

Texas child care minimum standards

Child Care Licensing is a division of the Department of Family and Protective Services (DFPS). It regulates and monitors child care operations in Texas. For more information about child care licensing and its services, visit www.dfps.state.tx.us/child_care.

Child Care Licensing rolled out the first set of Minimum Standards updates Sept. 1, 2016. The updates in September were part of federal requirements based on the Child Care Development Block Grant (CCDBG) of 2014. These new standards are now available at www.dfps.state.tx.us/Child_Care/documents/Standards_and_Regulations/746_Centers.pdf.

Did you know?

- You can download the standards to your computer, smart phone, and tablets.
- When you open the document, if you enter “Ctrl F” you will then have a search box.
- Enter any key word or number into this feature, and it will bring up all of the standards that have that word or number associated with it.
- In the example, if you enter “Food Allergy” you can select “Enter” and this will take you through all the standards with the word or number you are searching.
- Standards are dated, so if you want to see all standards updated in 2016, you can enter “2016” in the search feature.

Also located on the Department of Family and Protective Services website, you will find a document titled “Display of September 2016 Changes....” This document includes *only* standards that were updated in the September 2016 updates. This is a great resource to create a checklist to ensure that your operation has covered all the updates in your policies and programing needs. See www.dfps.state.tx.us/Child_Care/documents/Standards_and_Regulations/746_CCDBG_2016-09_display.pdf.

Child Care Licensing has provided a wonderful resource to providers regarding the September 2016 updates. This resource contains scenarios for directors to think about and consider for compliance with

the new standards that were released September 2016. Topics include food allergy plans; emergency preparedness; handling, storage, and disposing of hazardous materials; and health and safety trainings. The website can be found at www.dfps.state.tx.us/Child_Care/Day_Care_Licensing/default.asp.

There are many updates in the licensing world! The September 2016 updates were required with the federal CCDBG Act. Child Care Licensing was already in the process of its own, state-mandated, minimum-standards comprehensive review that takes place every six years.

What does this mean for you?

- In March 2017, there will be new updates to standards based on our required six-year comprehensive review.
- Technical assistance will be provided for the March 2017 updates.
- A webinar similar to the one available for CCDBG will also be available for our comprehensive changes.
- As of the writing of this article, the proposed rules have NOT been adopted. Proposed rules can be found at www.dfps.state.tx.us/Child_Care/Child_Care_Standards_and_Regulations/rules.asp.

Please consider this...

- Training for directors and staff is a pivotal part of all staff’s professional development.
- With the new rules there are **no** changes to the **number** of required training hours.
- Training content **was** added with the CCDBG rules and most of this training is already incorporated with the existing Agrilife trainings.
- It is **your** responsibility to ensure that the trainings/trainers you select meet all criteria for trainers and training content per the minimum standards.

Standards to keep in mind when selecting training appear below. (*See all of Child Care Licensing's training tips in italics below. Standards are listed in bold.*)

§746.1319. Does Licensing approve training resources or trainers for training hours?

No. We do not approve or endorse training resources or trainers for training hours. You should, however, ensure you and your employees receive relevant training from reliable resources, in topics specified in this division, and that participants receive original documentation of completion, as specified in this division.

We recommend that you:

- Ask the trainer to provide you with a résumé or vita showing relevant experience and education, or be certain you are obtaining training through reliable sources in the community who have verified the presenter's qualifications for you.
- Ask to see a copy of the certificate your employees will receive and to preview the materials before entering into an agreement to purchase any training.

§746.1317. Must the training for my caregivers and the director meet certain criteria? *Section (a) You will need to ensure that the training you have selected meets the criteria in (1)-(7). Please ask the trainer in advance how they meet the standard and verify this information is current.*

(a) Training may include clock hours or CEUs provided by one of the following:

- (1) A training provider registered with the Texas Early Care and Education Career Development System's Texas Trainer Registry, maintained by the Texas Head Start State Collaboration Office.
- (2) An instructor who teaches early childhood development or another relevant course at a secondary school or institution of higher education accredited by a recognized accrediting agency.
- (3) An employee of a state agency with relevant expertise.
- (4) A physician, psychologist, licensed professional counselor, social worker, or registered nurse.
- (5) A person who holds a generally recognized credential or possesses documented knowledge relevant to the training the person will provide.
- (6) A director at your child care center who has

demonstrated core knowledge in child development and caregiving if:

- (A) the director is providing training to his or her own staff; and
 - (B) your child care center has not been on probation, suspension, emergency suspension, or revocation in the two years preceding the training or been assessed an administrative penalty in the two years preceding the training.
- (7) A person who has at least two years of experience working in child development, a child development program, early childhood education, a childhood education program, or a Head Start or Early Head Start program and:
- (A) has been awarded a Child Development Associate (CDA) credential; or
 - (B) holds at least an associate's degree in child development, early childhood education, or a related field.

(b) Training may include clock hours or CEUs obtained through self-instructional materials, if the materials were developed by a person who meets one of the qualifications in subsection (a) of this section.

(c) Self-instructional training may not be used for CPR or first-aid certification. *In addition to verifying that the trainer meets the requirement of the standards, you will also want to make sure that their training meets the items (d)(1)-(4).*

(d) All training must include the following:

- (1) specifically stated learning objectives;
- (2) a curriculum, which includes experiential or applied activities;
- (3) an evaluation/assessment tool to determine whether a person has obtained the information necessary to meet the stated objectives; and
- (4) a certificate of successful completion from the training source.

§746.1329. What documentation must I provide to Licensing to verify that training requirements have been met?

(a) Except as provided in this section, you must maintain original certificates documenting CPR/first-aid and annual training in each employee's personnel record at the child care center. To be counted toward compliance with the minimum standards, the trainer or training source must provide the participant with an original certificate or letter showing

the following:

- (1) the participant's name;
- (2) date of the training;
- (3) title/subject of the training;
- (4) the trainer's name, or the source of the training for self-instructional training;
- (5) the trainer's qualifications, in compliance with §746.1317 of this title (relating to Must the training for my caregivers and the director meet certain criteria?); and
- (6) length of the training specified in clock hours, CEUs, or college credit hours, as appropriate.

(b) Documentation of CPR/first-aid training must include the same information in subsection (a) of this section, and must also include the expiration date of the training, as determined by the organization providing the training. A photocopy of the original CPR/first-aid certificate or letter may be maintained in the personnel record, as long as the employee can provide an original document upon request by Licensing.

(c) You must obtain a signed and dated statement from the employee and the person providing the orientation and pre-service training stating the employee has received the orientation and pre-service training, or you may obtain documentation as specified in subsection (a) of this section.

- Original certificates help to verify the person actually received the training. A permit holder has the discretion to release training records to an employee upon leaving their employment. *Child Care Licensing recommends that staff make a copy of the training they receive for their own personal files away from the operation. In the event that there is a destructive event (flood, fire, robbery, for example) at an operation, individual staff would still have a copy of training if needed in the future.*
- When an employee receives training at a conference, then the conference sponsors may be responsible for ensuring that all the presenters meet the required trainer qualifications. This may be done instead of listing on the training certificate all the presenters and their qualifications.

§746.1309. How many clock hours of annual training must be obtained by caregivers?

(h) No more than 80 percent of the annual training hours may be obtained through self-instructional training. No more than three hours of the self-

instructional training may come from a person reading written materials or watching a video on their own.

Please keep in mind the current definitions for self-instructional and instructor-led when determining what type of training you require. These definitions will also be clarified in the 2017 standards updates.

§746.1325. What is self-instructional and instructor-led training?

(a) Self-instructional training is designed to be used by one individual working alone and at their own pace to complete the lessons or modules. Lessons or modules commonly include questions with clear right and wrong answers. Examples include, but are not limited to, self-paced web-based training, written materials, or a combination of video or web-based and written materials.

(b) Instructor-led training is characterized by the communication and interaction that takes place between the learner and the instructor and must include an opportunity for the learner to interact with the instructor to obtain information beyond the scope of the training materials. The instructor must be able to communicate with the learner in a timely and organized fashion, including but not limited to the instructor answering questions, providing feedback on skills practice, providing guidance or information on additional resources, and proactively contacting learners. Examples include, but are not limited to, classroom training, web-based online facilitated learning, video-conferencing, or other group learning experiences.

(c) Both self-instructional and instructor-led training must also include the components listed in §746.1317(d) of this title (relating to Must the training for my caregivers and the director meet certain criteria?). *Does the training meet the components of 1317(d) above?*

Please keep the links below available for your resource needs.

Link to Child Care Licensing Technical Assistance Library: www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/CCLNET/Source/TALibrary/TechnicalAssistance.aspx

Food Allergy: www.foodallergy.org/faap

Newly released abuse prevention resources: www.cdc.gov/violenceprevention/childmaltreatment/index.html

Child Care Licensing local office contacts: www.dfps.state.tx.us/Child_Care/Local_Child_Care_Licensing_Offices/default.asp
http://extensiononline.tamu.edu/courses/child_care.php. ■