

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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Effective:	Immediately

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



From: Reagan Miller, Director, Child Care & Early Learning Division

Subject: Child Care Worker Waiting List Priority Group

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on the implementation of the waiting list priority for children of child care workers for Child Care Services (CCS).

RESCISSIONS:

None

BACKGROUND:

Senate Bill (SB) 462, [passed](#) by the 89th Texas Legislature, Regular Session, 2025, mandates TWC to establish a waiting list priority group for children of child care workers. On November 12, 2025, TWC's three-member Commission (Commission) [adopted](#) amendments to 40 Texas Administrative Code (TAC), Part 20, Chapter 809 to clarify the Commission's authority to suspend rules for certain purposes and to implement child care waiting list priority requirements enacted by SB 462. These amendments are codified in Texas Labor Code [§302.0064](#) and implemented through TAC Chapter 809, specifically [§809.2](#) (definition of "child care worker") and [§809.43](#) (priority for child care services).

PROCEDURES:

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. All information with an NLF rating is indicated by "must."

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 information with an LF rating is indicated by “may” or “recommend.”

Statewide Application Update

NLF: Boards must inform staff that the statewide CCS waiting list application will be updated to include children of child care workers as a second priority group, as outlined in [§809.43\(a\)\(2\)](#), in order of priority as follows:

- Children who need to receive protective services child care
- Children of a qualified veteran or qualified spouse
- Children of a foster youth
- Children experiencing homelessness
- Children of parents on military deployment
- Children of teen parents
- Children with disabilities
- Children of a child care worker

NLF: Boards must inform staff that the new child care worker definition, as defined by [§809.2](#), took effect on January 5, 2026, coinciding with updates to the Texas Child Care Connection (TX3C) child care case management system.

Children of Child Care Workers Waiting List Procedures

NLF: Boards must update their child care waiting list procedures to include children of child care workers as a second priority group, as outlined in [§809.43\(a\)\(2\)](#).

NLF: Boards must establish a process to verify that an applicant meets the definition of a child care worker. This process must include, at a minimum:

- **Employment verification:** Obtaining documentation from the child care facility (licensed under [Texas Human Resources Code, Chapter 42](#)) confirming the applicant’s employment.
- **Hours worked verification:** Confirming the applicant works a minimum of 25 hours per week at the child care facility.
- **Verification of role:** Ensuring the applicant’s role aligns with the definition of a child care worker and is not excluded as the owner or director (unless their child is in a program not directly supervised by them).

Acceptable documentation may include:

- pay stubs;
- a letter from the employer on company letterhead;
- a TWC [employment verification form](#); or
- other official documentation deemed appropriate for verifying employment.

NLF: Boards must adhere to the requirement in Texas Labor Code [§302.0064\(c\)](#) and [§809.42](#), which states that a child care worker whose child receives child care services under this priority group is subject to redetermination of the individual’s eligibility for services no sooner than 12 months following the initial determination or most recent redetermination.

TX3C: KinderSystems Updates

NLF: Boards must inform staff of the updates to TX3C to include children of child care workers as a second priority group, detailed below:

- **Parent Central:** Waiting list application updates—added questions and requests for documentation to determine if a parent is employed at a licensed child care provider for at least 25 hours per week;
- **KinderTrack—Intake updates:** Waiting list applications of child care workers will be prioritized in KinderTrack Intake search results with Prioritization Criteria as Child Care Worker and ranked according to second priority group placement.
- **KinderTrack:** Parent Needs will import the child care provider information provided to verify the parent’s employment.

INQUIRIES:

Send inquiries regarding this WD Letter to childcare.programassistance@twc.texas.gov.

ATTACHMENTS:

None

REFERENCES:

[Senate Bill 462](#), 89th Texas Legislature, Regular Session (2025)

Texas Labor Code, [§302.0064](#), Child Care Waiting List Priority for Child Care Workers

Texas Human Resources Code, [Chapter 42](#), Regulation of Certain Facilities, Homes, and Agencies That Provide Child Care Services

Texas Workforce Commission, [Chapter 809](#), Child Care Services Rules