



# Wyoming Department of Education

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## MEMORANDUM NO. 2011-139

**TO:** School District Superintendents

**FROM:** Christine Steele, Deputy Superintendent

**DATE:** November 7, 2011

**SUBJECT:** Guidance on Preparation of Letters Requesting Waivers under W.S. 21-13-307(a)(iv) – the K-3 16 to 1 Requirement

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### IMPORTANT INFORMATION TO SHARE

Several districts have contacted the Department in regard to the preparation of requests for a waiver from this year's 16 to 1 student-teacher ratio requirements. This memo will help you supply the information necessary to consider a waiver and also invites you to submit additional supporting materials and reasons for a waiver.

The Superintendent is forming a waiver advisory group consisting primarily of District Superintendents who will assist in evaluating these requests. It should be anticipated that this group may request of you additional information necessary to its analysis of your application. The group will then formulate a recommendation to the Superintendent that she grant the waiver, deny the waiver, or provisionally grant the waiver based upon conditions or other circumstances.

#### General instructions:

To remain eligible for school foundation funding under WS §21-13-307, you must attain a student to teacher ratio not greater than 16 to 1 in grades kindergarten through third grade. The calculated ratio will be rounded to the nearest whole digit. A 16.49 to one ratio will be treated by WDE as complying with the statute.

If your data produces a ratio of 17 to 1 or higher, you may apply for a waiver. Each justification for waiver is discussed in this memo.

The requests should be written on district letterhead and signed by the superintendent. It should explain the good-faith efforts undertaken to date to comply with statute.

**Specific instructions:**

The (a)(iv) waivers are appropriate under four conditions:

1. Demonstration of insufficient school facility capacity;
2. Positive school performance;
3. Positive student achievement; or
4. Other reasons related to the delivery of the education program to students.

An (a)(iv)(1) waiver will likely be premised on some demonstration of overcrowding of classrooms creating a barrier to the addition of more teachers.

An (a)(iv)(2) waiver will likely be referencing school performance of groups of children as they move through K-3 and then beyond the third grade, as in the case of prior year testing of third grade children under our state-wide assessment. As you can see, for an analysis of the current K-3 classrooms, none of the children will have been tested under our PAWS tool. Historical PAWS data of the school might be relevant although the applicant should consider supplementing the evidence with other valid assessment information.

Similarly for an (a)(iv)(3) waiver the WDE will look to student achievement and for reasons similar to (a)(iv)(2) this may be a very difficult hurdle for districts to surmount without supporting evidence from sources other than PAWS.

An (a)(iv)(4) waiver will need to suggest “other reasons” justifying the waiver. Evidence presented under (1), (2) and/or (3), taken together as a whole might constitute the basis for an (a)(iv)(4) waiver. An application under this provision should be accompanied by an explanation of why the simple addition of more teachers into your K-3 classes was not possible. The mere reluctance to hire additional teachers will not be viewed favorably.

Another possible basis for an “other reasons” waiver would for the District to create a plan of how it intends to come into compliance, developing a written plan to accomplish its objective, taking the initial steps towards completing the plan, and then providing measurable evidence of this process.

As always, if you have any questions regarding waivers or any other topic, please do not hesitate to contact Christine Steele at 307-777-7675.