

Comparability

Requirements under the Every Student Succeeds Act



COLORADO
Department of Education

Background

The Elementary and Secondary Education Act (ESEA), reauthorized as the Every Student Succeeds Act (ESSA), emphasizes the purpose of Title I, Part A which is to “provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.” Thus, the intended purpose of Title I funds is to deliver additional resources to low-performing students from high-poverty neighborhoods, beyond what state and local funds provide.

Specifically, Section 1118 of ESSA requires that local educational agencies (LEAs) provide state- and locally-funded services in Title I, Part A schools that, taken as a whole, are at least comparable to services provided in schools that are not Title I, Part A. This comparability requirement ensures that Federal Title I, Part A funds are not spent on resources that non-Title I, Part A schools obtain with state and local funds; that would violate the supplemental purpose of Title IA stipulated in statute.

Demonstrating Comparability

Within-LEA comparability analyses are done at the grade-span level (elementary, middle, high) depending on which schools LEAs determine should receive Title I, Part A funding. LEAs are required to demonstrate comparability if they:

- Accept Title I, Part A funds, and
- Have at least 1,000 students, and
- Have at least one Title I school with more than 100 students in a grade-span that includes two or more schools.

Annual Requirements

The Colorado Department of Education (CDE) presumes that LEAs are meeting ESSA comparability requirements if they have provided written assurance in their annual ESEA Consolidated Application that they have established and implemented all of the following:

- LEA-wide salary schedule.
- Policy to ensure equivalence among schools in:
 - Teachers, administrators, and other staff.
 - Provision of curriculum materials and instructional supplies.

Statute requires that LEAs provide services that meet comparability requirements each year and maintain documentation to demonstrate compliance to the State **biennially**. However, statute also stipulates that LEAs must **annually** provide services in Title I schools that are, in fact, comparable to those in non-Title I schools.

Frequently Asked Questions

Q: Do comparability requirements go away under ESSA?

A: No. LEAs must meet comparability requirements, as outlined in section 1118 of ESSA.

However, LEAs no longer have to submit comparability data through the online Comparability System; LEAs will conduct their own analyses and CDE will monitor districts based on analyses of teacher FTE data submitted through the HR Collection.

Q: Are charter schools included in the calculations to determine if Title I schools are comparable?

A: Yes. All public K-12 schools are included.

Q: Which districts need to demonstrate comparability?

A: LEAs that accept Title I, Part A funds, enroll at least 1,000 students, and have a Title I school with more than 100 students in a grade-span that includes two or more schools.



Based on stakeholder input and with approval from the Educational Data Advisory Committee (EDAC), as of 2018-19, LEAs no longer submit current year data through the online comparability platform. Currently, LEAs required to demonstrate comparability will conduct local analyses prior to or at the beginning of the school year and make any necessary adjustments as early in the school year as possible, to create the least disruption for students. CDE will provide Excel calculators that allow LEAs to conduct the analyses based on their specific Title I school configurations:

- All schools in grade-span receive Title I, Part A funds.
- Some schools in grade-span accept Title I, Part A funds and others not.
- Alternative methods: High-low enrollment and poverty bands, per-pupil allocation (PPA).

If unable to determine that the LEA will meet comparability requirements through the traditional FTE method, the LEA may be eligible to use the alternative high-low (enrollment or poverty) methods. LEAs that cannot demonstrate comparability through any of these FTE-based methods may do the PPA alternative analysis, based on state and local funds expended on educational materials and resources (beyond teacher FTE). LEAs operating consolidated schoolwide programs may go directly to the PPA worksheets due to their inability to assign teacher funding sources necessary to calculate comparability based on FTE.

CDE staff will provide comparability training and technical assistance around conducting these analyses and addressing non-comparable situations. LEAs will be required to annually maintain documentation of comparability and be prepared to submit such documentation to CDE biennially.

Comparability Calculations

Comparability calculations fall into two major categories, depending on the LEA’s Title I school configuration:

- **All schools in the grade-span receive Title I, Part A funds.**
When all schools in a grade span receive Title I, Part A funding, each school’s student/teacher ratio is compared to the overall grade span ratio. Each school needs to be within 10% of the overall student/teacher ratio to be comparable. Schools with lower student/teacher ratios are considered to be over-served based on state/local funds, and those with higher student/teacher ratios are considered to be under-served with state/local funds. In the following example, all Title I schools are comparable because all student/teacher ratios fall within 10% (13.7 to 16.7 students per teacher) of the grade span overall.

School	Grade Range	Student Enrollment	State/local Funded Teacher FTE	Student/Teacher Ratio	Comparable
School A	K-5	371	25.6	14.5	Yes
School B	K-5	483	33.2	14.5	Yes
School C	K-5	484	31.0	15.6	Yes
School D	K-5	682	42.4	16.1	Yes
School E	K-5	423	30.0	14.1	Yes
School F	K-5	482	29.8	16.2	Yes
Total		2,925	192.0	15.2	

Percentage of Student/FTE Ratio	Student/Teacher Ratio
90% of Student/FTE ratio*	13.7
110% of Student/FTE ratio*	16.7

- **Some schools in the grade span accept Title I, Part A funds and others do not.**



When some schools in a grade span receive Title I, Part A funding and others do not, each Title I school’s student/teacher ratio is compared to the overall ratio for non-Title I schools. Title I schools should not exceed the non-Title I ratio by more than 10%. Schools with higher student/teacher ratios are considered to be under-served with state/local funds. In the following example, all Title I schools are comparable because none of their student/teacher ratios exceed the overall non-Title I ratio by more than 10%.

Title I Schools					
School	Grade Range	Student Enrollment	State/local Funded FTE Teachers	Student/Teacher Ratio	Comparable
School A	K-5	528	70.2	7.5	Yes
School B	K-5	510	49.4	10.3	Yes
School C	K-5	417	38.7	10.8	Yes
School D	K-5	726	59.0	12.3	Yes
School E	K-5	189	16.0	11.8	Yes
School F	K-5	808	58.0	13.9	Yes
School G	K-5	673	60.0	11.2	Yes

Non-Title I Schools					
School	Grade Range	Student Enrollment	State/local Funded FTE Teachers	Student/Teacher Ratio	Comparable
School H	K-6	1,764	114.5	15.4	
School I	K-5	757	70.0	10.8	
School J	K-6	1,005	88.0	11.4	
School K	K-5	484	42.0	11.5	

School	Student Enrollment	State/local Funded FTE Teachers	Student/Teacher Ratio	Comparable
Non-Title I School Total	4,010	314.5	12.8	
110% x 12.8=Student/Teacher ratio for non-Title I schools			14.1	

High-Low Enrollment or Poverty Alternative Method

When calculations do not demonstrate that all Title I schools are comparable based on the FTE methods above, and school data lend themselves to high-low band analyses, for example when a grade span includes very high and low enrollment schools, the U.S. Department of Education (ED) allows comparability FTE analyses to be conducted by separate enrollment bands. Consequently, an LEA with a wide range of elementary school enrollments and a high enrollment Title I school that is not comparable to the average non-Title I school, CDE will compare that high enrollment Title I school to the district’s high enrollment non-Title I schools. Similarly, if there is a wide range of poverty percentages, ED allows high poverty Title I schools to be compared to high poverty non-Title I schools.

Per-Pupil Allocation Alternative Method

LEAs with Title I schools that were not comparable, based on teacher FTE analyses and any applicable high-low band analyses, will have to move to the [PPA alternative Excel spreadsheet](#) (cde.state.co.us/search/node/alternative%20calculator). LEAs using the PPA alternative should be consistent by



including the same categories of educational resources and materials purchased with state/local funds across schools. If teaching paraprofessional, librarian, and counselor salaries are included in one school, they should be included in all others. If curriculum material costs are included for some, they should be included for all.

The PPA alternative method requires the LEA to demonstrate that the per-pupil allocation for educational materials and resources from state/local funds for each Title I school is comparable to non-Title I schools in the grade span. When all schools in the grade span are Title I, each school’s PPA should fall between 90% and 110% of the grade span average.

In the example below, all schools operate Title I programs and the PPA for each should be \$3,921 - \$4,793. The allocation for School J is \$4,917, which is more than 10% above the average; School J appears to be over-served with state/local funds. The LEA would need to work with their ESEA regional contact and other Federal Programs staff to justify and document why School J required disproportionately more state and local funds. If there is not just cause for over-serving School J, in this example, the LEA must make appropriate adjustments as early in the school year as possible.

School	Grade Range	Student Enrollment	State/local Funds Allocated	PPA	Comparable
School A	K-5	308	\$1,217,232	\$3,952	Yes
School B	K-5	405	\$1,830,195	\$4,519	Yes
School C	K-6	1,323	\$5,813,262	\$4,394	Yes
School D	K-5	279	\$1,129,123	\$4,047	Yes
School H	K-6	706	\$3,106,032	\$4,399	Yes
School I	K-5	543	\$2,170,914	\$3,998	Yes
School J	K-5	467	\$2,296,239	\$4,917	No
Per-pupil State/local funds		4,031	\$17,562,997	\$4,357	
90% of per-pupil amount				\$3,921	
110% of per-pupil amount				\$4,793	

CDE Monitoring

Although LEAs were not required to conduct comparability analyses in 2018-19, CDE has conducted the same calculations that underlie comparability using Student October and HR Snapshot data. HR data consisted of teacher FTE paid with state or local funds (primarily job class code 201). Any federally-funded FTE is eliminated from these analyses. All FTE referenced in these analyses refers only to that paid with state or local funds. LEAs in which not all Title I schools demonstrated comparability through FTE analyses will be notified, by September 30, 2019, of potential risk of not meeting comparability and needing to submit data using one of the calculators to demonstrate compliance. **If comparability for the 2018-2019 school year cannot be demonstrated through CDE’s calculations, the LEA will be notified by September 30, 2019 and must submit comparability data using one of the calculators by October 31, 2019 based on 2018-2019 data. If the CDE calculations conducted on 2018-2019 data confirm comparability, the LEA must conduct local analyses for the 2019-2020 school year and maintain records in the event the CDE analyses in spring 2020 do not confirm comparability. Please note that LEAs that had previously required the use of one the alternative calculators will be required to submit the alternative calculator to demonstrate comparability, at least every other year.**



Beginning with the 2019-2020 school year and each year thereafter, LEAs must conduct local analyses and maintain documentation of comparability prior to or early in the school year. CDE will continue to run FTE-based comparability analyses toward the end of each school year for monitoring purposes. If CDE’s analyses do not confirm comparability, the LEA will be notified immediately and must submit data using one of the calculators for other methodology to demonstrate compliance by June 30th. If the LEA cannot demonstrate comparability for a given school year either through CDE’s methodology or by one of the other methods, CDE will work with LEA staff to develop and implement a corrective action plan as soon as possible. In summary:

- For the **2018-2019** school year, CDE’s calculation serves as demonstration of comparability. If the CDE analyses do not confirm comparability, the LEA must submit data (the calculator) to demonstrate compliance by October 31, 2019.
- In **subsequent years**, the calculation will be used to inform the ESEA Universal Monitoring process. LEAs conduct local analyses, make any necessary adjustments as early in the school year as possible, and maintain records of comparability. If CDE’s calculations demonstrate comparability in late spring, no further action will be required of the LEA. LEAs which have not demonstrated comparability through CDE’s analyses will be contacted by their Regional Contact and asked to submit the alternative calculator demonstrating comparability in the following fall. LEAs that remain unable to demonstrate comparability will need to create a corrective action plan to ameliorate the circumstances creating non-comparable schools over the course of the school year.

Examples:

Sample LEA	Summer 2019	Fall 2019	Spring 2020	Fall 2020
<i>LEA A</i>	CDE analyses of 2018-2019 demonstrate comparability	LEA conducts local analyses based on 2019-2020 data and maintains documentation.	CDE analyses of 2019-2020 demonstrate comparability.	LEA conducts local analyses based on 2020-2021 data and maintains documentation.
<i>LEA B</i>	CDE analyses of 2018-2019 do not demonstrate comparability. LEA is notified by CDE. LEA submits alternative calculator to demonstrate comparability based on 2018-2019.	LEA conducts local analyses based on 2019-2020 data and maintains documentation.	CDE analyses of 2019-2020 do not demonstrate comparability. LEA is notified by CDE. LEA submits alternative calculator to demonstrate comparability.	LEA conducts local analyses based on 2020-2021 data and maintains documentation.
<i>LEA C</i>	CDE analyses of 2018-2019 do not demonstrate comparability. LEA is notified by CDE.	LEA conducts local analyses based on 2019-2020 data and submits data to demonstrate 2019-2020 comparability	2019-2020 comparability has been demonstrated by LEA calculations. No further action by the LEA.	LEA conducts local analyses based on 2020-2021 data and maintains documentation, which CDE will



Sample LEA	Summer 2019	Fall 2019	Spring 2020	Fall 2020
	LEA is not able to demonstrate comparability based on 2018-2019. CDE works with LEA to develop a corrective action plan, including submitting 2019-2020 analyses in the following fall.	to CDE by October 31, 2019.		validate through its analyses in the spring of 2021.

Comparability and Supplement, Not Supplant (SNS)

Comparability’s focus is educational materials and resources specifically. Comparability should not be confused with SNS, which ensures that Title I schools receive the funds they would have received if they had not participated in the Title I, Part A program. While comparability and SNS requirements both examine how the LEA distributes state and local funds/resources to schools, they are separate tests that measure different aspects of the supplemental nature of Title I, Part A funds. As such, demonstration of comparability may not meet SNS demonstration requirements and vice versa. The following scenarios illustrate how LEAs may satisfy one requirement while violating the other.

Example 1: SNS is met, but Comparability is violated

The LEA is compliant with SNS because it can demonstrate it did not consider school Title I status when distributing state and local funds. However, the LEA does not satisfy comparability requirements because some Title I schools’ student/teacher ratios exceed the non-Title I school ratios by more than 10%.

Example 2: Comparability compliance is met, but SNS is violated

The LEA demonstrates comparability through student/teacher ratios. However, the LEA does not satisfy SNS requirements because additional state/local funds are provided to non-Title I schools for technology purchases but not to Title I schools; the LEA expects the latter to finance technology purchases with Title IA funds.

Where can I learn more?

- Additional information related to [comparability requirements](https://cde.state.co.us/fedprograms/ti/a_comp) may be accessed here: cde.state.co.us/fedprograms/ti/a_comp.
- The [alternative Excel spreadsheets](https://cde.state.co.us/sites/default/files/documents/fedprograms/dl/ti_a_comp_altcompcalc.xls) may be accessed here: cde.state.co.us/sites/default/files/documents/fedprograms/dl/ti_a_comp_altcompcalc.xls
- LEAs may also contact [Barb Vassis](mailto:vassis_b@cde.state.co.us) at vassis_b@cde.state.co.us or their [Regional Contact](#) in the Office of ESEA Programs.
- [Guidance provided by the U.S. Department of Education](https://www.ed.gov/programs/titleiparta/fiscalguid.pdf) may be accessed here: [ed.gov/programs/titleiparta/fiscalguid.pdf](https://www.ed.gov/programs/titleiparta/fiscalguid.pdf)