

## APPENDIX F - TITLE I POLICY

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### MONTANA TITLE I REALLOCATION POLICY

REVISED MARCH 2012  
REALLOCATED POLICY  
PUBLIC LAW 107-110, SECTION 1126(c) AND 1127(a)

It is the policy of the Office of Public Instruction (OPI) that school districts with additional need for Title I services may apply for reallocated funds or receive funds in accordance with the following: the local education agency (LEA) has requested or obligated all available current and carryover funds in their current Title I project; the LEA has refunded all unspent Title I funds from the previous year's project; the LEA has the previous year's program completed before requesting reallocated funds and the LEA's allocation has not been reduced because of Maintenance of Effort requirements in Section 1120A. All deadline dates that apply are listed on the cover page of the current Reallocated Application.

#### I. Sources and Collection of Funds for Reallocation

- A. The state education agency (SEA) shall deallocate funds from an LEA that:
  - 1. Is not participating in the Title I LEA program;
  - 2. Has its allocation reduced because it failed to meet the Maintenance of Effort requirements in Section 1120A;
  - 3. Has carryover funds that exceed the percentage limitation in Section 1127(a); or
  - 4. Has excess funds for other reasons.
- B. The SEA shall also deallocate funds that the SEA has recovered after determining that an LEA has failed to spend funds received in accordance with Public Law 107-110 and other applicable state and federal laws and regulations.

#### II. Timelines

- A. The SEA, on the Friday of the second week of September of the current fiscal year, will notify all LEAs that have not created an E-Grant application that if they do not create an application by the Friday of the third week of September, the SEA will deallocate the unused Title I funds for the purposes of reallocating to another district with a greater need. The SEA will begin distribution of these funds in January, if possible.

- B. The SEA will take all Title I funds in excess of the allowable carryover amount and begin distribution of these funds as soon as available amounts are documented in January, if possible.
- C. The SEA can grant a district a waiver of the carryover provisions once every three years, in accordance with Section 1127(b), if the request is reasonable and necessary or there has been a supplemental Title I appropriation made that becomes available during the fiscal year. Further guidance on obtaining a waiver to the carryover limitation may be requested from the OPI, if needed.

### **III. Selection of Programs/LEAs with Additional Needs**

- A. The LEA applications for reallocated funds will be ranked according to the percentage of children eligible for free/reduced lunch or milk. This percentage will be from the previous October and will be supplied by the School Foods program office at the Office of Public Instruction. Reallocated funds will be given to those school districts that have the greatest percentage of children eligible for free/ reduced lunch or milk. (If an LEA has no free/reduced lunch/milk program, the SEA will substitute the LEA's most recent total count used for allocations.)
- B. The maximum amount of reallocated funds a district may apply for will be controlled by the free/reduced lunch/milk count in that district. The maximum amount will be determined by multiplying \$100 times the number of students approved for free/reduced lunch/ milk count. The lunch/milk count will be from the previous October and will be supplied by the School Foods program office at the Office of Public Instruction. (If an LEA has no free/reduced lunch/milk program, the SEA will substitute the LEA's most recent total count used for determining allocations.)
- C. The amount of reallocated funds that each such LEA will receive will be based on the additional needs and the cost of the services proposed by the LEA to meet such additional needs. Justification must be provided in the application for reallocated funds to support the request for additional funds to address the additional needs.

## **TITLE I COMPARABILITY**

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A local education agency (LEA) may receive Title I, Part A funds only if it uses state and local funds to provide services in project areas that are at least comparable to the services provided in school attendance areas that are not receiving Title I funds. This assurance is part of complying with the comparability requirement contained in Section 1120A, subsection (c) of Public Law 107-110, the Elementary and Secondary Education

Act (ESEA), as amended by the No Child Left Behind Act of 2001. The LEA must have these items in place.

If the LEA selects all of its school attendance areas as project areas, the LEA must use state and local funds to provide services that are substantially comparable in each project area.

A state education agency (SEA) shall consider an LEA to have met the comparability requirement if the LEA:

1. files with the SEA a written assurance that the district has established and implemented --
  - a. a district wide salary schedule;
  - b. a policy to ensure equivalence among schools in teachers, administrators, and auxiliary personnel; and
  - c. a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies; **and**
2. establishes and implements other measures for determining and documenting compliance such as student/instructional staff ratios.

In addition to establishing the above policies an LEA must develop procedures for compliance with the comparability requirement and implement those procedures annually. Federal statute specifies biennial documentations. However, the OPI requires that this data be collected and submitted every year. This is the only way for the OPI to assure **annual** compliance.

School districts fall into one of the following categories: (Districts and schools with an enrollment of less than 100 are excluded. Use the fall Annual Data Collection (ADC) to determine enrollment.)

**Please refer to the categories below to determine whether or not your district is required to do this report.**

### **Categories**

1. Only one school per level in the district.
2. Districts with more than one school per level; all schools eligible for Title I and all schools being served by Title I.
3. Districts with more than one school per level; all schools eligible for Title I, but only part of them being served by Title I.
4. District with more than one school per level; some schools eligible for Title I and some not eligible for Title I service.

### **Process**

In Montana, each LEA must file a written assurance and keep records 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 material and supplies.

The LEA must also establish and implement other measures for determining compliance with comparability requirements, such as student /instructional staff ratios. The LEA must maintain source documentation to support the calculations and to demonstrate that any necessary adjustments to staff assignments were made. The LEA must use data from the beginning of the school year. The LEA does not need to include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year.

The OPI has developed two spreadsheets for districts to use in determining comparability. However, districts may use one of their own as long as it is equivalent to the OPI formats. Both OPI spreadsheets can be downloaded, expanded if need be, completed, mailed or faxed back, or submitted electronically. Please do not use the old OPI format. If there are questions or assistance is needed, please telephone Clare Bridge, (406) 444-2080, and ask for the Title I specialist assigned to the project.

## **Instructions**

### **Spreadsheet Directions: Per Pupil Amount**

At the top of the spreadsheet, please fill in the proper headings. There are separate spreadsheets to fill out for elementary schools, junior high/middle schools, and high schools. Then perform the following:

#### **Per Pupil Amount: Title I Schools**

1. List all of the Title I schools in Column 1 under the appropriate heading.
2. Place the Non-federal salary amounts under Column 2. These dollars should be contributed only from state and local funds.
3. Enter the enrollment count from each school under Column 3.

The spreadsheet will automatically fill in the amounts in Column 4, and under the headings of subtotals and averages.

#### **Per Pupil Amount: Non-Title I Schools**

1. List all the non-Title I schools in Column 1 under the appropriate heading.
2. Place the non-federal salary amounts under Column 2. These dollars should be contributed only from state and local funds.
3. Enter the enrollment count from each school under Column 3.

The spreadsheet will automatically fill in the amounts in Column 4, and under the headings of subtotals and averages. It will also calculate the 90 percent and 110 percent range to determine comparability.

Finally, fill in the last column titled Comparable with the terms yes or no. After completing the spreadsheet, sign it electronically and e-mail the form, or print a copy, sign it, and fax it to the OPI. Save a copy for your records.

## **Spreadsheet Directions: Student/Staff Ratio**

At the top of the spreadsheet, fill in the proper headings. There are separate spreadsheets to fill out for elementary schools, junior high/middle schools, and high schools. Then perform the following:

### **Student/Staff Ratio: Title I Schools**

1. List all of the Title I schools in Column 1 under the appropriate heading.
2. Fill in the grade spans served in each school under Column 2. (Users may have to type in the word grades, kindergarten, etc. to hold the numerical values.)
3. In Column 3 enter the enrollment count for each school.
4. In Columns 4, 5 and 6, enter the number of FTEs.

Columns 7 and 8 will automatically calculate your totals along with the subtotals and averages.

### **Student/Staff Ratio: Non-Title I Schools**

1. List all the Title I schools in Column 1 under the appropriate heading.
2. Fill in the grade spans served in each school under Column 2. (Users may have to type in the word grades, kindergarten, etc. to hold the numerical values.)
3. In Column 3 enter the enrollment count for each school.
4. In Columns 4, 5 and 6, enter the number of FTEs.

Columns 7 and 8 will automatically calculate your totals along with the subtotals and averages, and it will calculate the 90 percent and 110 percent range to determine comparability.

Finally, fill in the last column titled Comparable with the terms yes or no. After completing the spreadsheet, sign it electronically and e-mail the form, or print a copy, sign it, and fax it to the OPI. Save a copy for your records.

Note: The district may divide its schools into grade span groupings. Also, if there is a significant difference in the enrollments 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 smallest school in the grade span, the LEA may divide grade spans into a large school group and a small school group.

Category 1 districts do not have to calculate comparability.

Category 2 districts will use the school(s) with the lowest percentage or numbers of children from low-income families as the non-project school(s).

Category 3 districts will use the school(s) eligible, but not being served as the non-project school(s).

Category 4 districts will use the school(s) eligible, but not being served plus the non-eligible school(s) as non-project school(s).

**Per Pupil Amount spreadsheet** link:

<http://www.opi.mt.gov/pdf/TitleI/10CompPerPupilAmt.xlsm>

**Student/Staff Ratio spreadsheet** link:

<http://www.opi.mt.gov/pdf/TitleI/10CompStdntStaffRatio.xlsm>

**For further assistance:** Contact the OPI Title I Program Office at (406) 444-5660.