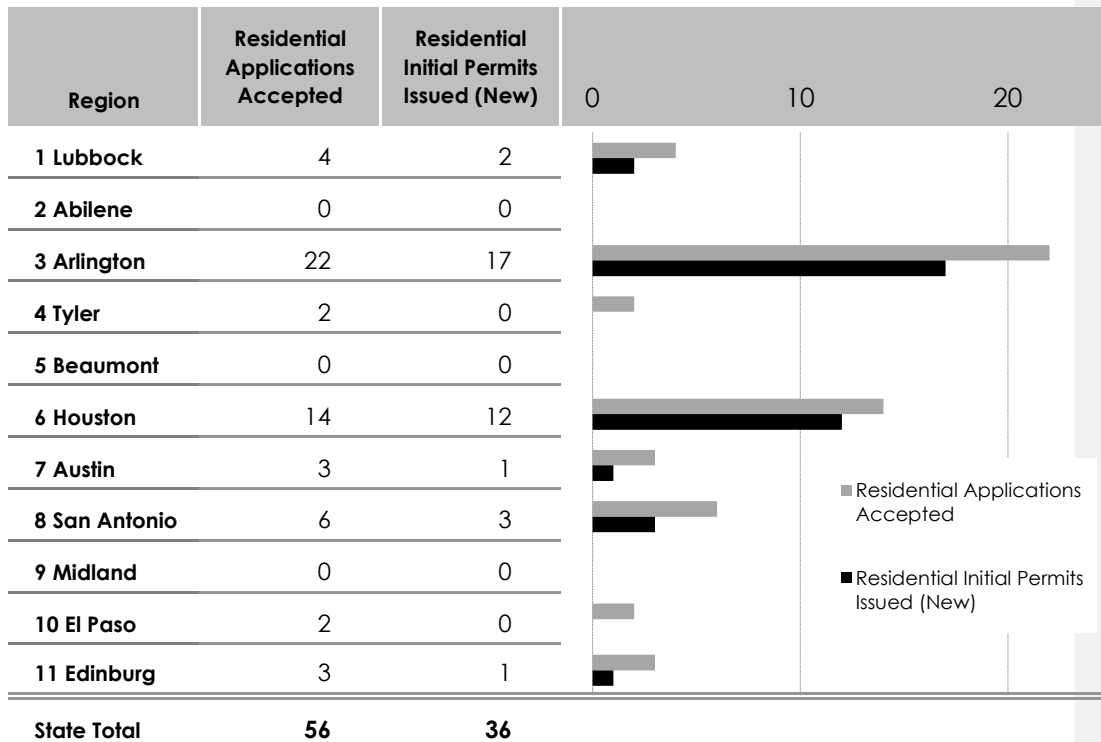
Licensed Residential Operations

Region	General Residential Operations		Residential Treatment Centers		Independent Foster Family Homes	
	2013	2014	2013	2014	2013	2014
1 Lubbock	10	10	3	3	0	0
2 Abilene	6	6	0	0	0	0
3 Arlington	19	18	7	7	0	0
4 Tyler	6	6	4	4	0	0
5 Beaumont	5	5	2	1	0	0
6 Houston	32	31	29	32	0	0
7 Austin	25	23	14	13	0	0
8 San Antonio	29	28	13	13	0	0
9 Midland	4	4	0	0	0	0
10 El Paso	6	6	1	1	0	0
11 Edinburg	19	19	1	1	0	0
Total	161	156	74	75	0	0

Region	Independent Foster Group Homes		Subtotal - Licensed Residential Operations	
	2013	2014	2013	2014
1 Lubbock	0	0	13	13
2 Abilene	0	0	6	6
3 Arlington	0	0	26	25
4 Tyler	0	0	10	10
5 Beaumont	0	0	7	6
6 Houston	4	3	65	66
7 Austin	0	0	39	36
8 San Antonio	0	0	42	41
9 Midland	0	0	4	4
10 El Paso	0	0	7	7
11 Edinburg	0	0	20	20
Total	4	3	239	234

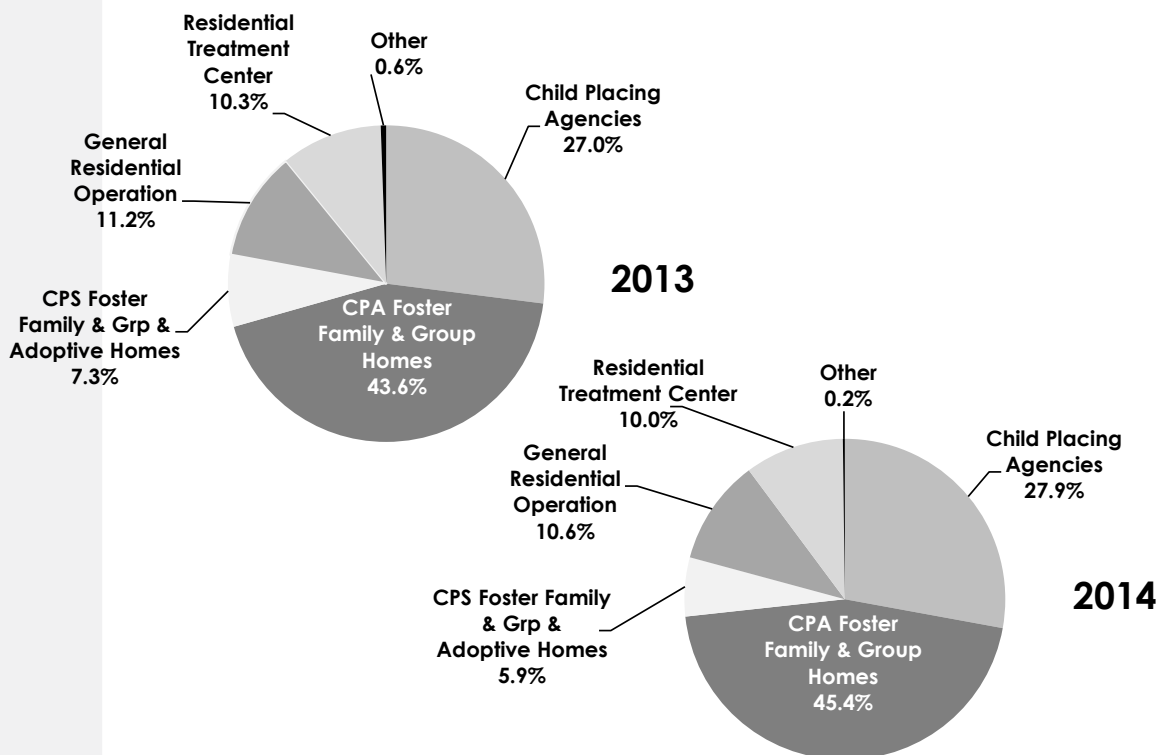


Licensing of Residential Child Care Operations by Region Fiscal Year 2014



Note: Does not include homes verified by CPA's. Includes Child Placing Agencies, General Residential Operations (including Residential Treatment Centers a care type of the General Residential Operations), Independent Foster Group Homes, and Independent Foster Family Homes.

Inspections* by Operation Type



Operation Type	FY 2013			FY 2014		
	Operations ¹	Inspections	% of Total Inspections	Operations ¹	Inspections	% of Total Inspections
Child Placing Agencies	408	1,268	27.0%	434	1,266	27.9%
CPA Foster Family & Group Homes	9,920	2,046	43.6%	10,258	2,062	45.4%
CPS Foster Family & Grp & Adoptive Homes	4,356	343	7.3%	3,949	270	5.9%
General Residential Operation	182	523	11.2%	178	482	10.6%
Residential Treatment Center	86	485	10.3%	83	454	10.0%
Maternity Homes	5	0	0.0%	0	0	0.0%
Independent Foster/Foster Group Homes	7	19	0.4%	5	5	0.1%
Illegal Operations	63	7	0.2%	54	4	0.1%
Total²	15,005	4,691		14,941	4,543	

Note: Residential Treatment Centers (RTC) are a care type of General Residential Operations (GRO). To determine total number of GROs, add the counts of RTCs to the count of GROs. Inspections to Exemption Requests are conducted to assess the program to determine if it is exempt from Licensing Regulation.

RCCL inspects agency foster homes for two reasons (1) to conduct an investigation; or (2) to determine whether the CPA managing the foster homes is compliant in its verification, monitoring and management of the foster home and the children in care. Foster home inspections for the latter purpose are periodically selected at random from across the state from the DFPS database for inspection.

* Beginning in FY12 the LBB Performance Measure definition of Inspections does not include Inspections completed as part of an Investigation. The inspection counts are based on the operation type at the time of the inspection.

¹ Operations that are open any time during the fiscal year. Operations may have multiple inspections.

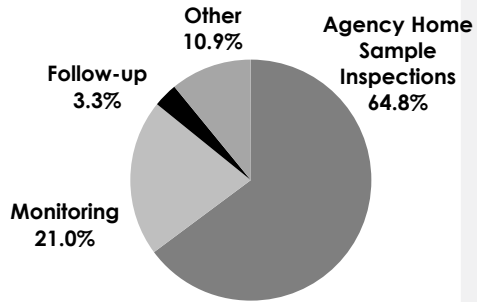
² Beginning FY 2013, Total Number of Operations During Year counts unique operations only. Some operations are counted more than once due to Facility Type changes during the Fiscal Year.

**Inspections* in Residential Child Care Licensing Operations by Type of Inspection
Fiscal Year 2014**

Total Inspections: 4,543

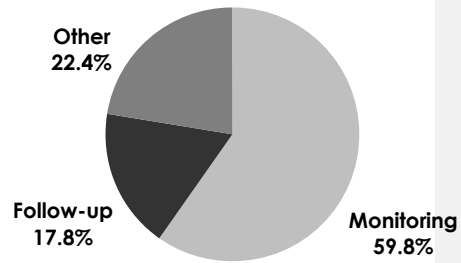
Child Placing Agencies

Inspection Type	Count
Agency Home Sample Inspections	2,332
Monitoring	756
Follow-up	117
Other	393
Total	3,598



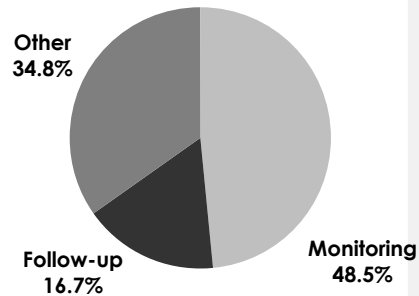
General Residential Operations

Inspection Type	Count
Monitoring	288
Follow-up	86
Other	108
Total	482



Residential Treatment Centers

Inspection Type	Count
Monitoring	220
Follow-up	76
Other	158
Total	454



Note: RCCL inspects agency foster homes for two reasons (1) to conduct an investigation; or (2) to determine whether the CPA managing the foster homes is compliant in its verification, monitoring and management of the foster home and the children in care. Foster home inspections for the latter purpose are periodically selected at random from across the state from the DFPS database for inspection.

** Beginning in FY12 the LBB Performance Measure definition of Inspections does not include Inspections completed as part of an Investigation. The inspection counts are based on the operation type at the time of the inspection.*

Inspections to Exemption Requests are conducted to assess the program to determine if it is exempt from Licensing's regulation.

Inspections* in Residential Child Care Licensing Operations by Type of Inspection Fiscal Year 2014

Independent Foster/Foster Group Home		
Inspection Type	Count	%
Monitoring	4	80.0%
Follow-up	1	20.0%
Other	0	0.0%
Total	5	

Illegal Operations		
Inspection Type	Count	%
Monitoring	2	50.0%
Follow-up	1	25.0%
Other	1	25.0%
Total	4	

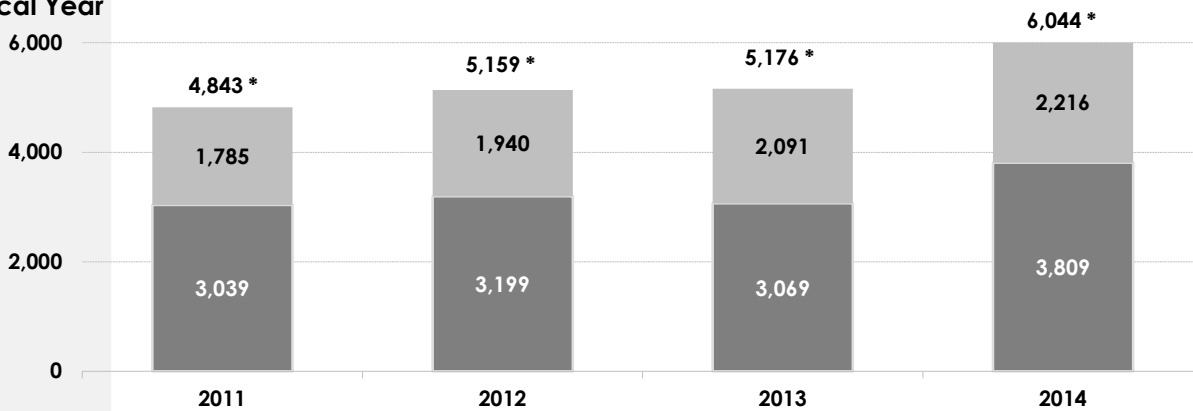
Exemption Requests		
Inspection Type	Count	%
Follow-up	0	0.0%
Other	0	0.0%
Total	0	

Note: RCCL inspects agency foster homes for two reasons (1) to conduct an investigation; or (2) to determine whether the CPA managing the foster homes is compliant in its verification, monitoring and management of the foster home and the children in care. Foster home inspections for the latter purpose are periodically selected at random from across the state from the DFPS database for inspection.

* Beginning in FY12 the LBB Performance Measure definition of Inspections does not include Inspections completed as part of an Investigation. The inspection counts are based on the operation type at the time of the inspection.

Inspections to Exemption Requests are conducted to assess the program to determine if it is exempt from Licensing's regulation.

Investigations in Residential Child Care Licensing Operations by Fiscal Year



* Totals include investigations of Illegal Operations

**Includes homes regulated by Child Placing Agencies

■ Child Placing Agencies (CPA)**
■ Licensed Residential Operations

Investigations in Residential Child Care Licensing Operations Fiscal Year 2014

Region	Child Placing Agencies	Licensed Residential Operations	Exemption Requests	Illegal Operations	Total Investigations
1 Lubbock	228	180	0	0	408
2 Abilene	167	21	0	0	188
3 Arlington	1,103	162	0	4	1,269
4 Tyler	101	129	0	0	230
5 Beaumont	127	44	0	2	173
6 Houston	763	677	0	4	1,444
7 Austin	374	360	0	4	738
8 San Antonio	434	444	0	2	880
9 Midland	94	21	0	0	115
10 El Paso	66	24	0	2	92
11 Edinburg	352	154	0	0	506
Unknown/Out of State	0	0	0	1	1
Total	3,809	2,216	0	19	6,044

Non-Abuse/Neglect Investigations in Residential Child Care Licensing Operations Fiscal Year 2014

Operation Type	Operations ¹		Non-Abuse/Neglect Investigations ²	
	Count	With a Non-A/N Investigation	Completed	With at Least 1 Deficiency Cited ²
Licensed Residential Child Care Operations				
Child Placing Agencies (CPA) ⁴	434	255	2,481	524
General Residential Operations (GRO)	178	136	739	158
Residential Treatment Centers (RTC) ³	83	61	612	124
Independent Foster/Foster Group Homes	5	2	2	1
Subtotal	700	454	3,834	807
Other				
Illegal Operations ⁶ and Exemption Requests	62	16	17	4
Total⁵	761	470	3,851	811

¹ Operations that are open any time during the fiscal year. Operations may have multiple investigations.

² The deficiencies are related to the investigation allegations.

³ RTCs are a Care Type of the GROs. To determine the GRO totals, add the RTC numbers to the GRO totals.

⁴ Includes CPA branch offices

⁵ Beginning FY 2013, Subtotal and Total Number of Operations During Year counts unique operations only. Some operations are counted more than once due to Facility Type changes during the Fiscal Year.

⁶ The number of illegal operation investigations is calculated using the operation's application date that is after the intake date.

Note: The number of Investigations will not match the totals for the Abuse/Neglect Investigations and the totals for the Non-Abuse/Neglect Investigations because the count of the numbers is collected from different stages. Exemption Requests are submitted to Licensing to determine if their operation is subject to regulation.

Abuse/Neglect Investigations in Residential Child Care Licensing Operations Fiscal Year 2014

Operation Type	Operations ¹		Abuse/Neglect Investigations			
	Count	With Closed A/N Investigation	Closed	Validated	Percent Validated	With at Least 1 Deficiency Cited ²
Licensed Residential Child Care Operations						
Child Placing Agencies (CPA) ⁴	434	219	1,319	60	4.5%	483
General Residential Operations (GRO)	178	98	279	9	3.2%	99
Residential Treatment Centers (RTC) ³	83	59	565	18	3.2%	174
Independent Foster/Foster Group Homes	5	1	1	0	0.0%	0
Subtotal⁶	700	375	2,164	87	4.0%	756
Other						
Illegal Operations ⁵ and Exemption Requests	62	1	1	0	0.0%	0
Statewide⁶	761	376	2,165	87	4.0%	756

¹ Operations that are open any time during the fiscal year. Operations may have multiple investigations.

² The deficiencies are related to the investigation allegations.

³ RTCs are a Care Type of the GROs. To determine the GRO totals, add the RTC numbers to the GRO totals.

⁴ Includes CPA branch offices

⁵ The number of illegal operation investigations is calculated using the operation's application date that is after the date of the intake.

⁶ Beginning FY 2013, Subtotal and Total Number of Operations During Year counts unique operations only. Some operations are counted more than once due to Facility Type changes during the Fiscal Year.

Note: The number of Investigations will not match the totals for the Abuse/Neglect Investigations and the totals for the Non-Abuse/Neglect Investigations because the count of the numbers is collected from different stages. Exemption requests are submitted to Licensing to determine if their operation is subject to regulation.

Adverse and Corrective Actions in Residential Child Care Licensing Operations by Region Fiscal Year 2014

Region	Adverse Actions			Total
	Permits Denied	Permits Revoked	Permits Suspended	
1 Lubbock	0	0	0	0
2 Abilene	0	0	0	0
3 Arlington	0	0	0	0
4 Tyler	0	0	0	0
5 Beaumont	0	0	0	0
6 Houston	0	0	0	0
7 Austin	0	0	0	0
8 San Antonio	0	0	0	0
9 Midland	0	0	0	0
10 El Paso	0	0	0	0
11 Edinburg	0	0	0	0
Unknown	0	0	0	0
State Total	0	0	0	0

Region	Corrective Actions		Total
	Evaluation	Probation	
1 Lubbock	2	0	2
2 Abilene	0	0	0
3 Arlington	3	0	3
4 Tyler	0	0	0
5 Beaumont	0	0	0
6 Houston	4	0	4
7 Austin	4	0	4
8 San Antonio	1	0	1
9 Midland	0	0	0
10 El Paso	0	0	0
11 Edinburg	0	0	0
Unknown	0	0	0
State Total	14	0	14

Note: Adverse actions are counted the date the permit holder was notified after the first phase of the due process when the decision was upheld or waived.

Voluntary Suspensions are excluded from the number of suspensions.

Corrective actions are counted when the due process is completed.

See definition of adverse actions and corrective actions in definitions section.

Background Checks for Residential Child Care Licensing Operations Fiscal Year 2014

Residential Child Care Licensing Operations	Background Checks		
	Central Registry	DPS	FBI*
CPAs, CPA Foster Agency Homes	67,197	67,197	55,973
General Residential Operations	21,583	21,583	16,952
Residential Treatment Centers**	10,178	10,178	8,866
Independent Foster/Group Homes	723	723	691
Total	99,681	99,681	82,482

* Effective FY 2013 this represents the number of FBI checks that were processed according to statutory requirements.

**Residential Treatment Centers (RTC) are a care-type of General Residential Operations (GRO). To determine the total number for the GROs, add the counts for the RTCs to the counts for the GRO.

Note: Does not include background checks conducted on individuals in illegal child-care operations or CPS Foster and CPS Adoptive homes. Review the definition section for details on who is required to have Central Registry, DPS and FBI checks.

Child Care Administrator Credential Exam Fiscal Year 2014

Licensed Child Care Administrators (LCCA)	Count	%
Passed	46	78.0%
Failed	13	22.0%
Total Exams	59	

Licensed Child Placing Agency Administrators (LCPA)	Count	%
Passed	58	86.6%
Failed	9	13.4%
Total Exams	67	

Total number of exams for both licenses for FY14 was 126.

On 8/31/2014 there were:	Active	Inactive	Total
Licensed Child Care Administrators	709	130	839
Licensed Child Placing Agency Administrators	518	37	555
Total	1,227	167	1,394

State's Top 10 Standards Deficiencies for Residential Child Care Licensing Operations

Fiscal Year 2013

Rank	Standard Rule*	Description	Deficiencies	% of Total
1	745.625(7)	Background checks submitted - Every 24 months after each person's background check was first submitted	142	2.3
2	749.1953(a)	Corporal Punishment-May not use/threaten corporal punishment, such as hitting/spanking, forced exercise, holding physical position, unproductive work	114	1.9
3	745.615(a)(7)	Required background checks - Persons 14 years or older, other than clients, who will regularly or frequently be present while children are in care	106	1.8
4	749.607(1)	Employee and caregiver responsibilities-Competency, prudent judgment, self-control in presence of children and when performing assigned tasks	100	1.7
5	748.507(1)	Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	72	1.2
6	749.1521(1)	Medication Storage-Store medication in a locked container	71	1.2
7	748.685(a)(4)	Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	70	1.2
7	749.1541(a)	Medication Record-Maintain cumulative record of prescription medications dispensed to child, include nonprescription meds for child under five yrs old	70	1.2
8	749.2593(a)(3)	Supervision-The caregiver is responsible for ensuring each child's safety and well being, including auditory and/or visual awareness of the child	65	1.1
9	749.1417(a)	TB exam-Persons over 1 yr old who live, work, volunteer at operation have exam w/in 30 days, unless person had previous exam that meets requirements	60	1.0
10	749.2593(a)(2)	Supervision-The caregiver is responsible for being aware of and accountable for each child's on-going activity	53	0.9

Fiscal Year 2014

Rank	Standard Rule*	Description	Count	% of Total
1	749.1953(a)	Corporal Punishment-May not use/threaten corporal punishment, such as hitting/spanking, forced exercise, holding physical position, unproductive work.	118	2.3
2	749.607(1)	Employee and caregiver responsibilities-Competency, prudent judgment, self-control in presence of children and when performing assigned tasks	97	1.9
3	745.615(a)(7)	Required background checks-Persons 14 years or older, other than clients, who will regularly or frequently be present while children are in care	87	1.7
4	748.507(1)	Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	77	1.5
5	749.1521(1)	Medication Storage-Store medication in a locked container	72	1.4
6	749.2593(a)(3)	Supervision-The caregiver is responsible for ensuring each child's safety and well being, including auditory and/or visual awareness of the child	64	1.3
7	748.685(a)(4)	Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	61	1.2
8	745.625(b)	Renewal background checks submitted - No later than two years from the date of your most recently requested initial or renewal background check	59	1.2
9	749.2593(a)(2)	Supervision-The caregiver is responsible for being aware of and accountable for each child's on-going activity	53	1.0
10	745.625(7)	Background checks submitted - Every 24 months after each person's background check was first submitted	51	1.0

* Only includes deficiencies where administrative review was upheld or waived.

Note: Includes inspections, investigations, and assessment deficiencies.

