

From: [Sunset Advisory Commission](#)
To: [Jalisa Broussard](#)
Subject: FW: Public Input Form for Agencies Under Review (Private/Before Publication)
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From: sunset.website@brightleafgroup.com <sunset.website@brightleafgroup.com>
Sent: Sunday, August 16, 2026 4:50 PM
To: Sunset Advisory Commission <sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Private/Before Publication)

Submitted on Sun, 08/16/2026 - 15:45

Submitted by: Visitor

Submitted values are:

Choose the agency that you would like to provide input about
[Texas Workforce Commission](#)

Public Comments

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First Name

Kaye

Last Name

Boehning

Title

CEO

Organization you are affiliated with

Tomorrow's Promise, Tomorrow's Promise Montessori Academy, Tomorrow's Promise
Children's House

Email

City

Huntsville

State

Texas

Your Comments or Concerns

I am the CEO of a long-established nonprofit child care organization in Texas, and I strongly support efforts to improve quality in child care. However, I believe the Texas Rising Star program, in its current form, can financially devastate otherwise high-quality providers for circumstances that are sometimes outside of their reasonable control.

One of my greatest concerns is that TRS does not always adequately distinguish between provider negligence and the misconduct of an individual employee.

We experienced this firsthand when we hired an employee who had been fully vetted and came to us with excellent recommendations. She was even planning to return to work at a center where she had previously been employed during the holidays. Despite everything we reasonably knew about this employee, she subsequently engaged in an abusive act toward a child.

We immediately terminated her employment.

There was no attempt to defend the conduct, conceal it, or allow the employee to remain around children. Nevertheless, our program was placed on probation and lost its Texas Rising Star status.

I absolutely believe providers should be held accountable when they ignore warning signs, fail to conduct required background checks, fail to supervise appropriately, conceal incidents, or knowingly allow unsafe employees to continue working with children.

However, that is very different from an employer who follows the rules, hires someone in good faith, discovers serious individual misconduct, and immediately removes that person.

The current system can result in a provider doing exactly what it should do once a problem is discovered and still suffering a major financial penalty.

That penalty does not affect only the owner. It affects teachers, children, families, enrollment, subsidy reimbursement, and the long-term financial stability of the program.

We have experienced a six-figure financial impact over the past several years related to losses in TRS status. A single incident or administrative issue can cost a center tens of thousands of dollars or more.

We have also experienced an administrative situation involving a background check. We completed the required background check, but the employee was subsequently removed from the state's system and we did not discover the change. That resulted in the loss of a star. When multiple state systems, databases, Workforce Boards, licensing requirements, and TRS requirements overlap, a provider can make one administrative mistake and suffer a financial consequence that is far greater than the seriousness of the underlying issue.

Another major concern is the subjectivity involved in TRS classroom observations.

Different assessors can interpret the same teacher-child interaction differently, and those individual judgments can affect a program's star rating and reimbursement.

Teachers sometimes have to intervene immediately when a child is engaging in unsafe behavior or is about to hurt themselves or another child. Staff should always respond respectfully and appropriately, but there are situations in which a teacher must be firm, direct, or immediately stop a behavior.

Providers should not have to worry that an appropriate safety intervention will later be characterized as a negative interaction and contribute to the loss of a star.

There needs to be a clear distinction between genuinely inappropriate, demeaning, or harmful interactions and appropriate limit-setting, redirection, safety intervention, and classroom management.

The current system can place teachers in an impossible position. They are responsible for keeping children safe and maintaining an orderly classroom, yet they may fear that being sufficiently firm during an observation could negatively affect their center's TRS rating.

This problem is compounded when different assessors, mentors, trainers, or Workforce Boards interpret requirements differently. A statewide quality-rating system should not depend heavily upon which individual happens to assess or support a particular provider.

We have experienced situations where TRS support personnel have not provided consistent guidance. Providers may rely on the direction they are given, only to later discover that another person interprets the same requirement differently.

Because star ratings are directly connected to reimbursement, these subjective decisions and inconsistencies can create extremely serious financial consequences.

Our TRS status can also affect our public Pre-K partnership, creating a cascading effect across multiple programs that serve children and families.

The purpose of Texas Rising Star should be to encourage providers to improve quality. Unfortunately, the program has increasingly become something many providers fear because a single employee action, administrative mistake, subjective interpretation, or assessment finding can create enormous financial consequences.

I am not asking Texas to lower its standards.

I am asking for a system that is fair, proportional, consistent, and focused on whether the provider itself acted responsibly.

A provider that knowingly endangers children should face serious consequences. A provider that discovers a problem, protects the child, reports the incident, removes the responsible employee, corrects the problem, and cooperates with regulators should be treated very differently.

Likewise, a teacher who behaves inappropriately should be held accountable, but a teacher who appropriately intervenes to stop unsafe behavior should not jeopardize an entire program's star rating because of a subjective interpretation.

Texas needs quality child care providers. Texas Rising Star should help good providers become better, not create a system where one employee's misconduct, one correctable administrative mistake, or one assessor's subjective interpretation can jeopardize the financial stability of an entire child care organization.

Your Proposed Solution

I respectfully recommend the following changes to the Texas Rising Star program:

Create proportional consequences.

Not every deficiency should result in the loss of a star or TRS status. Consequences

should reflect the seriousness of the issue, the provider's responsibility for it, and the provider's response.

Protect providers who respond appropriately to individual employee misconduct.

When a provider has completed required hiring and background-check procedures, had no reasonable knowledge that an employee posed a danger, immediately removes the employee, reports the incident, and takes corrective action, the provider should have a pathway to retain its TRS rating.

Create a corrective-action period for administrative violations.

Paperwork, database, training documentation, and similar administrative errors should generally be correctable before a provider loses a star unless the issue creates an immediate child-safety risk.

Establish a meaningful independent appeal process.

Providers should have an opportunity to present evidence and challenge findings before suffering a major reduction in reimbursement. Appeals should be reviewed by someone independent of the individual or entity that made the original determination.

Consider the financial impact of TRS sanctions.

Loss of a star is not simply a quality designation. Because reimbursement is tied to TRS status, it can become a substantial financial penalty. The financial impact should be considered when sanctions are imposed.

Develop clear statewide standards for teacher-child interactions.

TWC should provide specific examples distinguishing inappropriate interactions from appropriate redirection, firm limit-setting, classroom management, and immediate safety intervention.

Improve assessor training and calibration.

Assessors should receive consistent statewide training so that the same type of classroom interaction is evaluated similarly regardless of who conducts the assessment.

Allow providers to challenge subjective observation findings.

Providers should have a formal review process when they believe an assessor has misinterpreted a teacher-child interaction, particularly when that finding could result in the loss of a star.

Require greater consistency across Workforce Boards, mentors, trainers, and assessors.

TRS requirements and interpretations should be standardized statewide, with clear written guidance available to providers.

Prevent unnecessary cascading consequences across state-supported programs.

A TRS decision should not automatically destabilize a provider's participation in another state-supported program, such as a public Pre-K partnership, without appropriate review and due process.

Establish a permanent TRS provider advisory committee.

The committee should include center-based providers, faith-based providers, home-based providers, representatives from multiple Workforce Boards, TWC, Child Care Regulation, and other programs connected to child care subsidy.

Providers serving on the committee should include people who are actively operating child care programs and working with TRS requirements in real-world settings.

The goal should be to maintain high standards while creating a system that is consistent, transparent, proportional, and fair to providers who are making good-faith efforts to comply and protect children.

My Comments Will Be Made Public

Yes