

North Dakota Comparability Guidance

- A district may receive Title I funds only if it uses State and local funds to provide services in Title I schools that are at least comparable to the services provided in schools that are not receiving Title I funds.
- Even if all schools in the district or in a grade-span grouping are served by Title I, the district must demonstrate that it will use state and local funds to provide services that, taken as a whole, are substantially comparable in each school.
- Demonstrating comparability is a prerequisite for receiving Title I, Part A funds.
- A district must perform the calculations necessary, every year, to demonstrate that all of its Title I schools are in fact, comparable.
- A district may determine comparability on a district-wide basis or on a grade-span basis.
- Although there is no limitation of the number of grade spans a district may use, the number should match the basic organization of schools in the district. For example, if the district's organization includes elementary, middle, and senior high schools, the district should have three grade spans.
- If there is a significant difference in the enrollment of schools within a grade span--for example, the largest school in the grade span has an enrollment that is two times the enrollment of the smaller school in the grade span--the district may divide grade spans into a large school group and a small school group.
- The comparability requirement does not apply to a district that does not have more than one building for each grade span.
- The comparability requirements include documenting compliance in the following three areas:
 - ◆ District-wide salary schedule;
 - ◆ Ensuring equivalence among schools in teachers, administrators, and other staff; and
 - ◆ Ensuring equivalence among schools in the provision of curriculum materials and instructional supplies.

A district may meet the comparability requirement if it establishes and implements other measures for determining compliance, such as student/instructional staff ratios or student/instructional staff salary ratios. For example, a district may--

- A) Compare the average number of students per instructional staff in each Title I school with the average number of students per instructional staff in schools not receiving Title I funds. A Title I school is comparable if its average does not exceed 110 percent of the average of schools not receiving Title I funds.

B) Compare the average instructional staff salary expenditure, per student, in each program school with the average instructional staff salary expenditure, per student, in schools not participating under Title I. A Title I school is comparable if its average is at least 90 percent of the average of schools not receiving Title I funds.

- ◆ Staff salary differentials for years of employment shall not be included in comparability determinations.
- ◆ In determining comparability of services, a district does not need to include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year.

Developing Procedures for Compliance

- A district must develop procedures for compliance with the comparability requirement and implement those procedures on an annual basis.

Records: A district must document that it has established and implemented a district wide salary schedule and policies to ensure equivalence among schools in staffing and in the provision of materials and supplies. The district must keep records to document that the salary schedule and policies were implemented and the equivalence was achieved among schools in staffing, materials, and supplies. If the district established and implemented other measures for determining compliance with comparability, such as student/instructional staff ratio, it must maintain source documentation to support the calculations and documentation to demonstrate that any needed adjustment to staff assignments were made.

Exclusion of Funds

- When determining compliance for comparability, a district may exclude state and local funds expended for--
 - ◆ Bilingual education for LEP children;
 - ◆ Excess costs of providing services to children with disabilities as determined by the district; and
 - ◆ Supplemental state or local funds expended in any school attendance area or school for programs that meet the intent and purposes of this part.

Definition of Instructional Staff

For purposes of determining compliance with the Title I comparability requirements, the district will define "instructional staff members" as staff members who render direct and personal services that are in the nature of teaching or the improvement of the teaching/learning situation. The term includes teachers, principals, consultants or supervisors of instruction, librarians, and guidance and psychological personnel. The term also includes aides or other paraprofessional personnel including clerical personnel employed to assist instructional staff members in providing these services.