



Child Care Regulation Operation Action Letter

Number: 2024-01
Title: Amended Rules Related to the Pre-Employment Affidavit
Operation Types: School-Age Programs, Before or After-School Programs, Child Care Centers, Registered Child-Care Homes, Licensed Child-Care Homes, General Residential Operations
Publication Date: 08/01/2024
Effective Date: 08/14/2024

Subject and Purpose

The purpose of this Operation Action Letter is to:

- Notify operations of adopted amended rules in Title 26, Texas Administrative Code Chapters 744, 745, 746, 747, and 748 related to [Form 2912, Pre-Employment Affidavit for Applicants for Employment at Certain Child Care Operations](#), required by Texas Human Resources Code (HRC) §42.0563; and
- Provide information on how to comply with the amended rules.

Details and Operation Responsibilities

School-Age Programs, Before and After-School Programs, Child Care Centers, Registered Child-Care Homes, Licensed Child-Care Homes, and General Residential Operations must comply with amended rules that require those operations to:

- Ensure Form 2912 is completed for:
 - Prospective employees hired on or after 09/01/2023; and
 - Substitutes, contractors, volunteers, and assistant caregivers who perform employee functions and require an initial CCR background check on or after 08/14/2024; and
- File Form 2912 in the appropriate personnel file.

Visit the Child Care Regulation [Minimum Standards webpage](#) to review:

- Revision Memos for Chapters [744](#), [746](#), [747](#), and [748](#) that summarize the rule changes; and
- Highlighted copies of the adopted rules for Chapters [744](#), [746](#), [747](#), and [748](#) that show the changes from previous rules.

Visit the [Child Care Regulation Minimum Standards webpage](#) to review the webinar, [Pre-Employment Affidavit Requirement for Child-Care Facilities](#), that provides an overview of the amended rules.

CCR is updating the minimum standards publications for Chapters 744, 746, 747, and 748 and will publish the updates by 08/14/2024.

[Visit the Texas Register](#) to review a summary of comments HHSC received during the formal public comment period and HHSC's response to the public comments, including whether HHSC made any changes to the rules.

Background/History

Amended rules in Chapters 744, 745, 746, 747, and 748 were necessary to support statutory requirements in the Texas Human Resources Code. The amended rules were prompted by Senate Bill (S.B.) 1469 of the 88th Regular Legislative Session, 2023, which added HRC §42.0563.

Since 09/01/2023, the effective date of S.B. 1469, Form 2912 has been in use by operations for prospective employees. CCR emailed providers in August 2023 with instructions on how and when to use Form 2912.

Resources

- [August 2024 Revision Memo for Chapter 744](#)
- [Display of August 2024 Changes for Chapter 744](#)
- [August 2024 Revision Memo for Chapter 746](#)
- [Display of August 2024 Changes for Chapter 746](#)
- [August 2024 Revision Memo for Chapter 747](#)
- [Display of August 2024 Changes for Chapter 747](#)
- [August 2024 Revision Memo for Chapter 748](#)
- [Display of August 2024 Changes for Chapter 748](#)
- [Child Care Regulation Minimum Standards Webpage](#)
- [Webinar: Pre-Employment Affidavit Requirement for Child-Care Facilities](#)
- [Chapter 744 minimum standards publication](#)
- [Chapter 746 minimum standards publication](#)
- [Chapter 747 minimum standards publication](#)
- [Chapter 748 minimum standards publication](#)

Contact Information

[Contact your local CCR office](#) with questions.