

# Understanding HB 751 & SB 101

In early February, the Senate passed SB 101, the mandatory open enrollment bill, and then attached the text of the bill to an entirely different piece of legislation, HB 751, to allow it to go straight to the House floor without a public hearing. Simply put, if passed, the bill would allow families to enroll their child in any public school in the state, regardless of where they live. Schools would have to accept any student wanting to enroll, provided space is available. The cost of enrollment would be covered largely by the taxpayers in a student's resident district, but occasionally the family would have to chip in.

Essentially – the student's education will still be funded by the taxpayers in their town, but the student's family can choose to remove those taxpayer dollars from the community that raised them by exporting them to be used in another town.







## The Open Enrollment Landscape:

Currently, 45 states, including ours, have policies allowing interdistrict enrollment to some degree, and in 22 states it is mandatory that districts enroll out-of-district students when space allows. In states with mandatory open enrollment, roughly **10% of students** enroll in a school outside their resident district. Here is how they do it:

- The state pays a larger portion of the cost
- Many states require no financial transfer between districts
- State provides additional financial support for districts with declining enrollment
- Policies detail an appeals process for students whose open enrollment applications are rejected
- There is a specified timeline for open enrollment applications and acceptance
- Limit how often a student can transfer and guarantees enrollment through graduation

## Potential Challenges

Despite efforts to slow the adoption of mandatory statewide open enrollment to better understand it, lawmakers are pushing forward. Here are a few potential challenges for school leaders to monitor:

-  Districts that lose more students than they gain through open enrollment will face increased costs.
-  Districts that lose more students than they gain will also see their cost per pupil increase year-to-year, compounding the issue.
-  Districts that gain more students than they lose may face challenges accommodating an influx of resident students, students may experience volatility, and administrative costs may rise.
-  Districts will not be able to predict open enrollment costs or expenses in advance of budget season

# Open Enrollment is a project of several national special interest groups, including the “school choice” movement.

A recent [analysis](#) of Open Enrollment policies nationwide revealed the likely impact of HB 751 and SB 101 in NH. Here’s what we are likely to see:

## In the NH public school system:

- Schools that are already performing well – generally those in high property-wealth towns – will continue to perform well.
- Schools that are not performing as well as we’d want – generally those in low property-wealth towns – will likely face cuts, leading to worse outcomes.
- Students will have to travel farther to access a quality education.
- Local money will flow freely across the state.

## The divide between the “haves” and the “have-nots” will widen.

### Sending:

- Rising expenses
- Higher cost per pupil
- Growing tuition rates
- Increased special education burden

### Receiving:

- Increased revenue
- Capacity issues
- Decreases in property value
- Crowding out of resident students

### Both:

- Increased admin. burden
- Lost sense of connectedness
- Less community support

## A Word on Athletics:

In small, rural communities across NH, high school athletics are a source of pride. Open Enrollment threatens to change that. Though districts would not be allowed to admit students based solely on athletic ability, members of the school athletics community are concerned about the possibility that some schools will recruit athletes. If the most talented players leave their resident communities, it will be easy to create a “super team” and leave the sending district with a hollowed out program.

# The time is now.

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