


## TEXAS WORKFORCE COMMISSION LETTER

**ID/No:** WD 34-06

**Date:** May 19, 2006

**Keyword:** Child Care

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

  
**From:** Luis M. Macias, Director, Workforce Development Division

**Subject:** **Child Care Services: Guidance on Promoting Consumer Education**

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### **PURPOSE:**

To provide Local Workforce Development Boards (Boards) with guidance on implementing new Texas Workforce Commission (Commission) rules regarding consumer education.

### **REFERENCE:**

Child Care and Development Fund Final Rule, 45 C.F.R. §98.51  
Texas Government Code §531.0312 and §531.03131  
Texas Workforce Commission Child Care and Development Rules: 40 TAC §809.14  
WD Letter 23-06, issued March 20, 2006, and entitled "Tracking Child Care Providers Participating in the Texas Early Education Model"

### **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. Federal and state laws, rules, policies, and required procedures with a "No Local Flexibility" rating are indicated by the acronym, **NLF**, in the margin to the right of the applicable paragraph. Additionally, all information with a "No Local Flexibility" rating is indicated by "must" or "shall."

Failure to comply with the federal and state laws, rules, policies, and required procedures with a "No Local Flexibility" rating may result in corrective action, up to and including sanction and penalty.

**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 guidance or recommended practices with a "Local Flexibility" rating are indicated by the acronym, **LF**, located in the margin to the right of the applicable paragraph. Additionally, guidance or recommended practices with a "Local Flexibility" rating are indicated by "may" or "recommend."

Boards are not subject to corrective action for failure to comply with guidance or recommended practices with a “Local Flexibility” rating.

**BACKGROUND:**

On April 11, 2006, the Commission adopted new Commission rule §809.14 regarding consumer education, which became effective May 1, 2006.

The Child Care and Development rules may be accessed at:

<http://www.twc.state.tx.us/twcinfo/rules/ch809.doc>

**PROCEDURES:**

Effective immediately, Boards must ensure that appropriate staff adheres to the provisions set forth in Commission rule §809.14.

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Boards must provide consumer education information to:

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- parents who are eligible for Commission-funded child care services;
- parents who are placed on a Board’s waiting list;
- parents who are no longer eligible for Commission-funded child care services; and
- applicants who are not eligible for Commission-funded child care services.

Boards must ensure that consumer education, at a minimum, consists of:

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- information about the Texas Information and Referral Network/2-1-1 Texas;
- a description of eligible child care providers; and
- a description of programs relating to school readiness, including school readiness models developed by the State Center for Early Childhood Development (State Center) and the Texas Rising Star Provider system.

In addition, Boards may provide information on child care providers that have achieved national accreditation from any of the following national accrediting bodies:

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- National Association for the Education of Young Children
- National Early Childhood Program Accreditation
- National Association of Family Child Care
- National School Age Care Alliance

Boards must include the Web site and telephone number of the Texas Department of Family and Protective Services (DFPS), where parents may obtain health and safety information for child care on issues concerning:

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- immunizations;
- prevention and control of infectious diseases;
- building and premises safety;
- health and safety training appropriate to the provider setting; and
- regulatory compliance history of child care providers.

It is recommended that Boards work with the local DFPS office to obtain printed health and safety materials. Boards may also download and print consumer education materials from the DFPS Web site at <http://www.dfps.state.tx.us>.

**LF**

Boards may use the description of eligible child care providers and programs relating to school readiness included in Attachments 1 and 2, respectively.

**LF**

It is recommended that Boards work with the State Center's local Texas Early Education Model (TEEM) projects on programs relating to school readiness. Contact information for the State Center and TEEM projects is available in Attachment 2 of WD Letter 23-06.

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**ACTIONS REQUIRED:**

Boards must ensure that appropriate staff is apprised of and complies with the requirements in this WD Letter.

**INQUIRIES:**

Direct inquiries regarding this WD Letter to the assigned contract manager for your local workforce development area.

**ATTACHMENTS:**

Attachment 1: Description of Eligible Child Care Providers

Attachment 2: Description of Programs Relating to School Readiness

Rescissions: None	Expiration: Continuing
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