Let's Clear the Air:
Separating FACT from FICTION on LA GATOR

There's been a lot of chatter lately about Louisiana's Giving All True Opportunity to Rise (LA GATOR) education option. Questions are good—state policymakers and the people of Louisiana deserve answers and access to the information they need—but debate should remain focused on fact, not fiction.

Let's cut through the noise with facts drawn from the program's law, regulations, and implementation underway. Below, we address key questions to highlight why LA GATOR remains a game-changer worth championing and making a reality for Louisiana families.

How did LA GATOR begin?

In 2023, an overwhelming number of state leaders running for governor and the state legislature ran on **change** for Louisiana—change that would **empower parents** and **expand educational opportunities** to benefit both our children and our state's economic future.

During his opening remarks at the 2024 Regular Legislative Session on March 11, 2024, Governor Jeff Landry told state lawmakers: "Let us send a message loud and clear—that THE PARENT is the most important voice in a child's education... Put parents back in control, and let the money follow the child."

Enacted in 2024 under Governor Jeff Landry's leadership, this Education Scholarship Account (ESA) option breaks free from outdated models, allowing parents to customize education like never before.

Is LA GATOR a voucher program?

No. With a vote of 24-15 in the Senate, 68-28 in the House, and a final Senate concurrence vote of 23-14, the Louisiana Legislature approved Senate Bill 313 to establish LA GATOR in May 2024. On June 19, 2024, Governor Landry signed the bill into law, becoming Act 1 of the 2024 Regular Session.

These state leaders established LA GATOR to be an education scholarship account (ESA) program (sometimes referred to as education savings accounts in other states), giving families expanded flexibility in meeting their children's unique educational needs. The law (page 4, line 14) calls it an "education scholarship account" designed to deposit state funds directly into parent-controlled accounts that work alongside a marketplace of educational offerings. This ensures that participating students have access to abundant, diverse opportunities to meet their individual needs, even if they choose not to enroll in a traditional, full-time school. The law specifies that participation in LA GATOR alone, while adhering to the program's requirements, fully satisfies the state's compulsory attendance requirements (page 2, lines 24-26). In so doing, the state empowers families to design and customize their child's learning based on what works best for them.

ESAs differ markedly from tax-credit scholarships or "vouchers." Vouchers give families a binary choice between full-time public schooling and non-public or private full-time education. That's it. Typically, programs offer a fixed sum for tuition and required fees, with funds going straight to the school on behalf of the student. Many of these programs, like Louisiana's old scholarship or "voucher" program, are restricted to children from low-income households or those previously attending low-rated public schools.

ESAs, however, empower all parents (even if access is phased in) with direct control over funds for a wide range of expenses, including part-time schooling, full-time school enrollment, standalone courses (academic, career training, electives), therapies and intervention, textbooks and curricula, classroom materials, and more. LA GATOR embodies this by allowing selections from hundreds of education service providers and vendors, not only empowering families with choices, but also fostering competition and innovation. Such a program obviously outshines antiquated scholarships or vouchers, which limit families' choices and restrict their uses of funds.

What aspects of the LA GATOR program were addressed in the law that lawmakers passed?

The law covers foundational elements like legislative intent, program creation, student eligibility, uses of funds, and program administration. Lawmakers specifically directed the Louisiana Department of Education (LDOE) to select, and the State Board of Elementary and Secondary Education (BESE) to approve, a "program manager" for handling applications and the marketplace of participating schools, providers, and vendors (page 4, line 24). It lists qualified educational expenses (starting on page 4, line 30) including curricula, instruction, therapies, testing, and more. Lawmakers opted to charge BESE with adopting all other rules for implementation (page 7, line 26), including but not limited to student award amounts.

Why did BESE establish the LA GATOR rules and regulations, and not the Legislature?

The version of LA GATOR initially passed by the House contained much more detail in regards to program rules. However, the final Senate bill passed by the Legislature explicitly delegated rulemaking to BESE, the constitutional body overseeing education policy, to handle detailed program implementation while addressing broad requirements in statute. Some of those rules and regulations include making awards with available funds, determining priority status, addressing specific uses of funds, and determining provider requirements, all based on practical needs and in line with broader state education policy goals. BESE is required to adopt rules and regulations according to Louisiana's Administrative Procedures Act. This process ensures that rulemaking is done through advertised, open public meetings, allowing interested citizens to offer public comment over an extended period of time. The process also grants the Legislature the opportunity to address any questions or concerns before rules become final.

The rulemaking process began with BESE's meeting on August 20, 2024. Final rules were published in the December 2024 edition of the Louisiana Register.

Was there any legislative oversight over BESE's regulations for LA GATOR?

Yes, the rulemaking process was followed as required by law and included opportunities for legislative input and action. In early August 2024, BESE posted on its website a draft of the program regulations with a public notice for the meeting in which comments would be received and a preliminary vote taken to commence rulemaking. On August 20, 2024, the board's School Innovation and Turnaround Committee approved the proposed rules as notice of intent. The vote was ratified by the full board the next day (see meeting minutes, item 8.5.12).

As required, the draft rules were then published in the *Louisiana Register* for public review and comment on September 20, 2024. Interested individuals were directed to submit any comments to the BESE executive director through October 9, 2024.

On October 10, 2024, BESE sent a memo to Senate President Cameron Henry, House Speaker Phillip DeVillier, Senate Education Chairman Rick Edmonds, and House Education Chairwoman Laurie Schlegel, attaching the draft LA GATOR program regulations and informing them that "the Board has received no public comments."

Further, the memo stated that, "Subject to legislative oversight by either the House Committee on Education or Senate Committee on Education, the Board anticipates adopting the Notice of Intent as a final Rule in the December 20, 2024, issue of the Louisiana Register." No legislative oversight hearing was scheduled, nor was any other legislative action taken, so the rules went into effect as communicated.

It's important to also note that lawmakers could also have offered legislation during the 2025 Regular Session to amend the LA GATOR law or to override any program regulations. No such bills were introduced.

How can LA GATOR funds be used, and why is a "marketplace" needed?

Funds can be used for a broad array of qualified expenses to address a participating student's learning needs. Per the law (beginning on page 4, line 30) and Bulletin 133 (§1511. Use of Funds), allowable uses include: tuition or fees at participating nonpublic schools or online programs; curricula, textbooks, and instructional materials; tuition, fees, and materials at career/technical schools; fees for approved assessments like LEAP, AP, CLEP, or college admissions exams; educational services and therapies (e.g., occupational, behavioral, physical, speech-language); tuition/fees for dual enrollment at postsecondary institutions; uniforms; and any other BESE-approved educational supplies or expenses.

The law requires "the state board shall provide eligibility criteria for both schools and service providers in program rules in a way that maximizes school and provider participation" (page 12, lines 21-23). It further requires BESE to approve participating schools and service providers as well as the numerous services and products they offer. Because of this requirement, a marketplace system is needed to collect and manage such extensive offerings and allow families to easily select what works best for their child. The law provides for a “program manager” to be contracted with the LDOE and approved by BESE to operate such a marketplace. This is consistent with how ESA programs operate across the United States.

LA GATOR funds are disbursed by the state to students’ families on a quarterly basis, with unused amounts rolling over. This roll-over provision is a common one among ESA programs nationally, designed to encourage families to be frugal in managing their child’s award and foster excellence and competition in the marketplace.

Can students enrolled in public schools receive funds through LA GATOR?

No, the law is clear (see page 9, line 30) that students enrolled in public schools cannot simultaneously be enrolled in LA GATOR, as the program is designed for those seeking alternatives to traditional public education. However, public schools can offer courses and services to participating students as service providers. This allows them to expand their reach within the local community, offer online courses statewide, and generate extra revenue.

Some have confused the fact that LA GATOR funds can be used for tutoring services (after providing for core academic instruction) with tutoring available to public school students, specifically, through the Steve Carter tutoring program and the Accelerate high-dosage tutoring program. These are separate programs for students enrolled full-time in public schools, and they are funded through separate legislative appropriations..

Which students qualify for LA GATOR?

Students participating in LA GATOR must be Louisiana residents, aged 5-21 by September 30. Applications require families to agree to educate their child, at a minimum, in the core academic subjects (English language arts, math, social studies, and science), comply with attendance laws, participate in annual assessments, and use funds only for approved expenses that are tracked and reported.

The LA GATOR law (beginning on page 10, line 23) provides for phased-in student eligibility, as follows:

> In the **first phase**, a student is initially eligible if the student meets [program] requirements. . . and at least one of the following criteria:
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> 1. The student participated in the Student Scholarships for Educational Excellence Program (otherwise known as the Louisiana Scholarship Program) for the previous school year. A student meeting this criterion shall be granted first priority in terms of participation during the first phase of the program.

2. The student is entering kindergarten.
3. The student was enrolled in a public school for the previous school year.
4. The student is from a family with a total income at or below two hundred fifty percent of the federal poverty guidelines.

In the **second phase**, a student is initially eligible if the student meets [program] requirements. . . and at least one of the following criteria:

1. The student is entering kindergarten.
2. The student was enrolled in a public school in the previous school year.
3. The student is from a family with a total income at or below four hundred percent of the federal poverty guidelines.

In the **third phase**, a student is initially eligible if the student meets the [program] requirements. In this phase, first priority shall be granted to the following groups of students with equal consideration being given to each group:

1. A student who meets the criteria provided in R.S. 17:4031(B)(2) for qualification to participate in the School Choice Program for Certain Students with Exceptionalities.
2. A student who is from a family with a total income at or below two hundred fifty percent of the federal poverty guidelines.

Per additional regulations adopted by BESE in Bulletin 133, §303:

In the event there are more eligible students who submit applications than there are available seats at participating schools for any grade, the department shall conduct a random selection process to award scholarships that provides each eligible student an equal opportunity for selection based on students' indicated preferences.

Only after each student who attended or otherwise would be attending a public school that received a letter grade of "D" or "F" or any variation thereof has been placed at a participating school which the parent or legal guardian indicated as a choice on the eligible student's application shall a student who attended a public school that received a letter grade of "C" or any variation thereof be entered into the random selection process. At such time, each student who attended or otherwise would be attending a public school that received a letter grade of "C" or any variation thereof shall be provided an equal opportunity for selection into that particular school.

The department **may** give preference to the following:
1. siblings of students already enrolled in the participating school;
2. students enrolled in the Nonpublic School Early Childhood Development Program at the participating school;
3. participating students transferring from an ineligible school; and
4. students residing in the parishes as indicated pursuant to the notice of intent, if applicable. For the purposes of the random selection process, twins, triplets, quadruplets, and other such multiple births shall constitute one individual.

On July 2, 2025, Governor Landry wrote a letter to State Superintendent of Education Cade Brumley, saying that "the astounding number of applicants demonstrates how vital this program is to Louisiana parents." He had initially requested $93 million to serve approximately 12,000 students, but the Legislature appropriated only $43.5 million. He therefore directed Superintendent Brumley to employ a "strategic approach" to allocating the available funds, first prioritizing students who were participants in the state's Louisiana Scholarship Program the year before and then serving low-income students (with a total income at or below 250% of the federal poverty guidelines), students with disabilities, and students enrolled in a public school the year before. Whether these same criteria will be used for 2026-2027 GATOR awards is unknown at this time, as the Legislature has not yet voted on the state's FY27 budget and LA GATOR funding.

Does this mean that students already enrolled in private schools could receive LA GATOR?

Possibly. In Phase 1 of LA GATOR, students from low-income families who might currently be enrolled in a private school using other need-based aid may qualify, although Governor Landry's directive prioritized students attending public schools last year. Disabled students, regardless of the school they previously attended, are also eligible. Many of these students require very costly services and therapies, and as their needs evolve, they must look for other options. In time, as the program grows to its third and final phase of eligibility, the program will be universal, subject to availability of funds.

But for all the talk about LA GATOR families' ability to pay and where students are currently going to school (or where they went last year), let's remember that when students enroll in public schools, the state doesn't base funding decisions on either of these factors. Whether students come from wealthy or poor families, the state pays regardless—and immediately—once the student is counted.

How many students are currently in LA GATOR, and how are they using funds in their account?

In February 2026, the LDOE reported that 5,546 students were participating in LA GATOR. 4,835 students transitioned from the prior scholarship (or "voucher") program, which initially required full-time enrollment in a participating private school. Most students remain enrolled in a private school. This leaves **711 new LA GATOR students served out of nearly 35,000 eligible applicants who applied in 2025**.

- 213 of these students are from low-income households or have significant cognitive disabilities.
- 662 students attended a public school last year.
- 49 students are entering kindergarteners.
- Thousands of eligible children remain waitlisted.

Of the newly enrolled students, about one-fifth have chosen to use their LA GATOR award to support a homebased, customized education that leverages courses, providers, and vendors in the marketplace rather than enrolling full-time in a participating private school.

What is the average LA GATOR award amount?

According to data supplied by the LDOE, the average LA GATOR award amount is $7,220. Louisiana public schools spend over $15,000 per student, on average, using local, state, and federal funds—the highest of any other state in the Southeastern Conference. Currently, students enrolled in LA GATOR receive of one three award amounts based on their individual characteristics:

- $15,253 for students with disabilities
- $7,626 for low-income students
- $5,243 for other participating students

How much LA GATOR money has been spent in the marketplace on services and products other than tuition and mandatory school fees?

Just 2% of funds expended have been spent on allowable expenses other than school tuition and fees. For students not enrolled in a private school, LA GATOR funds have been used to pay for courses and other instructional materials. For students enrolled in a private school, these funds have been used to purchase school uniforms, other needed supplies, and tutoring.

The LA GATOR law and regulations give families the ability to choose a private school or a customized homebased education for their child. Funds in their LA GATOR account can be used on any allowable expense to meet their child's needs. If they select to enroll their child in a full-time private school, the funds do not belong to the school; they are available for use at the family's choice. However, families must agree to pay all required school tuition and fees just like any other private paying family using any source of funds they have. LDOE and its program manager, Odyssey, have strongly advised families whose students are attending a private school to set aside sufficient LA GATOR funds to cover tuition and fee bills, noting that if funds are used on other allowable expenses, they will have to pay remaining tuition and fee obligations out of pocket.

What oversight is in place for how LA GATOR funds are spent?

The LA GATOR law and BESE regulations include numerous safeguards, balancing authorized oversight of taxpayer dollars with freedom for participating families.

In addition to students, participating schools and providers must also meet initial and continuing eligibility requirements. Schools must be approved by BESE, which is a process involving a lengthy application as well as approval by federal courts, which certify that they schools do not use discriminatory enrollment processes. Use of LA GATOR funds is restricted to certain approved expenses, and payments are made directly from the program administrator, on behalf of the student, to selected schools and/or providers on a quarterly basis. Cash is never exchanged with participating students or their families.

The LDOE must provide for regular financial audits, annual random audits, and referrals of suspected misuses of account funds to the attorney general.

Students are required to test each year in core academic subjects, and aggregate results are posted on the LDOE's website. Those results, in combination with other information, are used to identify cases where students may not be well served by schools or providers in the program. The law provides that, "If the department finds that any participating school or service provider has failed to maintain continuing eligibility criteria or has demonstrated gross or a persistent lack of academic competence, the department shall restrict its ability to serve additional students through the program and may terminate its participation in the program."

How does funding for LA GATOR work?

Funding for LA GATOR is via annual legislative appropriation, meaning that each year, the Legislature decides how much state money—no local money and no federal money—to approve for the program. Since the vast majority of students in the program were previously enrolled in a public school or would otherwise have attended a public school (for example, a kindergarten student from a low-income household), the cost to the state is roughly the same. The state just funds those students in a different section of the budget.

To know the true cost of LA GATOR, lawmakers must subtract the savings associated with students who either switch from a public school to LA GATOR, or in the case of entering kindergarten students, enroll in LA GATOR instead of a public school. In both cases, the state no longer recognizes a cost for such a student in the state's Minimum Foundation Program formula, through which the state funds public schools based on twice yearly student count dates. Currently, these savings aren't recognized until the following fiscal year as "surplus dollars," but some lawmakers have suggested finding ways to make budget adjustments in a timelier manner.

It is true that the state pays slightly more for students in LA GATOR than what is allocated for students through the MFP (the "base" amount plus weighted funding based on student characteristics), but remember that public schools also receive several other sources of state funding besides just the base MFP allocation. Public schools receive additional funding for career and technical education, work-based learning, tutoring, employee compensation, and special legislative projects. They also receive funding through the state's Education Excellence Fund and 8(g) fund.

How can we know if LA GATOR is working?

As a program of choice, where no student is assigned to participate in LA GATOR and can withdraw at any time, the truest measure of success is participation and retention. In other words, if students and their families are happy with the program and believe they're being well served—and if they choose the program over and over again—that is the primary definition of success.

The LA GATOR law and regulations also provide for program evaluation and annual student assessments. LDOE must annually report to the Legislature on program participation, use of funds, students' academic outcomes as measured through annual standardized tests, and parent satisfaction surveys. The LDOE also routinely collects information about its program manager's service delivery from families, schools, providers, and vendors. This information is used to identify trends, improve customer service, and ultimately determine how to make the program stronger for the students it serves. It can also pinpoint issues where the state may want to look deeper to address questions or concerns.

How does LA GATOR compare to similar programs in other states?

LA GATOR joins a growing list of ESA programs in at least 17 other states, including neighboring Arkansas and Texas, where state funds "follow the child" to support an education that fits students' individual needs. The structure of states' ESA programs is fundamentally the same, with some differences here and there. Arizona and Florida have had very successful ESA programs for several years. Not only have their families overwhelmingly supported these programs, but research has also found that their marketplace of schools and providers has grown, children in rural communities have access to more educational options than ever before, and overall student outcomes—in both public and nonpublic schools and programs—are rising.

The American Legislative Exchange Council (ALEC) recently published its annual Index of State Education Freedom, grading states on the extent to which they empower families with educational options. For the third time in a row, Florida earned the #1 spot with an "A+." Arkansas earned an "A." North Carolina, South Carolina, and Tennessee earned a "B." Georgia came in at a "C." Louisiana, joining the ranks of Mississippi, was downgraded 24 spots down to a "D" "after the legislature failed to provide funding for the LA GATOR Scholarship program."

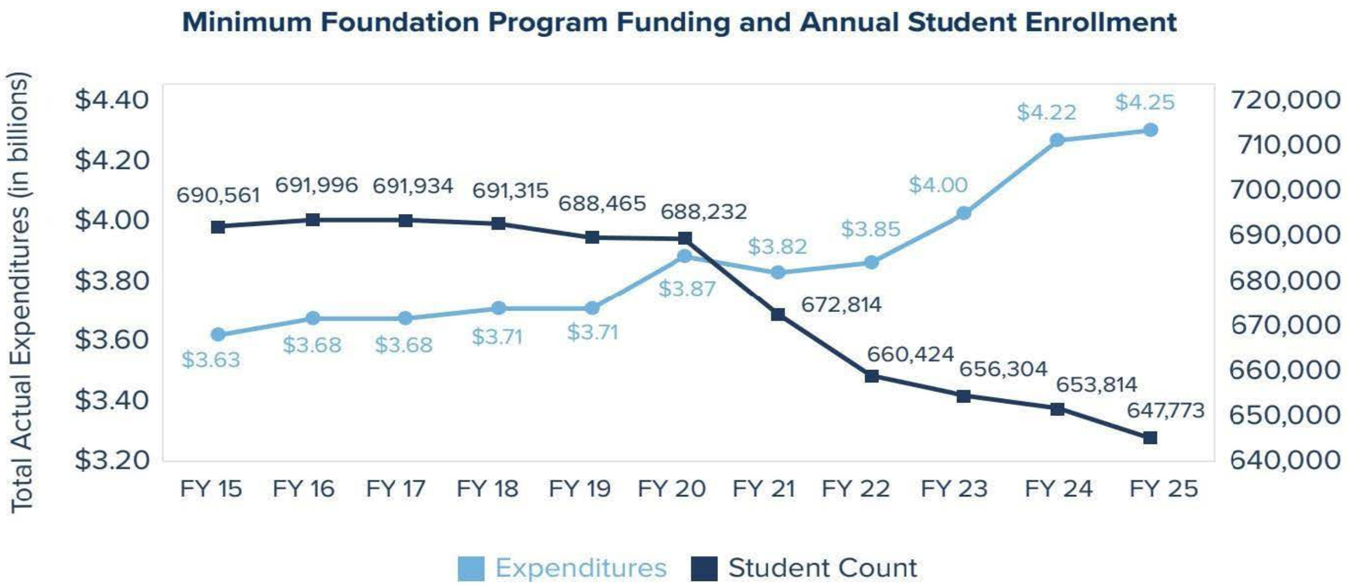
Most other states serve tens of thousands of students with higher per-student award amounts and broader access, highlighting Louisiana's opportunity to rise with legislative commitment and sustained support.

Does the state have enough money to fund LA GATOR?

Yes. It's a matter of priorities.

Each year, the Legislature funds dozens of programs, projects, and even local and non-governmental organizations—millions of dollars that many voters would argue are far less of a priority than the education of Louisiana children.

Consider the Legislature's funding of public schools. Over the past several years, lawmakers have substantially increased funding to public schools, despite consistent decreases in student enrollment. Last year, it allocated $250 million in additional funding to public schools, bringing total state funding to $5.4 billion ($4.3 billion in the MFP plus other appropriated funding) as enrollment dropped about 44,000 students over the past decade. If lawmakers can do this, they can surely prioritize the wishes of families.



And it's not just families that support LA GATOR funding. A recent poll of Louisiana voters showed that 65% support full funding of LA GATOR—72% of Republicans, 59% of Independents, and 62% of Democrats.

It’s time for action.

Let’s focus on the facts and rally behind full funding for students and families who need LA GATOR. Governor Landry and state lawmakers made a bold promise in 2024 to empower families and transform education—not as a half-hearted gesture, but as a lifeline for Louisiana’s children.

Governor Landry recently proposed an $88 million budget (a $44 million increase from last year’s budget) for LA GATOR in fiscal year 2026-2027—enough to serve thousands of additional children across our state. Much of the cost would be absorbed by decreases in the state’s MFP as students who would otherwise attend a public school would, in essence, transfer funding to LA GATOR. But most importantly, parents could rest assured that they’re giving their kids the best chance of reaching their full potential.

By delivering adequate resources to LA GATOR just as easily as is done when students enroll in government-run schools, we can expand access, honor parental choice, and build a stronger future for our students and our state. Let’s fully implement LA GATOR and watch our students soar.