



Wyoming Department of Education

Cindy Hill, Superintendent of Public Instruction
Hathaway Building, 2nd Floor, 2300 Capitol Avenue
Cheyenne WY 82002-0050

Phone: 307-777-7675 Fax: 307-777-6234 Website: edu.wyoming.gov

MEMORANDUM NO. 2012-007

TO: School District Superintendents

FROM: Christine Steele
Deputy Superintendent

DATE: January 17, 2012

SUBJECT: Guidance on requesting waivers under W.S. 21-13-307(a)(iv) – the K-3 16 to 1 requirement

TIME SENSITIVE MATERIAL

On or about January 9, 2012, each district received its official notice of its K-3¹ 16 to 1 class size ratio from the Wyoming Department of Education (WDE). If your district did not meet the 16 to 1 ratio, a waiver request with supporting information and reasons for the waiver must be submitted by March 15, 2012.

Superintendent Hill has formed a Waiver Advisory Group consisting primarily of district superintendents who will assist in evaluating the waiver requests.

In general, a waiver request should be written on district letterhead and signed by the district superintendent. It should explain the good-faith efforts undertaken to date to comply with the statute. The letter will need to provide:

1. the facts as to why the district did not meet the 16 to 1 ratio;
2. an explanation why the district will qualify for one of the exceptions (include evidence);
3. an explanation of the district's current efforts to meet this ratio;

Each request must include a well articulated plan for the 2012-13 school year.

The district may choose to use its own format to articulate its plan and implementation strategy to meet the ratio requirement.

The following categories are the justifications that a district may use for the waiver request:

¹ A district evaluated at 16.49 or fewer is considered meeting the 16 to 1 standard.

I. Insufficient School Capacity

The ratio is based upon students and teaching personnel. Therefore, capacity will be considered only if it can be related to presenting a barrier to decreasing the number of students or preventing additional teachers being placed in the classroom. We will consider other reasons in this area but expect all such reasoning to relate to the ratio defined by the legislature.

II. Positive School Performance

While it may be true that a district's school can demonstrate how it is currently performing with assessment or similar data, Proficiency Assessments for Wyoming Students (PAWS) and similar data is normally not available to show school performance for the current students grades K-3. Historical data will be of interest but may not be considered conclusive without other information. We recommend that you provide such information if you intend to rely on historical data.

III. Positive Student Achievement

For reasons similar to those in II above, unless you have data related to the achievement of your current K-3 students then, if you wish to rely on this basis, we urge you to not solely provide historical data for students who have moved beyond your K-3 grades.

IV. Other reasons related to the delivery of education program to students

Clearly this is the broadest of the 4 bases for granting the waiver but, again, please explain why the simple addition of more teachers into your K-3 classes was not possible as you provide "other reasons." The mere reluctance to hire additional teachers will not be viewed favorably.

The Waiver Advisory Group will make a recommendation to the Superintendent, at which time; she will either approve the plan, deny the plan, or provisionally approve the plan based upon conditions or other circumstances.

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