

Arizona Comparability Handbook

Determining Comparability of Title I Schools
Compliance Guide

**Elementary and Secondary Education Act
Section 1120A(c)**

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LEA TITLE I COMPARABILITY FISCAL RESPONSIBILITIES

INTRODUCTION COMPARABLE FUNDING FOR TITLE I SCHOOLS

PURPOSE

Federal Title I grants are intended to add to the normal education program of disadvantaged students. To ensure that these awards are used for additional programs, fiscal law requires that all Title I schools receive a “fair share” of State and local education funds.

Non-compliance will cause a District or charter to become ineligible for receipt of Title I funds. Consequences also include a hold on grant funds as well as a requirement to return funds.

STANDARD

Local education agencies (LEAs)* with SOME Title I schools may receive federal funds only if the LEA can demonstrate that State and local funds provide services at Title I schools that, taken as a whole, are comparable to the services that the LEA provides at schools that are not receiving these federal funds.

LEAs with ALL Title I schools may receive federal funds only if the LEA can demonstrate that State and local funds are used to provide services that, taken as a whole, are substantially comparable at every school.

* Local education agencies are school districts and charter holders. LEAs with NO Title I grants have no obligations under this federal law.

FOUR REQUIREMENTS COVERED IN HANDBOOK

- ⇒ LEA **WRITTEN PROCEDURES** for compliance with the comparability requirement;
- ⇒ **TESTING** comparability of its schools by the 40th school day EVERY YEAR (if not exempt) and adjusting resource allocations, as necessary;
- ⇒ **DOCUMENTING** compliance EVERY YEAR; and
- ⇒ **REPORTING** an Assurance of Comparability to the Arizona Department of Education (ADE) by November 30th every OTHER year.

ADE expects LEAs to complete calculations and documentation based on the 40th day of the current school year. Reallocations should be complete by November 30th.

The annual determination of comparability is based on **current school year enrollment AND current non-federally funded staffing OR actual State and local expenditures** as of the 40th day. If resource reallocations cannot be made by November 30th, the LEA must contact ADE at 602-542-7466 immediately.

1st REQUIREMENT: **WRITTEN PROCEDURES**

All LEAs receiving Title I funds, *including ones that are exempt or excluded*, must have formal *written procedures*. Procedures will have sufficient detail to show a year-round effort to use comparable State and local funds at all schools.

Non-exempt LEA –

- Establish a yearly timeline for demonstrating compliance. ADE has a downloadable and adaptable timeline form online.
- Identify the position or individual responsible for making and documenting the calculations.
- Choose and describe which resource (staff, salaries, or expenses) will be compared to the student population to determine whether schools are comparable. LEAs may also include alternate methods.
- Anticipate a remedy to make resource adjustments when schools are not comparable.

Exempt LEA AND LEA with total exclusions –

Establish a yearly timeline for submitting the Assurance of Comparability, retaining documents and reviewing the procedure.

**** IMPORTANT ****

There is NO exemption or exclusion from the Written Procedures requirement or from submitting an Assurance of Comparability by the due date.

2nd REQUIREMENT: WORKSHEETS

1. Worksheet Instructions

Complete a “Student Count by School” Worksheet every year without exception and retain a copy with your Comparability procedures. Read and follow Worksheet Instructions.

2. Exemptions and Exclusions

There are two exemptions for LEAs and two exclusions for schools.

LEA Exemption 1: One Building per Grade Span – Single-site LEAs choose this exemption. Multi-site LEAs with only one school site per grade span are also exempt from testing comparability. A multi-site LEA under this exemption would have schools like this:

EXAMPLE #1 - EXEMPT Multi-Site LEA

Grade Span→	Elementary	Middle or Junior	Secondary	Other -list grades
	K-3, 4-6	7-8	9-12	
NAME of Title I schools with	40th DAY STUDENT ENROLLMENT COUNT			
Over 100 students				
Red Primary K-3	103			
Blue Elementary 4-6	130			
Yellow Middle		129		
Green High			325	

If separate school sites have two or more overlapping grades (for example, if Yellow School were 7-12 and Green School were 9-12), then the LEA is **not** exempt.

LEA Exemption 2: Less than One Thousand Students per LEA

An LEA with total enrollment of less than 1000 pupils is exempt from testing comparability.

School Exclusions – Determined by comparing student enrollment at the schools.

1. An LEA may exclude any school with 100 or fewer students from its comparison. If all schools in the LEA have 100 or fewer students or if only one school has 100 or more students, the LEA is not required to compare schools.
2. Large school/small school - An LEA with only two schools, having substantial discrepancies in size, may skip the comparability calculation. For example, if one is a very small school, such as an alternative school with an enrollment of 101, and the other is a very large school, such as a district-wide high school with an enrollment of 2500, the two schools need not be compared.

EXAMPLE #2 LEA with school exclusions

Grade Span	Elementary	Middle or Junior	Secondary	Other -list grades
	K-4	5-8	9-12	7-8
NAME of Title I schools with 100 or fewer students	40th DAY STUDENT COUNT			
No. One ES	86			
No. Two MS		93		
Over 100 students				
No. Three ES	890	684		
No. Four HS			2530	
No. Five ES	554			
No. Six MS		498		
NAME of Non-Title I schools with 100 or fewer students				
n/a				
Over 100 students				
No. Seven ES	675			
No. Eight MS		252 (5-6 grade)		
No. Nine JHS				302

In example #2:

- Elementary Schools One and Two may be excluded because enrollment at each is 100 or less.
- High School Four may be excluded because there is no other comparable grade span.
- Schools Three and Six (5th -8th) match Schools Eight (5th-6th) and Nine (7th-8th) because they have at least two overlapping (comparable) grades.

Start by comparing the K-8 LEA-wide. If the K-8 schools are not comparable, compare grades K-4 at Schools Three, Five and Seven and a group of grades 5-8 at Schools Three, Six, Eight and Nine. If the school groups are still not comparable, change methods or reallocate resources.

3. Annual Testing

Schools may be compared LEA-wide or by groups - grade spans, school size or poverty level. Before grouping schools, the LEA ought to compare its (non-excluded) schools LEA-wide. If the schools are comparable LEA-wide, there is no reason to group. Grade span is the preferred grouping method.

Pre-kindergarten is excluded from comparability tests.

Comparability Test Methods

Arizona will recognize all methods of proving comparability that are permissible under the federal law and the February 2008 federal non-regulatory fiscal requirements guidance.

Choosing a Test Method for Determining Comparability

The acceptable methods to compare schools include:

1. Pupil/Instructional Staff ratio
2. Pupil/Instructional Staff Salary ratio (salary less longevity) (\$\$)
3. #1 and #2 by grade span
4. #1 and #2 by poverty level (high to high/low to low)
5. Pupil/Instructional Staff ratio by poverty level (high to low)
6. State and local per pupil spending (\$\$)
7. State and local per pupil spending by grade span (\$\$)
8. Pupil/Instructional Staff ratio by large and small schools

If the initial testing method identifies one or more Title I schools that are not comparably funded, every testing method may be tried or used until the LEA proves comparable or the LEA may reallocate resources immediately.

An alternative worksheet should be used if comparability is based on data after the 40th day and before November 30th.

9. Some LEAs prefer to comply under Section 1120 (c)(2)(a) which requires two worksheet calculations, a ninth acceptable method. Under this law, LEA must (1) adopt an LEA-wide salary schedule (usually a teacher/staff contract), have (2 and 3) equivalence policies for both instructional staff and for instructional materials/supplies **and** (4) demonstrate implementation of both policies. To prove implementation, the LEA must perform **two worksheet** calculations – one to show comparable instructional staff assignments and another to show comparable allocation of instructional materials and supplies.

If the school has a **school wide** Title I program and consolidates funds, calculate the percentage of budget from federal funds. When making comparisons, delete that percentage from:

- total **actual** staff when calculating instructional staff;
- total **actual** salaries when calculating instructional staff salary; or
- total **actual** expenditures when calculating spending.

4. Correcting Allocations to Title I Schools That Are Not Comparable

Resource reallocation consists of reassigning State and locally funded instructional staff, or of transferring materials and supplies to other schools within the LEA. The LEA ought to anticipate reallocation and follow its written comparability procedures to correct the imbalance. Re-test using new worksheets to show that the imbalance was corrected and maintain all supporting student, personnel and budget records.

A staffing or spending imbalance is to be corrected early in the school year.

If non-comparable Title I schools are not corrected in a timely manner, the State may withhold or require repayment of Title I funds.

3rd REQUIREMENT: DOCUMENT RETENTION

Documentation to show annual compliance consists of -

- **Written comparability procedures**
- **LEA school counts**
- **Supporting staff and expense records by USFR account codes**
- **Worksheet(s)**
- **Accounting for resource reallocation including all supporting records for students, staff and expenses.**

LEA documents should **not** be sent to the State unless requested, but must be available for every monitoring and audit event.

4th REQUIREMENT: REPORTING: ASSURANCE OF COMPARABILITY

LEAs receiving Title I funds must notify the State that its schools are comparable by submitting an Assurance of Comparability every *other* year. The biannual schedule is -

- *LEAs starting with the letter A to L will report on **November 30th** of even years.*
- *LEAs from M to Z will report on **November 30th** of odd years.*

GLOSSARY

40th Day Data - A “snapshot” of actual data on the 40th day or an average of school year data to the 40th day. It is consistent with regard to both the day of the year and the selection of average versus actual data. Student, staffing and accounting must “date match”.

For example, *actual* enrollment on the 40th day must compare to *actual* full time equivalent (FTE) staff or expenditures as of the *same* date. On the other hand, if the enrollment figure is an *average* as of the 40th day, it must be compared to *average* FTE staff or expenditures as of the 40th day. Do not wait until for ADM.

LEAs that operate on *alternative school schedules* where the 40th day falls after November 15th make the calculation as of the last day of the 8th week of the current school year but no later than the third Friday in October.

Grade Span - School buildings with at least two overlapping grades that match the basic organization of the LEA.

Poverty Level – A comparison method. If all the schools in the LEA are Title I schools and there is a disparity in the poverty level of the schools, comparability may be calculated based on high and low poverty. A high poverty school has greater than **75%** poverty. A low poverty school qualifies for Title I and has less than **35%** poverty.

There are two methods. The preferred method is to compare high poverty schools on one yellow worksheet and low poverty schools on another. The less desirable method is to compare high poverty schools to low poverty schools. A special worksheet is provided for that unique comparison.

School Size - An exclusion for schools with 100 or fewer students and a comparison testing option in unusual circumstances. As a comparison method, schools with a significant difference in the enrollments within a grade span – such that there is a clear and definite demarcation between enrollment in large schools and enrollment in small schools within the same grade span - may be divided into a large school group and a small school group. Enrollment at the smallest “large school” should be at least twice the size as enrollment at the largest “small school.” If in doubt as to the significance of the difference in enrollments, ADE prefers keeping the two schools in one grouping and comparing the average. LEAs may not divide two schools into larger and smaller groupings to exclude schools from comparability calculations.

Staff Counts - LEA staff is a resource. The simplest comparison is with certified classroom teachers. However, LEAs may define “instructional staff” in Comparability Procedures to include more than just teachers. So long as the same positions are used to compare each school, any of following instructional personnel may be included: certified classroom teachers, other certified staff (principals, guidance counselors, specialists, school psychologists, librarians, etc.), instructional paraprofessionals and instructional support clerical staff.

EXCLUDED STAFF - Cafeteria workers, custodians, nurses, playground aides, student teachers, and volunteers are not included.

Always exclude staff paid with Title I and other federal funds.

LESS LONGEVITY

For **PUPIL TO STAFF SALARY** calculations reduce salaries by amounts paid for longevity. For example, the salary of a senior teacher on a salary scale should exclude increases paid due to years of service.

State and Local Funds for School Expenditures - All sources of State and local funds are resources; e.g., maintenance and operations, Prop. 301, Indian gaming, local overrides and bonds etc. Current guidance indicates that State Fiscal Stabilization Fund grants are federal money, not state funding. **Allocated and budget data is never used for calculations.** Records and receipts must be kept for the actual purchase of services and materials for any grade span in which Title I services are being provided.

EXCLUDED STATE OR LOCAL FUNDS - State and local funds used for supplemental purposes that meet the same intent and purpose as Title I, may be excluded from the computation. In addition, State and local expenditures for language instruction educational programs and the excess costs of providing services to children with disabilities as determined by the local educational agency may also be excluded.