

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 11-09
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Keyword:	Child Care
Effective:	Immediately

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers


From: Laurence M. Jones, Director, Workforce Development Division

Subject: **Texas Rising Star Provider Certification Updates**

PURPOSE:

- To provide Local Workforce Development Boards (Boards) with:
- information on changes to the Texas Rising Star (TRS) provider certification screening process; and
 - the new Texas Rising Star Provider Certification Prescreening Forms.

BACKGROUND:

The Texas Workforce Commission's TRS provider certification process previously used Texas Department of Family and Protective Services (DFPS) monitoring plans to assess a child care provider's potential eligibility or continued eligibility for TRS provider certification.

However, effective November 1, 2008, DFPS no longer issues monitoring plans to determine how often a child care facility will be inspected. Instead, DFPS determines the inspection and monitoring frequency by using a weighted risk-level assessment. DFPS assigns weights to individual licensing standards based on the level of risk a deficiency presents to children. The five risk levels are:

- High;
- Medium High;
- Medium;
- Medium Low; and
- Low.

The weighted standards for licensed and registered day care operations are available at

http://www.dfps.state.tx.us/Child_Care/Child_Care_Standards_and_Regulations/weighted.asp.

Based on the assigned risk level, a facility that needs to be closely monitored will be inspected more frequently, whereas a facility that is maintaining compliance will not be visited as often.

The following tables show the new inspection intervals:

Licensed Child Care Centers and Licensed Child Care Homes		
<i>Former Monitoring Plan System</i>	<i>Former Monitoring Frequency</i>	<i>New Weighted Risk-Level Assessment Inspection Intervals</i>
Monitoring Plan 1	3–5 mos.	4 mos.
Monitoring Plan 2	6–9 mos.	8 mos.
Monitoring Plan 3	10–12 mos.	12 mos.

Registered Child Care Homes		
<i>Former Monitoring Plan System</i>	<i>Former Monitoring Frequency</i>	<i>New Weighted Risk-Level Assessment Inspection Intervals</i>
Monitoring Plan 1	10–12 mos.	12 mos.
Monitoring Plan 2	22–24 mos.	24 mos.
Monitoring Plan 3	34–36 mos.	36 mos.

DFPS’ Search Texas Child Care Web site at http://www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/default.asp allows users to search for child care providers. Each child care provider has an Operation Details page that includes:

- a Two-Year Inspection Summary showing the next inspection interval; and
- a Two-Year Compliance Summary listing the number of licensing deficiencies cited by risk level.

The new TRS provider certification process uses inspection intervals and licensing history to determine whether a child care provider is eligible for TRS provider certification.

PROCEDURES:

Boards must be aware of the following:

- DFPS now uses a weighted risk-level assessment to determine how often a child care facility will be inspected; and
- The TRS provider certification eligibility screening process has been changed to reflect the DFPS weighted risk-level assessment system. The new process includes guidelines for DFPS inspection intervals and the review of a provider’s licensing history.

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Boards must use the following TRS Provider Certification Prescreening Forms, included as attachments to this WD Letter:

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- Licensed Child Care Centers (Attachment 1)
- Licensed Child Care Homes (Attachment 2)
- Registered Child Care Homes (Attachment 3)

Attachment 4 includes instructions for using the prescreening forms, as well as basic eligibility criteria for TRS certification.

Boards must ensure that the appropriate prescreening form is used to determine whether:

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- a provider is eligible to start the TRS certification process; or
- an active TRS-certified provider meets the basic eligibility criteria for recertification.

Boards must notify TRS-certified providers of the new TRS monitoring process within 30 days. If a TRS-certified provider has had its TRS recertification visit, the TRS-certified provider must comply by the next monitoring or recertification visit, whichever comes first.

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TRS Provider Certification Guidelines can be found at <http://www.twc.state.tx.us/svcs/childcare/provcert.html>.

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

ATTACHMENTS:

- Attachment 1: Texas Rising Star Provider Certification Prescreening Form (Licensed Child Care Centers)
- Attachment 2: Texas Rising Star Provider Certification Prescreening Form (Licensed Child Care Homes)
- Attachment 3: Texas Rising Star Provider Certification Prescreening Form (Registered Child Care Homes)
- Attachment 4: Instructions for the Texas Rising Star Provider Certification Prescreening Forms

RESCISSIONS:

None

REFERENCE:

- Texas Government Code §2308.315
- WD Letter 22-08, issued June 24, 2008, and entitled “Updates to the Texas Rising Star Provider Certification Guidelines”
- TA Bulletin 44, issued October 3, 2003, and entitled “Child Care Service Delivery Application: Texas Rising Star Changes”

TA Bulletin 52, issued January 30, 2004, and entitled “Texas Rising Star Provider Certification: Staff Training”

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”