



Title I Comparability Reporting

Title I, Part A of the federal Elementary and Secondary Education Act (ESEA) provides local school districts supplemental financial assistance to help meet the educational needs of educationally disadvantaged children. A school district may only receive Title I funds if it uses state and local funds to provide services in Title I schools that, taken as a whole, are at least comparable to the services provided in schools that do not receive Title I funds. This guide provides information to assist school districts in complying with the annual Title I comparability requirements.

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Questions regarding Title I comparability may be directed to title1@doe.mass.edu or 781-338-6230.

What is Title I comparability and why is it important?

Demonstrating comparability of services is an annual requirement for each school district receiving federal Title I, Part A funds. In accordance with ESEA, a school district may only receive Title I funds if it uses state and local funds to provide services in Title I schools that, taken as a whole, are at least comparable to the services provided in schools that do not receive Title I funds. When all schools receive Title I funds, districts must ensure that state and local funds are used to provide services that on the whole are substantially comparable in each school.

The comparability requirement is intended to ensure that school districts do not spend less from state and local sources in higher poverty / Title I-funded schools than they do in lower poverty / non-Title I-funded schools. Comparability reporting is one means of annually demonstrating and documenting the supplemental nature of Title I-funded services.

The images below visually demonstrate the notion of comparable and non-comparable schools.

Example A:

Comparable Schools

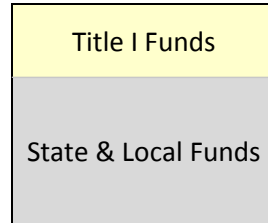
Services funded by state and local sources are equal in Title I & non-Title I schools.

Title I funds are **supplemental**, or in addition to, the state & local funding in the Title I schools.

Non-Title I Schools



Title I Schools



Example B:

Non-Comparable Schools

Title I schools receive lesser amounts of state and locally-funded services than non-Title I schools.

Title I funds are **supplanting**, or taking the place of, state & local funding in the Title I schools.

Non-Title I Schools



Title I Schools



What is a comparability assurance and what are the consequences of schools not being comparable?

Each school district must submit an annual statement of assurances to ESE as part of its application for federal funds, including Title I, Part A funds. One set of these assurances is related to Title I comparability.

Specifically, the school district must assure that it has established and 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.

All data, documents, and policies supporting the assurance and verifying compliance with the comparability requirement must remain on file at the district offices. If such information does not demonstrate to state or federal reviewing officials, or fiscal auditors, that comparability of services provided with state and local funds exists between Title I and non-Title I schools, the following actions may result.

1. Immediate suspension of the Title I program at schools in non-compliance until such absence of comparability has been corrected.
2. Withholding of payments of Title I funds based upon the amount or percentage by which the school district is out of compliance.
3. Repayment of Title I funds of that project year through the date of suspension equal to the amount or percentage by which the school district has failed to meet the comparability requirement.

Which districts have to complete comparability reports?

1. Multi-school districts:

Every district comprising more than one school serving similar grade spans must complete a full comparability report each year.

- A school with 100 or fewer students may be excluded from the comparability determination. Make a notation on the forms if this exclusion is exercised.

2. Districts with only one school per grade span:

A school district with only one school for each grade span is **exempt** from the comparability requirement; however, such a school district must complete the *Summary Sheet* in the comparability forms to document this fact.

3. Single-school districts:

A school district with only one school, such as a charter school or a regional vocational school, is **exempt** from the comparability requirement because, as a single school district, there is no basis for comparison. The school district should only complete the *Summary Sheet* in the comparability forms to document this fact.

How does a district demonstrate comparability?

Comparability is an annual requirement under Title I, Part A. Each school district must be able to demonstrate, through appropriate documentation, that it is in compliance with the Title I comparability requirements. This includes evidence supporting the comparability assurance the school district submits to ESE. Appropriate documentation for the three requirements covered by the comparability assurance are as follows:

1. District-wide salary schedule

Compliance with this requirement may be demonstrated through the district's most recent teacher contract with applicable salary schedule, as it is expected that teacher salaries are based upon a policy consistent for all teachers across all schools in the school district. Additional information verifying consistency in salaries for principals, paraprofessionals, and other staff listed below must also be kept on file.

2. Equivalence in the assignment of instructional personnel

Each school district must demonstrate that the ratio of students to state and locally-funded instructional staff in each Title I school within a grade span is equal to or less than the average student to state and locally-funded staff ratio for all non-Title I schools within that grade span. The school district must include the same staff members in the ratios for both Title I schools and the comparison group. This means that the school district must compute the ratio of students to total instructional staff at each school within a grade span where Title I services are being provided. For these computations, include only the following instructional staff at each school who are paid through state or local funds. **Exclude staff paid with Title I or other federal funds:**

EPIMS 1305	Principal
EPIMS 1310	Assistant/Vice Principal
EPIMS 2305	Teacher
EPIMS 2310	Teacher – support content instruction
EPIMS 2325	Long Term Substitute Teacher
EPIMS 2330	Instructional Coach
EPIMS 3329	Guidance Counselor

No other school staff may be included.

Districts demonstrate comparability using student/staff ratios by completing comparability forms provided by ESE.

3. Equivalence in the provision of instructional materials and supplies

Each school district must keep on file a statement of the specific policies and procedures adopted by the school district to ensure that textbooks and other instructional materials are provided in Title I-served schools on a comparable basis to that for non-Title I schools in the same grade span.

What are some key things to keep in mind about comparability?

1. A district may exclude certain state and local funds from its comparability demonstration.

a. Programs for English language learners (ELL) and/or students with disabilities

A school district may exclude state and local funds expended for (1) language education for ELL students, and (2) excess costs of providing services to students with disabilities, as determined by the school district. Districts choosing to exclude such expenditures must do so consistently for schools across the school district.

School districts that choose to include such expenditures in their comparability determinations should count their ELL students and/or students with disabilities in the enrollments of the schools they attend. Districts choosing to include such expenditures must do so consistently for schools across the school district.

b. State or local supplemental programs for educationally at-risk students

The Title I statute also allows a school district to exclude, for comparability purposes, supplemental state or local funds expended in any school attendance area or school as long as the expenditures are for programs that meet the intent and purposes of Title I, Part A. In the case of a targeted assistance-like school, a supplemental program meets the intent and purpose of Title I if it serves only children who are failing, or most at risk of failing, to meet the state's student performance standards; provides supplementary assistance designed to meet the special educational needs of the children who are participating in the program to support their achievement toward meeting the state's student performance standards; and uses the state's system of assessment to review the effectiveness of the program.

In the case of a schoolwide program-like school, a supplemental program meets the intent and purposes of Title I if it is implemented in a school in which the percentage of children from low-income families is at least 40 percent; is designed to promote schoolwide reform and upgrade the entire educational operation of the school to support students in their

achievement toward meeting the state’s student performance standards that all students are expected to meet; is designed to meet the educational needs of all children in the school, particularly the needs of children who are failing, or most at risk of failing, to meet the state’s student performance standards; and uses the state’s system of assessment to review the effectiveness of the program.

2. **Districts that “skip” (do not serve) Title I-eligible schools must treat such schools as Title I when determining comparability**

Section 1113(b)(D) of ESEA allows a district to “skip” an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if (1) the school meets the comparability requirements; (2) the school is receiving supplemental funds from other state or local sources that are spent according to the requirements of section 1114 or 1115; and (3) the funds expended from such other sources equal or exceed the amount that would have been provided under Title I, Part A.

When a school district skips an eligible school with a higher concentration of poverty in order to serve a lower ranked school, the district must include the skipped school as a Title I school when making comparability determinations.

How do I complete this year’s Title I comparability demonstration forms?

Districts demonstrate comparability in student to staff ratios by completing comparability forms available on the ESE Title I website.

The demonstration comprises **four basic elements**:

1. School-level rosters of state and locally-funded staff, including names, work assignments, and full-time equivalent (FTE) staff calculations, for each school included in the district’s comparability demonstration. These lists are used to complete the school-level comparability calculations, and serve as evidence of those calculations.
2. Lists of Title I and non-Title I schools in the district, identified by name and grade span, and including school enrollment, state and locally-funded FTE counts, and student to state and locally-funded staff ratios. These lists identify schools as comparable or not comparable.
3. Identification of the schools that are being compared. In most cases, Title I and non-Title I schools serving the same grade spans will be compared. When all schools within the same grade span are Title I, schools are compared based on higher/lower poverty percentages.
4. A summary of all schools in the district, Title I or non-Title I, organized by grade span, documenting the name and position of the individual who completed the district’s Title I comparability demonstration.

What are the statutory provisions behind the Title I comparability requirements?

ESEA SECTION 1120A(c).

(c) COMPARABILITY OF SERVICES. --

- (1) **IN GENERAL.** —(A) Except as provided in paragraphs (4) and (5), a local educational agency may receive funds under this part only if State and local funds will be used in schools served under this part to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving funds under this part.
 - (B) If the local educational agency is serving all of such agency's schools under this part, such agency may receive funds under this part only if such agency will use State and local funds to provide services that, taken as a whole, are substantially comparable in each school.
 - (C) A local educational agency may meet the requirements of subparagraph (A) and (B) on a grade-span by grade-span basis or a school-by-school basis.
- (2) **WRITTEN ASSURANCE.**—(A) A local educational agency shall be considered to have met the requirements of paragraph (1) if such agency has filed with the State educational agency a written assurance that such agency has established and implemented—
 - (i) a local educational agency-wide salary schedule;
 - (ii) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and
 - (iii) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.
 - (B) For the purpose of subparagraph (A), in the determination of expenditures per pupil from State and local funds, or instructional salaries per pupil from State and local funds, staff salary differentials for years of employment shall not be included in such determinations.
 - (C) A local educational agency need not include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year in determining comparability of services under this subsection.
- (3) **PROCEDURES AND RECORDS.**—Each local agency assisted under this part shall—
 - (A) develop procedures for compliance with this subsection; and
 - (B) maintain records that are updated biennially documenting such agency's compliance with this subsection.
- (4) **INAPPLICABILITY.** —This subsection shall not apply to a local educational agency that does not have more than one building for each grade span.
- (5) **COMPLIANCE.**—For the purpose of determining compliance with paragraph (1), a local educational agency may exclude State and local funds expended for—
 - (A) bilingual education for children of limited English proficiency; and
 - (B) excess costs of providing services to children with disabilities as determined by the local educational agency.

(d) EXCLUSION OF FUNDS.—For the purpose of complying with subsections (b) and (c), a State or local educational agency may exclude supplemental State or local funds expended in any school attendance area or school for programs that meet the intent and purposes of this part.