



ARIZONA DEPARTMENT OF EDUCATION

Title I, Part A Comparability

FAQs

1. Which LEAs must demonstrate compliance for comparability?

This requirement applies to all LEAs that accept Title I-A funds with the exception of any LEA that does not have more than site per grade span or LEAs with fewer than 100 students enrolled on October 1 (any school with fewer than 100 students may be excluded from comparability calculations).

2. How is comparability determined?

LEAs must choose a method to be compliant, such as student to instructional-staff ratio, student to instructional-staff salary ratio, per pupil expenditure, resource allocation plan, or an alternative method, annually. Such information must include AzEDS October 1 Enrollment, and staffing reports based on October 1 as applicable. When a school does not demonstrate comparability using these methods, the LEA must reallocate funds or resources until the school is comparable.

3. When should an LEA begin the process of determining comparability?

LEAs should begin the process at the time school budgets are discussed since decisions are made to allocate local and State resources well before comparability is due and use current year data. In order to meet the target date of December 29th, the LEA should collect the comparability report information by October 1 of each school year (using the AzEDS October 1 Enrollment Report). This will allow the LEA sufficient time for allocation, placement, and/or realignment of staffing in Title I-A schools prior to December 29th.

4. On what date should student enrollment and staff assignments be counted?

Student enrollment must be counted on October 1. LEAs must use the October 1 AzEDS October 1 Enrollment Report for student enrollment.

5. What steps should be taken to complete annual comparability?

Each LEA receiving Title I-A funding, must develop procedures for comparability and maintain records that are updated annually which document compliance and is assured in EMAC.

6. Which schools should be included when demonstrating comparability?

All schools within an LEA that accepts Title I-A funding must be included even if all schools are Title I-A funded schools. If all schools are Title I schools, all schools must be “substantially comparable”.

7. Which students are included when demonstrating comparability?

All students enrolled in K-12 on October 1 in all Title I-A and non-Title I-A schools must be included.

8. What staff information needs to be collected and reflected when demonstrating comparability?

When comparing student/instructional staff ratios, the LEA must consistently include the same staff members in the ratios for both Title I-A schools and the comparison non-Title I-A schools. Calculate the FTE numbers of certified and non-certified instructional staff paid with State and local funds assigned to each school listed. Instructional staff have a function code of 1000 and have a primary instructional focus (see FY25 Requirements). Staff members whose full salaries are paid with Federal dollars should not be included in this report. For staff who are proportionally paid with Federal, State and/or local dollars, count only the portion of the staff salary that is State and locally funded.

9. Should substitutes be included when demonstrating comparability?

Long-term substitute teachers may be included in the count for comparability. Short-term substitutes temporarily replacing a teacher on leave should not be counted, but the official teacher should be counted.

10. Should any staff be excluded when demonstrating comparability?

When determining compliance with comparability, an LEA, in accordance with Section 1120A (c)(5), may exclude State and local funds expended for bilingual education for emergent bilingual students and excess costs of providing services to children experiencing disabilities as determined by the LEA.

11. When does a Title I-A school need to meet the comparability requirement?

The deadline to submit comparability in EMAC is December 29, 2024

12. What calculation assures that the Title I-A school meets comparability requirements?

If the LEA has both Title I-A funded schools and non-Title I schools, to demonstrate comparability each Title I school's calculated per student ratio (whatever method used) is not greater than 110 percent or is less than 90 percent of the average per student ratio of non-Title I-A schools. 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 or less than 18 to 1. Instructional staff have a function code of 1000 and/or have a primary instructional focus.

If the LEA has only Title I-A funded schools, to demonstrate comparability by grade span, each Title I school's calculated per student ratio is compared to the **average** per student ratio calculated for the grade span of Title I-A schools.

13. What happens if the school does not meet comparability?

All Title I-A funded schools in an LEA must demonstrate that they are comparable by December 29, 2024. If a school cannot demonstrate comparability, Title I-A funds will be placed on hold until comparability is resolved. In order to meet the target date of December 29th, the LEA should collect the comparability report information by October 1 of each school year (using AzEDS October 1 Enrollment Report). This will allow the LEA sufficient time for allocation, placement, and/or realignment of staffing in Title I-A schools prior to December 29th.

14. What documentation needs to be maintained?

All supporting data including but not limited to student counts, staffing FTE, a list of staff by name and position, and budget code should be kept with the LEA. In cases where initial information indicates an LEA is out of compliance with comparability requirements, the LEA should retain documentation to demonstrate the specific actions taken to achieve Title I-A comparability of service in all Title I-A schools.

LEAs are only required to upload evidence in EMAC when one of the three provided templates is NOT by the LEA used to demonstrate comparability.

Appendix

SEC. 1118. [20 U.S.C. 6321] FISCAL REQUIREMENTS

(a) MAINTENANCE OF EFFORT. — A local educational agency may receive funds under this part for any fiscal year only if the State educational agency involved finds that the local educational agency has maintained the agency's fiscal effort in accordance with section 8521.

(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS. —

(1) IN GENERAL. — A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds.

(2) COMPLIANCE. — To demonstrate compliance with paragraph

(1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.

(3) SPECIAL RULE. — No local educational agency shall be required to —

(A) identify that an individual cost or service supported under this part is supplemental; or

(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency's compliance with paragraph (1).

(4) PROHIBITION. — Nothing in this section shall be construed to authorize or permit the Secretary to prescribe the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.

(5) TIMELINE. — A local educational agency —

(A) shall meet the compliance requirement under paragraph (2) not later than 2 years after the date of enactment of the Every Student Succeeds Act; and (B) may demonstrate compliance with the requirement under paragraph (1) before the end of such 2-year period using the method such local educational agency used on the day before the date of enactment of the Every Student Succeeds Act.

(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.

(d) EXCLUSION OF FUNDS. — For the purpose of complying with subsections (b) and (c), a State educational agency 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.