OREGON DEPARTMENT OF EDUCATION
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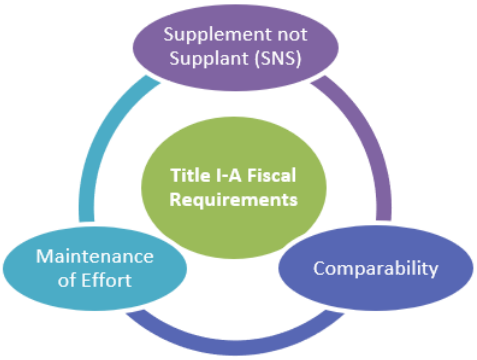
ESSA Quick Reference Brief: Comparability under Title I-A

What the Law Says

The purpose of Title I, Part A is to provide all children significant opportunity to receive a fair, equitable, and high-quality education and help ensure that all children meet challenging academic standards. Title I-A provides financial assistance to districts and schools that serve a larger population of children from families experiencing poverty. By providing additional resources, the program is intended to help close the opportunity gaps and thus the achievement gap that some students experience.

To assist in accomplishing this goal, Congress added a "comparability of services" requirement to the Title I-A program shortly after it was created that was intended to ensure that the resources that Title I provides are added on top of an equitable base of state and local resources provided to both Title I and non-Title I schools. The Elementary and Secondary Education Act (ESEA) permits districts to receive federal Title I funds only if State and local funds will be used in participating schools, including charter schools, to **provide services that, taken as a whole, are at least comparable to services that the district provides in schools not receiving Title I, Part A.**[1]



What it Means

Comparability is a school-level calculation that measures the level of State and local funds and resources provided to a district's Title I-A and non-Title I-A schools. The goal is to determine whether the distribution of State and local funds and resources to schools, **including charter schools**, are comparable regardless of Title I-A status. Comparability's focus is educational materials and resources specifically. While comparability and methodology requirements both examine how the district distributes state and local funds and resources to schools, they are separate tests that measure different aspects of the supplemental nature of Title I-A funds.

Requirements

Districts must **annually demonstrate** that they have met comparability requirements through two actions:

Submission of the CIP Budget Narrative Assurances for ESEA Programs

Assurances form a binding agreement between the local district, the Oregon Department of Education (ODE), and the U.S. Department of Education (ED) that assures all legal requirements are met in accordance with state and federal laws, regulations, and rules. Each year, district superintendents must **sign and submit these assurances by June 30 for the subsequent grant year**. In the assurances the district attests that it has implemented:

1. A district-wide salary schedule,
2. a policy to ensure equivalence among schools in teachers, administrators, and other staff, and
3. a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

Submission of the Comparability Report

The Comparability Report demonstrates that the district's policies described in the assurance result in comparable distribution of funds between Title I-A funded and non-Title I-A funded schools. ODE provides an Excel document that automates many of the comparability

[1] *ESSA Section 1118(c)*

calculations. Districts complete and return the template to ODE **no later than December 1 each year**, along with the signature of the district superintendent. **Lunches for field trips during the school day should not be paid** with Title I-A or Title I-VA funds.

Demonstrating Comparability

Comparability may be determined on a district-wide or grade-span basis. If enrollment varies significantly within grade spans (e.g., if enrollment at the large schools is twice that of the small schools), the district can choose to group schools by size (small, medium, large). Districts have options for demonstrating comparability:

Student-Instructional Staff Ratio

This is the most common method, in which districts compare the average number of students per instructional staff in each Title I-A school with the average number of students per instructional staff in schools not participating in Title I-A. *Instructional staff* are defined as anyone who provides direct instruction to children or who assists or supervises those staff members who provide instruction. A district should not include non-instructional paraprofessionals in comparability calculations, but should include personnel such as music, art, and physical education teachers; counselors; speech therapists; and librarians.

There are two important considerations to keep in mind when using this method:

- Student enrollment and staff assignments should be counted on the same day.
- Staff members whose **full salaries** are paid with federal dollars should not be included.

Using this method, a Title I-A school is comparable if the school's average student/teacher ratio does not exceed 110 percent of the average student/teacher ratio of schools not participating in Title I-A. For example, if the average ratio of students to instructional staff is 20 to 1 for an LEA's non-Title I-A schools, the ratio at each Title I-A school can be no higher than 22 to 1.

Student-Instructional Salary Ratio

In this method, the district compares the average instructional staff salary expenditure per student in each Title I-A school with the average instructional staff salary expenditure per student in non-Title I-A schools. When employing this method, the district should include expenditure costs related to **the base salary** for each type of FTE within a building, not actual salary costs.

Using this method, a Title I-A school is comparable if the average per pupil salary expenditure for each school falls within a range that is between 90 and 110 percent of the per-pupil expenditure for the grade span, or within 90 and 110 percent of the per-pupil average for the grade span as compared to the other schools of its size.

Per Pupil Expenditures

As an alternative to the student-staff ratios, districts can demonstrate comparability through an expenditure method that looks directly at allocation of State and local education funds per child for the purchase of instructional staff and materials. Using this method, a Title I-A school is comparable if the per-child amount for each school falls within a range that is between 90 and 110 percent of the per-pupil average for the grade span, or within 90 and 110 percent of the per-pupil average for the grade span as compared to the other schools of its size.

Resource Allocation Plan based on Student Characteristics

In this method, the district allocates State and local funds to schools based on a standard formula in which dollar amounts are allocated based on objective student characteristics (e.g.; students experiencing disability, emergent bilingual students). This is sometimes referred to as a "weighted student formula".

Using this method a district is comparable if it can provide evidence of its schedule of allocations and demonstrate that funds have been allocated according to the district schedule.

Exemptions and Exclusions

LEAs are exempt from demonstrating comparability when there is only one school per grade span. Additionally, schools with fewer than 100 students need not be included in the calculation. **LEAs may exclude** the following State/local funds for the purposes of determining comparability:

- Language instruction for emergent bilingual students
- Excess costs of providing services to students experiencing disability
- Staff salary differentials for years of employment
- Supplemental programs that meet the intent and purpose of Title I

Comparability at-a-Glance

Which districts?	Which schools?	Which students?	Which staff?
All public-school districts that accept Title I-A funds.	All schools in the district, including charter schools.	All K-12 students in the district, whether enrolled in a Title I-A or non-Title I-A school.	All certified and non-certified instructional staff who are paid with State and local funds.
EXCEPTION: Districts with only one building per grade span.	*EXCEPTION: A school with fewer than 100 students enrolled.*		*EXCEPTIONS: Non-instructional educational assistants; staff whose full salary is paid with federal dollars.*

Recommendations

Implement a timeline. Each district should keep the comparability requirements in mind as it plans for the allocation of instructional staff and resources to schools for the coming school year. This can help minimize the potential for disruption in the middle of a school year, should adjustments need to be made to ensure that all schools are comparable. A sample timeline can be found here.

Questions for Reflection

1. Of the methods listed to demonstrate comparability, which one does our district use?
2. Does our district meet any of the exclusionary requirements?
3. Because charter schools in Oregon are public schools, what is our process for including charter schools in comparability calculations?

Frequently Asked Questions

1. **When should a school system begin the process of determining comparability?** Districts should begin the process at the time school budgets are discussed since decisions are made to allocate local and State resources well before the Comparability Report is due.
2. **On what date should student enrollment and staff assignments be counted?** Student enrollment and staff assignments should be counted on the same day. A district may wish to use the same date on which the official enrollment count for the district is performed – October 1st.

3. **When does a Title I-A school need to meet the comparability requirement? What happens if the school does not meet comparability?** All Title I-A funded schools in a district should meet the Title I-A "equivalence" staffing requirement by December 1 of each school year. If a district cannot demonstrate comparability Title I-A funds may be placed on hold until comparability is resolved. To meet the annual target date of December 1, a district should collect the comparability report information by October 1 of each school year. This will allow the district sufficient time for allocation, placement, and/or realignment of staffing in Title I-A schools prior to December 1st.

4. **Must a district include district-sponsored charter schools when determining whether Title I and non-Title I schools are comparable?** Yes. All schools within an LEA must be included. However, charter schools that are geographically located within an LEA but are legally their own LEAs would not be included.

5. **What documentation needs to be maintained?** Districts should maintain records that document compliance with the comparability requirement for three years after the grant period ends or three years after resolution of audit findings related to the grant. Maintain all supporting data including but not limited to student counts, staffing FTE, and a list of staff by name and position. In cases where initial information indicates a district is out of compliance with comparability requirements, the district should retain documentation to demonstrate the specific actions taken to achieve Title I-A comparability of service in all Title I-A schools.

Resources

- Supplement not Supplant under Title I, Part A (U.S. Department of Education)
- Title I-A Fiscal Guidance (U.S. Department of Education)
- Comparability Report Frequently Asked Questions (ODE)
- Comparability Report Resources (ODE)
- Comparability Checklist (ODE)
- Sample Timeline for Determining Comparability (ODE)