

Title I, Part A
Fiscal Requirements for Comparability
FY 2012-2013

Oklahoma State Department of Education
Office of Title I, IIA, VI, & X

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Title I Fiscal Accountability Elementary and Secondary Act ESEA

There are three basic types of federal provisions in ESEA under the *No Child Left Behind Act of 2001*, (*NCLB*).

They are established to ensure federal funds increase, rather than replace existing funds for allowable activities.

The three types are referred to as:

- 1.) Supplement, not supplant
- 2.) Maintenance of effort; and
- 3.) Comparability of services.

Addressing Comparability

Comparability is a fundamental Title I fiscal requirement.

- It is designed to ensure that federal funds are provided over and above the nonfederal resources that otherwise would be provided. This component of fiscal accountability looks at state and local expenditures, not federal, and asks:

“Is this program receiving its fair share of state and local funding, or is the program receiving less state and local money due to its receipt of federal funds?”



Comparability

Comparability is designed to look at the use of nonfederal resources in individual schools

and...

ensure...



that the distribution of resources is equitable.

Districts Should Ask this Question



Is there an equal distribution of resources between Title I schools and non-Title I schools?

Demonstrating Comparability

The Title I fiscal guidance clarifies the timing requirements that LEAs and SEAs may find challenging for Comparability!

- ❑ Demonstrating Comparability is a prerequisite for receiving Title I, Part A funds.
- ❑ Because Title I allocations are made annually, Comparability must be met by LEAs on an annual basis.

Demonstrating Comparability

- While an LEA is only required to provide evidence of compliance with the comparability requirement every two years, it must still perform every year the calculations necessary to demonstrate that all of its Title I schools are comparable and make adjustments within the same school year if any are not.

The Requirements for Comparability

Requirements for comparability of services are specific to particular portions of the law.

- ❑ An LEA may receive funds under Title I, Part A only if state and local funds will be used in participating schools to provide services that, taken as a whole, are at least comparable to services that the LEA is providing in schools not receiving Title I, Part A funds. [Section 1120A(c)(A)]
- ❑ Moreover, if an LEA serves all of its schools with Title I funds, the LEA must use state and local funds to provide services that, taken as a whole, are “substantially comparable” in each school. [Section 1120A(c)(B)]
- ❑ The Comparability requirements do not apply to an LEA that is a single site district, that is, no “like” schools to compare.
- ❑ LEA may exclude schools that have fewer than 100 students.



Criteria for Meeting Comparability

There are a number of ways that an LEA may meet Comparability:

□ The LEA is considered to have met the Comparability requirement if it submits to the SEA, a written assurance [Section 1120A(c)(2)] that it has established and implemented one of the following:

1. An LEA may establish a district-wide salary schedule.



Criteria for Meeting Comparability

2. A policy to ensure equivalence among schools in teachers, administrators, and other staff,
3. and policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

Other Measures of Meeting Comparability

An LEA may also meet the Comparability requirement if it establishes and implements other measures for determining compliance:

- Pupil/teacher salary ratio,
- Expenditures per pupil, or
- Pupil/teacher ratio

The SDE has established and uses the pupil/teacher ratio as the method of determining Comparability.

Developing Procedures for Compliance

An LEA must develop procedures for complying with the Comparability requirements. *[Section 1120A(c)(3)]* These procedures should be in writing and should, at a minimum, include the LEA's timeline for demonstrating comparability, identification of the office responsible for making comparability calculations,

Developing Procedures for Compliance

the measure and process used to determine whether schools are comparable, and how and when the LEA makes adjustments in schools that are not comparable.

Comparability Timeline

EXAMPLE: Below is a possible timeline an LEA could follow in determining comparability:

January – April

- Engage in district-level budget (State and local funds) discussions concerning staff assignments, and distribution of equipment and materials for the purpose of ensuring compliance with Title I comparability requirements for the upcoming school year.

May – July

- Conduct meetings with appropriate LEA representatives to discuss the requirements for completing the annual comparability calculations.
- Establish participant roles and responsibilities.
- Establish specific timelines for completion of the calculations.
- Decide which calculation methodology to use.

August

- Obtain preliminary information from appropriate LEA staff.
- Identify LEA Title I and non-Title I schools.

September

- Identify date and collection methodologies for gathering data needed to complete calculations.

October

- Collect data.
- Meet with appropriate staff and calculate comparability.
- Make corrections to Title I schools shown not to be comparable.

November

- Reconvene appropriate LEA staff to address any outstanding issues.
- Maintain all required documentation supporting the comparability calculations and any corrections made to ensure that all Title I schools are comparable.

An LEA should keep the comparability requirement in mind as it plans for the allocation of instructional staff and resources to schools for the coming school year. This would enable the LEA to minimize the potential for disruption in the middle of a school year, should adjustments need to be made to ensure that Title I schools are comparable to non-Title I schools.

Comparability

The Underlying Principle

The underlying principle behind the comparability rule is fairness for provision for the following areas:

- Services
- Personnel
- Goods
- Materials



Resources

The USDE Non-Regulatory Guidance for Title I Fiscal Issues can be found on the Title I, Part A, web page under Guidance and Law.

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