

REGULATION OF CHILD CARE CENTERS AND FAMILY CHILDCARE HOMES

Most child care is regulated by the Texas Department of Family and Protective Services. Child care programs are regulated according to minimum standards set by the state of Texas. The Minimum Standards are the set of rules made to help protect the health, safety, and wellbeing of children in child care. They are called “minimum” because they state the least that a center or family child care home provider can do, and still have good chances of keeping children safe and healthy.

CHILD CARE CENTER AND LICENSED HOME REGULATION

Licensed Child Care Programs include:

- Child Care Center-care for 13 or more children
- Licensed Child Care Homes-care for 7-12 children; comprise only 2 percent of the providers in the 13 county area served by Collaborative for Children.

Child Care Centers and Licensed Child Care Homes must meet minimum standards in order to become licensed. They are inspected before beginning operation and usually annually thereafter. Programs that do not meet state standards are inspected more often. The results of these inspections can be obtained in two ways:

- 1) Contact the Texas Department of Family and Protective Services Licensing Division at 713-940-5200 and ask the licensing representative for information regarding the center’s compliance history. Website: www.dfps.state.tx.us
- 2) Ask the center director to show you the center’s latest compliance evaluation report which is usually left at the center by the licensing representative making the inspection. The director is required to show this report to you at your request. This is a valuable source of information about the program. Ask for it and read it prior to enrolling your child.

The Parent's Role

Center and licensed home staff must give parents a copy of the state's "A Parent's Guide to Day Care."

Discipline

Texas requires consistent discipline that promotes self-discipline and is based on an understanding of individual needs and development. Children may not be punished in cruel, harsh or unusual ways.

FAMILY CHILD CARE HOME REGULATION

Family Child Care Home: (registered with the State)

*Care is provided in the caregiver's home for up to 12 children

*Of those 12, no more than six children (including the caregiver's own) may be infant through preschool age.

Family child care homes are regulated through a process called registration. They are not licensed or certified. Providers are required to be registered if they care for more than three children in addition to their own.

Providers attend a six-hour orientation session and are inspected once prior to beginning operation. Although approximately 30% of registered homes are visited each year, the majority of homes are inspected only if there is a complaint. As a parent you are an important monitor of the quality of care your child receives.

To find out the results of inspections or complaint investigations, contact the Texas Department of Family and Protective Services at 713-940-5200. Be prepared with the name and address of the provider. Website: www.dfps.state.tx.us

5300 Child/Staff Ratios and Groupings

- A. In a child care center, the number of children per staff member and the group size must not exceed the following, except under the conditions described in subsections (E) through (I) of this section.

Specified Age Group	Maximum number of children one Staff may supervise...	Maximum group size and number of children two or more Staff may supervise is...
0-11 months	4	10
12-17 months	5	13
18-23 months	9	18
2 years	11	22
3 years	15	30
4 years	18	35
5 years	22	35
6-8 years	26	35
9-12 years	26	35

- B. The child/staff ratio as described in subsection (A) of this section is based on the age of more than half of the children in the group. The larger number indicating the child/staff ratios for ages 2 through 5 years are the ratios for groups where more than half of the children are a year or more older than the specified age group.
- C. The maximum group size described in subsection (A) of this section is also the child/staff ratio allowed when two staff is present.

Registered Child Care Home Requirements

Limits on numbers of children in care by age; all children in the home including the caregivers own children must be counted.

Infants 0-17 Mos.	18 Mos. - 4 years	5 -13 years	Maximum Allowed
0	6	6	12
0	5	7	12
0	4	8	12
0	3	9	12
0	2	10	12
0	1	11	12
0	0	12	12
1	5	4	10
1	4	5	10
1	3	6	10
1	2	7	10
1	1	8	10
1	0	9	10
2	4	2	8
2	3	3	8
2	2	4	8
2	1	5	8
2	0	6	8
3	3	1	7
3	2	2	7
3	1	3	7
3	0	4	7
4	2	0	6
4	1	1	6
4	0	2	6

There must not be more children in the home at the same time than is shown in one of the lines across in the chart. An additional adult in the home, such as a “helper” does not allow for additional children to be in care.

Licensed Child Care Home Requirements

Limits on numbers of children in care by age; all children in the home including the caregivers own children must be counted.

Infants 0-17 Mos.	18 Mos. - 3 years	4-13 years	Maximum Allowed
0	8	4	12
0	7	5	12
0	6	6	12
0	5	7	12
0	4	8	12
0	3	9	12
0	2	10	12
0	1	11	12
0	0	12	12
1	6	4	11
1	5	5	11
1	4	6	11
1	3	7	11
1	2	8	11
1	1	9	11
1	0	10	11
2	5	3	10
2	4	4	10
2	3	5	10
2	2	6	10
2	1	7	10
2	0	8	10
3	3	1	7
3	2	2	7
3	1	3	7
3	0	4	7
4	2	0	6
4	1	1	6
4	0	2	6

If your child-care home is licensed and more than two caregivers are present caring for the children, then you may care for 12 children of any age from birth through 13 years.