

HB 1280 - AS INTRODUCED

2026 SESSION

26-2856

12/06

HOUSE BILL **1280**

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

SPONSORS: Rep. Damon, Sull. 8; Rep. E. Kelly, Merr. 8; Rep. Raymond, Hills. 5; Rep. M. Murray, Hills. 37; Rep. M. Hall, Merr. 9; Rep. Cornell, Hills. 22; Rep. Balboni, Rock. 38; Rep. Weinstein, Rock. 10; Rep. Bricchi, Merr. 15; Sen. Watters, Dist 4

COMMITTEE: Education Policy and Administration

ANALYSIS

This bill establishes a commission to study public school open enrollment. The bill also suspends RSA 194-D until the final date of the legislative session following the submission of the commission's report.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

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

Be it Enacted by the Senate and House of Representatives in General Court convened:

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

3 194-D:8 Commission to Study Open Enrollment Public Schools. There is established a
4 commission to study public school open enrollment and provide revisions related to RSA 194-D.

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

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

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

12 (b) Five public school superintendents, each of whom shall be from a different region as
13 recognized by the New Hampshire School Administrators Association (NHSAA), appointed by the
14 NHSAA legislation committee chair.

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

18 (d) The chair of the house education policy committee, appointed by the speaker of the
19 house.

20 (e) The chair of the senate education policy committee, appointed by the senate
21 president.

22 (f) A member of the house education policy committee, appointed jointly by the chair of
23 the committee and the speaker of the house.

24 (g) A member of the house education finance committee, nominated by the chair of the
25 committee and appointed by the speaker of the house.

26 (h) A member of the senate education policy committee, nominated by the chair of the
27 committee and appointed by the senate president.

28 (i) A member of the senate education finance committee, nominated by the chair of the
29 committee and appointed by the senate president.

1 (j) Two business administrators, each representing a different public school district, one
2 of whom shall be appointed by the speaker of the house and one of whom shall be appointed by the
3 senate president.

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

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

10 IV. The commission shall:

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

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

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

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

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

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

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

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

24 (4) Transportation responsibilities between public schools;

25 (5) Special education responsibilities between public schools;

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

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

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

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

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

35 V. The first meeting of the commission shall occur within 30 days of the effective date of this
36 section. The members of the commission shall elect a chairperson from among the members. The
37 first meeting of the commission shall be called by the first named member of the commission,

HB 1280 - AS INTRODUCED

- Page 3 -

1 excluding the commissioner of education. The commission shall make all decisions related to its
2 recommendations using a simple majority vote of the commission members.

3 VI. The commission shall provide a summary report no later than September 1, 2027. The
4 report shall be sent to the president of the senate, the speaker of the house of representatives, the
5 chairs and ranking members of the house and senate education committees, and the commissioner of
6 the department of education.

7 2 Temporary Suspension of Chapter. RSA 194-D:1 through 194-D:7, relative to open enrollment
8 schools, shall be suspended pending the submission of the commission's final report, as established
9 in section 1 of this act. This suspension shall begin upon the passage of this act and shall terminate
10 on the final date of the legislative session following submission of the commission's final report to
11 the legislative body.

12 3 Prospective Repeal. RSA 194-D:8, relative to establishing the commission to study open
13 enrollment public schools, is repealed.

14 4 Effective Date.

15 I. Section 3 of this act shall take effect September 1, 2027.

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