

# Senate Education Committee

*Ryan Meleedy 271-4151*

**HB 741-FN**, allowing parents to send their children to any school district they choose.

**Hearing Date:** April 10, 2025

**Members of the Committee Present:** Senators Ward, Sullivan, Abbas, Prentiss and Altschiller

**Members of the Committee Absent :** None

**Bill Analysis:** This bill allows parents to send their children to public schools outside of their resident district.

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**Sponsors:**

Rep. Cordelli  
Sen. Sullivan

Rep. Terry

Sen. Murphy

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**Who supports the bill:** 9 People signed in support of House Bill 741-FN. To access the full list, please contact the committee aide ([ryan.meleedy@gc.nh.gov](mailto:ryan.meleedy@gc.nh.gov)).

**Who opposes the bill:** 752 People signed in opposition to House Bill 741-FN. To access the full list, please contact the committee aide ([ryan.meleedy@gc.nh.gov](mailto:ryan.meleedy@gc.nh.gov)).

**Who is neutral on the bill:** No one signed in neutrality to this bill.

**Summary of testimony presented in support:**

**Representative Glenn Cordelli**

- Representative Cordelli testified in support of House Bill 741 as the bill's prime sponsor.
- He explained that the current structure of New Hampshire's education system practices "zip code discrimination". He then cited examples of families in New Hampshire and other states taking extreme measures to get their children into better schools outside of their zip codes, sometimes being prosecuted for doing so.
- He explained that open enrollment is already established in current law, and that House Bill 741 would expand this to every school district in the state. He added that the only requirement the bill would have for students' eligibility for open enrollment would be New Hampshire residency.

- He stated that the bill would require schools to post and update their student capacities as well as their policies so parents can decide the best-fitting school for their child.
- He listed the only grounds for denial of school transfer, which included capacity issues, expulsion, or a track record of bad behavior. He added that students of military families could not be denied because of capacity.
- He explained that students could not be denied or accepted based on academic needs, special education status, or athletic abilities (to avoid team building/roster stacking).
- He established that transportation for students who are switching schools would be left up to the child's parents.
- Representative Cordelli explained that sending schools would keep 20% of the funds of the average cost per pupil, and would be responsible for any special needs services, while the remaining 80% would go to the receiving school.
- He cited success stories from other states that have implemented open enrollment.
- Senator Abbas raised a concern over students transferring into schools that have recently built newer and nicer facilities, which the transferring student's family did not contribute their tax dollars to, yet can take advantage of because of this bill. Representative Cordelli explained that this would be the same for any family who moves into a district that has recently improved their local school facilities, explaining that they would not have contributed anything to these new facilities, yet are benefiting from them. Senator Abbas followed up by explaining that if a student does move into the district after the facilities have been updated, their family's tax dollars are still going to the school to recoup some of the costs to and maintain and support it in other ways, which would not be the case for a student transferring in under this legislation. He asked how this would be rectified. Representative Cordelli explained that this bill would be in accordance with current law regarding open enrollment programs and that the committee had already passed a bill that effectively installed the same system that this bill does for Career and Technical Education Programs.
- Senator Altschiller asked, if the bill's intention is to ensure more children are getting an adequate education, why wouldn't the state increase its funding per child to ensure everyone is getting an adequate education, rather than just those who choose to transfer. Representative Cordelli explained that the question fell outside of the bill's scope, but added that funding isn't the best determinant for quality of education in many cases.
- Senator Prentiss questioned whether the state should consider what they can do to bolster the education of students on its end, rather than simply opening the walls up for students to find a better-fitting school district. Representative

Cordelli agreed with the premise of Senator Prentiss' question and established that the state is currently providing new opportunities for schools to apply for flexible waivers in areas where they seek to specialize or need disproportionate support, describing this as similar to the function of charter schools.

**Dr. Timothy Broadrick - Superintendent, Alton and Barnstead School Districts**

- Dr. Broadrick established that he operates the state's only functional open enrollment program under RSA 194D.
- He established that if the goal is to have a functional open enrollment program in New Hampshire, the legislature needs to adopt House Bill 741.
- He stated that the lack of a robust public school choice program places public schools at a disadvantage because they cannot compete the way other schools can in New Hampshire since the state has adopted EFAs. He welcomed the opportunity to compete with charter and private schools.
- He established that eligible public school students over the last 20 years have declined by 50,000 or 24% of students. He expressed that this declining enrolment has created access capacity in his high school, citing it as the reason why he welcomed the idea of an open enrollment program.
- He added that he had previous experience working as a superintendent in another state, which had an open enrollment program, and assured the committee that the program did not ruin that state's education program.

**Summary of testimony presented in opposition:**

**Brian Winslow – Northwood School Board**

- Mr. Winslow established that the school choice aspect of the bill is good for students, but that the mechanism for achieving it is itself chaotic, and outweighs the benefits of school choice.
- He explained that the funding uncertainties, which the bill acknowledges, would be cause for concern for any school board.
- He explained that the cost per pupil in Northwood, which 80% of would be given to receiving schools, would equate to the cost of hiring an additional teacher if five or more students decided to leave. He added that if only 5% of Northwood students left the school system to attend schools elsewhere, the school would owe roughly \$540,000 to other schools.
- He stated that school boards of small district schools, such as Northwood, produce their budgets based on the needs of students and established capacity numbers, and that this bill would make these numbers extremely unpredictable and challenging to budget around.

- He reemphasized how hard it would be to budget around the unpredictable nature of students leaving the school, and it would be hard to get a budget approved by the town to compensate for potential changes in student enrollment.
- He explained that the 2026 fiscal year budget has already been established by Northwood's school board, which would mean that the bill's effective date could potentially create an unbalanced budget for school boards who have already come up with a budget for that fiscal year, such as Northwood.
- He predicted that if the bill were to be passed, the Northwood school district would likely be fine, but other school boards would struggle with this bill.

### **Barrett Christina - New Hampshire School Boards Association**

- Mr. Christina said that the bill was extremely similar to Senate Bill 101, which had recently been re-referred back to committee earlier in the year.
- He pointed out that the bill prompts legislative bodies of local municipalities to create an open enrollment policy allowing pupils to transfer among schools throughout the district. He explained that this is not the role of the local legislature; rather, it is the role of the school board to adopt such policies.
- Mr. Christina pointed out that the bill frequently mentions "capacity" yet fails to explain what capacity refers to specifically. He explained that this could be interpreted as budget, class size, transportation, or staffing capacity.
- He posited that monthly class vacancy updates would create an unnecessary burden for school principals and administrative staff who are generally inundated with work to begin with.
- Citing the bill's lack of requirement for the sending district to provide transportation for students attending out-of-district schools, he explained that the issue of transportation is one of the most glaring inequities within the concept of school choice.
- He said that if schools are to be funded almost exclusively by the zip codes they reside in, "zip code discrimination" will always remain an issue. He explained that if the funding structure were to be altered, this could remedy this purported issue.
- He questioned what would happen if a school took on new students from outside its district and met its capacity, then it received an influx of new students moving into the district. He said this would lead to overcrowded schools.
- Senator Ward asked if schools are currently required to keep a certain number of slots open to budget for potential new students moving into the district. Mr. Christina explained that there is no requirement for schools to do this; however, enrollment has generally been declining, so many schools have open spots. He added that there are a few outlying schools that have had to take measures to

increase their capacity to meet the demand of higher enrollment numbers. He explained that, though not required by law, many schools do keep open spots in case of changing enrollment numbers.

### **David Trumble**

- Mr. Trumble stated that open enrollment could be a wonderful thing for New Hampshire, but not as presented in the bill.
- Mr. Trumble expressed concern that open enrollment would not offer school choice to three groups: families that cannot afford transportation, children with a history of disciplinary problems, and receiving schools' discretion on allowing different schools to come.
- Mr. Trumble cited an example from an open enrollment program in Ohio that he explained served primarily advantaged socioeconomic and achievement dimensions of students.
- Mr. Trumble cited the Carsey Center Study on exclusionary discipline that showed that gender, socioeconomic status, and whether the child attends an urban school influences the exclusion rate by double or triple. Mr. Trumble testified that this could result in New Hampshire schools turning kids away for having disciplinary issues, which in effect discriminates against students with disabilities, students with free and reduced lunch, students of color, and students from urban schools.
- Mr. Trumble shared concerns about the potential of House Bill 741 exacerbating educational inequalities of students from poorly funded districts. He stated that because New Hampshire falls last in the country in state funding of education, they should not be considering open enrollment.
- Mr. Trumble stated that wealthy families in poorer districts will seek to use open enrollment and leave their less advantaged peers behind.