

March 23, 2026

The Honorable **Kristin Noble**, Chair House Education Policy and Administration

House, Room 232, 1 Granite Place, Concord, NH 03301

RE: Opposition to SB 101 – AN ACT authorizing parents to enroll their children in any public school in the state.

Dear Chair Noble and Honorable Members of the Committee,

I am writing to express my firm opposition to SB 101. I respectfully urge you to suspend any legislation mandating statewide open enrollment until its impacts can be comprehensively studied and a framework is established that ensures equal access for all New Hampshire students, rather than a privileged few. I encourage you to review the language in HB 1280 and proceed with a study of the impact that open enrollment may have before enacting statewide open enrollment legislation.

As currently drafted, SB 101 presents several critical risks to our community. I would like to highlight the five most pressing areas of concern:

1. Erosion of Local Control and Taxation Without Representation

This legislation would shift property tax dollars raised in Rochester to other communities with virtually no oversight from our local taxpayers. Under this bill, Rochester residents would lose any voice in how their hard-earned funds are utilized once they leave the district. This effectively mirrors "taxation without representation," as our voters would lose control over the very revenue they raise for our School District.

2. Operational Burdens and Disproportionate Financial Loss

Every dollar sent to another district is a dollar removed from the education of the students who remain in Northwood, creating a financial vacuum that may necessitate raising additional local funds just to maintain current service levels.

The administrative burden associated with this legislation is equally substantial; to manage the intricate billing and payment processes for participating students, the District may be compelled to establish new administrative positions, such as a dedicated financial officer, further straining our local budget.

Notably, SB101 fails to account for fiscal impacts regarding students not currently enrolled in in district Rochester. We have a number of homeschool students who may choose to access the open enrollment pathway without ever attending Rochester schools. At 80% of our cost per pupil, the District would lose over \$15,340 per student; if even 20 students utilized this pathway, the resulting \$306,800 revenue loss would require Rochester to consider cutting a teachers or reducing services for the more than 3,659 students who remain in our District.

3. Special Education Liability

Perhaps most concerning is the impact on Special Education. SB 101 designates the "sending" district as the district of liability. If a Rochester student with a disability enrolls elsewhere, Rochester remains 100% financially responsible for their Free and Appropriate Public Education (FAPE). We would be held liable for the costs while having zero control over the delivery or management of services in a different community. To ensure legal integrity and compliance, we would likely need to hire additional Local Education Agency (LEA) representatives to oversee these out-of-district placements, an entirely unfunded mandate.

4. An Unfunded Mandate

While the public discourse surrounding SB 101 focuses on revenue, it systematically ignores the accompanying expenses. By imposing these significant costs on local districts without providing supplementary state funding, the legislation shifts the entire financial burden onto local property owners.


5. The Illusion of Equality

Horace Mann famously stated that *"Education, then, beyond all other devices of human origin, is the great equalizer of the conditions of men."* Unfortunately, HB 751 fails this standard. As drafted, it provides "additional privileges" only to families with the existing means and transportation to choose a school outside their town. For families without reliable transportation or flexible work schedules, this "choice" is non-existent, further widening the gap between our students.

I ask that you protect the local authority of Rochester and ensure that our community's resources continue to serve our community's children. We respectfully request that you suspend open enrollment legislation until its comprehensive impacts can be thoroughly studied and a framework is established that guarantees equal access for all New Hampshire students.

Thank you for your service and for your careful consideration of Rochester's students and taxpayers. I am available at your convenience should you wish to discuss these concerns further.

Sincerely,



Nate Byrne
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