



Wyoming Department of Education

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To: Members, Joint Appropriations Committee
Members, Joint Education Committee

From: Cindy Hill, Superintendent of Public Instruction

Date: September 1, 2011

Re: Report on K-3 Class Size Implementation

As the Appropriations and Education committees may well remember, last session's recalibration bill (HB 0127, EA 98) included a new and specific statutory requirement regarding K-3 class sizes. In order to be eligible to share in the distribution of funds from the school foundation account, all districts must provide evidence that they have maintained an average student-teacher ratio of not greater than 16 to 1 in the aggregate for all classes in kindergarten through third grade.

In my visits to schools throughout the state, I have seen progress by the districts in meeting this requirement. I have explained to them that I intend to "hold the line" on this requirement. For districts that are unable to meet the ratio by October 1, 2011, I am urging them to have a plan, as part of their waiver request, to achieve this ratio for the 2012-13 school year.

After passage of the Recalibration Bill, the Department received many questions from the districts regarding the bill's intent, the method of calculation, and, especially, the consequences of not meeting the ratio.

I asked my staff not only to immediately respond to the district's questions but also to meet with the stakeholders to discuss their concerns in detail. As a result of these meetings, the Department prepared two documents which I have attached to this memo.

The first document (titled "16:1 Student-to-Teacher Ratio") is matrix of actions that we recommend for the districts, the Select Committee on

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Statewide Educational Accountability, and the Department. The second document contains the Department's responses to "Frequently Asked Questions" on the 16 to 1 requirements.

There are three issues that need, in my opinion, further legislative review. The first issue is in regards to Question #8 of the "Frequently Asked Questions" concerning eligibility for funding.

8. In your memo of March 28, there is a statement that says to be eligible for funding for 2012-2013, district average student-to-teacher ratios must be at 16:1. What does eligible mean since all districts are guaranteed a funded amount of money yearly?

The plain language of W.S. 21-13-307(a) describes the requirements to become eligible to share in distribution of funds from the foundation account. In order to be eligible for funding, a district must have employed and compensated teachers for not less than nine school months during the previous year and have actually employed and is compensating at least one teacher for the current year. Additionally, a district must have operated all schools for a term of at least 185 days or the number of days or equivalent hours authorized under an alternative schedule approved by the state board. Next, a district must furnish to the state superintendent statistical data and information required to compute its entitlements. Finally, a district must provide evidence to the state superintendent that it has maintained an average student-to-teacher ratio of not greater than 16:1 in grades K-3.

I believe that elimination of all school foundation funding to a district who fails to meet the 16-1 requirement could be a topic that the Legislature may wish to re-visit.

The second issue deals with the statutory bases for a waiver: insufficient school facility capacity, positive school performance, positive student achievement, other reasons related to the delivery of education programs to students. The metrics to demonstrate positive school performance and positive student performance have yet to be established by the Select Committee on Statewide Educational Accountability. PAWS testing at the K-3 level is performed only in the third grade. Currently, there are no statewide metrics to determine student achievement and school performance other than PAWS.

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The third issue relates to methodologies for calculating student-teacher ratios. As I quickly learned after the bill was enacted, there are several standard methodologies that are used across the country to determine student-teacher ratios. I would appreciate the opportunity to present this information at a future committee meeting.

If any of the committee members have questions or need further explanations on the implementation of 16 to 1, please do not hesitate to contact me at the office (777-7675) or on my cell phone (286-0479).

16:1 Student-to-Teacher Ratio

HEA 98, 2011

21-13-307(a)(iv)

	2011-12 (Transition Year)	2012-13 (Full Implementation)
What Should WDE Do?	<ul style="list-style-type: none">→ Seek stakeholder input from district superintendents→ Explore different methodologies for calculating student-to-teacher ratios→ Prepare preliminary calculations for demonstration purposes using 2010-11 data→ Create a plan and process to acquire 2011-12 data from districts→ Publish to districts a FAQ document that addresses key stakeholder concerns→ Develop a deliberative process to assess district waivers→ Calculate official student-to-teacher ratios using FY2011-12 data and publish to districts prior to March 1, 2012. Calculations are to be used to determine eligibility for FY2012-13 funding→ Review and approve/deny district waivers prior to April 10, 2012→ Update the legislature as required	<ul style="list-style-type: none">→ Provide timely and accurate student-to-teacher ratio calculations to the districts using FY2012-13 data. Calculations are to be used to determine eligibility for FY2013-14 funding→ Update the legislature as required→ Process district waiver applications prior to April 10, 2013

	2011-12 (Transition Year)	2012-13 (Full Implementation)
What Should Districts Do?	<ul style="list-style-type: none"> → Have district representatives attend stakeholder meetings → Survey current student-to-teacher ratios in grades K-3 (include all but charter schools) → Develop strategies to meet the 16:1 ratio for 2011-12 and beyond → If unable to meet the 16:1 ratio, submit waiver application prior to March 15, 2012, for FY2012-13 eligibility 	<ul style="list-style-type: none"> → Implement strategies to meet the 16:1 ratio for the 2012-13 academic year → If unable to meet the 16:1 ratio, submit waiver application prior to March 15, 2013, for FY2013-14 eligibility.
What Support Will WDE Offer?	<ul style="list-style-type: none"> → Remote and on-site technical assistance to help guide districts in meeting the 16:1 ratio → Official calculations of each district's student-to-teacher ratio in grades K-3 	<ul style="list-style-type: none"> → Remote and on-site assistance to help guide districts in meeting the 16:1 ratio → Official calculations of each district's student-to-teacher ratio in grades K-3
What Should the Select Committee Consider?	<ul style="list-style-type: none"> → Consider and clarify the language of 21-13-307(a)(iv) → Study the methodologies for calculating student-to-teacher ratios → Consider possible amendments to the statute 	<ul style="list-style-type: none"> → Continue to review student-to-teacher ratios

Meeting the 16:1 Classroom Ratio Grades K-3 Frequently Asked Questions

May 2011

1. Our district has literacy tutors, plus math recovery and reading recovery teachers, some paid with federal and some paid with general funds, that serve kids within this grade range. Will these individuals be counted in the ratio or will the ratio be calculated strictly using “classroom” teachers.

*The 16:1 computation will be based on **core teachers only**. Contributing professionals will not be used in the computation.*

2. Why is the 16:1 ratio based only on core teachers?

The 16:1 computation comes from the 16:1 funding for core teachers as defined in the Wyoming Education Funding Model.

3. May the districts include other state funded teachers in this calculation?

No. The intent of this statutory requirement is for the Department to count only core teachers as calculated in the Wyoming Education Funding Model.

4. May the districts include federally funded teachers in this calculation?

No. The Department will count only core teachers in this calculation.

5. If we take our Title 1 staff and place them as K-3 teachers in our targeted schools to reduce the average class size, how should that be coded on the WDE602 since they are hired as Title I teachers but would act as regular elementary staff?

Title I teachers are not to be included in the 16:1 ratio. Federal funds are to be used to supplement, not supplant, a district’s obligation to provide a 16:1 ratio.

6. Since Title I school wide funding allows us to use Title I funded teachers as core or regular classroom teachers, may we use Title I funded teachers as core teachers to help lower our student/teacher ratio?

No. Title I funded teachers are not to be included in this count. Federal funds are to be used to supplement, not supplant, a district’s obligation to provide a 16:1 ratio.

7. Our district has Title IIA teachers who are federally funded under the **class size reduction** allowance. Each has a self contained classroom just like those funded under our General Fund. They are in every respect treated and operate the same way. The only difference is how they are funded. May we include Title IIA teachers in the 16:1 computation?

The 16:1 student-to-teacher ratio must be met with state funds before any federal funds can be used to reduce class size. Therefore, Title IIA funded teachers cannot be included in this count for grades K-3. Note: Districts using Title II-A dollars for class-size reduction in grades other than K-3 are urged to do so only after the funding model recommendations for the grade level have been met by using state funds.

8. In your memo of March 28, there is a statement that says to be eligible for funding for 2012-2013, district average student-to-teacher ratios must be at 16:1. What does eligible mean since all districts are guaranteed a funded amount of money yearly?

The plain language of W.S. 21-13-307(a) describes the requirements to become eligible to share in distribution of funds from the foundation account. In order to be eligible for funding, a district must have employed and compensated teachers for not less than nine school months during the previous year and have actually employed and is compensating at least one teacher for the current year. Additionally, a district must have operated all schools for a term of at least 185 days or the number of days or equivalent hours authorized under an alternative schedule approved by the state board. Next, a district must furnish to the state superintendent statistical data and information required to compute its entitlements. Finally, a district must provide evidence to the state superintendent that it has maintained an average student-to-teacher ratio of not greater than 16:1 in grades K-3.

9. Are there parts of the funding model that won't be funded if a waiver is not granted?

The plain language of W.S. 21-13-307(a) describes the requirements to become eligible to share in distribution of funds from the foundation account.

10. Is the average ratio calculated by district or by school?

*This is a district average. W.S. 21-13-307(a)(iv) requires the districts to provide evidence that the **district** has maintained an average student-to-teacher ratio of not greater than sixteen (16) to one (1) for the aggregate of all classes in kindergarten through grade three (3) in the district.*

11. Our district has a special education teacher assigned to teaching one special education student only. Can we count this as a 1:1 class?

No. In cases where one special education teacher is assigned to one special education student, neither the teacher nor the student will be included in this computation.

12. Our district is planning to hire two additional teachers for each building. One of the buildings doesn't have additional space, and we will have to move these two teachers around the other K-3 classes. We are concerned that these two teachers will be picked up in our count as tutors, not core teachers.

The Department will have a separate collection for this count. Each district's superintendent will certify the accuracy of the count. For documentation in case of subsequent audits, the Department urges the districts to maintain on file evidence (such as grade books, schedules, etc.) showing that the additional teachers served as core teachers and not as tutors.

13. What date in the school year will the Department use to compute the aggregate student-to-teacher ratio?

October 1 for both core teachers and enrolled students.

14. How will the 16:1 ratio be figured for a small district? We have combination classrooms, 1st & 2nd and 3rd & 4th, with one core teacher for each two-grade combination.

Initially, the district's calculation will include one FTE teacher for the 1st and 2nd grade class and a fractional FTE teacher for the 3rd grade class.

15. How will the fractional FTE teacher in the 3rd grade class be calculated?

Divide the number of third grade students by the total number of 3rd and 4th grade students in that class.

16. Will the Department use "major fractions" in computing the 16:1 ratio?

Yes. The computation will be rounded to the nearest whole digit. For Example, a ratio of 16.49:1 will be considered 16:1.

17. If my district hires additional core teachers for grades Kindergarten through 3rd and the resulting ratio is less than 16:1, will the Department increase our funding?

No. All of the components of the funding model will remain as enacted by the Legislature.

18. In the 16:1 ratio calculation, will a half-day kindergarten student be counted as one student or one-half of a student?

One student. The model funds all kindergarten classes at one teacher per 16 students regardless of students attending a half-day or full-day.

19. Do you have any sense yet on the waiver process? Space wise we would need 6 classrooms to meet this requirement and really only have space for 2 of these classes.

The State Superintendent will consider each request for a waiver individually and on its own merits. *Districts must be able to show a deliberative, good-faith effort to comply with the 16:1 ratio in grades K-3. Districts will need to provide documentation that shows historical student-to-teacher ratios, the facts as to why the district cannot meet the 16:1 ratio, an explanation of current efforts to meet the 16:1 ratio, and a well articulated plan to meet the 16:1 ratio in the subsequent year.*

20. If my district had a 20:1 ratio in the 2010-11 school year and hired more core teachers for 2011-12 school but ended up with a 17:1 ratio for 2011-12, will the Department take my good faith efforts into consideration when reviewing my waiver request?

The State Superintendent may consider improved class size ratios when evaluating a waiver request. Each request for a waiver will be considered individually and on its own merits (see the response for number 19).

21. What are the statutory bases for the State Superintendent to grant a waiver from the 16:1 rule in statute?

There are broad guidelines in W.S. 21-13-307(a)(iv) for acceptable reasons for granting waivers.

- *“District demonstrates insufficient school facility capacity,*
- *Positive school performance,*
- *Positive student achievement, or*
- *Other reasons related to the delivery of the education program to students”*

22. Will the Department consider the effects of Distance Education classes in a waiver proposal?

Distance education class sizes would be considered under "other reasons related to the delivery of the educational program to students."

23. I understand that October 1 will be the date of the 16:1 collection, but when will the districts need to submit this collection to the Department?

The October 1 snapshot will need to be submitted to the Department no later than October 15.

24. Will the Department review the data submitted on this collection for accuracy?

Yes. The Department will perform its normal data checks to assist the districts in improving data quality.

25. When will the Department notify the districts that their data has been reviewed?

The Department plans to return the collection form to each district on December 8 for the final review and certification by the superintendent.

26. What is the due date for the submission of the superintendent's final review and certification to the Department?

December 15.

27. If a student transferred out of our district after October 1 and before December 15, may we delete that student from our count?

Any changes in enrollment can be addressed in a district's request for a waiver.

28. When will the Department notify the districts that they have met or have failed to meet the 16:1 ratio?

The statute requires the Department to notify each district prior to March 1. However, the Department plans to issue a formal notification to each district by January 15.

29. When may a district apply for a waiver?

The Department encourages the districts to apply for waivers as soon as they receive notification from the Department. However, a district must apply for a waiver no later than March 15th.

30. What will be the Department's process for reviewing waivers?

The Department will conduct a thorough review of each application for waiver, which may include on-site visits, WEN conferences, and data analyses.

31. Our district has a small school of less than 49. It is my understanding that the 16:1 rule would not apply to this school?

*This assumption is incorrect. With the exception of charter schools, the 16:1 student-to-teacher ratio **applies to all schools**.*

32. Whom should I contact at the Department if I have questions?

Please contact Shannon Cranmore, Vince Meyer, or Christine Steele for technical assistance.