

House Bill 680
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 2308.317, Government Code, is amended by adding Subsection (e) to read as follows:

(e) Each board shall, to the extent practicable, ensure that any professional development for child care providers, directors, and employees funded under Subsection (a):
(1) can be used toward requirements for a credential, certification, or degree program; and
(2) meets the professional development requirements of the Texas Rising Star Program.

SECTION 2. Section 302.0042, Labor Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The commission's evaluation must assess:
(1) the use of current federal child care funds by each local workforce development board;
(2) the ability of each local workforce development board to meet child care performance measures;
(3) the average cost of child care in each local workforce development area;
(4) the average price charged by child care providers for child care in each local workforce development area as stated in the market rate survey conducted under 45 C.F.R. Section 98.45(c);

(5) the poverty rate of each local workforce development area compared to the state's poverty rate;
(6) [(5)] the number of children on waiting lists for child care in each local workforce development area; [and]

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Section 302.0042, Labor Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows: [FA1(1)]

(b) The commission's evaluation must assess:
(1) the use of current federal child care funds by each local workforce development board;
(2) the ability of each local workforce development board to meet child care performance measures;
(3) the average cost of child care in each local workforce development area;
(4) the average monthly price charged by child care providers for full-day child care in each local workforce development area as stated in the market rate survey conducted under 45 C.F.R. Section 98.45(c); [FA1(2)]
() the average monthly price charged by quality child care providers for full-day child care in each local workforce development area; [FA1(3)]

(5) the poverty rate of each local workforce development area compared to the state's poverty rate;
(6) [(5)] the number of children on waiting lists for child care in each local workforce development area; [and]

CONFERENCE

House Bill 680
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(7) [(6)] the number of places that are reserved for participants in the child-care subsidy program out of the total number of children enrolled with a provider on a full-time basis categorized by age of the child for each provider [vacant slots available for child care placement] in each local workforce development area that is certified as a 2-star, 3-star, or 4-star provider in the Texas Rising Star Program or that does not participate in the Texas Rising Star Program;

(8) the total number of child care providers participating in the Texas Rising Star Program in each local workforce development area and the number of 2-star, 3-star, and 4-star rated child care providers in the local workforce development area;

(9) the number of child care providers participating in the Texas Rising Star Program in each local workforce development area as a percentage of the total number of subsidized child care providers in the local workforce development area and

the number of 2-star, 3-star, and 4-star rated child care providers in the local workforce development area as a percentage of the total number of subsidized child care providers in the local workforce development area;

(10) the total number of children enrolled in subsidized child care providers participating in the Texas Rising Star Program in each local workforce development area and the number of subsidized children enrolled in 2-star, 3-star, and 4-star rated child care providers in the local workforce development area; and

(11) the number of subsidized children enrolled in child care providers participating in the Texas Rising Star Program in each local workforce development area as a percentage of

SENATE VERSION (IE)

(7) [(6)] the number of places that are reserved for participants in the child-care subsidy program out of the total number of children enrolled with a provider on a full-time basis categorized by age of the child for each provider [vacant slots available for child care placement] in each local workforce development area that is certified as a 2-star, 3-star, or 4-star provider in the Texas Rising Star Program or that does not participate in the Texas Rising Star Program;

(8) the total number of child care providers participating in the Texas Rising Star Program in each local workforce development area and the number of 2-star, 3-star, and 4-star rated child care providers in the local workforce development area;

() the number of child care providers participating in the Texas Rising Star Program in each local workforce development area as a percentage of the total number of both subsidized child care providers and all child care providers in the local workforce development area;

() the number of 2-star, 3-star, and 4-star rated child care providers in the local workforce development area as a percentage of the total number of both subsidized child care providers and all child care providers in the local workforce development area; [FA1(4)]

(10) the total number of children enrolled in subsidized child care providers participating in the Texas Rising Star Program in each local workforce development area and the number of subsidized children enrolled in 2-star, 3-star, and 4-star rated child care providers in the local workforce development area; and

(11) the number of subsidized children enrolled in child care providers participating in the Texas Rising Star Program in each local workforce development area as a percentage of

CONFERENCE

House Bill 680
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

the total number of subsidized children enrolled in child care providers in the local workforce development area and the number of subsidized children enrolled in 2-star, 3-star, and 4-star rated child care providers in the local workforce development area as a percentage of the total number of subsidized children enrolled in child care providers in the local workforce development area.

(c) For the purposes of evaluation under this section, the commission shall annually update the information described by Subsections (b)(6)-(11).

SECTION 3. Section 302.0043, Labor Code, is amended by adding Subsection (c-1) and amending Subsections (e) and (f) to read as follows:

(c-1) The commission shall measure and evaluate the progress of the commission's child care program regarding:

(1) coordination by the commission with the Texas Education Agency to assign a Public Education Information Management System (PEIMS) number to children younger than six years of age enrolled in the commission's child care program;

SENATE VERSION (IE)

the total number of subsidized children enrolled in child care providers in the local workforce development area and the number of subsidized children enrolled in 2-star, 3-star, and 4-star rated child care providers in the local workforce development area as a percentage of the total number of subsidized children enrolled in child care providers in the local workforce development area.

(c) For the purposes of evaluation under this section, the commission shall annually update the information described by Subsections (b)(6)-(11).

(d) In this section, "quality child care provider" means a child care provider that:

(1) participates in the commission's Texas Rising Star Program; and

(2) is accredited by the National Early Childhood Program Accreditation Commission or the National Association for the Education of Young Children, or holds any other accreditation the commission determines meets the quality standards of the Texas Rising Star Program. [FA1(5)]

SECTION 3. Section 302.0043, Labor Code, is amended by adding Subsection (c-1) and amending Subsections (e) and (f) to read as follows:

(c-1) The commission shall measure and evaluate the progress of the commission's child care program regarding:

(1) coordination by the commission with the Texas Education Agency to assign a Public Education Information Management System (PEIMS) number to children younger than six years of age enrolled in the commission's child care program;

CONFERENCE

House Bill 680
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(2) coordination with the Texas Education Agency, school districts, and open-enrollment charter schools on any prekindergarten quality improvement efforts;

(3) efforts to increase coordination between participating providers in the commission's child care program, school districts, and open-enrollment charter schools;

(4) facilitation of child care provider enrollment in the Texas Rising Star Program and progression of providers to the highest rating level in the program; and

(5) development and implementation of rates and payments, as determined by local workforce development boards, to:

(A) allow participating providers to provide high-quality child care; and

(B) ensure that the commission meets performance measures established by the legislature for the average number of children served by the commission's child-care program per day.

(e) The commission shall make the information collected by the commission and the commission's findings available to local workforce development boards, school districts, open-enrollment charter schools, and the public.

(f) Not later than January 15 of each odd-numbered year, the commission shall report to the legislature regarding the commission's findings regarding the effectiveness of the commission's child care program. The report must:

(1) include employment outcome information, disaggregated by local workforce development area, regarding parents receiving subsidized care under the program; [and]

(2) identify multiyear trends in the information collected and analyzed by the commission under this section, including

SENATE VERSION (IE)

(2) coordination with the Texas Education Agency, school districts, and open-enrollment charter schools on any prekindergarten quality improvement efforts;

(3) efforts to increase coordination between participating providers in the commission's child care program, school districts, and open-enrollment charter schools;

(4) facilitation of child care provider enrollment in the Texas Rising Star Program and progression of providers to the highest rating level in the program; and

(5) development and implementation of rates and payments, as determined by local workforce development boards, to:

(A) allow participating providers to provide high-quality child care; and

(B) ensure that the commission meets performance measures established by the legislature for the average number of children served by the commission's child-care program per day.

(e) The commission shall make the information collected by the commission and the commission's findings available to local workforce development boards, school districts, open-enrollment charter schools, and the public.

(f) Not later than January 15 of each odd-numbered year, the commission shall report to the legislature regarding the commission's findings regarding the effectiveness of the commission's child care program. The report must:

(1) include employment outcome information, disaggregated by local workforce development area, regarding parents receiving subsidized care under the program; [and]

(2) identify multiyear trends in the information collected and analyzed by the commission under this section, including

CONFERENCE

House Bill 680
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

trends in the information for at least the five state fiscal years preceding the date of the report; and
(3) include information described by Sections 302.0042(b)(8)-(11).

SECTION 4. Section 302.00435, Labor Code, is amended to read as follows:
Sec. 302.00435. SUBSIDIZED CHILD CARE PROGRAM; INPUT POLICY. (a) The commission shall develop a policy for obtaining, through appropriate methods, input from interested parties regarding its subsidized child care program and for using that input in administering that program.
(b) The policy developed under Subsection (a) must include methods for obtaining input from the Texas Education Agency, school districts, open-enrollment charter schools, subsidized child care providers, relevant businesses, and the public, regarding:
(1) improving coordination between the subsidized child care program and prekindergarten programs; and
(2) increasing the quality of and access to the subsidized child care program.

SENATE VERSION (IE)

trends in the information for at least the five state fiscal years preceding the date of the report; [FA1(7)]
(3) include information described by Sections 302.0042(b)(8)-(11);
(4) include a summary of the input obtained under Section 302.00435; and
(5) include any recommendations for legislation or regulation, including regulatory recommendations for governmental bodies other than the commission, regarding the input obtained under Section 302.00435. [FA1(8)]

SECTION 4. Section 302.00435, Labor Code, is amended to read as follows:
Sec. 302.00435. SUBSIDIZED CHILD CARE PROGRAM; INPUT POLICY. (a) The commission shall develop a policy for obtaining, through appropriate methods, input from interested parties regarding its subsidized child care program and for using that input in administering that program.
(b) The policy developed under Subsection (a) must include methods for obtaining input from the Texas Education Agency, school districts, open-enrollment charter schools, subsidized child care providers, relevant businesses, and the public, regarding:
(1) improving coordination between the subsidized child care program and prekindergarten programs; [FA1(9)]
(2) increasing the quality of and access to the subsidized child care program;
(3) existing health and safety rules and regulations that could be more efficient or less costly without reducing health and safety outcomes; and

CONFERENCE

House Bill 680
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(4) the burdens relating to complying with existing regulations that could be mitigated, reduced, or eliminated while maintaining the intent, objective, or purpose of the underlying regulation. [FA1(10)]

SECTION 5. Subchapter C, Chapter 302, Labor Code, is amended by adding Section 302.0461 to read as follows:
Sec. 302.0461. CHILD CARE PROVIDER CONTRACT AGREEMENTS. (a) A local workforce development board may contract with child care providers operating in the board's area to provide subsidized child care services. The local workforce development board shall determine the number of places that the board reserves in the contract with a child care provider participating in the commission's subsidized child care program.
(b) To be eligible for a contract under Subsection (a), a child care provider must:
(1) be a Texas Rising Star Program provider with a three-star rating or higher; and
(2) meet one of the following priorities of the commission:
(A) be located in:
(i) an area where the number of children younger than six years of age who have working parents is at least three times greater than the capacity of licensed child care providers in the area; or
(ii) an area determined by the commission to be underserved with respect to child care providers;
(B) have a partnership with a school district to provide a prekindergarten program;
(C) have a partnership with the Early Head Start or Head Start Program;

SECTION 5. Same as House version.

House Bill 680
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(D) increase the number of places reserved for infants and toddlers by high-quality child care providers; or
(E) satisfy a requirement in the local workforce development board's strategic plan.
(c) Not later than six months after a local workforce development board enters into a contract under Subsection (a), the board shall submit a report to the commission evaluating the contract to determine its effect on:
(1) the financial stability of the child care provider participating in the contract;
(2) the availability of high-quality child care options for participants in the commission's subsidized child care program in the workforce development area;
(3) the number of high-quality child care providers in any part of the workforce development area with a high concentration of families with a need for child care; and
(4) the percentage of children participating in the commission's subsidized child care program at each Texas Rising Star Program provider in the local workforce development area.
(d) The commission shall determine the information that must be included in the report required by Subsection (c). A local workforce development board shall update the report required by Subsection (c) every six months from the date the board submits its initial report to the commission.

SECTION 6. This Act takes effect September 1, 2019.

SECTION 6. Same as House version.