

## **BILL ANALYSIS**

Senate Research Center  
87R16450 MM-F

H.B. 1792  
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Health & Human Services  
5/3/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In September 2017 the Texas Workforce Commission (TWC) commissioned a study focused on strengthening implementation of its Texas Rising Star (TRS) Program. This study, which was completed in August 2019, included assessing assessor inter-rater reliability (i.e., the degree of agreement among raters) and found that improvements could be made.

Assessor inter-rater reliability has significant implications for the fairness of child-care provider quality ratings and the accuracy of ratings communicated to families. Because of the study results, TWC recommended that assessors be accountable to a central body that certifies and regularly monitors reliability. Consolidating certification and implementing regular reliability monitoring across all assessors statewide would help ensure assessment protocols remain aligned and, consequently, that ratings remain fair and accurate representations of quality. These actions also should reduce the risk of evaluator bias as they will be independent of any local pressures to increase the number of quality-rated programs and contribute to more objective ratings.

The TRS assessors' consolidation also was recommended by the TRS workgroup, which is required to conduct a comprehensive review of the program every four years. The 21-person workgroup included early learning program directors from across the state; early childhood advocacy organization representatives; professional development providers; board staff; and representatives from TWC, the Texas Education Agency, the Health and Human Services Commission's Child Care Regulation Division, and the State Center for Early Childhood, Children's Learning Institute. Beginning in May 2019, this workgroup met regularly for eight months, reviewed the feedback received, and developed recommendations for TWC to consider in revising the TRS Guidelines, which included this TRS assessor consolidation.

Accordingly, H.B. 1792, which is part of TWC's 2021 Legislative Agenda, would consolidate certification and routine reliability monitoring of TRS assessors to a centralized body. This would ensure that assessment approaches remain aligned and that ratings remain fair and accurate representations of quality across the state.

H.B. 1792 amends current law relating to the evaluation of child-care providers participating in the Texas Rising Star Program.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2308.3155, Government Code, by adding Subsection (d) to require the Texas Workforce Commission (TWC), using a competitive procurement process that complies with all federal and state laws, to select a single entity to oversee a statewide roster of qualified assessors to evaluate child-care providers participating in the Texas Rising Star Program during the initial certification process and at any other time during the provider's participation in the program.

SECTION 2. Amends Section 2308.320, Government Code, as follows:

Sec. 2308.320. TECHNICAL ASSISTANCE FOR PROVIDERS. Deletes existing text requiring each local workforce development board to provide technical assistance to Texas Rising Star Program providers and to providers seeking certification under the Texas Rising Star Program by providing child development specialist to serve as an evaluator of the provider during the certification process. Makes nonsubstantive changes.

SECTION 3. Requires TWC, as soon as practicable after the effective date of this Act, to complete the initial competitive procurement process required under Section 2308.3155(d), Government Code, as added by this Act, to select the entity to oversee a statewide roster of assessors for Texas Rising Star Program providers.

SECTION 4. Effective date: September 1, 2021.