



# EDUCATION SAVINGS ACCOUNT

## 2025-26 Education Service Provider Handbook



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### Wyoming Department of Education

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# Introduction to the Wyoming ESA Program

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The Wyoming Education Savings Account (ESA) program was established in 2024 and revised in 2025 to provide eligible families with state-funded accounts that can be used to customize their child’s learning experience. This handbook guides Educational Service Providers through the process of becoming a certified provider for the program.

## Definitions

**Curriculum:** A course of study for content areas or grade levels, including supplemental materials. A participating ESA student in grades K-12 must receive instruction in reading, writing, math, civics, history, literature, and science.

**Education Savings Account (ESA):** A spending account for a child’s education that a parent of an ESA student uses to pay for qualifying education expenses they choose to educate their child according to the requirements and conditions of the Wyoming ESA program.

**Education Service Provider (ESP):** A Wyoming ESA-approved person, organization, or school that receives payment authorized by a parent from the ESA account to provide educational goods and services to the ESA student.

**ESA Student:** A student who is eligible for an ESA pursuant to W.S. 21-2-904(a) and is participating in the ESA program.

**Parent:** In this document and all other literature from Wyoming ESA, the term “parent” refers to a resident of the state who is the parent or legal guardian of an eligible student and meets one of the following:

- The natural father or mother of a child.
- The adoptive father or mother of a child.
- The court-appointed guardian or legal custodian of a child.
- The court-ordered primary legal custodian of a child in cases of divorce or separation.

**Pre-Kindergarten:** An educational program with the purpose of preparing students for kindergarten.

**Qualified School:** A pre-kindergarten or a nonpublic primary or secondary school located in Wyoming or that provides educational services in Wyoming, including online services.

## Program Requirements and Eligibility

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### Pre-Kindergarten Eligibility Requirements

Pre-kindergarten ESA Students must attend a DFS-licensed facility or qualified school (private, public, or charter) that provides a pre-kindergarten program with the purpose of preparing students for kindergarten by teaching kindergarten-readiness skills.

**Student Status Requirement**

- The child is 4 years of age on or before August 1 of the year enrolling in a pre-kindergarten program.
- This is a one-year-only ESA program for kindergarten readiness programs.

**Residency**

- The pre-kindergarten student must be a resident of Wyoming.

**Income Qualification**

- To participate in the pre-kindergarten ESA program, families must be at or below the 250% Federal Poverty Level for income eligibility.

PRE-K ESA PROGRAM ONLY		250% QUALIFYING INCOME LEVEL				
HOUSEHOLD SIZE	2025 FEDERAL POVERTY ANNUAL GUIDELINES	ANNUAL	MONTHLY	TWICE PER MONTH (24 PAY PERIODS)	EVERY 2 WEEKS (26 PAY PERIODS)	WEEKLY
1	\$15,650	\$39,125	\$3,260	\$1,630	\$1,505	\$752
2	\$21,150	\$52,875	\$4,406	\$2,203	\$2,034	\$1,017
3	\$26,650	\$66,625	\$5,552	\$2,776	\$2,563	\$1,281
4	\$32,150	\$80,375	\$6,698	\$3,349	\$3,091	\$1,546
5	\$37,650	\$94,125	\$7,844	\$3,922	\$3,620	\$1,810
6	\$43,150	\$107,875	\$8,990	\$4,495	\$4,149	\$2,075
7	\$48,650	\$121,625	\$10,135	\$5,068	\$4,678	\$2,339
8	\$54,150	\$135,375	\$11,281	\$5,641	\$5,207	\$2,603

\*Add \$13,750.00 annually to the 250% annual column for each additional family member.

Eligibility is based on adjusted gross income (AGI) before any taxes or deductions. The Wyoming ESA uses the U.S. Department of Health and Human Services federal poverty level to determine the 250% household income threshold. Income eligibility may be determined through the use of other state agencies.

**K-12 Eligibility Requirements**

To participate in the K-12 Wyoming ESA program, families must meet annual eligibility criteria to ensure the program reaches those who can benefit most. This section will outline the key eligibility requirements for the K-12 Wyoming ESA program.

**Student Status Requirement**

- The child is 5 years of age on or before August 1 of the year enrolling in kindergarten.
- The child has not graduated from high school or received a GED or equivalent and is younger than 21 years of age as of August 1 of the year for which the parent is applying.
- The child may not be enrolled in a public school while participating in the ESA program.

**Residency**

- The K-12 student must be a resident of Wyoming.

## What is a Wyoming ESA Educational Service Provider (ESP)?

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A Wyoming ESP is an approved organization or individual offering qualified educational services that provide families participating in the Wyoming ESA program with tailored educational options to meet the student's unique learning needs. Services may include private school tuition, tutoring, career and technical education, and specialized therapies.

ESPs receiving ESA funds may not be immediate family members of the ESA student (parents, step-parents, grand-parents aunts, uncles, siblings, step-siblings, half-siblings, and first cousins).

### Types of ESPs:

- **Private Educational Institutions:** Private schools, career and technical education programs, and pre-kindergarten programs.
- **Tutors and Educational Centers:** Individual tutors, charter schools, public schools, higher education, tutoring centers, or online platforms.
  - Public schools and public charter schools may choose to offer tuition-based individual courses to ESA students. As these students are not eligible for full or part-time enrollment in public schools while participating in the ESA program, districts must establish formal parent/student contracts for these arrangements. Legal counsel is strongly recommended during contract development. These tuition-based courses are provided on a contractual basis, separate from standard enrollment, and therefore, districts cannot claim ADM funding for these students.
- **Specialized Educational Services:** Speech therapy, occupational therapy, physical therapy, behavioral therapy, etc.
- **Supplemental Programs:** After-school educational programs or summer enrichment programs.

If a qualified school or educational center changes ownership, the new owner/provider must submit a new application for approval. Payments will cease until the new application has been approved. A certified Wyoming ESP does not need to be located in Wyoming and can provide virtual services or materials from anywhere.

## Apply to Become a Wyoming ESP

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1. Complete the Wyoming Education Service Provider Application.
  - Provider Information should include details, such as contact information and services offered.
  - Licenses and Certifications should list all relevant and current licenses or certifications.
  - Service Description should provide a detailed outline of the services provided.
  - Assurances and Acknowledgments is an agreement to comply with ESA program rules, including responsible use of funds and adherence to anti-discrimination laws.
2. Submit the completed application through the Wyoming ESA portal.
3. Email notification that the application has been received will be sent.
4. Notification of approval will be sent upon review of the application.

## Instructional Autonomy

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ESPs are given the freedom to provide instruction and services in their usual and customary manner to meet the needs of ESA students. The ESA program does not expand authority to any state agency or school district to impose additional regulation beyond what is necessary to enforce the requirements of the ESA program.

An ESP is not required to alter its creed, practices, admission policy, or curriculum to accept payments authorized by a parent of an ESA student. However, K-12 ESA students must receive instruction in reading, writing, math, civics, history, literature, and science throughout their kindergarten through grade twelve tenure. Pre-kindergarten ESA students must, at minimum, receive instruction necessary for preparation to enter kindergarten.

## Data Security

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The Wyoming ESA program will never ask an ESP for the following information via email, phone call, or text message:

- Full account password or any part of it.
- EIN, ITIN, or full social security number.
- Credit card number or banking details.

An ESP that receives any communication requesting this type of information or who has received a suspicious email must not respond or click on any links and must immediately report the activity to the Wyoming ESA program using the contact listed on the [WDE website](#). All banking information will be completed through the secure platform.

## Wyoming ESP Certification Process

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The Wyoming ESA certification process for ESPs consists of the application with assurances followed by a certification audit during the first year of services to ensure compliance with the rules and requirements of the program. Once full certification is awarded, the ESP is expected to participate in an annual survey and any additional audits requested by the Wyoming ESA program to ensure program integrity. Vendors that only provide tangible goods such as supplies, equipment, or materials are exempt from the certification process.

### Provisional Status

Upon initial review, new ESPs such as schools, educational centers, specialized service providers, tutors, or other ESPs that provide services to students are granted provisional status and allowed to begin offering services to ESA families while awaiting full certification.

An applicant seeking to become a qualified school for K-12 students shall provide evidence that it offers instruction in reading, writing, mathematics, civics, history, literature, and science.

An applicant seeking to become a qualified school/facility for pre-kindergarten students must provide evidence that it offers the instruction necessary for preparation to enter kindergarten.

A certified ESP shall comply with all applicable Wyoming ESA program statutes, rules, and assurances.

An ESP candidate is not eligible to receive funds if it requires an ESA student to sign a contract waiving the student's right to transfer to another provider during the school year.

The Wyoming ESA support team may request additional information at any time.

### **Certification Review to Audit Compliance**

The WDE will conduct a certification review, either virtual or in-person, within the first year of provisional status to audit program compliance. The ESP will be notified and informed of the required documentation before review. Certification will be based on the fulfillment of the Wyoming ESA program ESP requirements in addition to evidence of compliance with assurances contained in the contract.

### **Full Certification**

Upon successful review of assurance compliance, ESPs will receive full certification status.

### **Annual Survey & Additional Audits**

ESPs must complete an annual survey to confirm ongoing compliance and service quality. Additional audits may be conducted, as needed, to maintain program standards.

## **Surety Bond Requirements**

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A certified ESP receiving or expecting to receive more than \$150,000 annually in ESA funds shall file a surety bond with the Wyoming Department of Education in the amount equivalent to anticipated ESA revenue payable to the Department. No ESP that has received \$150,000 annually in ESA funds shall be eligible to receive additional funds until it complies with the bonding requirement.

### **If the ESP fails to secure the required bond:**

#### **Step 1: Issue Written Notice.**

- Inform the provider in writing of non-compliance, specifying:
  - Bond requirement details.
  - The 30-day deadline to resolve the issue.
  - The Wyoming ESA program will notify parents that the provider is out of compliance and there may be a disruption in services unless the issue is remedied within the 30-day deadline.

#### **Step 2: Suspension of Participation.**

- The ESP will be temporarily suspended from receiving program funds or serving students until the bond requirement is met.
- The Wyoming ESA program will notify impacted families and offer guidance on alternative ESPs.



### Step 3: Disqualification.

- If the ESP remains non-compliant after the 30-day period, it will be officially disqualified from the program and will not be eligible for recertification until proof of bond acquisition is confirmed by the WDE.

## Qualifying Expenses

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- **Tuition and Fees:** Payments to qualified private schools, including pre-kindergarten, elementary, and secondary institutions.
- **Educational Therapies:** Services such as speech therapy, occupational therapy, behavioral therapy, audiology therapy, and other special education services.
- **Tutoring Services:** Payments to non-family individual tutors or tutoring centers that provide supplemental education.
- **Curriculum and Educational Materials:** Costs for education associated with purchasing curriculum, textbooks, and other instructional materials, including supplemental materials required by a curriculum or ESP.
- **Online Learning Programs:** Tuition and fees for nongovernmental online courses or programs that align with Wyoming's educational standards.
- **College Courses:** Tuition, fees, and instructional materials for college classes as a dual enrollment high school student.
- **Career or Technical School:** Tuition, fees, instructional materials, and examination fees.
- **Testing and Assessments:** Fees for nationally norm-referenced assessments, advanced placement exams, college or university entrance exams, and preparatory courses for college entrance exams including the ACT or other approved standardized tests.
- **Technology:** Purchase of computer hardware or other technology devices including educational software and applications. Assistive technology devices and applications apply.
- **Contracted Public School Services:** Services provided by a public school district or charter school including individual classes, extracurricular activities, and programs.
- **Summer Educational Programs:** Payment for tuition and fees for educational programs offered during the summer.
- **Specialized After-School Educational Programs:** Payment of tuition and fees for after-school programs designed to support or enhance your child's learning outcomes. Excludes after-school programs specifically for childcare only.
- **Transportation Fees:** Fees paid to a fee-for-service transportation provider for student travel to and from the educational service provider.
- **School Uniforms:** Costs associated with required school uniforms.

All expenses must be paid after services are provided or the product ships, except for tuition and fees required for enrollment or assessment purposes.

# Wyoming ESP Application Process

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## School Frequently Asked Questions

[School FAQ – Odyssey](#)

## Marketplace ESP Frequently Asked Questions

[Vendor FAQ – Odyssey](#)

### Preparing to Apply

Prepare to upload certifications, licenses, and other documentation verifying the specialized services provided, institution accreditation, and other pertinent information required to receive ESA funds as tuition or through the marketplace.

### Registering Multiple Locations

If registering multiple service locations, each location requires a separate application and email address.

### Information about Services Provided

In the application process, an ESP must provide details about the services offered to ESA students through the Wyoming ESA Program. This information must be based on what is defined as a Qualified Expense.

ESPs will need to specify which services are offered, identify the languages in which services are provided, and specify if services are virtual, in-person, or hybrid. The ESP must list and upload any licenses or certifications required to provide the services offered.

If for any reason, an ESP can no longer provide the services they've listed, they must immediately update their profile on the portal. Wyoming ESA Program staff will review any changes before republishing the ESP's information on the portal. Failure to follow these requirements could lead to a temporary suspension.

## ESA Funding & Payments

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### Wyoming ESA Annual Allocation

The Wyoming ESA annual contribution from the state is \$7,000 per student and will be deposited in equal quarterly installments into the ESA student's account starting July 1.

### Partial Payment of Tuition or Fees for Reservations

If account funds are used to make a partial payment to an ESP to reserve an ESA student's enrollment and the ESA student does not enroll, the ESP shall refund the payment back into the account within 30 days after receiving notice that the ESA student will not enroll, or after the educational program has started, whichever occurs first. If the ESP fails to refund the ESA student's account, the ESA program shall suspend all payments to the ESP. The ESP's eligibility shall resume when all overdue refund payments have been received.

### School Tuition Process

- The family selects their school in a drop-down menu during the application process.
- The school confirms enrollment and tuition for the ESA Student through the portal.
- Payment to the school for tuition and fees is managed through the portal.

## Marketplace Orders

- Families place their order for goods or services in the curated marketplace through the portal.
- The vendor ships the order or the ESP provides the service purchased.
- Payment to the vendor or ESP is managed through the portal.

## Marketplace Refunds For Damaged or Faulty Goods and Services Not Rendered

- Family returns the item or cancels the service.
- Vendor or ESP confirms return or cancellation.
- Student account credited.

## Tuition and Fees as a Qualified School

To ensure payment through a student's account, ESPs must include full tuition amounts and any fees or discounts on the invoice.

## Refunds, Rebates & Reimbursements

Funds from a student's ESA account will not be refunded, rebated, or shared with a parent by a provider. Rebates and refunds will be credited to the ESA student's account. All refunds shall be refunded within 30 days of being notified of their obligation to refund.

## Suspended Student Account

There may be circumstances where a Wyoming ESA student's account may need to be suspended. Families will not be able to initiate payments during a suspension. If educational services were provided before the account suspension, please contact [vendorsupport@withodyssey.com](mailto:vendorsupport@withodyssey.com).

ESA families are responsible for making payments due for services provided while the account is suspended, and may need to use a different source of funds. If the account is reinstated, families can resume making payments through the portal. Obligations incurred during a period of account suspension can not be paid through the ESA account once it is reinstated.

## Disputes About Services

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Questions or disputes concerning the services provided to students through the Wyoming ESA Program between the ESP and the parents of ESA students need to be addressed directly. Questions or disputes involving the ESP, its subcontractors, independent contractors, or other third parties should be resolved between those parties. The Wyoming ESA Program is not involved in these disputes and won't interfere with the contractual obligations arising from these agreements unless specifically indicated in state statute or Chapter 48 Rules. Parents will be given the opportunity to rate ESPs on services provided to ESA students through an annual survey.

## Program Compliance & Auditing

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### Maintain Records

Keep receipts and records of all transactions made using ESA funds. The WDE may request documentation during routine audits.

### Audit of ESA Accounts

ESA student account expenditures will be randomly audited for the proper use of funds. Account holders and ESPs are required to provide any requested documentation regarding expenses.

### Reporting Misuse or Misrepresentation

Any person may anonymously submit information regarding misuse of account funds or misrepresentation concerning the program. Individuals may notify the WDE of any alleged violation of state laws, rules, or procedures relating to the program by an account holder or ESP. The WDE has established an anonymous electronic form, Reporting Misuse and Misrepresentation of the Wyoming ESA Program, and a telephone hotline for reporting.

## Disqualification & Appeals

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### Misuse & Misrepresentation Investigation

The WDE shall open a formal investigation when it has reasonable suspicion to believe that any parent or ESP has intentionally and substantially misused ESA funds, any ESP has routinely failed to provide students with required educational goods or services, or any ESP has intentionally and substantially misrepresented information to a parent or the WDE.

The WDE will notify the parent or ESP of the investigation involving their alleged conduct and provide a summary of the suspected improper conduct. The parent or ESP may respond to this notice within twenty (20) days from the date it is sent by the WDE. The WDE may seek further clarification or information from the parent or ESP as necessary to conduct its investigation.

If the WDE determines that a parent engaged in intentional and substantial misuse of funds, it will terminate the ESA account and order that the responsible parent repay misused funds.

If the WDE determines that an ESP engaged in intentional and substantial misrepresentation or routinely failed to provide students with required educational goods or services, it will terminate the ESP's certification. In addition, the WDE will order that the ESP repay any funds either acquired because of the misrepresentation or that were paid for goods or services that the ESP did not deliver.

If the WDE determines that an unintentional misuse of funds occurred, it may require that a parent or ESP refund the misused funds to the ESA program. Such cases may be referred to the Department of Audit or to law enforcement and the attorney general for investigation and prosecution if evidence of fraudulent use of ESA funds is obtained.

A reporting hotline number is provided on the [WDE ESA webpage](#).

## Education Service Provider Disqualification

The WDE may decertify an ESP due to noncompliance with the requirements that apply to ESPs in W.S. 21-2-901 through W.S. 21-2-909 or Chapter 48 rules.

- An ESP shall provide any records or documents or answer questions posed by the WDE at its request.
- The WDE shall notify parents within 30 days of the decertification of an ESP.
- The WDE shall post a list of all certified and decertified ESPs on the program website.
- If decertified, the ESP will no longer have access to the ESP portal and will be required to refund impacted students.
- An ESP may appeal a final decision of the state superintendent regarding decertification as provided by the Wyoming Administrative Procedures Act.

## Public School Obligations & Release of Liability

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### Student Records

A public school that previously enrolled an ESA student shall provide a qualified school that has enrolled the ESA student with a complete copy of the ESA student's school records, as provided by 20 U.S.C. § 1232g, the Family Educational Rights and Privacy Act of 1974.

### Release of Liability

No liability shall arise on the part of the Wyoming State Superintendent of Public Instruction, the State of Wyoming, or any public school or school district based on the award of or use of an ESA.

## Educational Service Provider Acknowledgments

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By being certified as an educational service provider, the provider acknowledges that it is subject to the requirements listed below.

### ESP Requirements

ESPs are responsible for being aware of and complying with all rules that govern their activities under the Wyoming ESA program. Here are some notable requirements:

- All payments will be used solely for approved educational purposes as outlined in W.S. 21-2-901 through W.S. 21-2-909. No refunds, rebates, or financial incentives will be provided to parents for payments made with Wyoming ESA funds.
- Provider must return all pre-approved payments of tuition and fees authorized from a student's ESA account to reserve space prior to the start of the school year if the ESA student chooses to not attend.
- Provider is subject to audits and will provide necessary documentation as per W.S. 21-2-906(a)(viii) to ensure the appropriate use of funds. Wyoming ESA funds will only be remitted or refunded in accordance with procedures established by the state superintendent.
- Provider must comply with the anti-discrimination provision of 42 U.S.C. Sec. 2000d, prohibiting discrimination based on race, color, or natural origin.
- Education service providers operate independently of the state, federal government, and public school districts.

- Provider will adhere to all applicable statutes, rules, and program regulations outlined in Wyoming laws and Chapter 48 of the Wyoming Department of Education’s regulations.
- Provider must participate in virtual or in-person assurance meeting(s) upon provider approval to ensure compliance with program assurances, statutes, rules, and regulations. Documentation of assurances may be requested at that time.
- Provider must provide certification/licensure documentation as required.
- Provider must ensure that services are not provided by an ESA student’s immediate family member (parents, step-parents, grandparents, aunts, uncles, siblings, step-siblings, half-siblings, and first cousins).
- Provider shall promptly provide any and all documentation or other evidence that Agency deems related to any ESA account on Agency’s request and shall promptly and fully cooperate with any Agency request for information.
- Provider shall participate in Wyoming ESA program surveys as the Agency may from time to time request.
- If the organization receives \$150,000 or more in scholarship funds, the provider will file and maintain a surety bond payable to the Wyoming Department of Education, equivalent to the expected scholarship funds for the year.
- Providers cannot require ESA students to sign contracts that prevent them from transferring to another provider during the school year.
- Providers must be publicly listed as qualified schools on the Wyoming ESA website and must notify the Department within 30 days of any changes regarding the acceptance of new ESA students.
- The program does not limit the autonomy of providers, nor does it make their actions those of the state or public schools. Providers are free to offer instruction and services to meet ESA students’ educational needs.
- Providers are not required to change their practices, creed, admissions policies, or curriculum to accept ESA payments.
- K-12 School Provider ensures ESA students in grades K-12 receive instruction in reading, writing, mathematics, civics, history, literature and science per W.S. 21-2-906(a)(i).
- Pre-K School/Facility Provider ensures ESA students receive kindergarten preparedness instruction per W.S. 21-2-906(a)(i).
- Pre-K Provider holds current licensure as a childcare facility through DFS or is a private, public or charter school.
- Provider acknowledges that any misuse of ESA funds or misrepresentations to Agency concerning ESA funds or the ESA program, including but not limited to statements in Provider’s application, may result in Provider being required to pay some or all expended ESA funds and the Agency may terminate this Agreement.
- Provider acknowledges that the Agency is not a party to any agreement or dispute between the Parent and the educational service provider and the agency may not participate in or resolve any dispute between the Parent and an educational service provider. Parents may submit complaints to the Agency alleging that an educational service provider violated any provision of law or the Agency’s rule in its business with the Parent.

## Updates

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### Contact Information

ESPs must regularly update contact information within the portal. Failure to do so may result in delay of payments. ESPs should update email filters to accept messages from the Wyoming ESA program at [WDE-ESA@wyo.gov](mailto:WDE-ESA@wyo.gov) and [help.wy@withodyssey.com](mailto:help.wy@withodyssey.com). If there is a change of directory information, such as physical or mailing address, telephone number, or email address, the information must be updated in the Wyoming ESA Program portal.

### Handbook Updates

This handbook is subject to change and will be reviewed and updated regularly to align with the latest legislation, court decisions, and best practices. Notifications will be posted on the Wyoming ESA website when there are significant updates to the handbook. The most recent revision date will also be noted at the bottom of the first page of the handbook.

## Contacts & Resources

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### Customer Service

Technical support is available through the Wyoming ESA Program portal via phone, email, and chat from Monday through Friday, 8 AM to 5 PM. A self-service portal for submitting tickets is available 24/7 for technical support.

Program support is available via email at [WDE-ESA@wyo.gov](mailto:WDE-ESA@wyo.gov), Monday through Friday, 8 AM to 5 PM.

### Program Website

Visit the Wyoming ESA program [website](#) for additional information, access to forms, and up-to-date program guidelines.