


TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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Keywords:	Child Care
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: **Texas Rising Star Entry Level Designation Implementation—Update**

PURPOSE:

The purpose of this Workforce Development (WD) Letter is to provide Local Workforce Development Boards (Boards) and the Texas Rising Star Centralized Assessment Entity (CAE) with updated guidance on implementing the required Entry Level designation for child care programs participating in Texas Workforce Commission’s (TWC) Child Care Services (CCS).

This updated letter provides updated guidance and clarifications regarding implementation of the Texas Rising Star Entry Level designation.

RESCISSIONS:

WD Letter 23-22, Change 1

BACKGROUND:

House Bill (HB) 2607, 87th Texas Legislature, Regular Session (2021), amended Texas Government Code §2308.3155 to require that all regulated providers of TWC-funded CCS participate in the Texas Rising Star program. HB 2607 also required the creation of a new Entry Level designation and a maximum length of time that a child care program may participate at the Entry Level designation.

Additionally, HB 2607 required TWC to develop a process that allows a child care program to request a waiver to extend the length of time, which may not exceed 36 months, that the child care program may participate at the Entry Level designation.

On September 13, 2022, the Commission approved amendments to Chapter 809 to implement the §2308.3155 requirement.

The amended rules regarding the Entry Level designation took effect on October 3, 2022.

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 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.”

Increased Funding Supports

NLF: Boards must be aware that the Commission approved a funding increase to support Texas Rising Star mentors: \$17 million in Board Contract Year 2022 (BCY’22), \$22 million in BCY’23, \$27 million in BCY’24, and \$29 million in BCY’25. The Commission also approved an increase to the Board’s quality funding, from 2 percent to 4 percent of the Board’s annual allocation in BCY’24. In BCY’25, the Commission approved a total of 6 percent for quality improvement, with 2 percent being available as part of the Board’s annual allocation, and an additional 4 percent being distributed based upon the number and size of CCS providers in a Board’s local development area (workforce area). For additional information on the distribution of BCY’25 funding, please refer to WD 09-24. These additional funds are available to the Boards to support the increased services needed to implement HB 2607.

NLF: Boards must also be aware that the Commission approved an additional \$500 million for the 2022 Child Care Relief Fund for CCS providers, and it also increased the base reimbursement rates to the 75th percentile in BCY’23. In BCY’24, the Commission’s base rates were increased above the 75th percentile in some cases, based upon the new [Cost of Quality Price Modeling study](#). These additional funds are available to providers to improve program quality and to support the new Texas Rising Star requirement.

Entry Level Eligibility and Timelines

NLF: Boards must be aware that TWC Chapter 809 Child Care Services rule §809.131(d) establishes a maximum time of 24 months that a CCS provider may remain at the Entry Level designation. The CCS provider must achieve or be eligible for Texas Rising Star certification of at least the Two-Star level within the 24-month period. There are limited waivers of up to 36 months for Entry Level-designated providers who do not attain certification or are not deemed eligible for certification by the end of their Entry Level period. Details are provided later in this letter.

NLF: Boards must be aware that an Entry Level–designated CCS provider is not eligible for the enhanced payment rates available to Two-, Three-, and Four-Star–certified child care programs.

NLF: Boards must ensure that all CCS providers located within a Board’s local workforce development area (workforce area) meet the minimum qualifications and basic requirements for Entry Level designation as described in §809.131(b) prior to signing a CCS Agreement, and specifically, that the providers:

- are not on a corrective or adverse action plan with Child Care Regulation (CCR); and
- do not exceed the minimum points threshold for high- and medium-high– weighted CCR deficiencies, per the Texas Rising Star Guidelines.

NLF: Boards must ensure that any provider interested in participating in CCS completes the Texas Rising Star Interest Form and establishes a provider account in the Texas Rising Star Engage system before signing a CCS Agreement. Additionally, as required by [WD 14-22, Change 2](#), and its subsequent issuances, Boards must ensure timely data entry for interested providers.

NLF: Every six months, Boards must review Entry Level–designated CCS providers within their workforce area to ensure that the providers do not exceed the Entry Level points threshold by reviewing the Entry Level Designation Report provided to Boards on the Texas Rising Star report dashboard within Engage, per the Children’s Learning Institute’s (CLI) Texas Rising Star Engage User Guide. The first six-month review began on October 1, 2023, and occurs thereafter in April and October.

NLF: If an Entry Level–designated CCS provider exceeds the points threshold at the time of the six-month review, Boards must inform the provider that the CCS Provider Agreement will be terminated within 30 calendar days of the review. To ensure statewide consistency in the implementation of the six-month review, Boards must not terminate the CCS Provider Agreement for an Entry Level–designated CCS provider prior to the scheduled six-month review.

NLF: Boards must ensure that Entry Level–designated CCS providers placed on CCR Probationary Corrective Action may remain designated as long as they do not exceed the Entry Level compliance points threshold at the time of the six-month review. Boards must ensure that no new CCS referrals are made to the provider while on CCR Probationary Corrective Action.

NLF: Boards must ensure that Entry Level–designated providers placed on CCR adverse action are not eligible to accept CCS referrals, and may not serve any CCS-funded children. When this occurs, Boards must close the provider’s intake and any families referred must be transferred, per the Child Care Services Guide.

LF: A Board may allow a provider who cannot serve CCS-funded children due to CCR adverse action to maintain their CCS Provider Agreement while the program is appealing the adverse action. If the CCS Provider Agreement remains in effect, the provider’s Entry Level designation timeline to attain Texas Rising Star certification also remains in effect. In contrast, ending the CCS Provider Agreement will pause the provider’s Entry Level designation timeline for attaining Texas Rising Star certification.

NLF: Boards must ensure that any provider that loses its Entry Level designation and returns as an Entry Level–designated CCS provider will have a modified timeline to achieve certification based on the difference of the 24-month time frame and the Entry Level

designation time previously provided. This does not include providers whose timeline has elapsed.

Example: A provider was designated as Entry Level on December 1, 2022, and exceeded the points threshold on October 1, 2023, thus using 10 months of the 24-month designation time frame. If the provider is designated as Entry Level on January 1, 2024, they will be allowed the remaining 14 months, until March 31, 2025, to become Texas Rising Star–certified.

NLF: Boards must ensure that all Entry Level–designated CCS providers located within a Board’s workforce area are screened for initial Texas Rising Star certification CCR compliance (per the Texas Rising Star Guidelines) by the end of the first 12 months to determine eligibility to begin the initial Texas Rising Star certification assessment process.

LF: Boards may screen Entry Level–designated CCS providers before the end of the first 12 months to determine eligibility for initial certification and, subsequently, begin the initial Texas Rising Star certification assessment process.

NLF: Boards must ensure that any Entry Level–designated CCS provider that does not meet the initial certification screening requirements for Texas Rising Star (per the Texas Rising Star Guidelines) by the 18th month of the 24-month designation time frame must **not** continue to receive new CCS family referrals during their remaining Entry Level designation period, unless the Board requests and receives a CCS referral exception from TWC; exceptions may be requested if the provider is located in a child care desert or serves an underserved population. “Serving an underserved population” is defined by TWC as offering care for infants, offering care during nontraditional hours, or caring for children with disabilities.

Note: Referrals may be made for siblings of children who are currently enrolled in the program during this period.

NLF: Boards must ensure that an Entry Level–designated CCS provider is screened monthly for initial certification eligibility during the 18th through 24th months of their Entry Level designation time frame, and if the provider does not meet the initial certification screening requirements for Texas Rising Star per the Texas Rising Star Guidelines, the provider is not eligible for referrals of new CCS families, unless the Board requests and receives a CCS referral exception from TWC; exceptions may be requested if the provider is located in a child care desert or serves an underserved population.

Note: Referrals may be made for siblings of children who are currently enrolled in the program during this period.

NLF: Boards must open intake for new CCS family referrals once the provider comes into compliance with the initial certification screening requirements for Texas Rising Star.

NLF: Boards must ensure that staff members document all Entry Level screening activities in TWC’s child care case management system (currently TWIST) under “Provider Comments” and in the Texas Rising Star Engage platform under “Event Log.”

NLF: Boards must provide all Entry Level–designated CCS providers located within a Board’s workforce area with mentoring services, per the Texas Rising Star Guidelines. Providers may opt out of mentoring services per the Guidelines; however, Boards must still provide regular supports as outlined in the Texas Rising Star Staff Handbook.

LF: Boards may provide mentoring for providers who are no longer participating in CCS and are working toward returning to CCS as an Entry Level provider or a certified provider (if they are not eligible for Entry Level designation). If the Board provides this type of mentoring, it should enter only into a Mentoring Agreement with the provider until the provider is eligible to return to CCS.

NLF: Boards must comply with the following deadlines and timeline for new CCS providers designated as Entry Level.

Entry Level Designation Timeline—New CCS Providers

Deadline	Action
CCS Agreement Start Date	The provider meets Entry Level designation.
12 Months	Boards must screen providers for initial Texas Rising Star certification.
18 Months	If the provider has not met Texas Rising Star certification criteria, no new family referrals may be made. This is reviewed monthly for the remainder of the Entry Level designation timeline. Boards may submit exception requests to TWC if the provider is located in a child care desert or serves an underserved population.
23 Months	If the provider will not meet Texas Rising Star certification requirements by the end of the Entry Level designation timeline, notify the provider and enrolled families of potential loss of the provider’s CCS eligibility and options for continuation of CCS.
24 Months	The provider must achieve Texas Rising Star certification or have notified the CAE of their assessment ready status to continue serving as a CCS provider.

NLF: Boards must communicate to any neighboring Board that has a current CCS Provider Agreement with that provider, within five business days, any impacts placed on a CCS provider, which includes the termination of any CCS Provider Agreement or closing of intake.

NLF: Boards must not enter into a CCS Provider Agreement with a provider that is not located within the Board’s workforce area until the managing Board has determined the provider eligible for CCS and entered into a CCS Provider Agreement.

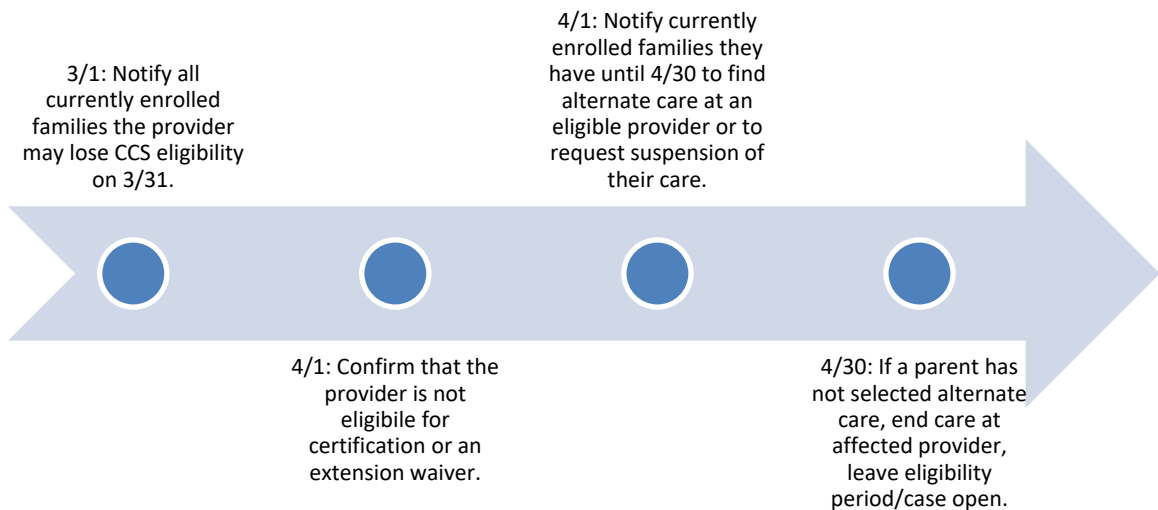
NLF: Boards must ensure that if the provider is still ineligible for certification 30 days prior to the end of the Entry Level designation time frame, all currently referred families and the provider are notified that the provider is in jeopardy of losing its CCS Agreement.

Example: A provider’s Entry Level designation ends March 31, 2025. On February 28, 2025, an initial screening for certification eligibility indicates the provider will not be eligible by March 31, 2025. By March 1, 2025, the provider and all currently enrolled CCS families are notified that the provider may lose its CCS Provider Agreement on March 31. Note: The Board can consider requesting an Entry Level designation extension waiver, as indicated later in this letter if the provider meets one of the criteria.

NLF: Boards must ensure that if a provider loses CCS eligibility at the end of their Entry Level period, affected families are notified 30 days prior to termination of care at the affected provider. If the parent has not selected a new provider within this 30-day time frame, care at the affected provider must be terminated. The parent may request to suspend care in lieu of selecting a new provider.

The 30-day notice period after the provider loses CCS eligibility is in addition to the 30-day notice to parents that a provider is in jeopardy of losing its CCS Agreement; therefore, families will have a total of 60 days after initial notification to find alternative child care.

Example for provider whose CCS eligibility will end on March 31:



Current CCS Provider Timeline

- NLF**: Boards were made aware that current CCS providers—providers with an active agreement as of October 3, 2022—were administratively designated as Entry Level, effective October 3, 2022, and were eligible to continue serving as a CCS provider.
- NLF**: No later than October 31, 2022, Boards determined whether current CCS providers located within the Board’s workforce area met the minimum qualifications and basic requirements for Entry Level designation, per the Texas Rising Star Guidelines, and determined the next steps, which included following the timeline for certification or designation compliance.
- NLF**: Boards must screen providers located within the Board’s workforce area by reviewing the Entry Level Designation Report provided to Boards on the Texas Rising Star report dashboard, per the CLI Texas Rising Star Engage User Guide.
- NLF**: Upon the effective date of October 3, 2022, Boards ensured that any current CCS providers located within the Board’s workforce area that exceeded the minimum points threshold were given until March 31, 2023, to work with a mentor to ultimately meet the basic requirements for Entry Level designation.
- NLF**: Boards must be aware that providers that failed to comply with the basic requirements or points threshold by March 31, 2023, were no longer eligible to serve CCS families, thus ending their CCS Provider Agreement and transferring any children in care within 30 calendar days.
- NLF**: Boards must ensure compliance with the following deadlines and timeline for current CCS providers.

Entry Level Designation Timeline—Current CCS Providers

Deadline	Action
October 31, 2022	Boards must determine whether the provider is meeting Entry Level designation requirements.
March 31, 2023	Provider must meet Entry Level designation requirements.
March 31, 2024	If the provider has not met Texas Rising Star certification requirements, no new family referrals may be made.
September 1, 2024	If the provider has not met Texas Rising Star certification requirements, notify enrolled families of potential loss of the provider’s CCS eligibility. Note: Proposed amendments to TWC’s Chapter 809 Child Care Services rules, regarding the Texas Rising Star Screening Form, may impact a provider’s ability to meet certification requirements and retain CCS eligibility. TWC will issue additional guidance pending approval of the final rule amendments.
September 30, 2024	The provider must achieve Texas Rising Star certification or have notified the CAE of their assessment ready status to continue to serve

	<p>as a CCS provider.</p> <p>Note: A provider’s “assessment ready” status may be impacted by proposed amendments to TWC’s Chapter 809 Child Care Services rules, with more providers being able to meet initial certification requirements. TWC will issue additional guidance pending approval of the final rule amendments.</p>
October 1, 2024	If the provider does not meet Texas Rising Star certification requirements on September 30, notify enrolled families of the termination of the provider’s CCS Provider Agreement and requirement to transfer their care within 30 days.

Certified Provider Suspension Status

NLF: TWC’s CAE must place any Texas Rising Star–certified provider that drops below Two-Star certification level on suspension status, per the Texas Rising Star Guidelines. Suspension may last for a minimum of six months to a maximum of 15 months.

NLF: Boards must ensure that because a provider on suspension status is not eligible for Entry Level designation, no Entry Level designation is noted in the child care case management system (currently TWIST). The Board must indicate the suspension status in the “Provider Comments” section, including start and end dates.

Note: TWC’s CAE will indicate this status on CLI Engage, per the Engage User Guide.

NLF: Boards must ensure that there is an internal process for supporting providers who are placed on suspension status and for monitoring the provider’s continued compliance with the Entry Level points threshold and certification eligibility. Although a provider on suspension is not eligible to receive Entry Level designation status, they must still not exceed the Entry Level points threshold while they are in suspension status. **NLF:** Boards must ensure that if a provider is not eligible to request a certification reassessment or is not at least Two-Star–certified by the ninth month of the suspension date, the provider must not receive new CCS family referrals during the remainder of the suspension period unless the provider is located in a child care desert or serves an underserved population and is approved by TWC to accept new family referrals. Boards may request a CCS referral exception per the guidance provided below.

Note: Referrals may be made for siblings of children who are currently enrolled in the program during this period.

NLF: Boards and the CAE must be aware that providers on suspension status that meet certification eligibility and screening requirements may request a certification reassessment at any time after the initial six months of suspension status by completing the online assessment request form and uploading required documents into Engage per the Engage User Guide. Boards must ensure that providers on suspension status are notified of this.

NLF: Boards must ensure that any Texas Rising Star–certified provider placed on suspension status that does not achieve Texas Rising Star recertification or be determined eligible for certification by the end of the 15-month suspension period is not eligible to provide child care services, receives a written Notice of Termination at the beginning of the 15th month, and is not eligible for Entry Level designation, thus ending their CCS Provider Agreement and transferring any children in care within 30 calendar days. Subsequently, the provider may return to CCS once they meet Texas Rising Star–certification eligibility and screening requirements and are assessed at least at a Two-Star certification level.

Note: Providers in this situation are not eligible for an Entry Level designation extension waiver, as described below.

NLF: Boards must ensure any child care provider that has their CCS Provider Agreement terminated due to the inability to move out of suspension status is provided information upon termination that includes the next steps for requesting assessment and returning to CCS, including if mentoring supports will be provided.

CCS Referral Exception Requests

NLF: Boards must submit a CCS referral exception request to TWC if a provider fails to meet initial certification screening requirements, and they want to continue to receive new CCS family referrals, either at:

- the 18th month of the 24-month Entry-Level designation time frame; or
- the ninth month of the 15-month suspension period.

The request must be submitted to TexasRisingStar@twc.texas.gov and include the provider’s name, CCR operation number, counties served, current number of CCS children referred, current capacity, screening citation and date cited that prevents certification, and reason for requesting an extension (based on waiver criteria defined below).

NLF: Additionally, Boards can submit an exception request at any time before the end of the 24 months or 15 months while on suspension based on the monthly reviews of eligibility, as described earlier in this letter, to determine whether a provider may receive new CCS family referrals during this time frame.

NLF: TWC will review and approve any exception requests for providers who can demonstrate that they are located in a child care desert, provide care to an underserved population, or have a specific situation regarding providing continuity of care.

NLF: Boards must reopen intake for a provider once the provider can meet the initial certification screening requirements.

NLF: Boards must be aware that a CCS referral exception may be requested at any time from the 18th month of Entry Level designation through the 24th month if the provider demonstrates compliance with certification requirements.

Entry Level Designation Extension Waivers

NLF: Boards must be aware that TWC rules provide for an Entry Level designation extension waiver, based on specific TWC-established criteria, for Entry-Level designated CCS providers who are unable to attain at least a Two-Star certification after 24 months. The waiver, which offers up to 36 months, may be authorized if a provider:

- is located in a child care desert (as defined in Texas Labor Code §302.0461(b)(2)(A)(i) and §809.2);
- serves an underserved population as determined by TWC (such as infants, children with disabilities, or those needing care at nontraditional hours);
- is unable to meet the certification requirements due to a declared emergency or disaster; or
- is unable to meet the certification requirements due to conditions that are outside the provider’s control.

NLF: Boards must submit any extension waiver requests at least 30 days prior to the end of the 24-month Entry Level designation timeline to TWC at TexasRisingStar@twc.texas.gov for review and approval. The request must include the provider’s name, CCR operation number, county served, current number of CCS children referred, current capacity, screening citation and date cited that prevents certification, date the provider would be eligible (pending no additional screening citations), and reason for requesting an extension (based on waiver criteria defined above).

Entry Level Designation Data Entry

NLF: Boards must indicate a provider’s Entry Level designation by adding an “Entry Level Designated” accreditation field within the child care case management system (currently TWIST) and its applicable start and end dates. The end dates are as follows:

- For CCS providers that complied with Entry Level requirements on October 3, 2022, the end date is September 2024.
- For new CCS providers, the end date is 24 months from the start date (when the CCS Provider Agreement was signed).
- For providers that left CCS and returned, a modified start and end date will be entered to demonstrate the time remaining from their initial Entry Level designation timeline.

NLF: Boards must ensure that mentors or assigned staff complete an Event Log within CLI Engage regarding Entry Level designation, including Entry Level compliance reviews and their impacts, per the Engage User Guide.

NLF: Boards must ensure that any changes to a CCS provider’s Entry Level designation status are updated in the accreditation field in the child care case management system (currently TWIST), including ending the designation once the provider is Texas Rising Star certified.

NLF: Boards must document all screenings completed for Entry Level–designated CCS providers within the child care case management system (currently TWIST), under “Provider Comments.”

NLF: Boards must end a provider’s Entry Level designation within the child care case management system (currently TWIST) and within the Texas Rising Star Engage platform when the CCS Provider Agreement is terminated.

INQUIRIES:

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

ATTACHMENTS:

Attachment 1: Revisions to WD Letter 23-22, Change 1, Shown in Track Changes

REFERENCES:

[HB 2607](#), 87th Texas Legislature, Regular Session (2021)

[Texas Rising Star Engage User Guide](#)

[Texas Rising Star Child Care Provider Certification Guidelines](#)