



EDUCATION SAVINGS ACCOUNT

2025-26 Family Handbook



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Wyoming Department of Education

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Introduction to the Wyoming ESA Program

The Wyoming Education Savings Account (ESA) Family Handbook is designed to help navigate the program and understand how it can benefit your child's education. With an ESA, you have the flexibility to choose the best educational resources for your child, including private school tuition, online classes, tutoring, and other qualified expenses to meet their unique needs.

The Wyoming 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 by enrolling in a private school or through home-based education. Whether your child thrives in a traditional classroom, needs a tailored curriculum, or benefits from specialized instruction, an ESA can empower you to make informed choices that align with your educational values and goals.

This handbook will walk you through everything you need to know—from determining if your child is eligible, to applying for and managing your ESA funds, to understanding your responsibilities as an account holder. We are committed to helping you create the best possible educational journey for your child.

What is an ESA?

An Education Savings Account is a state-funded program designed to give parents greater control over their child's education. Parents receive the funds in an ESA account that can be used to pay for various educational expenses. These expenses might include private school tuition, educational therapy, curriculum materials, online learning programs, tutoring, and more.

The Wyoming ESA program ensures that each participating student has access to resources that enhance their educational opportunities. By allowing parents to choose from a broad spectrum of Education Service Providers (ESP), the program can help create a customized learning path to support your child's academic growth and well-being, from pre-kindergarten through grade 12. Approved ESA students will receive \$7,000 annually towards qualifying expenses.

Benefits of the Wyoming ESA Program

The Wyoming ESA Program offers several key benefits to families:

Customized Learning: You can choose the educational services and resources that best meet your child's needs.

- **Increased Flexibility:** Funds can be used for various educational expenses, such as private schools, tutoring, online courses, or educational materials, giving you control over how your child learns.
- **Empowerment:** The ESA program empowers you as a parent to take charge of your child's education, allowing you to select the best environment, whether at home, a private institution, or a combination of approaches.
- **Support for Unique Needs:** If your child requires additional services like special education, therapies, or non-traditional learning approaches, the ESA program offers the means to access these services.
- **Kindergarten Readiness:** The ESA program provides funding for pre-kindergarten programs and services for your child beginning one year before the start of kindergarten.

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 whose parental rights have not been terminated.
- The adoptive father or mother of a child whose parental rights have not been terminated.
- 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.

How This Handbook Will Help Parents

This handbook is designed to guide parents through every aspect of the Wyoming ESA program, providing:

- **Eligibility Information:** Clear criteria to help you determine if your child qualifies for the ESA program.
- **Rules and Responsibilities:** An overview of your rights and responsibilities as a participant in the program.
- **Useful Tips:** Best practices to make the most out of your ESA funds and ensure a successful learning journey for your child.

Data Security

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

- Full account password or any part of it.
- Full social security number (The program may ask for the last four digits for account verification purposes).
- Credit card number or banking details.
- Any personal identification numbers used to access the ESA program account.

Parents who receive any communication requesting this type of information or have 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](#).

Program Requirements and Eligibility

Pre-Kindergarten Eligibility Requirements

Pre-kindergarten students must receive instruction in 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. Acceptable forms of income verification include:

- Federal income tax returns from the previous year.
- Proof of public assistance benefits, such as SNAP or TANF.
- If the parent does not have any of the above documentation, please contact the WDE for guidance.

Determining Household Size

The following circumstances should be considered when determining household income:

- Foster children or foreign exchange students are considered to be members of the household.
- With divorce or separation, the household in which the child resides 50% or more of the time is counted as part of the household.
- An emancipated child living alone is considered a household of one.
- Family members living apart temporarily are considered household members.
- A child away at school, such as college or boarding school, is considered a member of the household.
- Deployed service personnel are counted as members of the household.

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 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 but may contract with a public school district or charter school for individual classes.

Residency

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

Accepted Documentation

Student Status Documentation

Proof of student status must be uploaded with the application and may include:

- Certified birth certificate.
- Passport or other state-approved documentation that verifies age.
- If the parent does not have any of the above documentation, please contact the WDE for guidance.

Residency Documentation

The student must be a resident of Wyoming. As proof of residency, a parent must provide documentation such as:

- A valid Wyoming vehicle registration card.
- Proof of Wyoming home ownership, such as a mortgage document, warranty deed, or homeowner's insurance.
- Two Wyoming utility bills from two different companies, not more than 90 days old and not including termination notices.
- Current residential rental or lease agreement.

- Prior year tax records that show a Wyoming address matching the application address.
- Proof of public assistance through a Wyoming state agency.
- Proof of military duty assignment in Wyoming, or Wyoming state residency as active military personnel.
- Other documentation as determined by the WDE.

Students with Disabilities

Participation in the ESA program is a parental placement under the Individuals with Disabilities Act (IDEA). School districts are not obligated to provide that student with a free appropriate public education (FAPE). More details are outlined in the [WDE Special Education: Parental Placements in Private Schools and Home Schools](#) document. ESA students may be entitled to some special education services provided by their local school district under Part B of IDEA that do not constitute FAPE. To receive those services, they must have a disability. Parents or guardians may contact their local school district's special education department for more information on how to request an evaluation and access special education services for a student who does not attend public school. Evaluations completed by a private, licensed provider may also be provided to the district.

How to Apply

If your student meets the eligibility criteria as outlined above, a parent may apply for a Wyoming ESA on their child's behalf. The application process is designed to be as straightforward as possible, with resources available to help you along the way.

Application & Timeline

The ESA application will be available on May 15th. A parent of eligible students must submit an application online [here](#). Families can apply for all eligible Pre-k-12 children in their household using one application. Applications are available in both English and Spanish.

Prepare Documentation

Before logging in to start an application, gather the required documents, including proof of student status (age), guardianship if other than parent(s) listed on the birth certificate, Wyoming residency, and income verification (if applicable). These documents are essential to demonstrate eligibility and ensure the smooth processing of your application. Specifically, you will need:

- **Student Status:** Birth certificate or passport.
- **Proof of Residency:** Two Wyoming utility bills, Wyoming vehicle registration, proof of home ownership, or lease agreement.
- **Income Verification (pre-kindergarten only):** Tax returns or proof of public assistance to verify income eligibility.

Having these documents ready in advance will help you complete the application accurately and avoid delays. If you are unsure about any documentation, contact the WDE for guidance.

Enrollment & Withdrawal

Upon acceptance into the ESA program and prior to distribution of funds, parents must formally withdraw the student from any public school they are currently attending and provide the school with notice of intent to participate in the ESA program beginning on the date that the parent starts using ESA funds. This ensures that ESA funds are not provided for students who are counted for public school funding. The parent shall notify the public school district in writing no later than fifteen (15) days after the effective date of a signed and approved ESA Parent Contract. Proof of withdrawal from public school must include:

- A formal withdrawal letter from the public school due to acceptance in the Wyoming ESA program.
- The parent is responsible for notifying the local school district that the child is participating in the ESA program. The acceptance email from the Wyoming ESA program may serve as notification to the local school district.

Application Approval

Eligibility is determined based on the submission of a completed application, including all required documentation. The WDE will review applications to verify eligibility, and parents must submit the following:

- Completed ESA application form.
- Proof of residency, student status, and income verification as applicable.
- Signed parental contract acknowledging the rules and responsibilities of the ESA program.
- Any additional information requested by the WDE after application submission to confirm eligibility.

The WDE is committed to working with families to confirm their eligibility and assist with the application process. If you need help gathering the necessary documentation or have questions about your eligibility, resources are available to support you throughout the process.

Sign the Parental Contract

As part of the application, you will need to sign a parental contract that outlines your responsibilities under the ESA program. This includes agreeing to only use ESA funds for qualified expenses and complying with all program rules. This contract only becomes effective if your application is approved and your student is admitted into the ESA program.

Submit the Application

Once your application is complete, submit it online as instructed. If you are unable to complete the application online, contact the WDE for assistance on alternative submission options.

Award Prioritization

Applications will be reviewed on a first-come, first-served basis from the time that a student is verified as eligible. In subsequent years, funds will be prioritized to students who received ESA funding the previous school year or who are a sibling of an eligible student who is currently receiving funds or who has received funds the previous year of the sibling's application for the ESA.

Receive Notification

After submitting your application, the WDE will review your submission. You will receive a notification regarding your application status:

- Approval: If your application is approved, you will receive instructions on how to activate your ESA account and access funds.

- Denial: If your application is denied, the notification will explain the reason for denial and provide steps for rectifying the issue or appealing the decision. Possible reasons for denial include but are not limited to:
 - Ineligibility due to residency.
 - Ineligibility due to student status.
 - Ineligibility due to income (pre-kindergarten only).

Educational Expenses

Each eligible student is awarded \$7,000 to use toward eligible expenses. Funds from the Wyoming ESA program must be used for specific qualifying educational expenses to ensure they benefit your child's education. Direct account expenditures through the Marketplace are highly encouraged except for specific reimbursements such as internet fees or non-provider fees. All educational products within the Wyoming ESA Program Marketplace are pre-approved.

Qualifying Expenses

- **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 your child's education associated with purchasing curriculum, textbooks, and other instructional materials, including supplemental materials required by a curriculum or education service provider.
- **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, such as 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.

*Purchases may be limited by quantity, size, and frequency.

Requesting Approval for Additional Expenses

***Other educational expenses not listed above:** Direct account expenditures through the Marketplace are highly encouraged. However, requests for educational products not currently located in the Marketplace will be considered using the following criteria:

- Is the expense statutorily allowable?
- Is the request reasonable and ordinarily used in an educational context?
- Does the expense support or enhance student learning or educational outcomes?
- Is the request ordinary or typical in cost compared to similar options?

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

All expenditure receipts must be retained as the WDE may audit accounts to ensure that funds are being used appropriately. Misuse of funds can result in disqualification from the program and additional consequences up to and including criminal charges, where appropriate. Expenditures through the Marketplace are pre-approved and documented in the portal.

Reimbursement for Qualified Expenses

If an account holder is unable to make a purchase or pay for an educational service directly through the Wyoming ESA Marketplace and the item or service is unable to be added to the Marketplace, the account holder may be eligible for the reimbursement option. Please see the [Pre-Approval and Reimbursement Guidelines](#) for further information.

It is the responsibility of the account holder to contact the WDE ESA Finance Manager to obtain pre-approval for purchases made outside of the Marketplace. Reimbursement is not guaranteed without pre-approval.

All reimbursement requests must be submitted in the Wyoming ESA portal within 30 days of purchase, following these steps:

- Log in to the Wyoming ESA portal.
- Complete reimbursement request.
- Upload the appropriate documentation.
 - A copy of the approved Expense Pre-Approval Request form.
 - A receipt must include:
 - ~ Vendor.
 - ~ Date.
 - ~ Total charges.
 - ~ An itemized list and full description of products or services.
 - ~ Proof of payment method.
 - ~ Handwritten receipts will not be accepted.

Reimbursement Decision:

- The WDE will decide on a completed reimbursement request within fourteen (14) days of receiving the appropriate documentation listed above for any purchase not pre-approved.
- If the WDE denies a reimbursement request, a parent may request a review of the decision by

- submitting a request to the WDE within fourteen (14) days of receiving the decision.
- Upon receiving the request, the WDE shall convene a review panel of three individuals who were not a part of the initial denial decision.
- The panel shall decide within fourteen (14) days of the parent's request and inform both the parent and the WDE of its determination.
- The panel's decision is the WDE's final decision.

Managing Your ESA Account

Accessing an Account

Upon approval, you will receive instructions for logging in to an online ESA account through the Wyoming ESA portal for each eligible child. Equal quarterly payments will be made to the ESA account during the student's first school year participating in the ESA program. Any funds remaining in an ESA student's account at the end of the school year will roll over to the next year as long as the student remains enrolled in the Wyoming ESA program. Families will be required to reapply annually to determine continued eligibility.

Designating a Secondary Account Holder

If the primary account holder is unable to manage the account, a secondary account holder may be designated. This request can be made at any time, and the WDE will verify that the secondary account holder meets eligibility criteria. A statement from the primary account holder transferring authority to the secondary account holder is required and includes the following:

- Parent's certification that the proposed secondary account holder has no criminal history involving crimes of fraud or deception.
- The length of time that the Parent expects the proposed secondary account holder to be a secondary account holder.
- Any additional information the Agency requests.

Agency approval of a secondary account holder is contingent on the proposed secondary account holder entering into a contract with the Agency containing the same or similar terms and conditions as this contract.

Multiple Students

If you have more than one child participating in the ESA program, you can manage all student accounts contained within the same household application through the ESA Portal. However, each account must remain separate, and funds cannot be transferred between accounts.

Accessing Funds

Funds can only be used for qualified educational expenses. All transactions must be made electronically through the approved online portal.

Unauthorized Use

A parent may not assign responsibility for submitting any application or reimbursement documentation to an unauthorized ESA account user by providing a username and password to a student's ESA account. Doing so may result in loss of eligibility and funding and/or financial or criminal penalties. The Wyoming ESA program will not be responsible for changes or purchases made by anyone other than the primary account holder if the login information has been shared. This policy is intended to prevent the misuse of savings funds and protect the confidentiality of sensitive financial and educational information that belongs to students and their

parents.

Parental Agreement & Responsibilities

As a participant in the Wyoming ESA program, you must comply with all program rules and fulfill your responsibilities as an account holder. Below is an overview of key responsibilities. This is a summary only. Your responsibilities are explicitly set out in the ESA contract. If there is any conflict or discrepancy between this manual and the contract, the contract controls.

Use Funds Only for Qualified Expenses

ESA funds must be used solely for the educational benefit of the designated student. Unauthorized use of funds may lead to account closure.

Maintain Records

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

Compliance with ESA Program Rules & Parent Agreement

Parents and Educational Service Providers attest to compliance with all ESA Program rules, procedures, and assurances. Refer to the Assurances and the handbook for any questions regarding program compliance.

Curriculum Requirements

Ensure that your child is receiving instruction in required subjects, including reading, writing, mathematics, civics (U.S. Constitution and Wyoming Constitution), history, literature, and science. Pre-kindergarten students must receive kindergarten readiness instruction.

Participation in Annual Assessment

Your child must participate in annual state or nationally recognized norm-referenced assessments. Failure to comply may result in disqualification from the ESA program. Students in grades 3-10 may take the state assessment at their local school or participate in an approved, nationally recognized norm-referenced achievement exam in the grades it is administered. Student results from an annual assessment or documentation from the selected assessment vendor confirming the ESA student's completion of the assessment will be shared with the WDE by June 30 for the current school year. If assessment results or documentation are not uploaded by the deadline, the ESA student may not be eligible for continued participation in the ESA program the following year.

Public School Obligations & Release of Liability

Student Records

A public school that previously enrolled an ESA student may 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.

Compliance & Compulsory Attendance

The parent of an ESA student participating in the ESA program is required to provide annual notice of participation in the ESA program to the student's local school district. This notification releases the applicable

school district from all obligations to educate the ESA student. The ESA student will be considered in compliance with the compulsory attendance requirement under this section. Parents should contact their local school district regarding how to submit an annual notice of participation in the ESA program.

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.

Qualified Schools & Education Service Providers (ESP)

What is a Wyoming ESP?

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.

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, occupational therapy, physical therapy, behavioral therapy, etc.
- **Supplemental Programs:** After-school educational programs or summer enrichment programs.

ESP Application Process

ESP will apply as a provider on the Odyssey platform. Upon approval, goods and services will be available to families in the Marketplace. If a family has a specific provider they would like to use, they'll need to reach out and encourage the provider to apply using the ESP application available on the WDE Wyoming [ESA webpage](#).

- **Provisional Status:** After initial review, new ESPs are granted provisional status, allowing them to begin offering services to ESA students while awaiting full certification.
- **Certification Review:** The WDE will conduct a certification review within the first year of provisional status to ensure program compliance.
- **Full Certification:** Upon successful audit completion, ESPs will gain full certification, confirming eligibility to continue as an ESP.
- **Annual Survey & Additional Reviews:** ESPs must complete an annual survey to confirm ongoing compliance and service quality. Additional reviews may be conducted as needed to maintain program standards.

ESA Funding & Payments

Wyoming ESA Annual Allocation

The Wyoming ESA annual contribution from the state is \$7,000 per student and will be deposited quarterly in equal installments into the ESA student's account starting July 1. Personal deposits into the ESA student's account are not permitted.

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 to the account within thirty (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 the 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 Program Payment

- The family places 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 item or cancels service.
- Vendor or ESP confirms return or cancellation.
- Student account credited.

Refunds, Rebates, & Reimbursements

Funds in a student's ESA account will not be refunded, rebated, or shared with a parent. Rebates and refunds will be credited to the student's ESA account. Refunds for anything other than damaged or missing items are not generally allowed. All eligible refunds shall be refunded within 30 days of being notified of their obligation to refund.

Renewal & Continuation of ESA

Once enrolled in the Wyoming ESA program, parents must renew their participation each year to continue receiving benefits. The renewal process is simple and ensures that your child remains eligible for ESA funding.

Renewal Notification

The WDE will notify parents of the renewal period before the start of each new school year. You will receive a renewal contract, which must be signed and submitted by the deadline to maintain your child's ESA eligibility.

Verification of Eligibility

The renewal process will include verifying that your child continues to meet the eligibility requirements for the program. This includes confirming residency, educational status, and income threshold (pre-kindergarten only).

Consequences of Missing Renewal Deadlines

If you do not submit the annual renewal contract by the deadline, the student may lose access to ESA funds.

Rolling Over Unused Funds

Any unused funds in an ESA student's account shall remain in the account the following school year until the ESA student is no longer eligible or the account is closed.

Assessments & Reporting Requirements

Statewide or National Norm-Referenced Assessment

The Wyoming ESA program requires that the ESA Student annually take the statewide assessment administered pursuant to W.S. 21-2-304(a) or a nationally normed achievement exam in the grade levels assessed on the chosen exam W.S. 21-2-904(b)(ii)(A).

Submitting Test Scores

Annual assessment results or documentation from the selected assessment vendor confirming the ESA student's completion of the assessment must be entered and uploaded in the ESA Student's portal by June 30 for the current school year. If assessment results or confirmation of assessment completion are not uploaded by the deadline, the ESA student may not be eligible for continued participation in the ESA program the following year. Assessment data will be kept confidential and only released if required by law.

Instructional Autonomy

Parents & Educational Service Providers

Parents are not required to include any instruction that conflicts with the parent's or student's religious beliefs.

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 that 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, ESA students must receive instruction in reading, writing, math, civics, history, literature, and science.

Disputes About Services

Questions or disputes concerning the services provided to students through the Wyoming ESA Program, 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 their ESA student through a survey.

Program Compliance & Auditing

Audit of ESA Accounts

ESA student account expenditures will be randomly audited for the 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 the misuse of account funds or misrepresentation concerning the program. Individuals may notify the WDE of any alleged violation by an account holder or education service provider of state laws, rules, or procedures relating to the program. 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

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 the 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 law enforcement and the attorney general for investigation and prosecution if evidence of fraudulent use of ESA funds is obtained.

Any parent or ESP aggrieved by the WDE's investigation determination may request a contested case hearing as provided by the WDE's contested case procedure rules. Generally, a parent requests a hearing by sending a request to the WDE containing contact information and a general description of why the parent or ESP is asking for a hearing. Contested cases are referred to the Office of Administrative Hearings, which then conducts the hearing. For more details, please consult the [WDE's contested case rules](#).

Education Service Provider Disqualification

The WDE may decertify an ESP due to noncompliance with the requirements that apply to education service providers 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 education service provider.
- 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 provide refunds to impacted students.

Updates

Contact Information

Parents must keep contact information current, especially their primary email address. This is the method the Wyoming ESA program will use to communicate important information related to an ESA student's account. Parents should update email filters to accept messages from the Wyoming ESA program at WDE-ESA@wyo.gov and help.wy@withodyssey.com so that emails are not sent to spam or junk folders. If there is a change of directory information, such as physical or mailing address, telephone number, cell phone 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

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, 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.

ESA Parent Contract

The account holder, consisting of the parent or legal guardian of an ESA student or emancipated ESA student, must sign a parental contract before enrollment in the Wyoming ESA Program. The following is intended as a summary of some of the contractual provisions only. The terms of the ESA contract constitute the binding obligations of the parties, not this handbook.

Parent Contract Assurances

- Parent shall notify the Agency if Student no longer meets the criteria specified in Wyo. Stat. Ann. § 21-2-904(a). Student shall be terminated from the program as of the date the Agency determines the requirements are not met. If a Parent does not notify the Agency about Student's status change under this provision until after Student is ineligible, Parent shall refund any funds that Agency spent to support the Student during the period of ineligibility, and the Agency may terminate this Contract without further notice or opportunity to cure. If Parent has other ESA contracts that pertain to Parent's additional children, conduct causing this Contract to be terminated may result in the Agency terminating those contracts according to their own terms and conditions
- Parent of pre-kindergarten Student agrees to be aware of changes to the poverty guidelines and notify the Agency if Parent's household income becomes higher than two hundred fifty percent (250%) of the poverty guideline amount established by the U.S. Department of Health and Human Services. If Parent does not notify the Agency about the family's income status change under this provision until after the household income is higher than two hundred fifty percent (250%) of the poverty guideline amount, Parent shall refund any funds that Agency spent to support children in the household after the household income exceeded that threshold, and the Agency may terminate this Contract without further notice or opportunity to cure.
- If Student is eligible to attend public school in this state pursuant to W.S. 21-4-301 and has not received a high school diploma or equivalency certificate, Parent shall ensure that the student receives instruction in reading; writing; mathematics; civics, including studies of the U.S. Constitution and the Wyoming Constitution; history, literature, and science. This provision shall not be construed to require Parent to ensure instruction conflicting with Parent's religious doctrines.
- Parent shall ensure that Student takes either statewide assessments administered pursuant to W.S. 21-2-304(a) as appropriate for that student's grade level or a nationally normed achievement exam.
- Parent shall notify the Wyoming school district in which Parent and Student reside that Parent is participating in the ESA program and Student will not be participating in the school district's education program beginning on the date that Parent begins using ESA funds or receiving services from an education service provider for which the Parent intends to pay with ESA funds. Parent shall notify the district in writing no later than fifteen (15) days after the Effective Date of this Contract. By submitting this notice to the district, Parent acknowledges that Student is not entitled to education services from the District beginning on the date that Parent begins using ESA funds or receiving services from an education service provider for which the Parent intends to pay with ESA funds.

- Parent shall not accept any refund, rebate, or other funds or other unpaid benefit from any education service provider receiving ESA funds. Parent shall refund to the Agency any funds received in violation of this provision and the Agency may terminate this Contract without further notice or opportunity to cure. This provision does not prohibit an education service provider from refunding directly to a student's ESA account.
- Nothing in this contract prohibits parents from additionally paying for educational goods and services not covered by ESA funds. Parent acknowledges that Parent may not deposit funds into Student's ESA account. Parent has no authority to authorize payment from a student's ESA account for a non-qualified expense and shall be solely liable for any non-qualified expense obligation.
- Parent understands and agrees that any unused funds in Student's ESA account at all times remain the Agency's property. When the account is closed for any reason, including but not limited to terminating the student's participation voluntarily or due to ineligibility, Parent has no right to remaining funds, and Agency will re-allocate those funds as provided by other law and Agency policies. If Parent applies for and enrolls again in the ESA program, the ESA account balance will be calculated the same as any new ESA account.
- Parent shall not permit any individual, including Parent's representative, agent, attorney in fact, or attorney at law, to access the Agency's ESA account electronic system by providing a username or password or by any other means. If Parent violates this provision, the Agency may terminate this Contract without further notice or opportunity to cure.
- If Parent is unable to administer an ESA account, Parent may request that the Agency approve a secondary account holder for ESA accounts that Parent administers. To make a request, Parent shall submit a written notarized request stating:
 - The name of the proposed secondary account holder;
 - The relationship of the proposed secondary account holder to the Parent and Student;
 - The reason that Parent is unable to administer the ESA account;
 - The students for which the Parent seeks to add a secondary account holder;
 - If the Parent proposes adding a secondary account holder to some but not all accounts the Parent administers, an explanation of why the proposed secondary account holder should be added to those accounts and not others;
 - Parent's certification that the proposed secondary account holder has no criminal history involving crimes of fraud or deception; and
 - The length of time that the Parent expects the proposed secondary account holder to be a secondary account holder.
 - Parent shall provide any additional information the Agency requests. Agency approval of a secondary account holder is contingent on the proposed secondary account holder entering into a contract with the Agency containing the same or similar terms and conditions as this Contract.
- Parent shall provide to the Agency Student's annual assessment data results or documentation from the selected assessment vendor confirming the ESA student's completion of the assessment and graduation data through the Wyoming ESA Portal.
- If Student qualifies for a free and appropriate public education pursuant to the Individuals with Disabilities in Education Act (IDEA), 20 U.S. C. § 1412, pursuant to an individualized education program: Parent understands and acknowledges that Student participating in the ESA program constitutes a parental placement and that Parent is refusing the resident district's offer of a free and appropriate public education.

- Parent 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.
- Parent shall participate in Wyoming ESA program surveys as the Agency may from time to time request.
- Parent 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 Parent's application, may result in Parent being required to pay some or all expended ESA funds and the Agency may terminate this Contract.
- Parent agrees that the Agency is not a party to any agreement or dispute between the Parent and an educational service provider and the agency may not participate in or resolve any dispute between the Parent and an educational service provider. Nothing in this provision shall be construed to prevent Parent from submitting 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.
- If Parent ceases to be Student's legal parent or guardian or Parent's parental rights are terminated, Parent shall immediately notify the Agency. Agency may demand reimbursement from Parent for any ESA expenditures made after the Parent ceased to be Student's legal parent or guardian. If Parent ceases to be Student's legal parent or guardian, Agency may terminate this Contract without further notice or opportunity to cure or take any action necessary to safeguard ESA funds and to accommodate Student's educational needs.
- Parent ensures services are not provided by a Student's immediate family member (parents, step-parents, grandparents, aunts, uncles, siblings, step-siblings, half-siblings, and first cousins).
- Parent confirms that the Student included in this application has not been claimed on another application.