



Tennessee Education Savings Account (ESA) Program Application 2023-24

Application for New ESA Students: Eligibility

Thank you for your interest in participating in Tennessee's ESA Program. Please note the following program eligibility requirements in accordance with T.C.A. § 49-6-2603 which includes the required documentation before you begin the application process:

Prior Year Status

A child must meet one of the following requirements in order to be awarded an ESA:

- Entering kindergarten (age 5 by August 15, 2023; If the child is turning 5 between August 15 and September 30, a letter of admission from the director of a participating school is required and should accompany the application. The letter must indicate that through testing and evaluation, the child was found sufficiently mature emotionally and academically to enter kindergarten.).
- Completed the entire 2022-23 school year in a Tennessee public school.
- Be eligible to enroll in a Tennessee school for the first time.

*A child who attended school outside of Tennessee for the 2022-23 school year must provide a transcript with the ESA application.

Residency

A child's home address and primary residence must be zoned to attend a Memphis-Shelby County School or a Metro Nashville Public School. To show proof of residency, a family must submit **two** of the following documents with the application. Submitted documents should list a parent's name and include the same address as listed on the application.

- A non-expired, valid Tennessee state ID
- A current lease agreement, signed by tenant and landlord
- A utility bill (water, electric, gas, or internet) from the past 3 months
- A mortgage statement from the past 3 months
- A property tax bill or receipt from the most recent year
- A voter registration card issued within the past year
- A homeowner or renter's insurance bill from the past 3 months
- A vehicle registration from the past year
- A landlord affidavit of residence, signed and notarized within 30 days

Income

A family's annual household income must not exceed twice the limit for federal free lunch. Options for showing proof of income are limited to the following:

- A 1040 Form from the most recent year's federal tax filing (2022)
 - Note: Individuals listed on the 1040 are considered household members, and the total income (line 9) is the amount used for calculating income eligibility with household size. The applicant child should be listed as a dependent.
- A letter of Temporary Assistance for Needy Families TANF eligibility from within the past year
 - The parent(s) name and child's name must be listed

To begin the student application process, please complete the following form.

Student information

Full name of student: _____
first middle last

Grade entering in August 2023: _____ Date of birth: _____

Home address: _____
street

_____ *city state ZIP code*

*The following information will **not** impact a child's approval for the program but is required:*

Child's sex: Male Female

Child's nationality (check one): Hispanic or Latino Not Hispanic or Latino

Child's race (select all that apply):

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Pacific Islander
- White

Is this child currently receiving an Individualized Education Plan (IEP)?

- Yes
- No
- I don't know

Language(s) spoken at home: _____

Is this child an English Language Learner (ELL)? Yes No I don't know

Parent/Guardian Information

*The following information for at least **one parent** is required.
Parent/Guardian 1 will be the main point of contact from the ESA team through email.*

Name of Parent/Guardian 1: _____

Email: _____ Phone: _____

Name of Parent/Guardian 2: _____

Email: _____ Phone: _____

Note: Parent(s) name(s) must be listed on supporting documentation for the application.

Answer the following questions and submit this page with your application.

Eligibility requirements

Prior Year Status: What kind of school did your child attend for the 2022-23 school year? (Select one of the following)

- Public school, charter school, or public virtual school in Tennessee

School name: _____

District: _____

- Public school or charter school in another state (**transcript required with application**)
- Private school in Tennessee*
- Private school in another state (**transcript required with application**)
- Homeschool in Tennessee*
- Homeschool in another state (**transcript required with application**)
- My child is entering kindergarten this fall
- None of these / more than one / other (include letter of explanation with application)

**Note: For any child not entering kindergarten, a child who completed the prior year in a Tennessee private school or homeschool is ineligible.*

Residency: Check the documents included with your application to demonstrate current residency for a school within Memphis-Shelby County Schools or Metro Nashville Public Schools.

Two are required.

- A non-expired, valid Tennessee state ID
- A current lease agreement, signed by tenant and landlord
- A utility bill (water, electric, gas, or internet) from the past 3 months
- A mortgage statement from the past 3 months
- A property tax bill or receipt from the most recent year
- A voter registration card issued within the past year
- A homeowner or renter's insurance bill from the past 3 months
- A vehicle registration from the past year
- A landlord affidavit of residence, signed and notarized within 30 days
- My family is currently experiencing homelessness and cannot submit these documents

Income: A family's total household income cannot exceed twice the federal limit for free lunch. Select the document you will include with your application to demonstrate eligibility:

- A 1040 Tax form from 2022 federal tax return
- *Note: Parent 1 or Parent 2 **must** appear on the 1040. The child **must** be listed as a dependent. Household size will be determined by the number of individuals on the 1040 and compared to total income listed on Line 9 for program eligibility.*
- A TANF letter of eligibility
- Direct certification: Foster child (include foster contract with application)

Please review the assurances below. By completing and submitting this application, the applicant agrees to the following statements.

Assurances

As a condition of seeking approval as an ESA account holder, the applicant makes the following assurances by signing on page 6:

1. I understand that participation in the ESA program shall have the same effect as a parental refusal to consent to the receipt of services under the federal Individuals with Disabilities Education Act (IDEA - 20 U.S.C. § Section 1414).
2. If my child currently has an Individualized Education Program (IEP): Upon enrolling in the ESA Program and for as long as my student participates in the ESA Program:
 - a. I understand that my student will not be entitled to a free appropriate public education (FAPE) provided through an IEP.
 - b. I understand that my student's IEP will be inactivated and can only be reactivated by unenrolling from the ESA program and re-enrolling in a public school district.
 - c. I understand that my student will be entitled to equitable services provided through a services plan.
 - d. I understand that my student does not have an entitlement to any particular special education and related services as part of the services plan.
3. I understand that the department uses Social Security Numbers to check identity, employment and income data, and other computer and government records. Income includes, but is not limited to, employment, self-employment, alimony, child support, disability benefits, Social Security/SSI, Worker's Compensation, unemployment benefits, pensions, stipends, and interest income.
4. I understand that if the number of program applications received by the department from eligible students exceeds the maximum number of students that may participate in the program for that school year, then the department will conduct an enrollment lottery process.
5. I understand that an awarded ESA is dependent upon proof of enrollment in a private school. I agree that prior to the first disbursement of ESA funds, I will provide proof of enrollment in a Category I, II, or III private school. I understand that no funds shall be disbursed to an ESA account without proof of enrollment in a Category I, II, or III private school.
6. I agree to release the public school district in which the student resides and the school for which the student is zoned to attend from all obligations to educate the student during the time the student is enrolled in the program.
7. I agree not to enroll the participating student in a public school during the time the student is enrolled in the ESA program.
8. I agree not to enroll the participating student in the Individualized Education Account (IEA) program during the time the student is enrolled in the ESA program.
9. I understand that by signing this, I certify that I have the legal right and responsibility to direct the education of the student.
10. I agree to ensure the provision of an education for the participating student that satisfies the compulsory school attendance requirement provided in T.C.A. § 49-6-3001(c)(1) through enrollment

in a State Board approved Category I, II, or III private school.

11. I agree to comply with the requirement that participating students in grades three through eleven (3-11) participate in the Tennessee Comprehensive Assessment Program (TCAP) tests for math and English language arts each year of enrollment in the program.

12. I understand that if the ESA is awarded, the ESA funds may only be used for the expenses listed in ESA Program law (T.C.A. § 49-6-2601, *et seq.*), Rules of the State Board of Education Chapter 0520-01-16, Tennessee Department of Education ESA Program Procedures, and ESA Parent Handbook. I understand that these expenses include: tuition or fees at a participating school; required school uniforms; required textbooks; tuition and fees for summer education programs and specialized after-school education programs, as approved by the department; tutoring services provided by an individual who meets the requirements set by the department; tuition and fees at an eligible postsecondary institution; transportation to and from a participating school or education provider by a fee-for-service transportation service; textbooks required by an eligible postsecondary institution; fees for early postsecondary opportunity courses, exams, or exams related to college admission; educational therapies or services for participating students provided by a department-approved therapist; and computer hardware, technological devices, or other technology fees approved by the department, IF the technology is used for educational needs, is purchased at fair market value, and is purchased through a participating school, private school, or provider.

13. I understand that I shall obtain pre-approval for tuition and fees, computer hardware or other technological devices, tutoring services, educational therapy services, summer education programs and specialized after-school education programs, and any other expenses identified by the department. I further understand that if pre-approval is not obtained, the expense may be deemed an unapproved expenditure.

14. I understand that all payments of ESA funds will be electronic payments dispersed to an online account and will not be directly issued to an account holders' private, non-ESA accounts.

15. I understand that all qualifying purchases must be approved, and I understand that unapproved expenses may not be paid.

16. I understand that failure to submit a complete expense report and receipts by the deadline may result in termination from the ESA Program.

17. I understand that if a participating student enrolls in the ESA program for less than an entire school year, the ESA amount for that school year shall be reduced on a prorated basis.

18. I understand that if I move or relocate outside of Shelby or Davidson Counties, I must notify the participating school and the Department of Education.

19. I understand that if I misuse, do not report, and/or fraudulently spend ESA funding, I will be responsible for repaying those funds to the State Treasurer, or the department may withdraw funds from the ESA account or withhold funds from future ESA payments. If the student has exited the program, and there are not enough funds remaining in the ESA account to cover the amount of the misspent funds, the account holder will need to repay the funds to the state following the process in the ESA Parent Handbook.

20. I understand that if I misuse, fail to report, and/or fraudulently spend ESA funding, my student may be immediately removed from the ESA program, the student's ESA account may be closed, and all funds remaining in the account will be forfeited. Cases of fraud may also be referred to the State

Comptroller's Office or the State Attorney General's Office.

21. I understand that use of ESA funds must be for the sole benefit of the participating student for which the ESA account is established. Any services, resources, and/or equipment purchased using ESA funds shall only be used by the participating student whose ESA paid for said services, resources, and/or equipment.

22. I understand that it is a conflict of interest and is considered a misuse of ESA funds and against ESA program rules and procedures for a family member of a participating student, including stepparent, or member of an eligible student's household to derive any financial benefit from the ESA program.

23. I understand that it is a conflict of interest and against ESA program rules and procedures for a family member of a participating student, including stepparent, or a member of a participating student's household to provide a professional recommendation or approval for a service or for the use of computer hardware or another technological device for the participating student. I further understand that it is also a conflict of interest and against ESA program rules and procedures for a family member of a participating student, including stepparent, or a member of a participating student's household to directly provide any recommended or approved service or computer hardware or other technological device to the participating student.

24. I understand that in order for students to continue in the ESA program, I shall annually renew the ESA by following the procedures posted on the department's website.

25. I acknowledge that a participating student may return to the public school district at any time after enrolling in the program, and upon enrollment in a Local Education Agency (LEA), the student's participation in the program shall be terminated.

26. I understand that if a student enrolls in an LEA, the parent of a participating student or the participating student who has attained the age of majority (age 18) shall notify the department in accordance with the procedures and timeline set by the Department.

I, the applicant for participation in the state of Tennessee's Education Savings Account program, certify the information provided in this form, including any supporting documentation is truthful and accurate. I further understand that any false statements or documentation may result in the student's account being frozen, the student being removed from the ESA Program, closure of the student's ESA account, and/or forfeiture of all funds remaining in the account. I further understand that if any false statements or documentation are provided, the department may prohibit the student and/or parent/guardian from enrolling in the ESA program and/or being an ESA account holder in the future.

Name (Parent/Guardian 1): _____ Date: _____

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above assurances

Completion Checklist

- Application completed in ink** (pages 2, 3, and 6 complete and signed)
- Supporting documents** as listed in the table below. At least **three supporting documents are required**.
- If the child attended *any* school outside of Tennessee in 2022-23**, include the child's 2022-23 transcript with the application
- If the child is a foster child:** include supporting documentation such as a placement contract
- Any additional documentation** for unique circumstances. Please email ESA.Applications@tn.gov or leave a message at 615-741-9360 for guidance with unique circumstances.
- Envelope with proper postage addressed to**

ESA Program c/o TDOE
Andrew Johnson Tower, 10th Floor
710 James Robertson Parkway Nashville, TN 37243

Required Documents

In order for an application to be considered, **copies** of the following required documents **must** be included with the application.

- Proof of income eligibility.** You must have **one** of the following:
 - Federal tax return (Form 1040, most recent for 2022)
 - Tennessee Assistance for Needy Families (TANF) most recent benefits statement or letter of eligibility

- Proof of address.** You must have **two** of the following indicating the student is zoned for a school within Memphis-Shelby County Schools, Metro Nashville Public Schools, or the Achievement School District:
 - Valid, non-expired driver's license or state ID
 - Property tax receipt (from past year)
 - Signed lease agreement (indicating current lease)
 - A utility bill (water, electric, gas, or internet) from the past 3 months
 - Voter registration card issued within the past year
 - Homeowner's insurance or renter's insurance bill from past 3 months
 - Vehicle registration from past year
 - Affidavit from landlord or owner of current residence (signed within the past 30 days)

*Both proofs of address must show the **same current address** and Parent 1 or Parent 2 as the responsible party.*
The department may request additional copies of documentation after receipt of application.

Questions? Please email ESA.Applications@tn.gov or leave a message at 615-741-9360.