



# POLICY PULSE

Conversations shaping the future of NH schools

*presented by Reaching Higher NH*

## OPEN ENROLLMENT IN NH: WHAT IS AT STAKE?





Granite Staters share a deeply-held conviction that public education is one of our state's most precious assets.

REACHING HIGHER NH

## Recommendations to Reverse Harm and Strengthen Public Schools

Recommendations to address major concerns and craft meaningful public school approval rules that advance a positive, student-centered vision for our schools.

Reaching Higher NH  
October 2023

## STUDENT MEMBERS ON SCHOOL BOARDS

A Toolkit for Schools and Districts

a project of  
REACHING HIGHER NH

## THE WHOLE PICTURE OF PUBLIC EDUCATION IN NEW HAMPSHIRE

a project of  
REACHING HIGHER NH

## WHAT IMPACTS THE EDUCATOR WORKFORCE?

Results from the New Hampshire School Staff & Educator Transition Survey

Spring 2023  
Administered by Reaching Higher NH & Women Educators Leading Learning (WELL)

REACHING HIGHER NH

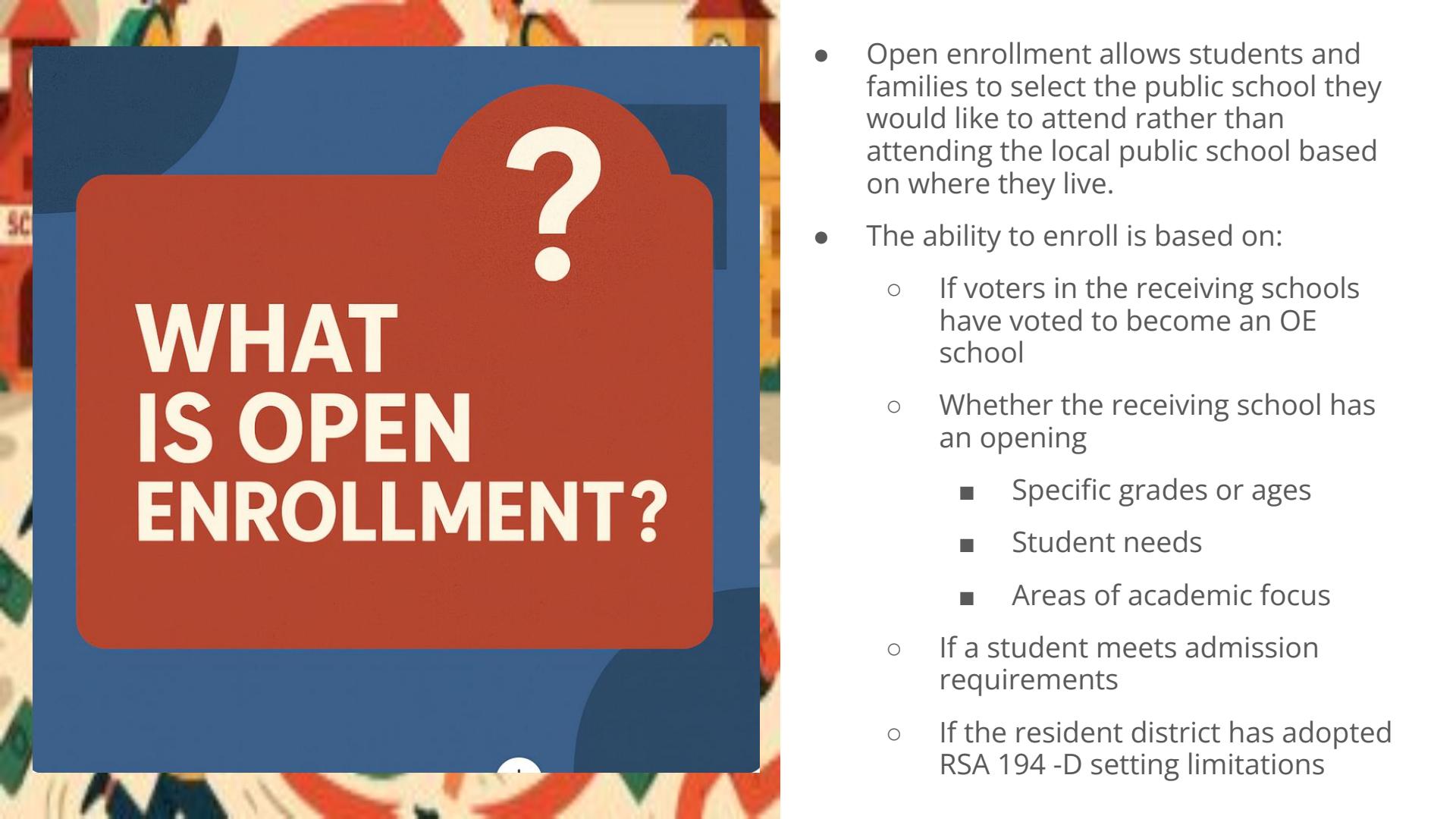
We believe:

- Strong public schools **benefit** students/families/communities/the state
- Public Schools bring **value** beyond education
- Public schools are **critical** to thriving communities and local economies
- Public schools provide the tools that help all students reach their full **potential**



## What to expect today:

- Overview of Open Enrollment
  - What is it?
  - How did we get here?
- Structured Panel Conversation
  - Legal Considerations
  - Risks & Opportunities
  - Operational Considerations
- Audience Driven Q&A



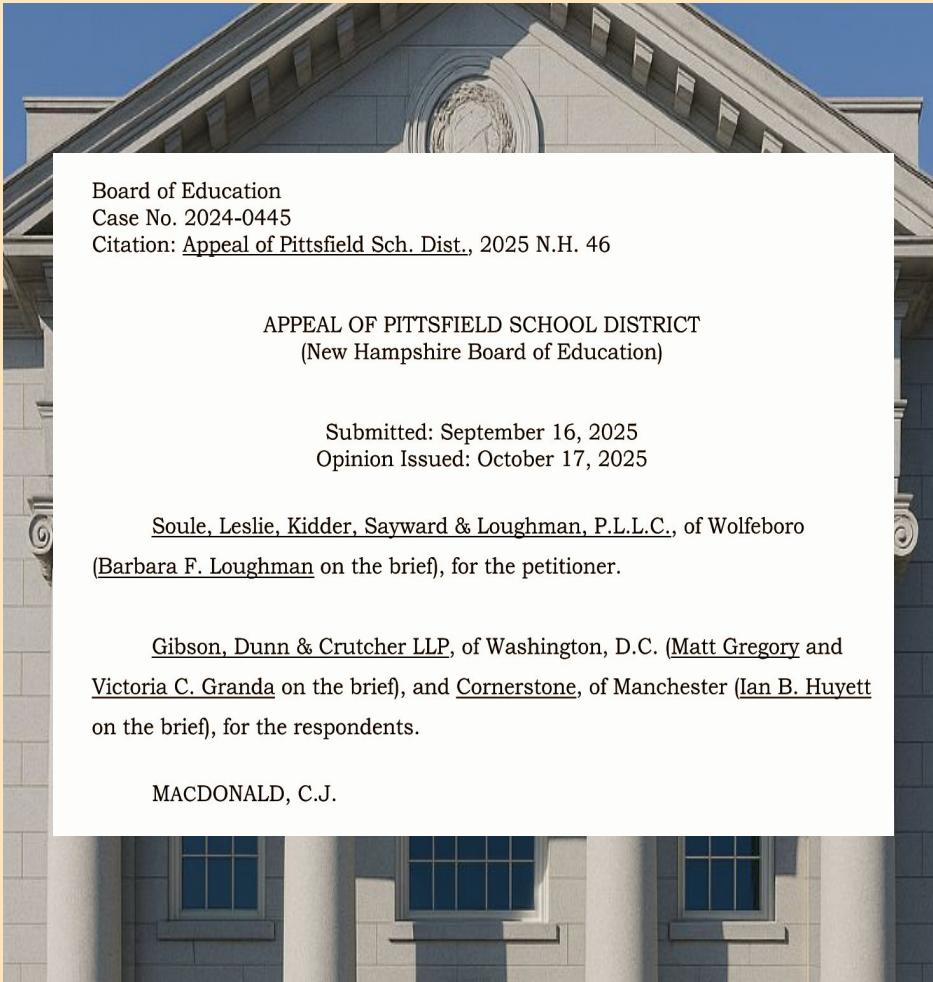
# WHAT IS OPEN ENROLLMENT?

- Open enrollment allows students and families to select the public school they would like to attend rather than attending the local public school based on where they live.
- The ability to enroll is based on:
  - If voters in the receiving schools have voted to become an OE school
  - Whether the receiving school has an opening
    - Specific grades or ages
    - Student needs
    - Areas of academic focus
  - If a student meets admission requirements
  - If the resident district has adopted RSA 194 -D setting limitations

# History of Open Enrollment (OE) in NH



1995	2009	2015	2023	2024	Spring 2025
<b>SB 9 Is Law</b>  The NH State Legislature enacts OE and charter school legislation for the first time in the state	<b>OE Stands Alone</b>  The NH Legislature separates Open Enrollment from the charter school statute by passing HB 688	<b>Franklin Adopts OE</b>  After the tuition agreement between Franklin and Hill ended, some students stayed using OE	<b>Prospect Mtn.</b>  Voters in the Prospect Mtn. District adopt OE in response to declining enrollment and restricted their students from leaving	<b>NH SBE Rules</b>  The NH State Board of Ed rules resident districts must pay tuition for pupils attending an OE school outside their school of residence	<b>More Laws Pass</b>  Lawmakers pass 3 of the 6 bills impacting OE funding, intradistrict transfer, and CTE. All are signed into law by the Governor



Board of Education  
Case No. 2024-0445  
Citation: Appeal of Pittsfield Sch. Dist., 2025 N.H. 46

APPEAL OF PITTSFIELD SCHOOL DISTRICT  
(New Hampshire Board of Education)

Submitted: September 16, 2025  
Opinion Issued: October 17, 2025

Soule, Leslie, Kidder, Sayward & Loughman, P.L.L.C., of Wolfeboro  
(Barbara F. Loughman on the brief), for the petitioner.

Gibson, Dunn & Crutcher LLP, of Washington, D.C. (Matt Gregory and  
Victoria C. Granda on the brief), and Cornerstone, of Manchester (Ian B. Huyett  
on the brief), for the respondents.

MACDONALD, C.J.

## Where Are We Now:

- **October 2025**

The NH State Supreme Court issued a decision on Pittsfield's appeal siding with the NHSBE's decision, the court mandated that Pittsfield must pay OE tuition for students who leave even without a town vote.

*"a sending school district is required to pay tuition under RSA 194-D:5, I, to an open enrollment receiving school in another district even if the sending district has not adopted an open enrollment program"*

- **2026 Legislative Session**

RHNH is currently monitoring LSR's that could impact open enrollment policy.

EDUCATION

# 'A very, very tumultuous sandbox': Open enrollment Supreme Court ruling could pit public schools against each other

by **Jeremy Margolis** November 12, 2025



## In Pittsfield case, Supreme Court rules school districts must pay open enrollment tuition for students who leave, even without a town vote



by **Charlotte Matherly**  
October 20, 2025

## As Prospect Mountain grabs attention, NH school boards weigh open enrollment

By Ethan DeWitt, New Hampshire Bulletin

## Jim Rubens: Competition will improve NH's public schools

Nov 19, 2025

## Policymakers are increasingly supportive of public school choice

BY JUDE SCHWALBACH, OPINION CONTRIBUTOR - 11/09/25 1:00 PM ET

## Op-Ed: Open Enrollment/Predator Schools, A Christian Perspective?

By **ANDRU VOLINSKY** November 19, 2025



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**QUESTIONS  
& ANSWERS**



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