



## Montana Special Needs Equal Opportunity Education Savings Account Program Frequently Asked Questions

In 2023, the Montana Legislature established an Education Savings Account Program (ESA) for families of students with disabilities. Initially passed as [HB 393](#), it is now in [Title 20, Chapter 7, Section 17, MCA](#). The purpose of this legislation is to ensure equal educational opportunity for all children with special needs. For more information on the ESA, go to the [OPI's ESA website](#).

### What is the ESA?

The Education Savings Account is a reimbursement program for parents of a child with a disability under the Individuals with Disabilities Education Act, 20 U.S.C 1400, et seq. The purpose of this program is to provide flexibility for parents in their child's education.

### Who is eligible?

To be eligible, a student must have been an [identified as having a disability](#) under the Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq., and meet the following criteria:

- be between the ages of 5 and 19 on September 10 of the ESA program year,
- is not currently enrolled in a school operating for the purpose of providing educational services to youth in department of corrections commitment programs or in the Montana school for the deaf and blind,
- was counted during the previous school year for purposes of school district ANB funding,
- was enrolled during the previous school year in a department of corrections commitment program or in the Montana school for the deaf and blind,
- will not be enrolled in a public school in the ESA program year,
- did not reside in the state in the previous school year,
- is eligible to enter a kindergarten program pursuant to [20-7-117, MCA](#).



## How do families apply?

The OPI will open applications for this program twice a year: May 1 through June 1 and November 1 through December 1. The link to the application will be available on the OPI's ESA website during each application period. The application process will be short, offered digitally with a paper option available, and will need to include the following information:

- Student/Parent/Guardian Names
- Student birthdate
- Contact Information
- IDEA designation completed by a public-school evaluation team.
- Resident School District name and any prior districts attended.
- Two proof of residency documents per [ARM 23.2.183](#).

Once a family is determined eligible, they will sign a contract with the OPI that outlines the ESA reimbursement process.

- Please note, students who participate in the ESA program are considered a parental placement under the IDEA, 20 U.S.C. 1412. MCA 20-7-1706(2). For more information on parental placement, please review the [Montana Special Education Guide Document](#).

## How do families receive the reimbursement? How much may families receive in their account?

[Per Title 20, Chapter 7, Section 1703](#), MCA, the amount families receive in their savings account is determined by the ANB formula for students. This varies slightly from district to district. You may find a preliminary estimated amount per student per district on this table entitled: [Education Savings Account Student](#).

The funds will be reimbursed to parents after successful submission of eligible expense receipts. Parents may request reimbursement monthly.

## What are eligible expenses are reimbursable?

The legislation includes the following as eligible expenses:

- Qualified school tuition, fees, textbooks, software, or other instructional materials or services.
- Electronic educational program or course or distance learning programs,
- Curriculum materials
- Tutoring



- Educational therapies including occupational, behavioral, physical, speech, and audiology therapies from a licensed or certified provider.
- State of nationally recognized assessment tests, advanced placement exams, entrance exams for eligible post-secondary institutions.
- Services provided by a public school in the state, including classes and extracurricular activities.
- Eligible postsecondary institution tuition, books, online course, or certain fees.
- No more than \$50 in consumable education supplies such as paper, pens and markers.
- Transportation required for another allowable education service (add specific reimbursement language here).
- Fees for a cooperative educational program.

### **Who do I contact with questions about Montana's ESA Program?**

*The [OPI's ESA website](#) is kept up to date, and OPI staff are here to help!*

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