

By: Shapleigh

S.B. No. 523

A BILL TO BE ENTITLED

AN ACT

relating to subsidized child-care services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading of Chapter 72, Human Resources Code, is amended to read as follows:

CHAPTER 72. HEAD START, PREKINDERGARTEN, AND OTHER SIMILAR
PROGRAMS

SECTION 2. Section 72.003, Human Resources Code, is amended to read as follows:

Sec. 72.003. COORDINATION OF SERVICES. (a) In a manner consistent with federal law and regulations, each Head Start and Early Head Start program provider, prekindergarten program provider, and provider of an after-school child-care program provided at a school shall coordinate with the Texas Workforce Commission, Texas Education Agency, and local workforce development boards regarding subsidized child-care services.

(b) The coordination required by this section must include:

(1) streamlining the eligibility determination or registration processes for subsidized child-care services and a Head Start or Early Head Start, prekindergarten, or after-school child-care program;

(2) providing to an applicant for a child-care service the following information regarding all subsidized child-care services and services provided by a Head Start, Early Head Start,

1 prekindergarten, or after-school child-care program that are
2 available from any source in the applicant's community:

3 (A) the types of services available and the hours
4 and locations of availability;

5 (B) eligibility criteria and application
6 procedures for receipt of services; and

7 (C) the number of people on the current waiting
8 list for services; and

9 (3) coordinating to ensure, to the extent practicable,
10 that full-day, full-year child-care services are available to meet
11 the needs of low-income parents who are working or participating in
12 workforce training or workforce education.

13 (c) The coordination required by this section may also
14 include:

15 (1) cooperating with the Texas Workforce Commission
16 regarding studies conducted by the commission;

17 (2) collecting data necessary to determine a child's
18 eligibility for subsidized child-care services or a Head Start or
19 Early Head Start, prekindergarten, or after-school child-care
20 program, when permissible;

21 (3) cooperating to provide for staff training and
22 professional development activities;

23 (4) identifying and developing methods for the
24 collaborative provision of subsidized child-care services and Head
25 Start or Early Head Start, prekindergarten, or after-school
26 child-care program services, including:

27 (A) operating a combined system for eligibility

1 determination or registration processes so that an applicant may
2 apply for all services available in an applicant's community
3 through a single point of access;

4 (B) sharing facilities or staff; and

5 (C) ~~[(B)]~~ increasing the enrollment capacity of
6 those programs;

7 (5) identifying child-care facilities located in
8 close proximity to Head Start or Early Head Start, prekindergarten,
9 or after-school child-care programs; and

10 (6) coordinating transportation between child-care
11 facilities identified under Subdivision (5) and a Head Start or
12 Early Head Start, prekindergarten, or after-school child-care
13 program.

14 (d) In coordinating child-care services under this section
15 and in making any related decision to contract with another
16 provider for child-care services, the Texas Workforce Commission,
17 the Texas Education Agency, local workforce development boards, and
18 each Head Start and Early Head Start program provider,
19 prekindergarten program provider, and provider of an after-school
20 child-care program provided at a school shall consider the quality
21 of the services involved in the proposed coordination or
22 contracting decision, and shall give preference to services of the
23 highest quality. Any appropriate indicator of quality services may
24 be considered under this subsection, including whether the provider
25 of the services:

26 (1) meets the Texas Rising Star Provider criteria
27 described by Section 809.15(b), Title 40, Texas Administrative

1 Code;

2 (2) is accredited by the National Association for the
3 Education of Young Children; or

4 (3) has achieved any other measurable target relevant
5 to improving the quality of child care in this state.

6 SECTION 3. Subchapter A, Chapter 302, Labor Code, is
7 amended by adding Section 302.0042 to read as follows:

8 Sec. 302.0042. NOTICE REGARDING TERMINATION OF CERTAIN
9 CHILD-CARE SERVICES. (a) The commission shall direct each local
10 workforce development board to notify a working poor subsidy
11 recipient who resides in that board's local workforce development
12 area and who receives child-care services from a child-care
13 services program financed through state or federal funds of any
14 termination of the program.

15 (b) The local workforce development board shall provide the
16 notice in writing to the recipient not later than the 45th day
17 before the scheduled date of termination of the affected child-care
18 services program. The notice must include information regarding
19 other child-care services programs under which the recipient may be
20 eligible for services.

21 SECTION 4. Section 29.153(d), Education Code, is amended to
22 read as follows:

23 (d) If a district cannot provide prekindergarten classes to
24 all children in the district who are eligible under Subsection (b)
25 using district facilities, the district shall make all reasonable
26 efforts to contract with a private entity, including a
27 community-based child-care facility or Head Start program

1 provider, for provision of services to eligible children. On
2 application of a district, the commissioner may exempt a district
3 from the application of this section if:

4 (1) the district cannot contract with a private entity
5 as described by this subsection; and

6 (2) the district would be required to construct
7 classroom facilities in order to provide sufficient
8 prekindergarten classes.

9 SECTION 5. (a) Not later than January 1, 2004, the Texas
10 Education Agency shall develop a plan to establish prekindergarten
11 programs within the subsidized child-care service industry. In
12 developing the plan, the agency shall seek input from:

13 (1) parents eligible to receive subsidized child-care
14 services;

15 (2) parents of children eligible for enrollment in a
16 prekindergarten program;

17 (3) school districts;

18 (4) the Texas Workforce Commission;

19 (5) local workforce development boards;

20 (6) the child-care resource and referral network; and

21 (7) the Texas Head Start Collaboration Project.

22 (b) The plan must provide that programs to be established
23 under the plan be funded using money used for prekindergarten
24 programs under Subchapter E, Chapter 29, Education Code, and
25 federal child-care development funds to the extent permitted by
26 federal law.

27 (c) Not later than January 1, 2005, the Texas Education

1 Agency shall prepare and deliver the plan to the governor,
2 lieutenant governor, speaker of the house of representatives, and
3 clerks of the standing committees of the senate and house of
4 representatives with primary jurisdiction over prekindergarten
5 programs and state-subsidized child-care services for low-income
6 families.

7 SECTION 6. (a) The Texas Workforce Commission and the
8 Department of Protective and Regulatory Services shall jointly
9 develop and implement a pilot program in one urban region of this
10 state under which licensed child-care facilities, Head Start and
11 Early Head Start program providers, and prekindergarten program
12 providers, including school districts, are assessed under a
13 multitiered, quality rating system.

14 (b) To the extent practicable, the Department of Protective
15 and Regulatory Services shall consider the rating under the quality
16 rating system of a child-care facility located in the pilot program
17 region in making licensing decisions regarding the facility.

18 (c) Not later than January 1, 2005, the Texas Workforce
19 Commission and the Department of Protective and Regulatory Services
20 shall prepare and deliver a joint report regarding the pilot
21 program to the governor, lieutenant governor, speaker of the house
22 of representatives, and clerks of the standing committees of the
23 senate and house of representatives with primary jurisdiction over
24 state-subsidized child-care services for low-income families and
25 licensing of child-care facilities. The report must include
26 recommendations for:

27 (1) implementing the quality rating system statewide;

1 (2) incorporating the quality rating system in the
2 licensing process for child-care facilities under Chapter 42, Human
3 Resources Code; and

4 (3) using the quality rating system in a manner that
5 promotes informed decisions about coordination of child-care
6 services in this state.

7 (d) This section expires September 1, 2005.

8 SECTION 7. This Act takes effect September 1, 2003.