

Support SB 708 and HB 1682 to Keep Kids in Child Care Safe and Learning

Although over 1.1 million Texas children are enrolled in licensed child care, Texas lacks the necessary data to ensure they are in safe, supportive environments. SB 708 by Sen. Zaffirini and HB 1682 by Rep. Raney would direct HHSC to collect data on caregiver-child ratios and group size standards, as well as serious violations and injuries. The information will help state leaders assess whether current standards adequately protect safety and provide support to enrolled children.

Current Child Care Minimum Standards Threaten Safety and Learning

Amid the rapid brain development of the first few years of life, children's early experiences – including nurturing relationships, stimulating conversations and activities, development of natural curiosity, healthy eating, and active play – provide the foundation for the rest of their lives. A majority of young children are enrolled in child care settings, and minimum standards exist to “protect the health, safety, and well-being of the children of the state.” Yet, too many children are sustaining serious injuries and even fatalities in child care.

Unfortunately, some of the state minimum standards allow children to be placed in unsupportive and unsafe conditions. **A yearlong investigation by the Austin American-Statesman released in December 2018 revealed that hundreds of children have been seriously injured and nearly 90 died as a result of abuse or neglect since 2007.¹** For the years 2013-16, DFPS stated that they have received 17,558 reported serious incidents and 4,674 reported serious and critical injuries for young children in child care.

Texas establishes limits on how many children can be supervised by one adult in child care. The state's current standards, such as allowing one adult with 11 two-year-olds, are far out of line with best practice and threaten both safety and learning of children. These ratios make it difficult for caregivers to prevent injuries, read a book, or provide other engaging activities and nurturing support young children need.

A study by the non-profit Collaborative for Children in Houston suggests that Texas children are safer when child care teachers have a manageable number of children to supervise. They found **40 percent fewer reported serious incidents** when Texas child care centers have better than current state ratios in the majority of classrooms.²

¹ Andrea Ball and Tony Plohetski (2018). Unwatched. Retrieved at: <http://gatehousenews.com/unwatched/overview/site/statesman.com/>

² Tori Mannes (2016). Why Texas must improve minimum standards for child care or risk another crisis. Retrieved at: <https://www.dallasnews.com/opinion/commentary/2016/06/09/tori-mannes-why-texas-must-improve-minimum-standards-for-child-care-or-risk-another-crisis>

In 2010, DFPS reported that it “**does not believe the current standards for group size...or ratios adequately protect the health and safety of children** in some age ranges.”³ In 2015, the Sunset Commission report stated that the third most frequently repeated violation in child care centers, and also one of the highest risk violations, was that “[a] caregiver in a day care operation **failed to adequately supervise children.**”⁴

The following chart shows the significant gap between best practices and current state requirements.

Age	HHSC Minimum Standard	American Academy of Pediatrics (AAP) Recommendation ⁵	National Association for the Education of Young Children (NAEYC) Standards ⁶	National Ranking of Ratio Standards
2-year olds	1 adult per 11 children	1 adult per 3 children	1 adult per 6 children*	Tied for Worst
3- year olds	1 adult per 15 children	1 adult per 7 children	1 adult per 10* children	Worst

*For mixed-age classes, the assessor will rate according to the youngest age category present within the class.

Statewide Data Is Needed To Evaluate And Improve Standards

Despite the importance of caregiver-child ratios in keeping kids safe, **the state does not record nor report the number of children per caregiver.** The state’s Child Care Licensing division counts the number of children per caregiver but only reports whether a center exceeded state limits on group size or ratio.

In 2016, University of Texas researchers, the Department of Family and Protective Services, and Collaborative for Children started collecting data on caregiver-child ratios to determine if there is a correlation between high ratios and child injuries and fatalities. Unfortunately, one month into the study, **state officials shut it down**, citing high staff turnover rates in the agency.⁷ Before the state discontinued the study, data collected from 1,750 child care classrooms showed that centers with ratios better than minimum standards were **significantly safer** compared to other centers.⁸

SB 708 and HB 1682 would direct Child Care Licensing representatives to complete a short survey during their site inspections in which they document the number of children and caregivers present in the classroom and the age group of the children present. This simple addition to their regular inspection responsibilities will provide critical information to policymakers, allowing for the development of more informed child care policies to give all kids in child care a safe and supportive learning environment.

³ Department of Family and Protective Services Committee on Licensing Standards (2010). Recommendations for Proposed Changes to Licensing Standards. Retrieved at:

⁴ Sunset Advisory Commission (2015). Staff Report with Final Results: Department of Family and Protective Services. Retrieved at: <https://www.sunset.texas.gov/public/uploads/files/reports/DFPS%20Final%20Results.pdf>

⁵ Caring For Our Children (2011). National Health and Safety Performance Standards Guidelines for Early Care and Education Programs, third edition. Retrieved at: http://nrckids.org/files/CFOC3_updated_final.pdf

⁶ National Association for the Education of Young Children (2018). Staff-to-Child Ratio and Class Size. Retrieved at:

https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/accreditation/early-learning/staff_child_ratio.pdf

⁷ Andrea Ball and Tony Plohetski (2018). Unwatched. Retrieved at: <http://gatehousenews.com/unwatched/overview/site/statesman.com/>

⁸ Child & Family Research Partnership (2017). Child Care Ratios in Texas and Children’s Safety. Retrieved at: <https://childandfamilyresearch.utexas.edu/child-care-ratios-texas-and-childrens-safety>