

# WYOMING

OVERALL RANK: 29TH<sup>1</sup>  
TIER 3 (AVERAGE)

STRONGER —————> WEAKER

OVERALL			29	
1. RESOURCES AND MEMBERSHIP			31	
2. INVOLVEMENT IN POLITICS	13			
3. SCOPE OF BARGAINING			28	
4. STATE POLICIES			30	
5. PERCEIVED INFLUENCE			26	

## AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 31ST

Though Wyoming’s state-level teacher union has sparse membership, the state’s teachers benefit from a fairly substantial public investment in K-12 education. Just 53.2 percent of teachers in the Equality State are unionized. (Only seven states have lower rates; most other states where bargaining is permitted but not required are in the same range as Wyoming.) Despite the underwhelming level of membership, however, the Wyoming Education Association (WEA) posts \$573 in annual revenue per teacher in the state (16th; while not included in this metric, it also has one of the three highest per *member* revenues in the nation as well). Per-pupil expenditures are the highest of any state in the nation at \$18,068 annually, more than

double that of last-place Utah. Further, 53.7 percent of those dollars goes toward teacher salaries and benefits (29th).

## AREA 2: INVOLVEMENT IN POLITICS<sup>2</sup> TIED FOR 13TH

Wyoming’s teacher union is more involved in state politics than are its counterparts in most other states.<sup>3</sup> Over the past ten years, its donations amounted to 1.3 percent of all contributions to candidates for state office (13th) and 10.7 percent of the money donated by the ten highest-giving sectors in the state (12th). Its high rankings on those measures are likely aided by the union’s considerable revenues (see Area 1) and the fact that candidates and parties in Wyoming generally receive little money—candidates get fewer total dollars

than in any other state, making entry into the political arena fairly low-cost. Finally, 17.9 percent of Wyoming's delegates to the Democratic and Republican national conventions were teacher union members (14th).<sup>4</sup>

#### *AREA 3: SCOPE OF BARGAINING TIED FOR 28TH*

Wyoming is one of fourteen states that permit, but do not require, collective bargaining (seven of those states, Wyoming included, explicitly allow it, while the other seven permit it by omission). The law does not outline the scope of collective bargaining for districts that choose to negotiate with their local unions, nor does it address the legality of teacher strikes. Wyoming does limit the revenue potential of its unions by preventing them from automatically collecting agency fees from non-members; the fact that the WEA *still* posts high revenue despite low membership rates and no agency fees shows its ability to generate significant financial resources from its existing members.

#### *AREA 4: STATE POLICIES TIED FOR 30TH*

While Wyoming's teacher employment policies are reasonably well aligned with traditional union interests, its charter laws are less so. At the time our data were analyzed, the state did not support performance pay for teachers, nor did it set forth consequences for unsatisfactory evaluations. (By press time, the state had passed measures in support of performance pay and consequences for poor teacher evaluations, yet actual plans and implementation remain unresolved; assuming these questions are resolved, they will take effect in 2013—see sidebar.)

Further, districts do not have to consider teacher performance when making layoffs, and student learning does not factor into tenure (which teachers earn after three years, the national norm). Districts must consider evidence of student learning when evaluating their teachers, but the law does not stipulate what that evidence is or how much weight it must carry. On the other hand, unions typically seek to limit the number, the variety and the autonomy of charter schools, but Wyoming does not cap the number of schools and allows new, conversion, and virtual schools. However, it provides only a single authorizing option—local districts—and there is little authorizing activity (out of 344 public schools in the state, only four are charters). Charter schools are automatically exempt from district collective bargaining agreements where such exist, but they must follow all other state laws and district regulations unless they receive waivers from them and all charter teachers must be certified.

#### *AREA 5: PERCEIVED INFLUENCE 26TH*

While stakeholders perceive Wyoming's teacher union to be active in shaping policy, they also report that it is not always successful in achieving its goals. Respondents say it is one of the most influential entities on education policy in the state, along with the school board association and association of school administrators. They note that the union is effective in warding off education proposals with which it disagrees, but indicate that it often must compromise with policymakers. (Such compromises are evident in the state's new evaluation system, which the union agreed to in principle. See sidebar.) Stakeholders observe that the union also makes concessions to prevent reductions in pay and benefits, and that the outcomes of the latest legislative session were only *somewhat* in line with teacher union priorities.<sup>5</sup>

OVERALL  
29TH

Wyoming's teacher union is squarely in the middle of the national pack in terms of political clout, compared to all states and to states in which bargaining is permitted but not mandatory. Its revenues afford it a significant presence in state politics, although it does not have a reputation among stakeholders as a political heavyweight and state policies themselves are not particularly aligned with union interests.

PLANS ON PAPER ONLY

In February 2011, it seemed like teacher tenure in Wyoming would become history. Yet to the relief of the Wyoming Education Association (WEA), the legislature eventually defeated a bill to make all teachers at-will employees. Lawmakers' reasons ranged from support for teachers to fear of lawsuits from dismissed educators.<sup>6</sup> The WEA's position: better teacher evaluations, not the elimination of tenure, would improve education. Next came SF 114, an attempt to put video cameras in every classroom to evaluate teachers; given privacy and cost concerns, however, the idea did not make it past the Senate floor.<sup>7</sup>

Lawmakers did pass three related reform-oriented bills in 2011, but these amounted more to plans than actions. They established measures of student performance, required districts use performance-based evaluation systems (but did not specify what those systems were), and made recommendations on how to link evaluations to pay (but did not require districts do so). The WEA endorsed all three.<sup>8,9</sup> Finally, SF 57, passed in 2012, outlined how accountability-based evaluations would actually work—but only applied to schools, not teachers. Significantly amended from the original proposal with the help, and ultimately blessing, of the WEA, the new legislation required that schools be evaluated using a combination of state standardized tests and non-test measures like graduation rates and credit accumulation. Individual teachers will not be evaluated until 2013, at which point unsatisfactory evaluations could lead to suspensions or dismissals.<sup>10</sup> But the nuts and bolts of the teacher evaluation system—what exactly will comprise the evaluations and how much weight student performance will be given—remain to be developed. As a result, Wyoming did not follow through on its stated intent to apply for an NCLB waiver (since waiver applications require performance-based evaluations for teachers). Cindy Hill, Wyoming's Superintendent of Public Instruction, was less than optimistic about whether the state will ever meet that requirement: "While efforts are ongoing to link student performance to teacher evaluation, it has not been successfully demonstrated elsewhere nor can I promise when it could be in Wyoming."<sup>11</sup> So plans remain just that for now in the Equality State, and with state leaders not pressing for more reforms, the WEA can rest easy for now.

# WYOMING RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 29TH			
Area and Rank <sup>a</sup>	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status <sup>b</sup>
<b>AREA 1: RESOURCES &amp; MEMBERSHIP</b>  31*	Membership	By rank, what percentage of public-school teachers in the state are union members?	44th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	16th
	Spending on education	By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education?	48th
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	1st
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	29th
<b>AREA 2: INVOLVEMENT IN POLITICS</b>  13*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	13th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	40th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	12th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	14th
<b>AREA 3: SCOPE OF BARGAINING</b>  28*	Legal scope of bargaining	What is the legal status of collective bargaining?	Permitted
		By rank, how broad is the scope of collective bargaining?	38th*
	Automatic revenue streams	What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions?	Agency fees prohibited
	Right to strike	What is the legal status of teacher strikes?	Neither prohibited nor permitted
<b>AREA 4: STATE POLICIES</b>  30*	Performance pay	Does the state support performance pay for teachers?	State does not support
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	40th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	No consequences articulated
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Evidence of student "learning" required
	Terms of employment	How long before a teacher earns tenure?	Three years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Not included
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Optional; Weighted at district discretion
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Not required
	By rank, what percentage of the teaching workforce was dismissed due to poor performance?	22nd	
Class size	Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?	No restriction	

Area and Rank	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status
<b>AREA 4: STATE POLICIES</b>  <b>30</b>  (cont.)	Charter school structural limitations	Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools?	No state cap
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	Yes
		How many charter authorizing options exist? How active are those authorizers?	Single option; No or limited activity
	Charter school exemptions	Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions?	No; Schools can apply for exemptions
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	No; Schools cannot apply for exemptions
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	Yes

<b>AREA 5: PERCEIVED INFLUENCE<sup>c</sup></b>  <b>26</b>	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Most- or second-most influential
	Influence over campaigns	On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected?	Sometimes/Often
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Rarely/Sometimes
	Influence over spending	To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education?	Neutral
		Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions?	Generally concede
	Influence over policy	To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree?	Agree
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Sometimes/Often
		To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities?	**
		To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities?	Somewhat in line
	Influence over key stakeholders	On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years?	Sometimes/Often
		Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?	Generally compromise

\* Tied with another state

\*\* Insufficient number of responses to this particular question

<sup>a</sup> Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

<sup>b</sup> Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, Wyoming has the 44th-highest percentage of teachers who are union members. Otherwise, we report a status: In Wyoming, collective bargaining is permitted, and union agency fees are prohibited. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to [uniondata@edexcellence.net](mailto:uniondata@edexcellence.net)

<sup>c</sup> For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

---

## ENDNOTES

<sup>1</sup> A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Wyoming are shown in the table, *Wyoming Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we use that average to place the states in rank order: For example, in Area 1: Resources and Membership, Wyoming is ranked 31st of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

<sup>2</sup> Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

<sup>3</sup> Wyoming is one of just five states where local teacher associations did not contribute to candidates and political parties, and the *only* state in which the state association was the lone donor to both (in the other four states, the NEA and/or AFT gave money as well).

<sup>4</sup> At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

<sup>5</sup> We asked stakeholders about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

<sup>6</sup> Joan Barron, "Wyoming Senate Keeps Teacher Tenure," *Casper Star-Tribune*, February 9, 2011, [http://trib.com/news/state-and-regional/govt-and-politics/wyoming-senate-keeps-teacher-tenure/article\\_b3224066-7ed9-529d-9bb8-1e25733795dc.html](http://trib.com/news/state-and-regional/govt-and-politics/wyoming-senate-keeps-teacher-tenure/article_b3224066-7ed9-529d-9bb8-1e25733795dc.html).

<sup>7</sup> Becky Orr, "Bill To Install Classroom Cameras Fails In Senate," *Wyoming Tribune Eagle*, February 10, 2011, [http://www.wyomingnews.com/articles/2011/02/03/news/20local\\_02-03-11.txt](http://www.wyomingnews.com/articles/2011/02/03/news/20local_02-03-11.txt).

<sup>8</sup> Joan Barron, "Wyoming House Committee Endorses Expanded School Year Bill," *Casper Star-Tribune*, January 15, 2011, [http://trib.com/news/state-and-regional/govt-and-politics/article\\_bb0ceae9-b1a3-57e0-b873-bd3a090a255c.html](http://trib.com/news/state-and-regional/govt-and-politics/article_bb0ceae9-b1a3-57e0-b873-bd3a090a255c.html).

<sup>9</sup> Joan Barron, "Education Accountability Bills Clear Wyoming Senate," *Casper Star-Tribune*, February 10, 2011, [http://trib.com/news/state-and-regional/govt-and-politics/article\\_d308a8d4-cd68-5a70-bcb2-f8b63995e7b3.html](http://trib.com/news/state-and-regional/govt-and-politics/article_d308a8d4-cd68-5a70-bcb2-f8b63995e7b3.html).

<sup>10</sup> Wyoming Education Association, <http://www.wyoea.org/home/539.htm>; <http://wyoea.org/home/537.htm>.

<sup>11</sup> Elysia Conner, "Wyoming Department Of Education Seeks Waiver Of Federal Progress Requirements," *Casper Star-Tribune*, July 5, 2012, [http://trib.com/news/state-and-regional/article\\_79e95b82-23d8-5d64-a3af-69868297f9c1.html](http://trib.com/news/state-and-regional/article_79e95b82-23d8-5d64-a3af-69868297f9c1.html).