

**CONCLUSION:** During FYs 2023 and 2024, the Mississippi Department of Education (MDE) disbursed \$5.1 million (90%) of ESA funds available. In those two years, 515 ESA participants attended 109 nonpublic schools in Mississippi. Participants used an average of 96% of their ESA funds on tuition expenses. Because resources are limited and the ESA program has few scholarships available to award to new participants, the Legislature should consider its options for allowing more students with disabilities to participate with the resources available (e.g., by revising the funding formula). The state's net cost increase for the ESA program for FYs 2023 and 2024 was approximately \$1.2 million and \$1.3 million respectively. PEER's satisfaction survey indicated high levels of satisfaction with the program by both parents and students.



## BACKGROUND

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In 2015, the Mississippi Legislature enacted The Equal Opportunity for Students with Special Needs Act (Chapter 441, *Laws of 2015*). MISS. CODE ANN. Section 37-181-1 (1972) et seq., directs MDE to administer the ESA program.

The program's purpose is to offer parents of children with disabilities financial assistance to place their children in a nonpublic school setting and receive other educational services that parents believe best meet the needs of their child.

This biennial report is the fourth conducted by PEER.

### Satisfaction Survey Results

For this year's satisfaction survey, parents indicated that they and their children are highly satisfied with the ESA program and with the disability services provided by nonpublic schools. They also believe their children have shown progress in achieving their academic and disability-related goals through participation in the ESA program. Notably, satisfaction regarding MDE's customer service was higher than in previous surveys.



## KEY FINDINGS

- **For FYs 2023 and 2024, the budget for the ESA program was \$6 million (\$3 million in FY 2023 and \$3 million in FY 2024).**  
In FYs 2023 and 2024, MDE disbursed 90% (\$5.1 million) of ESA funds available, while 10% (\$557,604) lapsed. The 91% disbursement of funds for FY 2024 represents the highest percentage of funds disbursed since the program's inception.
- **During FYs 2023 and 2024, 515 ESA participants attended 109 nonpublic schools in Mississippi.**  
While some of the schools are designed to serve students with disabilities, the majority are not. However, state law allows for ESA participants to enroll in any nonpublic school as long as the school meets the requirements in law and provides services for the student's disability.
- **During FYs 2023 and 2024, participants used an average of 96% of their ESA funds on tuition expenses.**  
Various expense categories accounted for the remaining expenditures (e.g., textbooks, tutoring, education services or therapies).
- **For FYs 2023 and 2024, the state's net cost increase for the ESA program was approximately \$1.2 million and \$1.3 million respectively.**  
The fiscal impact to public school districts was immaterial.
- **MDE has improved some aspects of its administration of the ESA program since PEER's 2022 report.**  
For example, MDE has met the statutory requirement of requiring recertification of ESA participants after three years of program participation, which helps ensure that the program continues to serve only eligible students with disabilities.
- **Some aspects of MDE's administration of the program still need improvement.**  
For example, MDE has not consistently required nonpublic schools to submit a signed form to help ensure that schools enrolling ESA participants meet requirements in state law.

## Options for Enrolling Additional Students in the ESA Program

Because resources are limited and the ESA program has few scholarships available to award to new participants, the Legislature should consider the following options to allow for more students with disabilities to participate.

1. Revise the ESA funding formula (MISS. CODE ANN. Section 37-181-7 [1]) so that the ESA amount equals the base student cost of the state's education funding formula, which is the same amount of the two other nonpublic school choice scholarships administered by MDE—the Nate Rogers Scholarship and the Dyslexia Therapy Scholarship.
2. Require MDE to advise parents of students who qualify for the two other nonpublic school choice scholarships administered by MDE to apply for those programs rather than the ESA.

## Options for Ensuring that All Schools Enrolling ESA Participants are Providing Services

The majority (82%) of nonpublic schools enrolling eligible students are not special purpose schools or nonpublic schools accredited by MDE. Therefore, PEER determined that the Legislature could consider the following options with the goal of helping to ensure that nonpublic schools enrolling ESA students meet the requirements in law and are providing services addressing the ESA student's disability:

3. Require MDE to implement an application process for schools to become "eligible" or a process by which schools may be approved by MDE based on certain standards (e.g., accreditation).
4. Require nonpublic schools to periodically report to MDE the services ESA participants are receiving.

## Summary of Other Recommendations

5. To provide an assessment of ESA participants' academic performance, the Legislature should revise MISS. CODE ANN. Section 37-181-15 (1) (f) to:
  - a. limit the types of assessments that ESA students can take to either a nationally standardized norm-referenced achievement test or a current state board-approved screener. If neither of these assessment types are appropriate due to the severity of the student's disability, the school should provide a performance-based assessment appropriate for assessing the student's abilities (e.g., a behavior checklist or communications assessment), along with a statement that a standardized achievement test or board-approved screener is not appropriate for the student; and,
  - b. require that the pre-assessment given at the beginning of the school year and the post-assessment given at the end of the school year are the same assessment.
6. MDE should continue to improve its administration of the ESA program by:
  - a. ensuring that reimbursements are recorded as credits to the students' ESA accounts; and,
  - b. developing a policy or procedure to comply with MISS. CODE ANN. Section 37-181-5 (9) (1972), which would include a process to transfer any unused ESA funds by the end of the fiscal year to the school district in which the student attends.
7. If an approval process is not required in law to deem schools eligible to enroll ESA students, MDE should require that all participating schools submit MDE's Participating School Assurances Form.