

Methodology Underpinning the NCLB Database

Recognizing the complexity of the policy process, ECS undertook a rigorous methodology for gathering and including accurate information in the NCLB database.

First, ECS worked with the U.S. Department of Education to define 40 key requirements of NCLB. These requirements then were refined into indicators that became an approximately 140-page online survey sent in October 2002 to key NCLB contacts or area specialists in each state department of education. The survey asked respondents if they believed the state was in compliance, partially in compliance or not in compliance with the federal law on each indicator, and to provide evidence of such through actual statutory or regulatory citation, as well as any planned activity.

ECS staff then reviewed survey responses, creating a side-by-side template with the state response on one side and the ECS finding on the other side in an attempt to verify, if not clarify, the state's position. (When states did not respond, ECS staff researched the policies in those states, leaving the state side blank to accommodate any future state response.)

The preliminary findings were compiled and forwarded to the U.S. secretary of education and the White House. In addition, individual state reports, which included ECS findings and comments, were returned to each chief state school officer for additional clarification and comment. ECS followed these reports with telephone conference calls with personnel in more than half the states to clarify and modify findings. (When ECS staff and personnel in the states disagreed over findings, ECS noted such in the comments section.) When all was said and done, ECS staff had spoken to representatives in all but two states. Ultimately, staff condensed the information into one electronic template that was transferred to the Web site and launched in January 2003 (<http://www.ecs.org/nclbdatabase>).

ECS has continued to update this information through various means. It established a search capacity within Westlaw to track policy enactments across all 40 indicators. Staff across the organization constantly reviewed state gubernatorial, legislative, department and state board Web sites to ascertain whether new policies were being enacted. ECS sent out electronic notices throughout the year to key education policy leaders and staff, asking for relevant database updates. It also profiled the database throughout the following year at education policy meetings and media briefings, again asking for updates, and held meetings with key constituents. Literally, tens of thousands of ECS staff hours have gone into maintaining the database. ECS also engaged the National Association of State Boards of Education and the National Conference of State Legislatures as subcontractors to assist with tracking and reporting on activities undertaken by their respective constituencies.

Finally, ECS was in constant contact with the U.S. Department of Education to clarify and cross-reference any findings. The ECS database records – and provides direct links to – only ENACTED state policy. It does not include planned and existing programs that have been approved by the U.S. Department of Education as required by the law, but that are not yet reflected in final state policy. Data sets were “locked down” on a quarterly basis, so snapshots could be compared across time and trends could be established.

ECS decided upon a legend structured around four color keys indicating whether the state (1) appears to be on track to being in compliance, (2) appears to be partially on track to being in compliance or (3) does not appear to be on track to being in compliance. The fourth key signified unclear or unavailable data. ECS also placed disclaimers throughout the surveys and resulting database, indicating the determinations made were solely those of ECS and did not reflect judgments of or certification by the U.S. Department of Education.

ECS believed that offering the data live on the Web site every day would show users the basis for decisions made as well as the willingness of ECS staff to update information as changes became available. In addition, staff believed state policymakers, staff, researchers, teachers and the general public would quickly recognize any mistakes and submit newly minted policy enactments for review and change. This practice has brought forth increased constituent engagement and numerous changes that might otherwise have been missed because of the vagaries associated with policy development.

Finally, the procedures undertaken for the database not only assure information will be available to policymakers, the public and the media when they need it, but also that ECS remains committed to seeing the information is as accurate as humanly possible.