

## **BILL ANALYSIS**

C.S.H.B. 2903  
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Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Recent studies show that around 90 percent of brain development occurs during the period between birth and when a child reaches five years of age. Many Texas children under the age of five are cared for in a child-care setting during the workday and spend the majority of their day with child-care workers. The relationship between these children and their child-care workers is crucial in the children's development, and it is critically important that the workers receive the best training possible to care for young, vulnerable Texans. C.S.H.B. 2903 seeks to ensure that employees of child-care facilities are better equipped to handle the challenges they face in their workplace and to better prepare children for prekindergarten and elementary school.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2903 amends the Human Resources Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, to remove the requirement that the minimum training standards prescribed by the executive commissioner of the Health and Human Services Commission for an employee, director, or operator of a day-care center, group day-care home, or registered family home include, for an employee of a day-care center who has no previous training or less than two years of employment experience in a regulated child-care facility, 24 hours of initial training that must be completed not later than the 90th day after the first day of employment, 8 hours of which must be completed before the employee is given responsibility for a group of children. The bill instead requires the standards for such an employee to include 48 hours of initial training which must be completed not later than the first anniversary of the employee's first day of employment. The bill specifies that the employee must complete at least 32 hours of the initial training not later than the 90th day after the employee's first day of employment and at least 16 hours of the initial training before the employee is given responsibility for a group of children.

C.S.H.B. 2903 specifies that the 24 hours of annual training required for each employee of a day-care center or group day-care home applies to an employee who has completed the initial training and requires the annual training to include six hours of training in teacher-child interaction. The bill requires 30 hours of the initial training and 12 hours of the annual training to be provided by a person who meets certain specified qualifications. The bill removes from the list of qualifications for a person to provide training to certain child-care workers the possession

of documented knowledge relevant to the training the person will provide, as an alternative to holding a generally recognized credential relevant to such training. The bill authorizes the required training for employees, directors, and operators of day-care centers, group day-care homes, and registered family homes to be provided in person or online.

### EFFECTIVE DATE

September 1, 2015.

### COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2903 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill and does not indicate differences relating to changes made by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, which became effective April 2, 2015.

#### INTRODUCED

SECTION 1. Section 42.0421, Human Resources Code, is amended by amending Subsections (a) and (f) and adding Subsections (a-1) and (j) to read as follows:

(a) The minimum training standards prescribed by the department under Section 42.042(p) for an employee, director, or operator of a day-care center, group day-care home, or registered family home must include:

(1) 60 [24] hours of initial training [~~that must be completed not later than the 90th day after the employee's first day of employment~~] for an employee of a day-care center who has no previous training or less than two years of employment experience in a regulated child-care facility, subject to the following requirements:

(A) the employee must complete the initial training not later than the first anniversary of the employee's first day of employment;

(B) the employee must complete at least 36 hours of the initial training not later than the 90th day after the employee's first day of employment; and

(C) the employee must complete at least 24 [eight] hours of the initial training [which must be completed] before the employee is given responsibility for a group of children;

(2) 24 hours of annual training for each employee of a day-care center or group day-care home who has completed the initial training required by Subdivision (1), excluding the director, which must include

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 42.0421, Human Resources Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is amended by amending Subsections (a) and (f) and adding Subsections (a-1) and (j) to read as follows:

(a) The minimum training standards prescribed by the executive commissioner under Section 42.042(p) for an employee, director, or operator of a day-care center, group day-care home, or registered family home must include:

(1) 48 [24] hours of initial training [~~that must be completed not later than the 90th day after the employee's first day of employment~~] for an employee of a day-care center who has no previous training or less than two years of employment experience in a regulated child-care facility, subject to the following requirements:

(A) the employee must complete the initial training not later than the first anniversary of the employee's first day of employment;

(B) the employee must complete at least 32 hours of the initial training not later than the 90th day after the employee's first day of employment; and

(C) the employee must complete at least 16 [eight] hours of the initial training [which must be completed] before the employee is given responsibility for a group of children;

(2) 24 hours of annual training for each employee of a day-care center or group day-care home who has completed the initial training required by Subdivision (1), excluding the director, which must include

at least:

(A) six hours of training in one or more of the following areas:

- (i) ~~[(A)]~~ child growth and development;
  - (ii) ~~[(B)]~~ guidance and discipline; and
  - (iii) ~~[(C)]~~ age-appropriate curriculum; and
- (B) six hours of training in ~~[(D)]~~ teacher-child interaction; and

(3) 30 hours of annual training for each director of a day-care center or group day-care home, or operator of a registered family home, which must include at least six hours of training in one or more of the following areas:

- (A) child growth and development;
- (B) guidance and discipline;
- (C) age-appropriate curriculum; and
- (D) teacher-child interaction.

(a-1) Thirty hours of the initial training required under Subsection (a)(1), and the 12 hours of annual training required under Subsections (a)(2)(A) and (B) must be provided by a person who meets at least one of the qualifications listed under Subsection (f)(1), (2), (3), or (4).

(f) The training required by this section must be appropriately targeted and relevant to the age of the children who will receive care from the individual receiving training and must be provided by a person who:

- (1) is a training provider registered with the Texas Early Care and Education Career Development System's Texas Trainer Registry that is maintained by the Texas Head Start State Collaboration Office;
- (2) is an instructor at a public or private secondary school, an institution of higher education, as defined by Section 61.003, Education Code, or a private college or university accredited by a recognized accrediting agency who teaches early childhood development or another relevant course, as determined by rules adopted by the commissioner of education and the commissioner of higher education;
- (3) is an employee of a state agency with relevant expertise;
- (4) is a physician, psychologist, licensed professional counselor, social worker, or registered nurse;
- (5) holds a generally recognized credential ~~[or possesses documented knowledge]~~ relevant to the training the person will provide;
- (6) is a registered family home care

at least:

(A) six hours of training in one or more of the following areas:

- (i) ~~[(A)]~~ child growth and development;
  - (ii) ~~[(B)]~~ guidance and discipline; and
  - (iii) ~~[(C)]~~ age-appropriate curriculum; and
- (B) six hours of training in ~~[(D)]~~ teacher-child interaction; and

(3) 30 hours of annual training for each director of a day-care center or group day-care home, or operator of a registered family home, which must include at least six hours of training in one or more of the following areas:

- (A) child growth and development;
- (B) guidance and discipline;
- (C) age-appropriate curriculum; and
- (D) teacher-child interaction.

(a-1) Thirty hours of the initial training required under Subsection (a)(1), and the 12 hours of annual training required under Subsections (a)(2)(A) and (B) must be provided by a person who meets at least one of the qualifications listed under Subsection (f)(1), (2), (3), (4), or (7).

(f) The training required by this section must be appropriately targeted and relevant to the age of the children who will receive care from the individual receiving training and must be provided by a person who:

- (1) is a training provider registered with the Texas Early Childhood Professional Development System's Texas Trainer Registry that is maintained by the Texas Head Start State Collaboration Office;
- (2) is an instructor at a public or private secondary school, an institution of higher education, as defined by Section 61.003, Education Code, or a private college or university accredited by a recognized accrediting agency who teaches early childhood development or another relevant course, as determined by rules adopted by the commissioner of education and the commissioner of higher education;
- (3) is an employee of a state agency with relevant expertise;
- (4) is a physician, psychologist, licensed professional counselor, social worker, or registered nurse;
- (5) holds a generally recognized credential ~~[or possesses documented knowledge]~~ relevant to the training the person will provide;
- (6) is a registered family home care

provider or director of a day-care center or group day-care home in good standing with the department, if applicable, and who:

(A) has demonstrated core knowledge in child development and caregiving; and

(B) is only providing training at the home or center in which the provider or director and the person receiving training are employed; or

(7) 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.

(j) The training required by this section may be provided in person or online.

SECTION 2. Section 42.0421(a), Human Resources Code, as amended by this Act, applies only to an employee who is initially employed by a day-care center on or after the effective date of this Act. An employee who is initially employed by a day-care center before that date is subject to the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

provider or director of a day-care center or group day-care home in good standing with the department, if applicable, and who:

(A) has demonstrated core knowledge in child development and caregiving; and

(B) is only providing training at the home or center in which the provider or director and the person receiving training are employed; or

(7) 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.

(j) The training required by this section may be provided in person or online.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.