

# DCL

## Child Day 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.

### Paid Expenditures and Total Average Filled FTE Staff

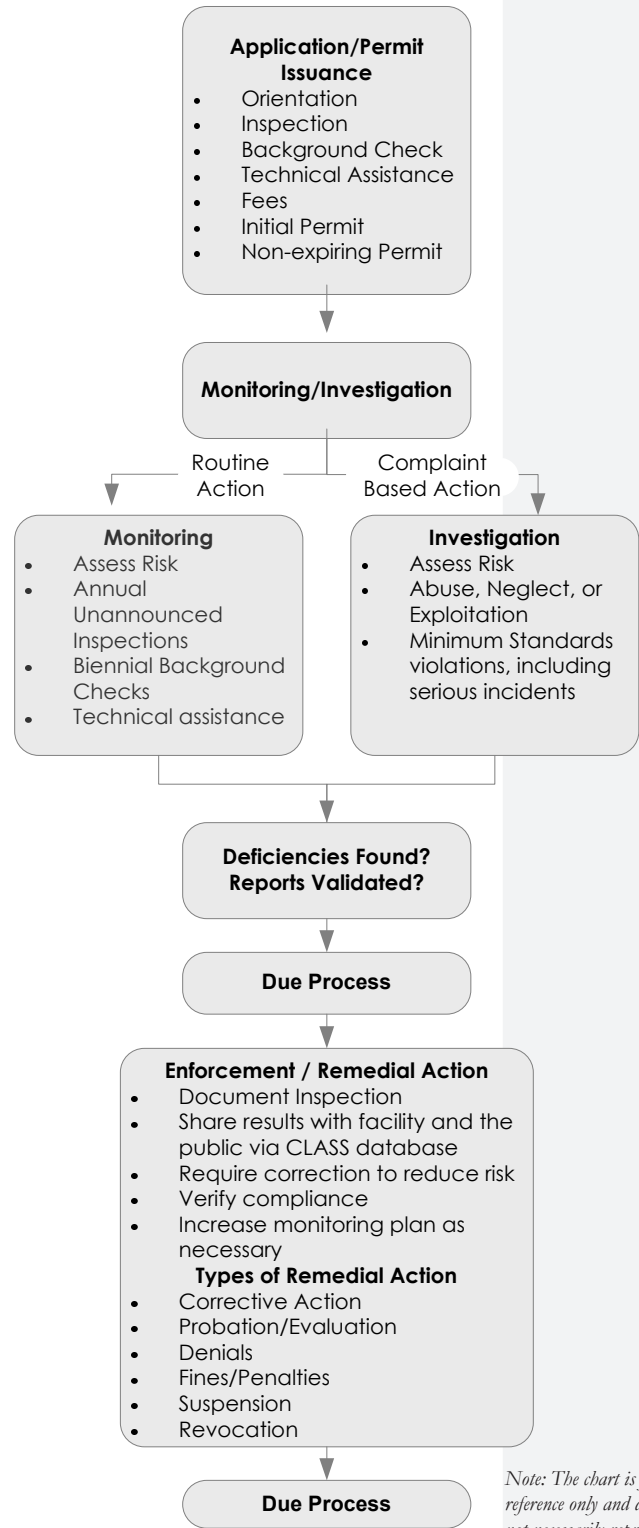
Total Staff	439.7
Direct Delivery Total Staff	363.6
Caseworkers	274.5
Supervisors	36.4
Clerical	35.7
Other	93.2
Staff Costs	\$23,571,588.58

### Worker Demographics

Turnover Rate	15.4%
Tenure:	
Less Than 1 Year	14.8%
1 - 3 Years	31.2%
Greater than 3 Years	54.0%
Entry Salary (Inv)	\$32,273.16
Entry Salary (Non-Inv)	\$29,145.96
Average Age	40.4
Race/Ethnicity:	
African-American	27.4%
Anglo	46.8%
Hispanic	21.7%
Other	4.2%

### Supervisor Demographics

Turnover Rate	2.7%
Tenure:	
Less Than 1 Year	5.4%
1 - 3 Years	10.8%
Greater than 3 Years	83.8%
Entry Salary	\$39,117.96
Average Age	45.4
Race/Ethnicity:	
African-American	18.9%
Anglo	56.8%
Hispanic	24.3%
Other	0.0%



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

### Statistics FY 2009

Daycare Operations/Homes	24,965
Capacity	1,045,798
Abuse/Neglect Investigations	2,373
Non-Abuse/Neglect Investigations	12,160
Inspections	46,812
Adverse Actions	321

## 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.
- Validating a system of weighted minimum standards in order to help quantify compliance.
- Inspect child-care operations to ensure they maintain compliance with minimum standards.
- Investigate allegations of abuse/neglect, violations of standards violations or the law and ensure appropriate corrective or adverse actions are taken.
- Conduct criminal background checks and DFPS central registry checks on all adult staff or caregivers, and youth age 14 – 18 who will be in frequent contact with children in child-care operations excluding children in care.
- Offer consultation to potential applicants and permit holders about meeting and maintaining compliance with Licensing standards, and achieving programs of excellence.
- Educate and advise consumers of child-care operations by providing the operations' compliance history.
- Enforcing regulatory requirements for illegally operating child-care providers.
- Educating the public about choosing regulated child care.

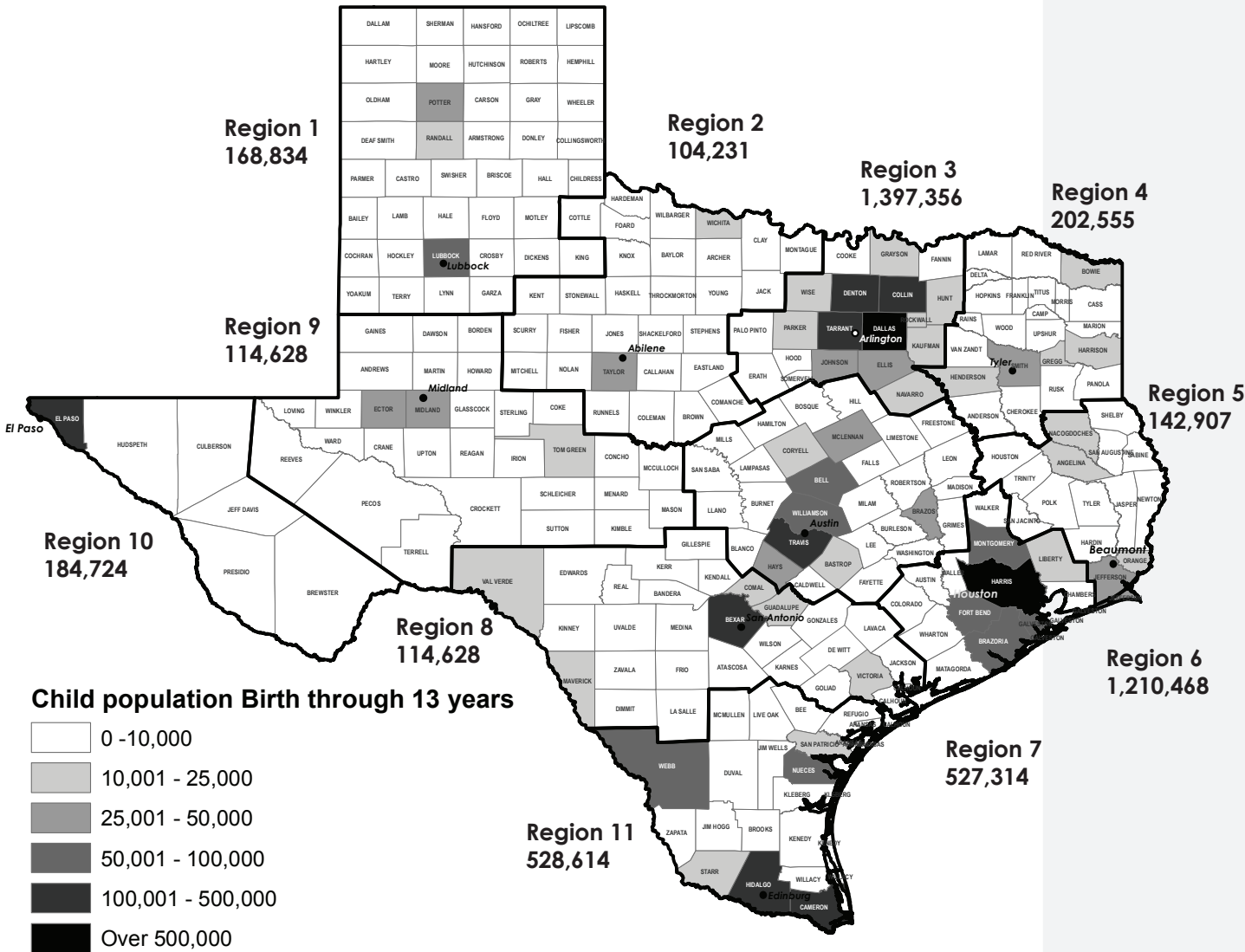
### Other Programmatic Information:

#### Challenges:

- Appropriately and consistently enforcing minimum standards across operation types.
- Implementing a system of weighted minimum standards in order to help quantify compliance.
- Developing inclusive, appropriate and effective relationships with child-care operations resulting in increased compliance and stronger protection for children.
- Determining exemption status for new and different types of child care operations.
- Providing technical assistance to child care operations struggling to manage behavior problems exhibited by young children.
- Providing thorough, efficient and timely background check results to over a quarter of a million people seeking to work in child care, foster care or seeking to adopt a child.
- Maximizing of Mobile Technology.

**Texas Child Population  
Ages Birth through 13 Years  
Fiscal Year 2009**

State Total: 5,083,816



Population Data Source: Texas State Data Center, University of Texas (San Antonio)

### Child Day Care Operations in Texas as of August 31

Year	Licensed Child Care Centers	Licensed Child Care Homes	Listed Family Homes	Registered Child Care Homes	Small Employer Based Child Care	Total Day Care Operations
2005	8,900	1,645	4,132	7,808	0	22,485
2006	9,092	1,604	3,895	7,488	0	22,079
2007	9,319	1,536	3,900	7,214	0	21,969
2008	9,309	1,564	8,257	6,895	1	26,026
2009	9,342	1,617	7,305	6,700	1	24,965

*Note: Counts do not include Applicants*

### Child Day Care Operations in Texas as of August 31

Day Care Licensing Operation Type	2008		2009	
	Count	Capacity	Count	Capacity
Licensed Child Care Centers	9,309	912,320	9,342	930,060
Licensed Child Care Homes	1,564	18,664	1,617	19,276
Listed Family Homes	8,257	19,096	7,305	18,489
Registered Child Care Homes *	6,895	80,303	6,700	77,961
Small Employer Based Child Care	1	12	1	12
<b>Total Child Day Care Operations</b>	<b>26,026</b>	<b>1,030,395</b>	<b>24,965</b>	<b>1,045,798</b>

*\* Homes registered prior to 9/1/03 did not require a capacity to be listed in the database. As new permits are issued for changes made to currently operating homes, the capacities were included. As a result, there is an increase in the capacity that is displayed.*












## Child Day Care Operations and Homes Regulated by Fiscal Year

Region	Licensed Child Care Centers		Licensed Child Care Homes		Listed Family Homes	
	2008	2009	2008	2009	2008	2009
1 Lubbock	303	306	68	68	407	364
2 Abilene	213	218	60	69	223	190
3 Arlington	2,288	2,292	376	402	1,953	1,860
4 Tyler	357	353	74	71	411	456
5 Beaumont	223	218	30	26	99	80
6 Houston	2,312	2,316	183	202	1,762	1,420
7 Austin	1,258	1,294	221	232	994	879
8 San Antonio	944	925	114	117	692	653
9 Midland	207	217	43	43	221	238
10 El Paso	292	284	161	155	434	331
11 Edinburg	912	919	234	232	1,061	834
Unknown/ Out of State	0	0	0	0	0	0
<b>Total</b>	<b>9,309</b>	<b>9,342</b>	<b>1,564</b>	<b>1,617</b>	<b>8,257</b>	<b>7,305</b>

Region	Registered Child Care Homes		Small Employer Based Child Care		Total	
	2008	2009	2008	2009	2008	2009
1 Lubbock	191	179	0	0	969	917
2 Abilene	154	159	0	0	650	636
3 Arlington	2,242	2,192	1	1	6,860	6,747
4 Tyler	102	94	0	0	944	974
5 Beaumont	77	67	0	0	429	391
6 Houston	2,357	2,293	0	0	6,614	6,231
7 Austin	679	628	0	0	3,152	3,033
8 San Antonio	627	632	0	0	2,377	2,327
9 Midland	58	52	0	0	529	550
10 El Paso	79	86	0	0	966	856
11 Edinburg	329	317	0	0	2,536	2,302
Unknown/ Out of State	0	1	0	0	0	1
<b>Total</b>	<b>6,895</b>	<b>6,700</b>	<b>1</b>	<b>1</b>	<b>26,026</b>	<b>24,965</b>











## Licensing of Child Day Care Operations by Region Fiscal Year 2009

### Licensed Child Care Centers

Region	Applications Accepted	Initial Permits Issued	
1 Lubbock	23	20	
2 Abilene	29	25	
3 Arlington	271	227	
4 Tyler	43	45	
5 Beaumont	22	20	
6 Houston	330	278	
7 Austin	173	146	
8 San Antonio	138	135	
9 Midland	29	29	
10 El Paso	21	19	
11 Edinburg	151	142	
<b>State Total</b>	<b>1,230</b>	<b>1,086</b>	

■ Applications Accepted  
■ Initial Permits Issued

### Licensed Child Care Homes

Region	Applications Accepted	Initial Permits Issued	
1 Lubbock	9	9	
2 Abilene	16	17	
3 Arlington	97	100	
4 Tyler	7	7	
5 Beaumont	0	0	
6 Houston	69	58	
7 Austin	62	57	
8 San Antonio	23	21	
9 Midland	4	4	
10 El Paso	8	7	
11 Edinburg	27	26	
<b>State Total</b>	<b>322</b>	<b>306</b>	

■ Applications Accepted  
■ Initial Permits Issued

**Licensing of Child Day Care Operations by Region  
Fiscal Year 2009**

**Listed Family Homes**

Region	Applications Accepted	Listings Issued	
1 Lubbock	165	135	
2 Abilene	94	84	
3 Arlington	891	801	
4 Tyler	146	138	
5 Beaumont	29	26	
6 Houston	569	497	
7 Austin	406	347	
8 San Antonio	302	264	
9 Midland	151	131	
10 El Paso	114	109	
11 Edinburg	303	278	
<b>State Total</b>	<b>3,170</b>	<b>2,810</b>	

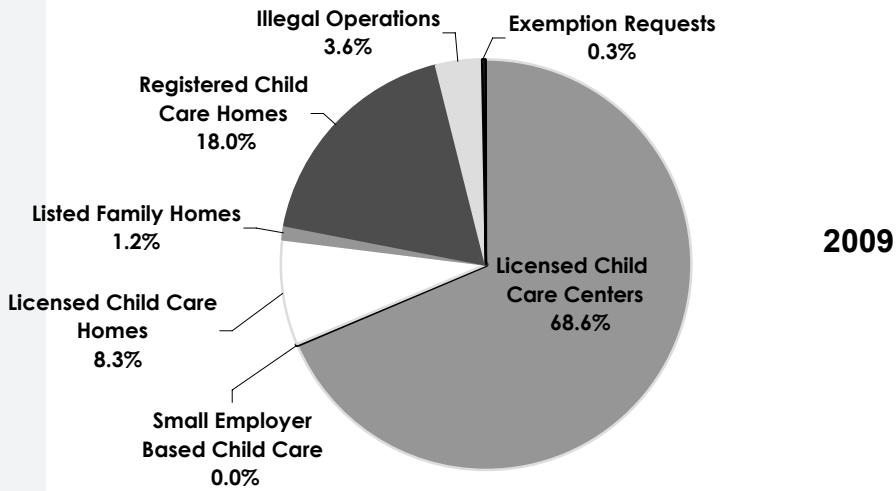
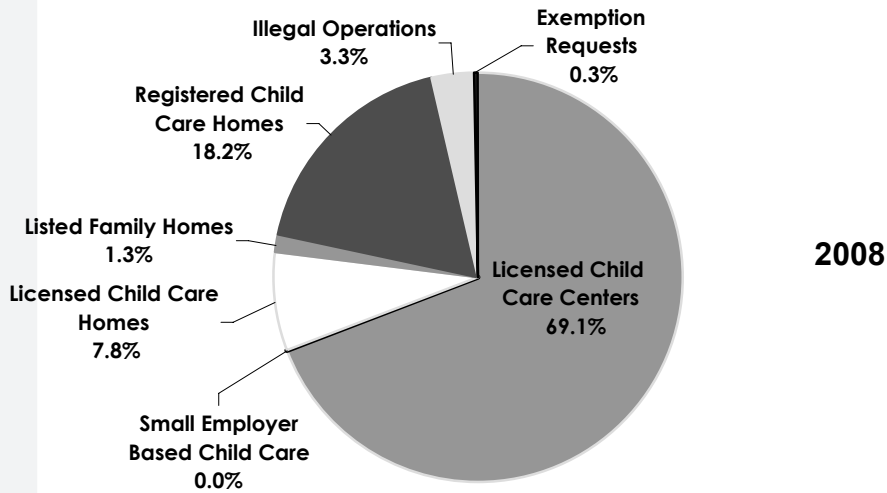
■ Applications Accepted  
■ Listings Issued

**Registered Child Care Homes**

Region	Applications Accepted	Registrations Issued	
1 Lubbock	33	29	
2 Abilene	36	39	
3 Arlington	419	360	
4 Tyler	11	9	
5 Beaumont	7	6	
6 Houston	468	363	
7 Austin	122	103	
8 San Antonio	142	129	
9 Midland	14	9	
10 El Paso	25	23	
11 Edinburg	57	50	
<b>State Total</b>	<b>1,334</b>	<b>1,120</b>	

■ Applications Accepted  
■ Registrations Issued

### Inspections in Child Day Care Operations

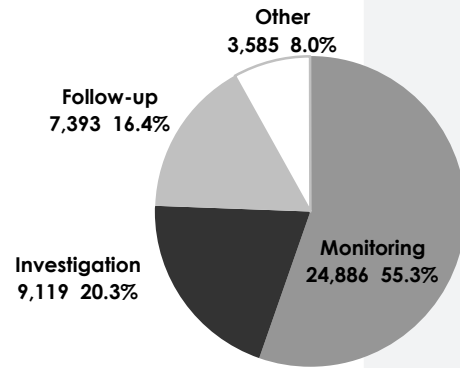


Facility Type	2008	2009
Licensed Child Care Centers	32,497	32,107
Licensed Child Care Homes	3,686	3,906
Listed Family Homes	590	542
Registered Child Care Homes	8,557	8,427
Small Employer Based Child Care	3	1
Illegal Operations	1,556	1,678
Exemption Requests	124	151
<b>Total</b>	<b>47,013</b>	<b>46,812</b>

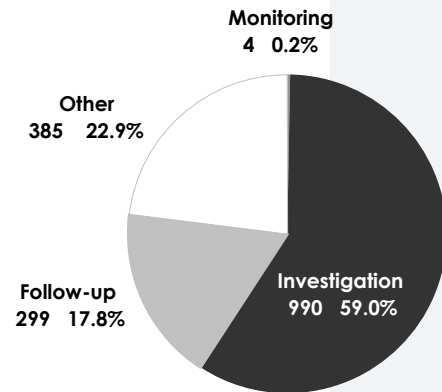


**Inspections in Child Day Care Operations by Type of Inspection**  
**Fiscal Year 2009**  
**Total Inspections: 46,812**

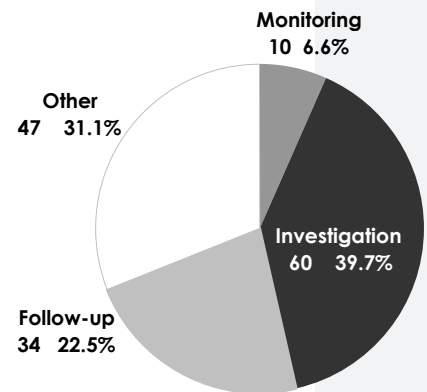
Child Day Care Operations	
Inspection Type	Number
Monitoring	24,886
Investigation	9,119
Follow-up	7,393
Other	3,585
<b>Total</b>	<b>44,983</b>



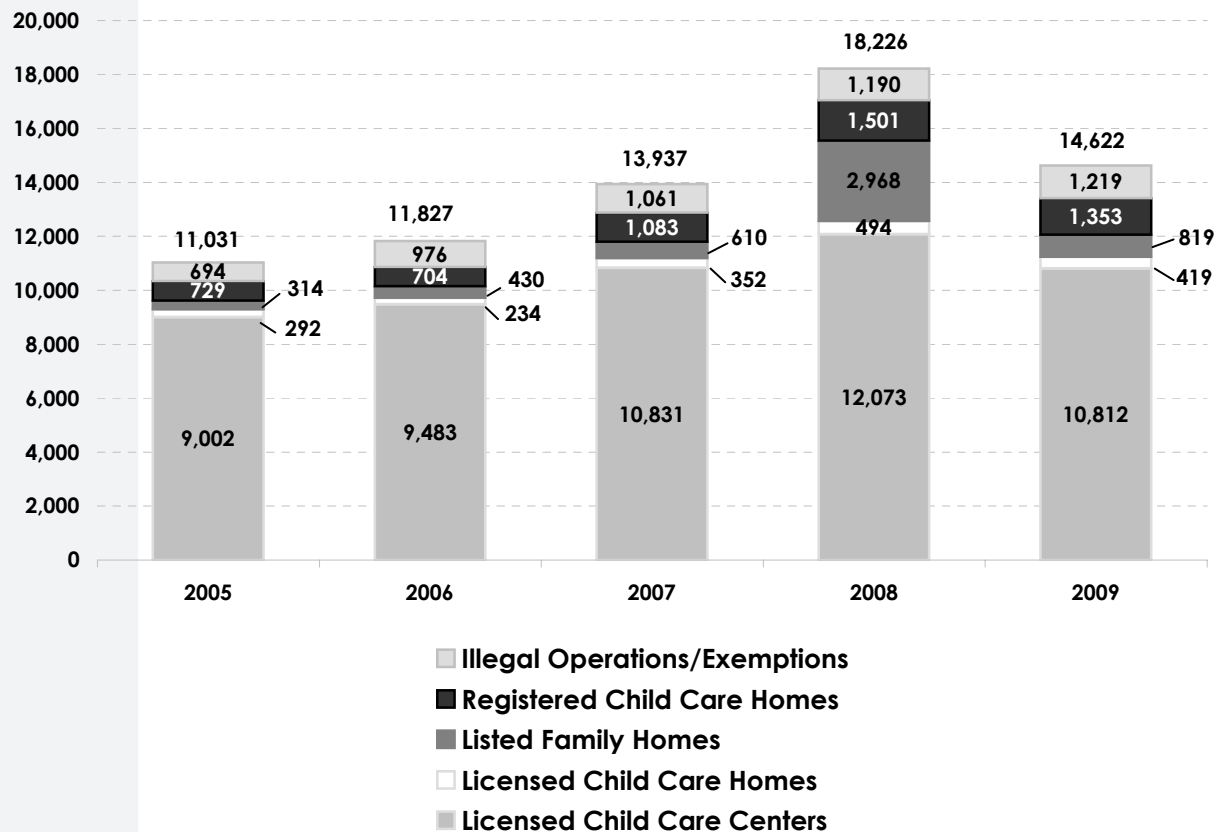
Illegal Operations	
Inspection Type	Number
Monitoring	4
Investigation	990
Follow-up	299
Other	385
<b>Total</b>	<b>1,678</b>



Exemption Requests	
Inspection Type	Number
Monitoring	10
Investigation	60
Follow-up	34
Other	47
<b>Total</b>	<b>151</b>



## Investigations in Child Day Care Operations

Investigations in Child Day Care Operations  
Fiscal Year 2009

Region	Licensed Child Care Centers*	Licensed Child Care Homes	Listed Family Homes	Registered Child Care Homes	Illegal Operations Exemptions	Day Care Total
1 Lubbock	559	10	66	45	62	742
2 Abilene	245	21	48	25	47	386
3 Arlington	3,001	97	260	435	346	4,139
4 Tyler	392	11	22	8	43	476
5 Beaumont	183	0	5	5	17	210
6 Houston	2,297	87	147	421	168	3,120
7 Austin	1,319	47	99	104	176	1,745
8 San Antonio	1,563	40	72	209	94	1,978
9 Midland	232	6	55	6	23	322
10 El Paso	298	54	16	25	18	411
11 Edinburg	722	46	27	66	58	919
Other/Unknown	1	0	2	4	167	174
<b>Total</b>	<b>10,812</b>	<b>419</b>	<b>819</b>	<b>1,353</b>	<b>1,219</b>	<b>14,622</b>

\*Includes Small Employer Based Child Care

## Investigations in Child Day Care Operations Fiscal Year 2009

Operation Type	Total Number Operations as of 8/31/09	Investigations	Number of Abuse/Neglect Investigations			Number of Non Abuse/Neglect Investigations	
			Total	Valid	Percent Validated	Total	Investigations with a Deficiency Cited
<b>Child Day Care Operations</b>							
Licensed Child Care Centers	9,342	10,811	1,653	242	14.6%	9,226	2,881
Licensed Child Care Homes	1,617	419	63	18	28.6%	359	66
Listed Family Homes	7,305	819	107	11	10.3%	713	181
Registered Child Care Homes	6,700	1,353	187	26	13.9%	1,179	239
Small Employer Based Child Care	1	1	0	0	0.0%	1	0
<b>Subtotal</b>	<b>24,965</b>	<b>13,403</b>	<b>2,010</b>	<b>297</b>	<b>14.8%</b>	<b>11,478</b>	<b>3,367</b>
<b>Unlicensed Operations</b>							
Illegal Operations	599	1,156	358	96	26.8%	627	180
Exemption Requests	402	63	5	1	20.0%	55	29
<b>Subtotal</b>	<b>1,001</b>	<b>1,219</b>	<b>363</b>	<b>97</b>	<b>26.7%</b>	<b>682</b>	<b>209</b>
<b>Total</b>	<b>25,966</b>	<b>14,622</b>	<b>2,373</b>	<b>394</b>	<b>16.6%</b>	<b>12,160</b>	<b>3,576</b>

*Note: The number of Investigations and the number of Non Abuse/Neglect Investigations are based on the date that the worker completed the investigation. The number of Abuse/Neglect Investigations uses the date that the Investigation stage closed. Therefore, the sum of Abuse/Neglect Investigations and Non Abuse/Neglect Investigations will not match the total investigations.*

## Adverse Actions and Corrective Actions Initiated in Child Day Care Operations by Region Fiscal Year 2009

Licensed Child Care Centers							
Region	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total Adverse Actions	Evaluation	Probation	Total Corrective Actions
1 Lubbock	0	2	0	2	5	5	10
2 Abilene	2	0	0	2	4	4	8
3 Arlington	4	5	0	9	18	22	40
4 Tyler	2	0	0	2	18	10	28
5 Beaumont	2	0	0	2	3	3	6
6 Houston	10	11	7	28	39	21	60
7 Austin	2	0	0	2	24	6	30
8 San Antonio	3	0	0	3	9	10	19
9 Midland	0	0	0	0	0	1	1
10 El Paso	1	0	0	1	2	2	4
11 Edinburg	0	2	0	2	9	10	19
<b>State Total</b>	<b>26</b>	<b>20</b>	<b>7</b>	<b>53</b>	<b>131</b>	<b>94</b>	<b>225</b>

Licensed Child Care Homes							
Region	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total Adverse Actions	Evaluation	Probation	Total Corrective Actions
1 Lubbock	0	0	0	0	0	1	1
2 Abilene	0	1	0	1	0	0	0
3 Arlington	3	2	0	5	0	0	0
4 Tyler	1	0	0	1	1	0	1
5 Beaumont	0	0	0	0	0	0	0
6 Houston	1	0	0	1	0	0	0
7 Austin	2	0	0	2	2	1	3
8 San Antonio	0	2	0	2	1	1	2
9 Midland	0	0	0	0	0	0	0
10 El Paso	0	1	0	1	0	1	1
11 Edinburg	0	0	0	0	0	1	1
<b>State Total</b>	<b>7</b>	<b>6</b>	<b>0</b>	<b>13</b>	<b>4</b>	<b>5</b>	<b>9</b>

*Note: Adverse actions are determined by the date the facility was sent the letter of intent. Finalizing adverse action through due process is lengthy. Voluntary Suspensions are not counted in the number of suspensions. Corrective actions begin after the due process is completed.*

**Adverse Actions and Corrective Actions Initiated in Child Day Care Operations by Region  
Fiscal Year 2009**

Listed Family Homes							
Region	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total Adverse Actions	Evaluation	Probation	Total Corrective Actions
1 Lubbock	15	2	0	17	0	0	0
2 Abilene	8	2	0	10	0	0	0
3 Arlington	57	9	0	66	0	0	0
4 Tyler	3	2	0	5	0	0	0
5 Beaumont	0	0	0	0	0	0	0
6 Houston	33	3	0	36	0	0	0
7 Austin	24	3	0	27	0	0	0
8 San Antonio	17	4	0	21	0	0	0
9 Midland	13	1	0	14	0	0	0
10 El Paso	4	0	0	4	0	0	0
11 Edinburg	13	0	0	13	0	0	0
<b>State Total</b>	<b>187</b>	<b>26</b>	<b>0</b>	<b>213</b>	<b>0</b>	<b>0</b>	<b>0</b>

Registered Child Care Homes							
Region	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total Adverse Actions	Evaluation	Probation	Total Corrective Actions
1 Lubbock	2	2	0	4	1	1	2
2 Abilene	1	0	0	1	0	0	0
3 Arlington	1	11	0	12	3	3	6
4 Tyler	0	1	0	1	0	0	0
5 Beaumont	0	0	0	0	0	0	0
6 Houston	4	10	0	14	6	1	7
7 Austin	0	2	0	2	4	0	4
8 San Antonio	2	4	0	6	0	1	1
9 Midland	0	0	0	0	0	0	0
10 El Paso	1	0	0	1	0	0	0
11 Edinburg	1	0	0	1	0	1	1
<b>State Total</b>	<b>12</b>	<b>30</b>	<b>0</b>	<b>42</b>	<b>14</b>	<b>7</b>	<b>21</b>

Child Day Care Operations							
Grand Total	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total Adverse Actions	Evaluation	Probation	Total Corrective Actions
	232	82	7	321	149	106	255

*Note: Adverse actions are determined by the date the facility was sent the letter of intent. Finalizing adverse action through due process is lengthy. Voluntary Suspensions are not counted in the number of suspensions. Corrective actions begin after the due process is completed.*

### Background Checks for Child Day Care Operations Fiscal Year 2009

Operation Type	Central Registry Checks	DPS Checks	FBI Checks *
Licensed Child Care Centers	189,984	189,929	155,248
Licensed Child Care Homes	4,609	4,603	864
Listed Family Homes	9,045	9,045	567
Registered Child Care Homes	11,186	11,184	1,660
Small Employer Based Child Care	17	17	16
<b>Total</b>	<b>214,841</b>	<b>214,778</b>	<b>158,355</b>

\* Represents the number of FBI checks that were requested, not the number that were actually processed.

Note: Does not include background checks conducted on individuals in an illegal child-care operation or exemption request.