

September 23, 2016

TO THE ADMINISTRATOR ADDRESSED:

SUBJECT: Upcoming LEA Deadline: Title I, Part A Comparability of Services Requirement for the 2016–2017 school year

Each year, local educational agencies (LEAs) that receive Title I, Part A funding are required to document their compliance with the Title I, Part A comparability of services requirement under the No Child Left Behind Act of 2001 (NCLB).

All LEAs that receive Title I, Part A funding must complete and submit to TEA the Comparability Assurance Document (CAD). LEAs that do not meet one of the defined exemption criteria must also complete and submit to TEA the Comparability Computation Form (CCF).

The CAD and CCF, along with instructions for completing and submitting them, are available on the [Title I, Part A Comparability of Services](#) page of the TEA website and through the Grants and Federal Fiscal Compliance (GFFC) Reports and Data Collection secure application, accessible through [TEASE/TEAL](#).

The deadline for submitting the CAD, and CCF if applicable, is **November 11, 2016**.

Background

Under NCLB, Section 1120A(c), known as the comparability of services requirement, LEAs may receive Title I, Part A funds only if state and local funds will be used in Title I, Part A schools to provide services that are at least comparable to the services provided in non-Title I, Part A schools. If the LEA serves all of its schools with Title I, Part A funds, the LEA must use state and local funds to provide services that, taken as a whole, are substantially comparable in each Title I, Part A school.

For more information refer to the Title I, Part A Comparability of Services Guidance Handbook, available on the [Title I, Part A Comparability of Services](#) page.

Comparability of services is one of three federal fiscal accountability requirements applicable to LEAs that receive Title I, Part A funding. LEAs that receive Title I, Part A funding are also required to comply with the maintenance of effort and supplement, not supplant requirements.

Comparability Computation Form (CCF) Exemption

An LEA is exempt from completing and submitting the CCF if it meets any of the following criteria:

- Has only one campus per grade-span group
- Has multiple campuses in the grade-span group but no overlap of grade levels
- Has overlap of grade levels but no Title I, Part A campuses in the grade-span group

- Uses exclusion criteria to exclude one or more campuses resulting in no basis for comparison

An exempt LEA *is only required to* complete and submit the CAD.

For a detailed description of the exemption criteria and the basis for excluding campuses, refer to the Title I, Part A Comparability of Services Guidance Handbook, available on the [Title I, Part A Comparability of Services](#) page of the TEA website.

Completing the Comparability Computation Form (CCF)

All LEAs that do not meet any of the exemption criteria are required to conduct comparability of services testing by completing the CCF. The LEA must use its 2016–2017 *current school year budgeted data* to complete the CCF.

Refer to the Title I, Part A Comparability of Services Guidance Handbook, available on the [Title I, Part A Comparability of Services](#) page of the TEA website, for instructions on accessing, completing, and submitting the CCF.

November 11, 2016, Deadline

All LEAs must complete and submit the CAD by November 11, 2016.

LEAs that do not meet any of the allowable exemption criteria must also complete and submit the CCF by November 11, 2016.

Potential Consequences of Failing to Comply

If you do not submit the appropriate comparability form or forms by the November 11, 2016, deadline, then TEA may apply one or more of the following enforcement actions in accordance with Title 2 of Code of Federal Regulations part 200.338:

- Temporarily withhold cash payments pending correction of the deficiency or more severe enforcement action.
- Disallow all or part of the cost of an activity or action not in compliance.
- Wholly or partly suspend or terminate the federal award.
- Initiate suspension or debarment proceedings.
- Withhold further federal awards for the program.
- Take other remedies that may be legally available.

For Further Information

For information on the comparability of services requirement and detailed instructions on how to complete the CAD and CCF, refer to the resources posted on the [Title I, Part A Comparability of Services](#) page.

With any further questions, email the Federal Fiscal Compliance and Reporting Division at compliance@tea.texas.gov.

Sincerely,

Ed Santiago, Senior Director
Federal Fiscal Compliance and Reporting Division