

BILL ANALYSIS

Senate Research Center
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H.B. 680
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Workforce Commission (TWC) administers a federal program that provides child care subsidies to low-income families, in order for their parents to work or attend workforce training. Although the state has some data on what types and the quality of child care that is being subsidized, the state does not report that data.

H.B. 680 brings transparency to this program by requiring reporting certain metrics related to the type and quality of the child care being utilized. This is important not only for better understanding how this money is being spent, but also so that school districts can have information on their incoming elementary school children, just like they have for their incoming middle and high school students. This data not only helps the schools, but also helps inform TWC about which programs lead to higher student achievement than others.

H.B. 680 amends current law relating to the powers and duties of the Texas Workforce Commission and local workforce development boards regarding the provision of child care.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2308.317, Government Code, by adding Subsection (e), as follows:

(e) Requires each local workforce development board, to the extent practicable, to ensure that any professional development for child care providers, directors, and employees funded under Subsection (a) (relating to requiring TWC to ensure that, to the extent federal child care development funds dedicated to quality improvement activities are used to improve quality and availability of child care, those funds are used for certain purposes):

(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. Amends Section 302.0042, Labor Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires the Texas Workforce Commission's (TWC) evaluation to assess:

(1)–(3) makes no changes to these subdivisions;

(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) creates this subdivision from existing text and renumbers the following subdivisions accordingly;

(6) makes a nonsubstantive change to this subdivision;

(7) 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 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, rather than the number of vacant slots available for child care placement in each local workforce development area;

(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 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) Requires TWC, for the purposes of evaluation under this section (Evaluation of Allocation Formulas For Child Care Development Funds), to annually update the information described by Subsections (b)(6)-(11).

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

(c-1) Requires TWC to measure and evaluate the progress of TWC's child care program regarding:

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

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

(3) efforts to increase coordination between participating providers in TWC'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 TWC meets performance measures established by the legislature for the average number of children served by TWC's child-care program per day.

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

(f) Requires TWC's report to the legislature regarding the effectiveness of TWC's child care program to:

(1)–(2) makes nonsubstantive changes to these subdivisions; and

(3) include information described by Sections 302.0042(b)(8)–(11).

SECTION 4. Amends Section 302.00435, Labor Code, as follows:

Sec. 302.00435. SUBSIDIZED CHILD CARE PROGRAM; INPUT POLICY. (a) Creates this subsection from existing text and makes no further changes.

(b) Requires the policy developed under Subsection (a) to include methods for obtaining input from TEA, 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.

SECTION 5. Amends Subchapter C, Chapter 302, Labor Code, by adding Section 302.0461, as follows:

Sec. 302.0461. CHILD CARE PROVIDER CONTRACT AGREEMENTS. (a) Authorizes a local workforce development board to contract with child care providers operating in the board's area to provide subsidized child care services. Requires the local workforce development board to determine the number of places that the board reserves in the contract with a child care provider participating in TWC's subsidized child care program.

(b) Requires a child care provider, to be eligible for a contract under Subsection (a), to:

(1) be a Texas Rising Star Program provider with a three-star rating or higher;

(2) meet one of the following priorities of TWC:

(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 TWC 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;

(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) Requires the board, not later than six months after a local workforce development board enters into a contract under Subsection (a), to submit a report to TWC 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 TWC'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 TWC's subsidized child care program at each Texas Rising Star Program provider in the local workforce development area.

(d) Requires TWC to determine the information that is required to be included in the report required by Subsection (c). Requires a local workforce development board to update the report required by Subsection (c) every six months from the date the board submits its initial report to TWC.

SECTION 6. Effective date: September 1, 2019.