



Minimum Standards Revision Notice

Date: August 1, 2024

Effective Date: August 14, 2024

To: All Holders of Chapter 744, Minimum Standards for School-Age and Before or After-School Programs

From: Rachel Ashworth-Mazerolle, HHSC Associate Commissioner for Child Care Regulation

Subject: Adopted Requirements Related to the Pre-Employment Affidavit

The amended rules implement Senate Bill (S.B.) 1469, 88th Legislature, Regular Session, 2023.

S.B. 1469 of the 88th Regular Legislative Session added §42.0563 to Texas Human Resources Code (HRC) to require prospective employees at child-care facilities to complete [Form 2912](#), *Pre-Employment Affidavit for Applicants for Employment at Certain Child Care Operations*.

CCR has adopted amended rules to:

- Cover the requirements of HRC §42.0563;
- Ensure Form 2912 is used for:
 - prospective employees hired on or after September 1, 2023; and
 - any substitutes, contractors, volunteers, and assistant caregivers who perform employee functions and require an initial CCR background check on or after August 14, 2024; and
- Distinguish Form 2912 from [Form 2985](#), *Affidavit for Applicants for Employment with a Licensed Operation or Registered Child-Care Home*, by including the form numbers and correct form titles in the rules.

The rules are effective August 14, 2024.

Adopted Requirements Related to the Pre-Employment Affidavit

This memo covers substantive changes made to the rules in Chapter 744.

In addition to the substantive changes outlined in this memo, CCR made non-substantive changes to the rules to improve the understanding and readability of the rules. In addition, CCR added Technical Assistance (TA) boxes that follow the rules in the minimum standards publication to provide additional clarification and/or additional resources. These non-substantive changes and updates to TA boxes are not identified in this document but are identified in the highlighted version of the rules.

Specific Rule Changes

Record Keeping

§744.901. What information must I maintain in my personnel records?

Amended §744.901:

- Adds subsection (5) to require an operation to maintain Form 2912 in each personnel record;
- Amends subsection (4) to distinguish Form 2985 from Form 2912 by including the form numbers and correct form titles; and
- Renumbers subsections because a new subsection was added.

Personnel

§744.1103. What minimum qualifications must each of my employees meet?

Amended §744.1103:

- Adds subsection (4) to require each prospective employee to complete Form 2912; and
- Amends subsection (3) to distinguish Form 2985 from Form 2912 by including the form numbers and correct form titles.

Highlighted Versions

You may view highlighted versions of the adopted rules at [Minimum Standards | Texas Health and Human Services](#). CCR is updating the minimum standards publication and will complete the update by August 14, 2024.

If you have questions, please contact your CCR inspector or send an email to [HHSC Minimum Standards Comments](#).