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EDUCATION - WYOMING

[Degenfelder v. Wyoming Education Association](#)

Supreme Court of Wyoming - May 14, 2026 - P.3d - 2026 WL 1338604 - 2026 WY 54

Education association and group of public school parents brought action against State seeking declaration that Steamboat Legacy Scholarship Act, which established education savings account (ESA) program for assisting with paying tuition and other educational expenses if parents chose not to send their children to public school, violated State's educational obligations under State Constitution and State Constitution's prohibitions on private appropriations and on state loans, donations, or aid except for necessary support of the poor.

The District Court granted motion for preliminary injunction. State appealed.

The Supreme Court held that:

- Court had jurisdiction over the appeal, and
- Association and group did not show possible irreparable injury absent grant of preliminary injunction.

Supreme Court had jurisdiction to review order granting preliminary injunction in action seeking declaration that Steamboat Legacy Scholarship Act, which established education savings account (ESA) program for assisting with paying tuition and other educational expenses if parents chose not to send their children to public school, violated State's educational obligations under State Constitution and State Constitution's prohibitions on private appropriations and on state loans, donations, or aid except for necessary support of the poor; an order granting a preliminary injunction was immediately appealable.

Education association and group of public school parents who opposed education savings account (ESA) program created by Steamboat Legacy Scholarship Act did not show possible irreparable injury, relating to alleged lack of clawback mechanism to recover spent ESA funds, absent grant of preliminary injunction, in action seeking declaration that Act, which established ESA program for assisting with paying tuition and other educational expenses if parents chose not to send their children to public school, facially violated State's educational obligations under State Constitution and State Constitution's prohibitions on private appropriations and on state loans, donations, or aid except for necessary support of the poor; there was no explanation of how lack of clawback mechanism might impair rights of association and group or otherwise injure them.

Steamboat Legacy Scholarship Act did not show possible irreparable injury, relating to Act's alleged funding of private schools with discriminatory policies, absent grant of preliminary injunction, in action seeking declaration that Act, which established ESA program for assisting with paying tuition and other educational expenses if parents chose not to send their children to public school, facially violated State's educational obligations under State Constitution and State Constitution's prohibitions on private appropriations and on state loans, donations, or aid except for necessary support of the poor, where parents who opposed Act did not use ESA program or have any intent to use ESA program.

Education association and group of public school parents who opposed education savings account (ESA) program created by Steamboat Legacy Scholarship Act did not show possible irreparable injury, relating to fundamental state constitutional right to education, absent grant of preliminary injunction, in action seeking declaration that Act, which established ESA program for assisting with paying tuition and other educational expenses if parents chose not to send their children to public school, facially violated State's educational obligations under State Constitution and State Constitution's prohibitions on private appropriations and on state loans, donations, or aid except for necessary support of the poor; there was no explanation of how Act affected the fundamental right to education, and funds for ESAs came from general fund and did not affect school funding model or permanent school fund.

Education association and group of public school parents who opposed education savings account (ESA) program created by Steamboat Legacy Scholarship Act did not show possible irreparable injury, relating to legislature's duty to provide high-quality public education, absent grant of preliminary injunction, in action seeking declaration that Act, which established ESA program for assisting with paying tuition and other educational expenses if parents chose not to send their children to public school, facially violated State's educational obligations under State Constitution and State Constitution's prohibitions on private appropriations and on state loans, donations, or aid except for necessary support of the poor; there were no allegations that funding the Act somehow constitutionally compromised public school funding.