

Rep. Damon, Sull. 8
Rep. Balboni, Rock. 38
Rep. M. Hall, Merr. 9
Rep. Cornell, Hills. 22
April 13, 2026
2026-1455h
07/09

Amendment to SB 101-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing a commission to study public school open enrollment.

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 New Section; Commission to Study Open Enrollment Public Schools; Established. Amend
8 RSA 194-D by inserting after section 7 the following new section:

9 194-D:8 Commission to Study Open Enrollment Public Schools. There is established a
10 commission to study public school open enrollment and provide revisions related to RSA 194-D.

11 I. For the purposes of this section, "equitable access" shall mean the principle of ensuring
12 fair and just treatment for all individuals through providing the necessary resources and
13 accommodations to achieve an equally effective and meaningful opportunity to participate in a
14 program or benefit from a service, regardless of their background, including, but not limited to,
15 disability, socioeconomic status, or geographic location.

16 II. Notwithstanding RSA 14:49, the commission shall be composed of the following members:

17 (a) The commissioner of the department of education, or their designee.

18 (b) Three public school superintendents, each of whom shall be from a different region as
19 recognized by the New Hampshire School Administrators Association (NHSAA), appointed by the
20 NHSAA legislation committee chair.

21 (c) Two local school board members or officers, each of whom shall be from a different
22 region as recognized by the New Hampshire School Administrators Association (NHSAA), appointed
23 by the NHSAA legislation committee chair.

24 (d) The chair of the house education committee or designee, appointed by the speaker of
25 the house of representatives.

26 (e) The chair of the senate education committee or designee, appointed by the president
27 of the senate.

28 (f) A member of a house education committee, appointed jointly by the chair of the
29 committee and the speaker of the house of representatives.

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1 (g) A member of a senate education committee, nominated by the chair of the committee
2 and appointed by the president of the senate.

3 (h) One business administrator, representing a different public school district than the
4 appointed superintendents under subparagraph (b), appointed by the head of the New Hampshire
5 School Business Administrators Association.

6 (i) Two parents or guardians of public school students in the state, who should each be
7 representatives of different counties in the state, sizes of schools and school districts, and
8 demographics of public school students, including but not limited to disability, socioeconomic,
9 gender, race, and ethnic backgrounds.

10 (j) A charter school administrator, appointed by the New Hampshire Alliance for Public
11 Charter Schools.

12 (k) A special education director, appointed by the New Hampshire Association of Special
13 Educators.

14 III. Legislative members of the commission shall receive mileage at the legislative rate when
15 attending to the duties of the commission.

16 IV. The commission shall:

17 (a) Develop a public school open enrollment system that:

18 (1) Establishes state funding mechanisms for this educational pathway;

19 (2) Provides an adequate education through an integrated system of shared
20 responsibility between state and local government; and

21 (3) Ensures equitable access for all public school students and families.

22 (b) Propose revisions to RSA 194-D to establish the following components of open
23 enrollment public schools:

24 (1) The random, fair, and equitable process for student enrollment and selection that
25 complies with all federal and state civil rights and anti-discrimination laws and regulations;

26 (2) The department of education's ability to provide support and guidance to school
27 districts that want to consider open enrollment;

28 (3) Required timelines to establish an open enrollment school, including those stated
29 in RSA 194-D:3;

30 (4) Transportation responsibilities between public schools;

31 (5) Special education responsibilities between public schools;

32 (6) Required policies for an open enrollment public school;

33 (7) Clarifications on budget documentation for public schools using open enrollment;

34 (8) State procedures regarding use of state adequacy and differentiated grants to
35 fund open enrollment in public schools; and

36 (9) Development of a funding algorithm and mechanism that prevents direct
37 invoicing between public schools.

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1 (c) Determine the work schedule and organizational plan to complete the review process
2 with the timeline specified in paragraph VI. This may include additional work sessions with various
3 groups of New Hampshire public school educators and leaders.

4 V. The first meeting of the commission shall occur within 30 days of the effective date of this
5 section. The members of the commission shall elect a chairperson from among the members. Eight
6 members of the commission shall constitute a quorum. The first meeting of the commission shall be
7 called by the first named member of the commission, excluding the commissioner of education. The
8 commission shall make all decisions related to its recommendations using a simple majority vote of
9 the commission members.

10 VI. The commission shall provide a final report no later than September 1, 2027. The report
11 shall be sent to the president of the senate, the speaker of the house of representatives, the chairs
12 and ranking members of the house and senate education committees, and the commissioner of the
13 department of education.

14 2 Prospective Repeal. RSA 194-D:8, relative to establishing the commission to study open
15 enrollment public schools, is repealed.

16 3 Effective Date.

17 I. Section 2 of this act shall take effect September 1, 2027.

18 II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill establishes a commission to study public school open enrollment.