



July 15, 2021

We appreciate Child Care Regulation's (CCR) efforts to solicit feedback to better meet the charge of protecting the health, safety, and well-being of children in care. A child's experiences during the rapid brain development of the first few years of life strongly influence that child's trajectory for years and decades to come.

Although there are many more areas where we hope the agency gives its attention during this review, our comments focus on four specific areas where Texans Care for Children has done significant work with other community leaders.

Ratios & Group Sizes

Over ten years ago, Child Care Licensing, then a division of the Department of Family and Protective Services, concluded "the agency does not believe that the current standards for group size...or ratios adequately protect the health and safety of children in some age ranges."¹ Despite this finding, ratios and group size standards have still not changed, leaving children in regulated facilities at risk.

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."² There is no question that improved ratios and group sizes would address this issue.

Texas' ratios are among the five worst in the nation for children aged 18 months, 28 months, 3 years and 4 years, according to a report on state policies by Child Care Aware.³ We believe the time has come for Texas to improve its ratios and group sizes, especially for our infants and toddlers, to ensure they are in safe and effective programs. As a starting place, we recommend the agency should convene a group of providers and advocates to

¹ Department of Family and Protective Services Committee on Licensing Standards (2010). Recommendations for Proposed Changes to Licensing Standards. Retrieved at:

² 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>

³ Dallas Morning News (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/>

craft a plan to phase in reasonable ratios and group size minimum standards for Texas' licensed child care facilities.

Increased Support for Emergent Bilingual Children

Emergent bilingual learners, also known as English learners, have always made up a significant portion of Texas children. In fact, Texas schools educate the greatest proportion of emergent bilingual children in the United States, including 28 percent of the state's pre-k through 3rd grade enrollment.⁴

Unfortunately, relatively little is known about the experiences of these young in Texas child care programs. Many programs do not track data on children's home language, English proficiency, race, or ethnicity, and the state does not offer robust guidelines for serving emergent bilingual children in child care.

A useful first step would be to help families better find programs that are linguistically and culturally responsive. When non-English speaking families are searching for available child care regulated by CCR through TXChildCareSearch.org, they should be able to filter their search results to see whether programs offer dual language immersion, home language instruction with English support, English instruction with home language support, or provide English-only instruction. We recommend that CCR update their online tool so that parents that wish for this information are able to access a quality bilingual education as early as possible.

We also believe that the agency should work to ensure child care program administrators and staff have access to training on cultural and linguistically responsive practices that support the well-being and development of our state's emergent bilingual children.

Inclusive Child Care for Children with Disabilities and Developmental Delays

Increasing access to safe and inclusive child care is critical for supporting children with disabilities and their families. Minimum standards and guidance from the agency should ensure that child care programs provide parents of children in child care receive information about addressing challenging behaviors, developmental milestones, and Early Childhood Intervention (ECI) services and that programs offer safe and inclusive child care. Some ECI providers face challenges providing children with their ECI services while they are in child care, despite the fact that federal law requires ECI services in a child's natural environment. Including this requirement in the Texas minimum standards will ensure more providers are aware of the requirement to allow ECI providers to work with a child in the classroom.

⁴Texans Care for Children (2021). Early Childhood English Learner Policy Roadmap. Retrieved at: bilingualtexas.org/roadmap

Second, we believe that serving children with special care needs as an option for the six clock hours of annual training hours for caregivers would ensure there are more educators equipped to serve this vulnerable population.

Nutrition, Active Play, and Screen Time

When children are healthy during the first years of life, they are more likely to maintain a healthy weight throughout their childhood, be successful in school, and achieve lifelong health. Unfortunately, Texas children as young as two are already on track to grow up at an unhealthy weight. With the majority of young Texas children spending much of the day in child care settings, child care providers play an essential role in helping young children develop healthy habits for the future.

We appreciate the agency's work to implement SB 952 from 2019 that enhanced minimum standards related to nutrition, active play, and screen time. As providers work to get in compliance with the renewed standards, we hope the agency will continue working to ensure programs understand the new requirements and have guidance on strategies for meeting the standard, including developmentally appropriate play activities and alternatives to screen time.

Thank you for your consideration of our recommendations. We look forward to continuing to support the agency on its critical work.