



FEDERAL PROGRAMS MESSENGER

OKLAHOMA STATE DEPARTMENT OF EDUCATION

DECEMBER • 2015



Comparability, Maintenance of Effort, and Schoolwide Flexibility

This year Schoolwide Flexibility is the “Hot Topic” for Local Educational Agencies (LEAs) as they plan out the most efficient and effective way to utilize federal funds to meet the needs of all students. There are three *No Child Left Behind* (NCLB) fiscal requirements that look at the expenditure of state and local funds that must be met by the LEA: Comparability, Maintenance of Effort and Supplement Not Supplant. Schoolwide flexibility, however, loosens the third fiscal requirement, supplement not supplant, as it allows the use of federal funds to be spent to upgrade the entire educational program in a Title I, Part A school, as long as it is integrated in the LEA’s Schoolwide Plan.

Comparability requires that an LEA be able to document that services provided with *state and local funds* in Title I schools are comparable to those provided in non-Title schools, or if an LEA serves all of its schools with Title I funds, then the LEA must use *state and local funds* to provide services that, taken as a whole, are “substantially comparable” in each school.” (NCLB Section 1120A(c)(A)(B)). The measure that is used to determine equivalence is based on a site’s student/teacher ratio.

Comparability is an annual requirement and applies to LEAs that have two or more like grades to compare. The Comparability requirement does not apply to an LEA that is a single site district, that is, no “like” grades to compare. Also, written procedures must be developed by the LEA for complying with the Comparability requirement.

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CALENDAR

■ December 8-9, 2015:

WIDA-ELD Standards in Action: Collaboration

Francis Tuttle, Portland Campus

This workshop provides an overview of collaborative methods and models for planning, instruction, and assessment of ELLs using the WIDA ELD Standards. It is designed for teams, teacher pairs, or instructional coaches.

A maximum of 45 attendees can participate in the workshop.

[Click Here to Register](#)

■ December 18, 2015:

Federal Programs: Title I, Part D Report

The Title I, Part D, Subpart 2 - Programs for Children/Youth who are Neglected, Delinquent or at Risk Report located on the Single Sign On is due Friday, December 18, 2015. This section collects data on programs and facilities that serve students who are neglected, delinquent, or at risk under Title I, Part D, and characteristics about and services provided to these students. For assistance, please contact the Office of Federal Programs at 405-521-2846.

■ December 24-25, 2015:

OSDE Closed - Holiday

■ January 1, 2016:

OSDE Closed - New Year's Day

■ January 19-20, 2016:

Federal Programs: The Academic Language of Science

This two day workshop offers teachers of English Language Learners time to delve into combining English Language Development Standards and the crosscutting concepts, disciplinary core ideas, and the practices of science to engage all learners. Districts should send a team of both ELL teachers/coordinators/paras AND regular education science teachers who serve both native English speakers and English language learners.

[Click Here to Register](#)

Federal Q&A

Q. How will I know if Comparability and Maintenance of Effort is being met when taking advantage of Schoolwide flexibility? Schoolwide flexibility does not release the LEA from demonstrating Comparability and meeting Maintenance of Effort.

A. When you shift non-federal teachers to federal in operating schoolwide flexibility are you still able to demonstrate that the student/teacher ratio in the Title I site is comparable to the student/teacher ratio of the non-Title I site or if all sites are Title I, is the total average student/teacher ratio comparable to each Title I site? *If your answer is yes, then Comparability is being met.*

When you shift non-federal salaries to federal in operating schoolwide flexibility are you still able to maintain a 90 percent level of state and local spending in meeting Maintenance of Effort? *If your answer is yes, then Maintenance of Effort is being met.*

Comparability, Maintenance of Effort, and Schoolwide Flexibility *(Continued from page 1)*

Maintenance of Effort (MOE) requires that an LEA maintain a 90 percent level of its expenditures for public education from state and local funds from one year to the next. If an LEA fails to meet the MOE requirement, the State Educational Agency (SEA) must reduce the amount of funds allocated under certain federal programs by the exact proportion the LEA fails to maintain. (NCLB Section 9521(a)(b)). MOE is calculated using the average daily attendance (ADA), enrollment, or expenditures based on the 90 percent rule. The SEA must apply the measure most favorable to the LEA.

The United States Department of Education may waive the MOE requirement if it is determined that such a waiver would be equitable due to:

- Exceptional or uncontrollable circumstances such as a natural disaster; or
- A precipitous decline in the financial resources of the LEA.

If the LEA's cost in the current year has met or exceeded the cost in the prior year, you will be in compliance with Maintenance of Effort.

Schoolwide Flexibility allows Schoolwide schools to use their Title I, Part A funds for any educational activities outside the normal scope of the Title I, Part A program. Schoolwide schools must still meet the intent and purposes of the Title I, Part program.

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