

# Data-driven decision making: a primer



## Governance Training Series

# NICOLE M. BACON

---



## Contact Information:

[nbacon@ftlf.com](mailto:nbacon@ftlf.com)

202.466.8960

- Nicole, a Partner at Feldesman Tucker Leifer Fidell LLP, has been with the firm since 2008 and a practicing attorney since 2003.
- She is counsel to numerous federal grantee organizations across the country representing her clients in federal litigation as well as providing counsel on compliance and transactional matters.
- Her representative activities include reviewing and revising contracts, subrecipient agreements, procurement policies and procedures, and other grant-related documents to ensure compliance with programmatic requirements and other federal regulations. Nicole also advises clients on the federal requirements for grant related construction and renovation projects including issues related to filing notices of federal interest.
- Prior to joining the firm, Nicole worked as a legal services staff attorney, representing low-income clients in domestic violence matters, family law issues, public housing and landlord-tenant disputes, and consumer cases.

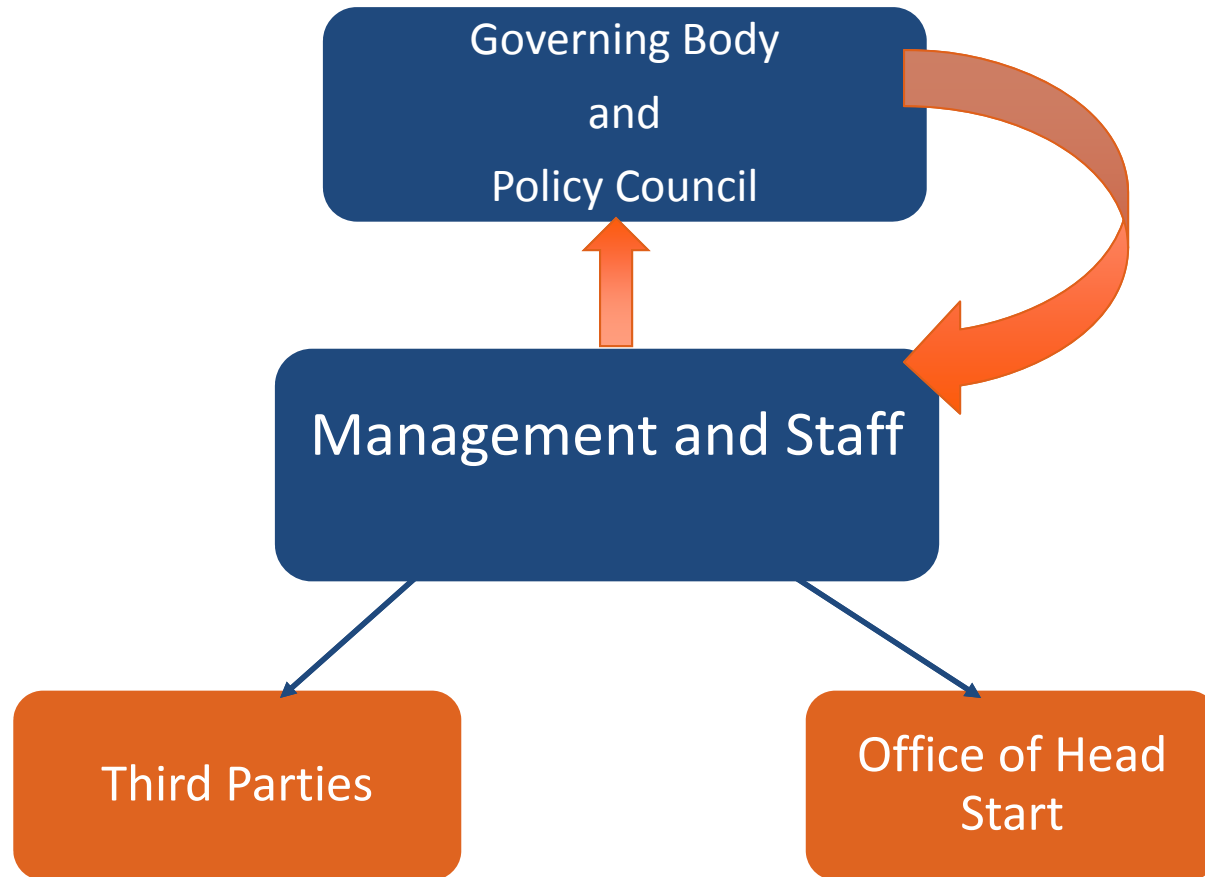
# DISCLAIMER

---

- This presentation has been prepared by the attorneys of Feldesman Tucker Leifer Fidell LLP. The opinions expressed in these materials are solely their views.
- The materials are being used with the understanding that the authors are not engaged in rendering legal or other professional services. If legal advice or other expert assistance is required, the services of a competent professional should be sought.
- Please do not record today's training session.

# DATA! DATA! DATA!

---



# COORDINATED APPROACHES

## 1302.101(b)(4)

---

(b) *Coordinated approaches.* At the beginning of each program year, and on an ongoing basis throughout the year, a program must design and implement program-wide coordinated approaches that ensure...

(4) The **management of program data** to effectively support the availability, usability, integrity, and security of data. A program must **establish procedures on data management**, and have them approved by the **governing body and policy council**, in areas such as quality of data and effective use and sharing of data, while protecting the privacy of [child records](#) in accordance with subpart C of part 1303 of this chapter and applicable federal, state, local, and tribal laws.

# COORDINATION WITH OTHER PROGRAMS AND SYSTEMS 1302.53(b)

---

(b) *Coordination with other programs and systems.* A program must take an active role in promoting coordinated systems of comprehensive early childhood services to low-income children and families in their community through communication, cooperation, and the sharing of information among agencies and their community partners, while protecting the privacy of [child records](#) in accordance with subpart C of part 1303 of this chapter and applicable federal, state, local, and tribal laws...

(2) ***Quality Rating and Improvement Systems.*** A program, with the exception of American Indian and Alaska Native programs, must participate in its state or local Quality Rating and Improvement System (QRIS) if [three criteria met

(3) ***Data systems.*** A program, with the exception of American Indian and Alaska Native programs unless they would like to and to the extent practicable, should integrate and share relevant data with state education data systems, to the extent practicable, if the program can receive similar support and benefits as other participating early childhood programs.

# ONGOING COMPLIANCE OVERSIGHT AND CORRECTION 1302.102(b)(1)

---

(1) Ongoing compliance oversight and correction. In order to ensure effective ongoing oversight and correction, a program must establish and implement a system of ongoing oversight that ensures effective implementation of the program performance standards, including ensuring child safety, and other applicable federal regulations as described in this part, and must:

(i) Collect and use **data to inform this process;**

(ii) Correct quality and compliance issues immediately, or as quickly as possible;

(iii) **Work with the governing body and the policy council to address issues during the ongoing oversight and correction process and during federal oversight;** and,

(iv) Implement procedures that prevent recurrence of previous quality and compliance issues, including previously identified deficiencies, safety incidents, and audit findings.

# ONGOING ASSESSMENT OF PROGRAM GOALS

## 1302.102(b)(2)

---

(2) Ongoing assessment of program goals. A program must effectively oversee progress towards program goals on an ongoing basis and annually must:

(i) **Conduct a self-assessment** that uses program data including aggregated child assessment data, and professional development and parent and family engagement data as appropriate, to evaluate the program's progress towards meeting goals established under paragraph (a) of this section, compliance with program performance standards throughout the program year, and the effectiveness of the professional development and family engagement systems in promoting school readiness;

(ii) **Communicate and collaborate with the governing body and policy council, program staff, and parents of enrolled children when conducting the annual self-assessment;** and,

(iii) Submit findings of the self-assessment, including information listed in paragraph (b)(2)(i) of this section to the responsible HHS official.



# USING DATA FOR CONTINUOUS IMPROVEMENT

## 1302.102(c)

---

- (1) A program must implement a process for using data to
- identify program strengths and needs,
  - develop and implement plans that address program needs, and
  - continually evaluate compliance with program performance standards and progress towards achieving program goals described in paragraph (a) of this section.

# USING DATA FOR CONTINUOUS IMPROVEMENT

## 1302.102(c)

---

(2) This process must:

(i) Ensure data is aggregated, analyzed and compared in such a way to assist agencies in identifying risks and informing strategies for continuous improvement in all program service areas;

(ii) Ensure **child-level assessment data is aggregated** and analyzed at least three times a year, including for sub-groups, such as dual language learners and children with disabilities, as appropriate, except in programs operating fewer than 90 days, and used with other program data described in paragraph (c)(2)(iv) of this section to direct continuous improvement related to curriculum choice and implementation, teaching practices, professional development, program design and other program decisions, including changing or targeting scope of services; and,

(iii) For programs **operating fewer than 90 days**, ensures child assessment data is aggregated and analyzed at least twice during the program operating period, including for subgroups, such as dual language learners and children with disabilities, as appropriate, and used with other program data described in paragraph (c)(2)(iv) of this section to direct continuous improvement related to curriculum choice and implementation, teaching practices, professional development, program design and other program decisions, including changing or targeting scope of services...

---

# USING DATA FOR CONTINUOUS IMPROVEMENT

## 1302.102(c)

---

...

(iv) Use information from ongoing monitoring and the annual self-assessment, and program data on teaching practice, staffing and professional development, child-level assessments, family needs assessments, and comprehensive services, to identify program needs, and develop and implement plans for program improvement; and,

(v) Use program improvement plans as needed to either strengthen or adjust content and strategies for professional development, change program scope and services, refine school readiness and other program goals, and adapt strategies to better address the needs of sub-groups.

# CONTACT INFORMATION

---

**Nicole M. Bacon**

[nbacon@feldesmantucker.com](mailto:nbacon@feldesmantucker.com)

(202) 466-8960

Feldesman Tucker Leifer Fidell, LLP

1129 20<sup>th</sup> St. NW

Washington, D.C. 20036

[www.FTLF.com](http://www.FTLF.com)