

SUBCHAPTER I. Child Care Training Center Pilot Programs

40 TAC §§809.171-809.174

The Texas Workforce Commission (Commission) proposes new §§ 809.171-809.174, concerning the establishment and operation of the child care training center pilot programs.

One of the primary goals of the Commission is to prepare, place and retain individuals in employment. Texas Labor Code §302.003 directed the Commission to establish a program for providing training to recipients of public assistance in basic skills, child care, child care vendor entrepreneurial training and early childhood education to assist these individuals in making the transition into the workforce from public assistance and to increase the number of trained child care workers.

The proposed rules describe the operation of the child care training center pilot programs. Section 809.171 states that the purpose of the child care training center pilot programs is to provide child care training to recipients of public assistance. Section 809.172 defines terms used in the rules. Section 809.173 describes the criteria to be used by the Commission in selecting training centers for participation in the child care training center pilot programs. Section 809.174 lists some of the required elements for a contract with the Commission to provide services under the child care training center pilot programs.

Randy Townsend, Director of Finance, has determined that for the first five-year period the rules are in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the proposed child care training center pilot programs rules. Mr. Townsend has certified that there will be no foreseeable impact on local economies or overall employment as a result of enforcing or administering the proposed child care training center pilot programs rules.

Charlotte Brantley, Director of Child Care/Work & Family Clearinghouse, also has determined that for each of the first five years the rule is in effect, the public benefit anticipated as a result of enforcing the rule will be the provision of necessary job training to Temporary Assistance for Needy Families (TANF) recipients and an increase in the number of trained child care workers. There is no anticipated adverse impact on small business as a result of enforcing or administering the proposed child care training center pilot program's rules. There are no anticipated economic costs to persons who are required to comply with the rules as proposed.

All official comments submitted to Charlotte Brantley will be considered before the final rules are adopted. Comments on the proposed rules may be submitted to Charlotte Brantley, Director of Child Care/Work & Family Clearinghouse, Texas Workforce Commission Building, 101 East 15th Street, Room 416T, Austin, Texas 78778, (512) 936-3227. Comments may also be submitted via fax to Ms. Brantley at (512) 936-3223 or e-mailed to: cbrantle@twc.state.tx.us. Comments must be received by the Commission by 5:00 p.m. on January 20, 1998 for consideration. The new rules are proposed under Texas Labor Code §301.061, which provides the Texas Workforce Commission with the authority to adopt, amend, or rescind such rules as it deems necessary for the effective administration of Texas Workforce Commission programs and under Texas Labor Code §302.003(j). The proposed rules affect Texas Labor Code Chapter 302, primarily §302.003.

§809.171. Purpose.

The purpose of the child care training center pilot programs is to establish pilot programs for providing training for recipients of public assistance in basic skills, child care, child care vendor entrepreneurial training and early childhood education to enable the trainees to obtain employment in the child

care field.

§809.172. Definitions.

The following words and terms, when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

Commission-The Texas Workforce Commission.

Public Assistance-Financial assistance under Texas Human Resources Code Chapter 31.

Trainee-A recipient of public assistance who is receiving training under the child care training center pilot program.

Training center-A child care facility licensed under Texas Human Resources Code, Chapter 42, which provides both academic coursework and practicum hours. The training center must directly provide either the academic or practicum hours, and may subcontract the other function.

§809.173. Training Center Selection Criteria.

(a) The child care training center pilot programs funded by the Texas Workforce Commission shall meet all requirements of Texas Labor Code, §302.003.

(b) Child care training center pilot programs will provide specific training and certification in a minimum of four geographic areas of the state, with at least one site in an urban area and at least one site in a rural area.

(c) The training center will be selected by the Commission through a Request for Proposal process. Evaluation of each proposal shall include consideration of:

- (1) level of training of the staff employed by the training center and the training center's subcontractor;
- (2) history of the child care facility offering practicum hours in delivering high quality care;
- (3) ability to offer training which will result in academic credit which is accepted by colleges or universities in this state;
- (4) ability to provide and maintain a mentor relationship with each trainee being trained by the training center;
- (5) the provision of child care services to the children of trainees at the same discounted rate charged to other employees of the child care facility;
- (6) experience and qualifications of proposed subcontractors; and
- (7) utilization of all available resources to fund the program including private contributions as well as local, state and federal funds.

§809.174. Implementation Requirements.

If the Commission determines that a proposal is appropriate for funding through the child care training center pilot programs, the Commission may enter into a contract with the training center. All contracts with training centers will include the following:

- (1) the names of the entities referring public assistance recipients to the training center and the method of referral;
- (2) the number of academic and practicum hours which will be provided to each trainee by the training center;
- (3) the timeline for implementation of the child care training center pilot program;
- (4) the reporting requirements; and
- (5) the format for trainee evaluations.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on December 8, 1997.

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J. Randel (Jerry) Hill

General Counsel

Texas Workforce Commission

Earliest possible date of adoption: January 20, 1998  
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