

By: Watson

S.B. No. 818

A BILL TO BE ENTITLED

AN ACT

relating to nutrition and fitness standards for certain child-care facilities and training for employees at those facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 42.042, Human Resources Code, is amended by adding Subsections (s), (t), and (u) to read as follows:

(s) The executive commissioner by rule shall adopt minimum standards that apply to day-care centers, group day-care homes, and family homes for nutrition and daily dietary requirements, physical activity, and time spent using or viewing electronic devices. The minimum standards under this subsection must be consistent with:

(1) the nutrition and meal pattern standards in the Child and Adult Care Food Program administered by the Texas Department of Agriculture; and

(2) American Academy of Pediatrics standards for physical activity and screen time as published in Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs, 3rd Edition.

(t) The executive commissioner shall review any subsequent amendments to the standards described by Subsection (s) and determine whether the rules adopted under that subsection should be amended to incorporate the new standards.

(u) The executive commissioner by rule shall require day-care centers, group day-care homes, and family homes to provide

1 to parents, guardians, or caregivers of children enrolled at the
2 facility information on:

3 (1) sample healthy meals and snacks; and

4 (2) food allergies and choking hazards.

5 SECTION 2. Section 42.0421(a), Human Resources Code, is
6 amended to read as follows:

7 (a) The minimum training standards prescribed by the
8 executive commissioner under Section 42.042(p) for an employee,
9 director, or operator of a day-care center, group day-care home, or
10 registered family home must include:

11 (1) 24 hours of initial training that must be
12 completed not later than the 90th day after the employee's first day
13 of employment for an employee of a day-care center who has no
14 previous training or less than two years of employment experience
15 in a regulated child-care facility, eight hours of which must be
16 completed before the employee is given responsibility for a group
17 of children;

18 (2) 24 hours of annual training for each employee of a
19 day-care center or group day-care home, excluding the director,
20 which must include at least six hours of training in one or more of
21 the following areas:

22 (A) child growth and development;

23 (B) guidance and discipline;

24 (C) age-appropriate curriculum; ~~and~~

25 (D) teacher-child interaction; and

26 (E) child nutrition and age-appropriate indoor

27 and outdoor activities; and

1 (3) 30 hours of annual training for each director of a
2 day-care center or group day-care home, or operator of a registered
3 family home, which must include at least six hours of training in
4 one or more of the following areas:

- 5 (A) child growth and development;
6 (B) guidance and discipline;
7 (C) age-appropriate curriculum; ~~and~~
8 (D) teacher-child interaction; and
9 (E) child nutrition and age-appropriate indoor
10 and outdoor activities.

11 SECTION 3. Section 2308.3155(b), Government Code, is
12 amended to read as follows:

13 (b) The commission shall adopt rules to administer the Texas
14 Rising Star Program, including:

15 (1) guidelines for rating a child-care provider who
16 provides child care to a child younger than 13 years of age,
17 including infants and toddlers, enrolled in the subsidized program;
18 ~~and~~

19 (2) guidelines for rating a child-care provider on:
20 (A) nutrition, lunch provision, and menu
21 planning; and

22 (B) indoor and outdoor activities;

23 (3) a scoring methodology that credits a provider for
24 participating in, and remaining in good standing with, the Child
25 and Adult Care Food Program administered by the Texas Department of
26 Agriculture; and

27 (4) a timeline and process for regularly reviewing and

1 updating the quality standards used to determine the rating system
2 that includes the commission's consideration of input from
3 interested parties regarding those standards.

4 SECTION 4. As soon as practicable after the effective date
5 of this Act, the executive commissioner of the Health and Human
6 Services Commission and the Texas Workforce Commission shall adopt
7 the rules necessary to implement the changes in law made by this
8 Act.

9 SECTION 5. This Act takes effect September 1, 2017.