

# **COMPARABILITY For Title I**

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## What is Title I?

**Chapter I** of the **Elementary and Secondary Education Act (ESEA)**, "**Improving The Academic Achievement Of The Disadvantaged**", was passed in 1965 as a part of President Lyndon B. Johnson's "War on Poverty".

It has been the most far-reaching federal legislation affecting education ever passed by the United States Congress. It was later called **Title I of the ESEA**. You may have known it as the **No Child Left Behind** act (NCLB) as reauthorized by Congress in 2001.

It has recently been reauthorized (end of 2015) and is now known as the **Every Student Succeeds Act (ESSA)**.

So it is now: **Title I of the ESEA, the Every Child Succeeds Act.**

**Title 1** is the nation's oldest and largest federally funded program according to the U.S. Department of Education. Annually, it provides over **\$14 billion** to school systems across the country for students at risk of failure and living at or near poverty.

**Title I** is divided into various parts, **A through I.**

Today we are talking about **Title I, Part A, "Improving Basic Programs Operated By Local Educational Agencies"**

In 2016 **Title I, Part A** provides approximately **\$213,000,000** in funds to schools in South Carolina.

### **What is comparability?**

Comparability is a **test of fairness**. Schools receiving federal Title I funds must receive state and local funds **comparable** to the state and local funds given to non-Title I schools. In other words, Title I schools must be getting their fair share of state and local funds before they receive Title I funds. All schools in a district, whether in poor or well off areas, should be funded fairly with State and local money.

Title I funds, by law, are **supplemental** to state and local funds.

### **Why must a district be comparable?**

Comparability is **required** by the Every Student Succeeds Act of the ESEA (Public Law 107-110), **Section 1120A, Fiscal Requirements, paragraph c** which reads:

#### (c) COMPARABILITY OF SERVICES-

##### (1) IN GENERAL-

(A) COMPARABLE SERVICES- 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) SUBSTANTIALLY COMPARABLE SERVICES- 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) BASIS- A local educational agency may meet the requirements of subparagraphs (A) and (B) on a grade-span by grade-span basis or a school-by-school basis.

##### (2) WRITTEN ASSURANCE-

(A) EQUIVALENCE- 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) DETERMINATIONS- For the purpose of this subsection, 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) EXCLUSIONS- 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 educational 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) language instruction educational programs; and

(B) the excess costs of providing services to children with disabilities as determined by the local educational agency.

- **Your Superintendent assures of these requirements when he/she signs the Title I, Part A grant application.**

#### **Must all districts test for comparability?**

No. The requirement to prove comparability does not apply to districts which have only **one school building per grade span**. [see section 1120A(c)(4) above]. Also, if a school district has only two schools, one large and one small, comparability is not required. Finally, a school district **may** exclude schools with **100** or fewer students from its comparability test. Charter schools over 100 students must be included.

#### **How often must comparability be tested?**

Comparability must be tested **every year** in which a district receives Title I, Part A funds.

### **When must comparability be tested?**

Comparability testing should be completed by **November 15**. This will give a district time to fix any comparability issues before the second half of the school year. A district should be comparable by **January 15**.

### **What are the federally mandated criteria for meeting comparability?**

There are a number of ways a district can meet the comparability requirement. One is to establish and implement the following:

- a district-wide salary schedule;
- a district policy to ensure equivalence among schools in teachers, administrators and other staff; and
- a district policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies [see section 1120A(c)(2)(A) above]

The above 3 criteria **are included** in the local educational association assurances section (**assurance number 27**) of the South Carolina Title I application which is signed by each districts superintendent. So, each district is committing to these criteria for comparability.

Additionally a district may meet the comparability requirement if it tests for comparability using a number of measures that the DE recommends.

Because the State Department of Education is ultimately responsible in the eyes of the USED for ensuring that districts are comparable, the SCDE may establish the method a district uses to determine comparability. **In South Carolina the SCDE has established that a district must meet the comparability requirement by 1. assuring to the above three criteria and 2. testing for comparability by using the student/instructional staff ratio method.**

### **How is comparability tested?**

The US Department of Education (USED) has formulated a number of assurances and tests for comparability. The USED has **8** tests for comparability. **Six** of the tests involve student:teacher ratio calculations. **Two** of the tests involve the per pupil amount the district spends in state and local funds to purchase instructional staff and supplies

The USDE allows states to require a primary method in their state to test for comparability. In South Carolina the primary test of comparability is the **student/instructional staff ratio**.

### **Why use the student:teacher ratio test?**

Because it utilizes the one item that school districts spend the most on in a school: **teachers**.

If a district can show that the **student:teacher ratio** of its schools are comparable, it shows that a fair amount of the largest percentage of districts funds were given to each school.

### **Do I have to test every school in the district?**

Maybe. You only have to test in the **grade spans** that you receive Title I, Part A funds. If you only use Title I, Part A funds for elementary schools you only have to test for comparability among elementary schools. You only have to test schools that are of similar grade span. If you serve the only high school in the district with Title I funds you can't test it for comparability because there is no other high school in the district.

### **What is the procedure for using the student/instructional staff ratio test?**

- a. Students and instructional staff **must** be counted **on the same day**.
- b. Students are counted at each school using the district Average Daily Membership (**ADM**). **Do not count** 3 and/or 4 year olds.
- c. Instructional staff can be counted in a number of ways. Most districts use payroll or finance data. Staff are counted as full (1.0) or fractional (less than 1.0) Full Time Equivalents (FTE). Include and exclude the following staff in the count:

#### **Include:**

- Classroom teachers, music, art and PE teachers, and foreign language instructors
- Computer lab instructors (not monitors)
- Instructional coaches
- Curriculum coordinators
- Principals
- Assistant principals
- Instructional paraprofessionals (must work under the supervision of a highly qualified teacher. Count as 50% of their FTE)
- Media specialist
- Guidance or career counselor
- Speech therapist

**Exclude:**

- Custodians or housekeepers
- Food service personnel
- Secretaries (all)
- SASI clerk
- Attendance clerk
- Data entry clerk
- Nurses
- Social workers
- Psychologist
- Any federally paid personnel
- Pre-K teachers or paraprofessionals

d. Staff data should include:

- Name of school employed at
- Name of included personnel
- FTE (fractional if person is paid part time out of an excluded account and part time out of an included account)
- Funding source
- Position description
- Date on which the report counted the personnel
- Personnel who are excluded (crossed out or otherwise highlighted for verification)

**Social Security numbers and salary are not needed.**

- e. The source data used for student count (ADM) and instructional staff count must be verifiable
- f. A K-8 school (or similar large grade span school) may be counted as one K-5 and one 6-8 school.
- g. A K-2 (or similar small grade span) could be excluded from comparability if there is only one such school in the district.

**What if a district is not comparable using this method?**

If a district cannot prove comparability using the student/instructional staff ratio they have three alternatives:

- a. Adjust the funding source(s) used to pay the instructional staff.
- b. Move instructional staff from one school to another for all or part of the day.
- c. Use a different method to test for comparability (contact the SCDE in this case for assistance).

Federal Guidance for Comparability: Google **“Title I Fiscal Issues Guidance”**



### **Example form to compute comparability**

The following form may be used to compute comparability. If a district does not use this form and uses their own form or spreadsheet it should include the same information and calculations:

The example below assumes a district serves only elementary grades and has Title I and non-Title I schools. If a district serves other or all grade spans then a form for each grade span is required.

If a district has **only** Title I schools in any of its grade spans then the least poor Title I school(s) are used as the comparison school(s). In effect they act as non-title I schools for this purpose.

School	Grade Span	Student Enrollment	FTE Instructional Staff	Student/ Instructional Staff Ratio	Comparable?
Title I Elementary Schools					
Beaufort Elementary	KG - 5	528	70.2	7.5	Yes
Broad River Elementary	KG - 5	510	49.4	10.3	Yes
Davis Elementary	KG - 5	417	38.7	10.8	Yes
Shanklin Elementary	KG - 5	726	59	12.3	Yes
Port Royal Elementary	KG - 5	189	16	11.8	Yes
St. Helena Elementary	KG - 5	808	56	14.4	No
Shell Point Elementary	KG - 5	673	60	11.2	Yes
Non-Title I Elementary Schools					
Hilton Head	KG - 5	1,764	114.5	15.4	
Lady's Island	KG - 5	757	70.0	10.8	
MC Riley	KG - 5	1,005	88.0	11.4	
Mossy Oaks	KG - 5	484	42.0	11.5	
Total		4,010	314.5	12.8	
110% of Student/FTE ratio for non-Title I schools *					14.1

\*The ratio 14.1 is your **target ratio**. In order to be comparable, the student/instructional staff ratio for each Title I elementary school may not exceed 14.1.