

# 2021 House Interim Charge Recommendations For Texas Children

Texans Care for Children is dedicated to ensuring the health and well-being of Texas children so they are safe, successful, and on a path to fulfill their promise. The interim provides lawmakers an opportunity to focus on complex issues that impact Texas children, communities, and our state budget. The following interim charge recommendations highlight strategies Texas leaders can take to improve the health, development, and wellbeing of children and achieve savings to the state.

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## House Human Services Committee

### Early Childhood

- Examine state investments in the health and brain development of babies and toddlers, including Early Childhood Intervention (ECI), home visiting, and other early childhood programs for children in the first three years. Evaluate opportunities to boost child outcomes and achieve longer-term savings.
  - Determine the amount of funds needed to provide quality ECI services in Texas and explore the option of a state incentive grant.
  - Develop a methodology that the Legislature can use to determine the cost per child, taking into account normal cost growth, inflation, and the flexibility and restrictions of various funding streams.

*\*Recommended as a joint charge for House Health and Human Services and House Appropriations Committees*

## Child and Maternal Health

- Monitor the implementation of legislation passed in 2019 and 2021 to improve the health of mothers and children, including SB 748 (86R), SB 750 (86R), HB 133 (87R), and HB 2658 (87R). In conducting this oversight:
    - Assess recent and upcoming policy changes to Medicaid for children and postpartum mothers, including implementation of the Healthy Texas Women Section 1115 Demonstration Waiver and state efforts to reduce the impacts of HTW eligibility and application changes put in place as a result of the HTW 1115 waiver;
    - Study ways to improve outreach to families with children who are eligible for Medicaid or CHIP but unenrolled, including children in rural areas and counties;
    - Evaluate the state's efforts to reverify clients' eligibility as the COVID-19 Public Health Emergency ends so that eligible Texans keep health coverage.
- \*Recommended as a joint charge for House Health and Human Services and House Appropriations Committees*
- Evaluate health coverage solutions for uninsured Texans as a means to promote greater prosperity among families and bolster Texas' ongoing efforts to improve health for children and improve access to primary, mental, and specialty care for Texans.

## Children's Mental Health

- Review the capacity in the state to serve children and adolescents with intensive mental health needs, including the availability of inpatient, partial-hospitalization, residential treatment, and intensive community-based wraparound services.
  - Make recommendations to increase access to intensive community-based services to help divert youth from more restrictive treatment settings, such as hospitalization, residential treatment, or justice settings, including the Youth Empowerment Waiver (YES) program; family partner peer support services; and youth peer support services. Recommendations should include services for youth at risk of entering foster care because their untreated mental health conditions may lead to Refusal to Accept Parental Responsibility.
  - Monitor implementation of SB 1177 (86R) that authorizes evidence-based services to be provided in lieu of mental health or substance use disorder services specified in the Medicaid State Plan.

## Foster Care and Child Abuse Prevention

- Examine policy changes and funding required to effectively implement the Family First Prevention Services Act (FFPSA) by keeping more families safely together and improving the quality of foster homes and facilities. Examine opportunities to prevent children from entering foster care as well as reduce the use and elevate the quality of congregate care placements.

Assess steps taken during the 2021 legislative session to comply with FFPSA, including:

- DFPS efforts to prevent children from entering foster care through FFPSA-funded prevention services, including, but not limited to any services developed through Rider 48, the pilots outlined in HB 3041, the study outlined in SB 910, and the transfer of services directed through SB 1896;
  - Any gaps in prevention services created by the new foster care candidacy definition and elimination of the Helping through Intervention Program (HIP) for certain populations;
  - Implementation of SB 1575, which boosts judicial oversight to ensure that kids with significant behavior challenges staying in foster care facilities designated as “Qualified Residential Treatment Programs” (QRTPs) will be transferred to homes with families as soon as possible; and
  - Implementation of the DFPS QRTP pilot funded through Rider 48, created to develop more QRTPs to serve children in foster care with the most significant behavioral health challenges.
- Evaluate further action needed to improve the safety and quality of the foster care system, including preventing children in foster care from being without a placement and increasing recruitment of foster families. This assessment should include:
- Monitoring the implementation of SB 1896 (87R) and Rider 29, which seek to increase the number of foster care homes prepared to serve unique populations in foster care, including pregnant and parenting youth, trafficking survivors, young adults, and others;
  - Monitoring the impact of DFPS expanding Treatment Foster Care to include children over age 10 codified in SB 1896 (87R);
  - Examining the use of out-of-state and temporary emergency placements for Children Without Placement;
  - Assessing the quality of sub-acute placements DFPS is developing; and
  - Assessing administrative changes at DFPS to address racial and economic disproportionality and disparities in the CPS system and evaluate feasible policy levers that would prevent unnecessary reports to CPS.
- Monitor interpretation and implementation of HB 567 (87R) to assess whether any of the bill’s changes are leaving children in unsafe situations, especially the changes to the definition of neglect, family preservation cases, court-ordered services cases, and eliminating nonemergency removals.

## House Public Education

- Monitor implementation of the state and local plans for federal Elementary and Secondary School Emergency Relief (ESSER) funds to address the two biggest issues facing students and schools

across Texas as identified by the TEA as a result of the COVID-19 pandemic: students' instructional loss and mental health challenges.

- Report on the progress and outcomes of evidence-based interventions and strategies to address instructional loss and mental health challenges for each targeted underserved student group, including: students from low-income families, students from each racial or ethnic group, by gender, emergent bilinguals (i.e. English learners), children with disabilities, students experiencing homelessness, children and youth in foster care, migratory students, and other groups disproportionately impacted by the pandemic identified by the Texas Education Agency.

*\*Recommended as a joint charge for House Public Education and House Appropriations Committee*

- Assess how the COVID-19 pandemic has affected:
  - The mental health of students and educators and how those effects have impacted academic performance and learning loss. Examine student populations most impacted by the pandemic. Examine how recent legislation related to student mental health, trauma, and school climate can be leveraged to address academic performance and learning loss among students impacted by the pandemic, including:
    - SB 179 (87R) which relates to use of school counselors' time;
    - SB 2050 (87R) which relates to bullying policies and focuses on school climate and health and wellness initiatives;
    - Provisions in SB 11 (86R) related to trauma informed policies and safe and supportive school programs that address school climate and mental health; and
    - HB 18 (86R) which relates to school district plans, policies, and procedures related to student mental health and school climate.
  - Special education referrals, evaluations, and enrollment among children aging out of ECI (IDEA Part C) services that are eligible for Early Childhood Special Education (IDEA Part B) services for students ages 3-5 provided by school districts.  
*\*Recommended as a joint charge for House Public Education and House Human Services Committees*
  - Bilingual education and learning outcomes for emergent bilingual (English Learner) students, including those in prekindergarten to 3rd grade.
  - The use of disciplinary actions during virtual and in-building instruction, including the use of in-school suspension, out-of-school suspension, and expulsions. Examine behavioral threat assessment outcome data. Identify any disproportionate use and outcomes among students, especially those with mental health concerns, trauma histories, disabilities, and students of color.
- Evaluate ongoing strategies to continuously improve educational opportunities for emergent bilingual (English Learner) students and explore opportunities to further expand dual language

immersion programming and monitor the implementation of the state strategic plan authorized by SB 560 (87R).

- Monitor and analyze the implementation of high-quality, full-day pre-k funding in HB 3 (86R), including:
  - Impact on child care providers, including potential expansion of partnerships between child care providers and school districts;
  - The Texas Education Agency's allocation of waivers of the full-day pre-k requirement;
  - How districts are allocating funding through the Early Education Allotment;
  - How districts are meeting the required high-quality pre-k components, including the recommendation to maintain an 11:1 student-teacher ratio;
  - How districts are allocating the dual language allotment;
  - How districts are implementing new K-3 reading standards and literacy plans; and
  - How districts are expanding pre-k enrollment of eligible three-year olds.
  
- Examine the disciplinary policies of Texas school districts, including suspensions and expulsions of children in early grades, including the suspension and expulsion of children in special education and foster care. Monitor and assess the Texas Education Agency's role and authority to intervene with districts who are violating Texas statute prohibiting out-of-school suspension in pre-k through 2nd grade, as well as districts with exceptionally high rates of in-school suspensions for students in pre-k and other early grades. Evaluate the current strategies that districts are using to improve challenging behaviors, including restorative justice.
  
- Monitor the implementation of SB 1697 (87R), related to allowing parents and guardians to elect for a student to repeat or retake a course or grade. Assess how many families took advantage of this new option and how districts engaged non-English speaking families, families of students with disabilities, and other disadvantaged communities.

## House Appropriations Committee

### Impact of the Pandemic on Students

- Review how the state and local education agencies' plans expended federal Elementary and Secondary School Emergency Relief (ESSER) funds to address the two biggest issues facing students and schools across Texas as a result of the COVID-19 pandemic as identified by the TEA: students' instructional loss and mental health challenges.

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## International Relations and Economic Development

- Monitor the implementation of bills passed by the 87th Legislature to address child care quality and safety, including HB 619, HB 1792, HB 2607, and SB 1555. Assess how child care providers are being informed about the new regulations and assisted by the Texas Workforce Commission in meeting the implementation guidelines and requirements.
- Examine the impact of child care deserts on the Texas economy. Examine impact specifically in rural communities and on critical brain development for infants and toddlers.