



POLICY PULSE

Conversations shaping the future of NH schools

presented by Reaching Higher NH

OPEN ENROLLMENT IN NH: WHAT IS AT STAKE?

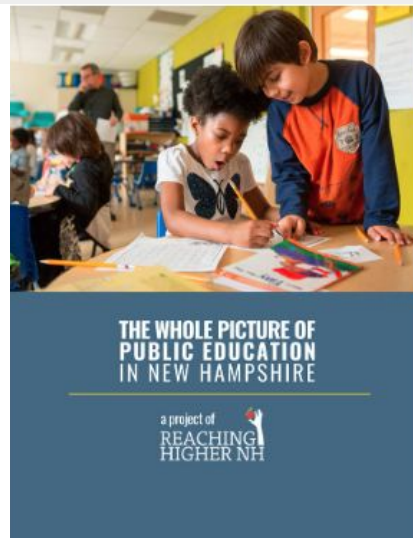
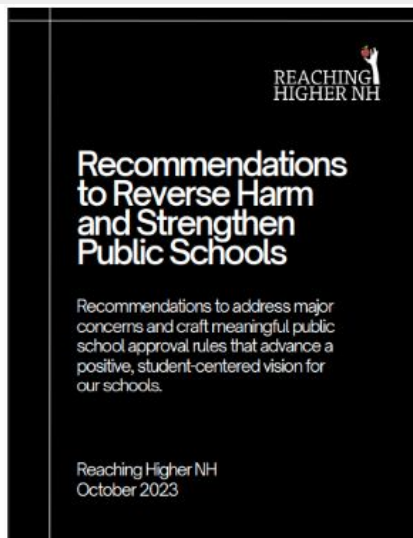




Granite Staters share a deeply-held conviction that public education is one of our state's most precious assets.

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:

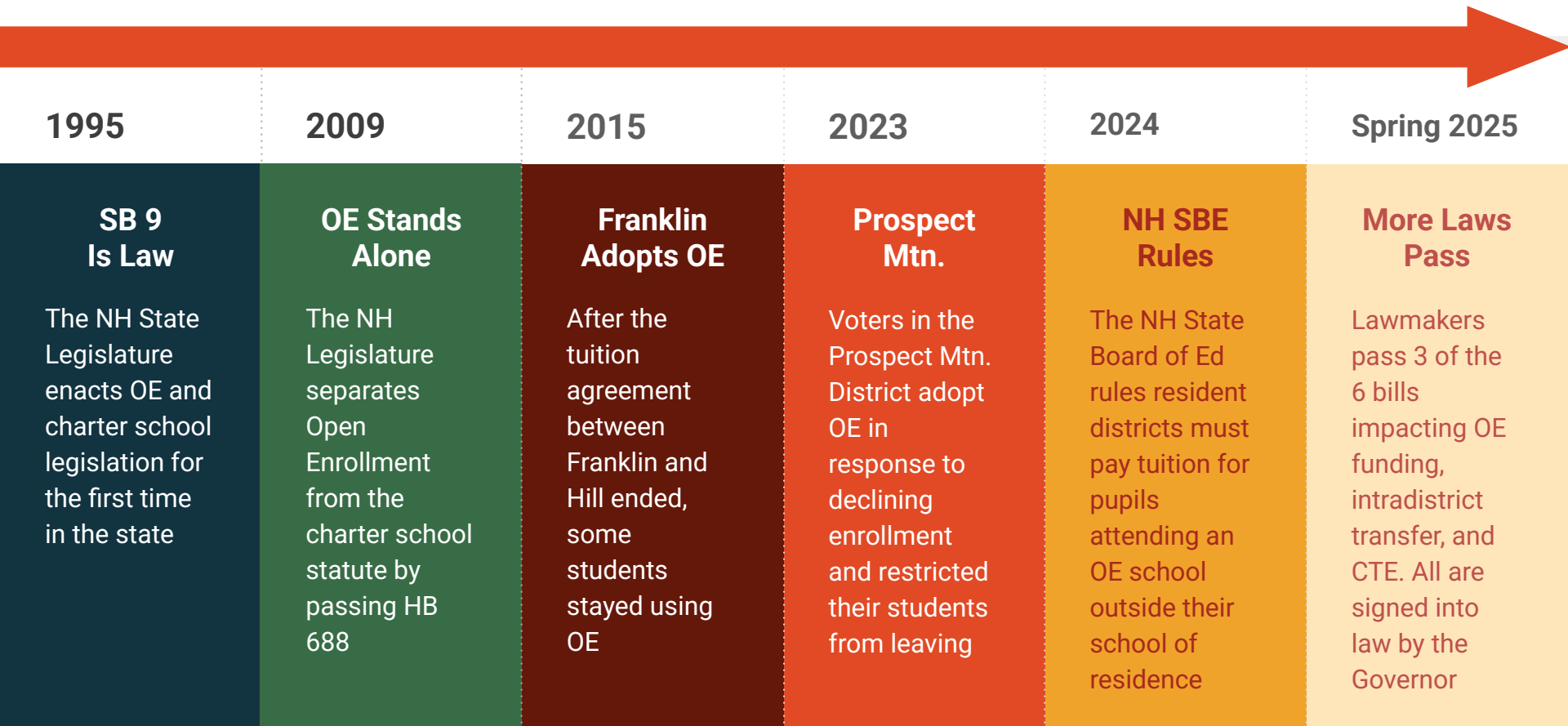
- Overview of Open Enrollment
 - What is it?
 - How did we get here?
- Structured Panel Conversation
 - Legal Considerations
 - Risks & Opportunities
 - Operational Considerations
- Audience Driven Q&A



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



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**

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

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.

EDUCATION

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

by Jeremy Margolis November 12, 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

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

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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