

March 25, 2026

Dear Members of the House Policy & Administration Committee,

I am here today to testify in opposition to SB 101. There are three key talking points that I would like to offer as to why this committee should vote **Inexpedient to Legislate (ITL)** on SB 101.

I offer today's testimony from three perspectives.

First, from the lens of a practitioner, who has been responsible for the implementation of an adequate education in at least six different public school districts throughout my 32 years as an administrator and educator. I am currently the Superintendent of the Grantham School District.

Second, I am the current NHSAA Legislative Committee Chair and represent about 45 Superintendents who spent 7 weeks this past summer studying open enrollment and have offered suggestions on how to structure open enrollment through an equitable approach with consistent guardrails for all schools. This work was used in the development of HB 1280, which was the bill on the commission to study open enrollment. I would encourage this committee to consider amendments to SB 101, which could draw from suggestions in HB 1280.

Third, I am an elected official as the Goshen School District moderator and clerk. I am also a previous chair, vice chair, and member of the Goshen School Board. Goshen is my hometown. Goshen has offered different public school pathways to students in grades K through 12 for over 10 years. They have done this through collaborative efforts with school districts in the region while maintaining fiscal responsibility to the Goshen taxpayers. Goshen didn't need open enrollment to create various educational pathways for students who wanted to attend different public schools. There is much to learn at a state level from this model that has been successful for at least a decade. Yet, SB 101 would take this all away from Goshen and the local control that built these pathways.

Key point #1: The removal of the language from the existing RSA that allows this decision to rest with the "school district legislative body" to vote to "designate one or more of its schools as an open enrollment school" is a blatant attempt to push a state driven unfunded mandate on the local taxpayers within each community. What evidence do I have? First, Grantham School District and its "local legislative body"

voted unanimously to approve the following warrant article on March 3rd. To designate Grantham Village School, specifically grades K-6 as an open enrollment school pursuant to RSA 194-D, **thereby allowing non-resident students to attend Grantham Village School in an amount not to exceed zero percent (0%) of the school's total enrollment; and further, to set the percentage of Grantham School District resident students permitted to attend open enrollment schools/programs outside the Grantham School District at zero percent (0%).** The Grantham Community voted this way to protect our long-standing agreement with the Lebanon School District via an AREA agreement that has been in existence since 1967. The community also took this action to provide some legal protection should their policies on resident and non-resident students be challenged in a court of law. Lastly, this step was necessary to provide stability in terms of controlling costs for our taxpayers. Open enrollment is not something that is a one-size fits all model that should be forced on all school communities across the state. It is a pathway that may work for some school communities, but not for others. Goshen and Grantham are examples where this model is not in the best interest of its community members, families, and students.

To address the unfunded mandate portion of my claim, I did a financial analysis of the potential cost increases Grantham School District would face if open enrollment took the place of our AREA agreement for 7 to 12 students. With only 10% of 7 to 12 students participating in open enrollment, which is only 3 students per grade level in each of those grades, it would cost the Grantham School District an additional \$115,000 in its budget, which equates to approximately an increase of \$0.15 per \$1000 on the tax rate in Grantham. Is the state going to cover the cost of this increase? I don't see anywhere in SB 101 that addresses increased costs?

This is an unfunded state mandate. The other reason this is an unfunded mandate is that the requirement that tuition be set on cost per pupil as articulated on NHED website does not take into account that Grantham's negotiated tuition rate through its AREA agreement is LESS THAN its NHED cost per pupil reporting. Our negotiated rate is \$6,615 less at the high school level than our cost per pupil. Our rate is only 74.5% (less than the 80% current required in the RSA) of our cost per pupil. By forcing open enrollment in the Grantham School District, you are increasing the cost to the local taxpayer and REMOVING their voice in the process to make this determination for the Grantham Community. This is an unfunded mandate at its purest example. If the state wants open enrollment as a pathway, then the state should pay for it.

Key Point #2: This brings me to my 2nd key point why I oppose SB 101.

This bill stipulates the sending district shall pay “an amount equal to not less than 80% and not greater than 100% of the ending district’s average cost per pupil...” However, further in the bill’s language it stipulates, “sending districts may pay less than 100% of the sending district’s average cost per pupil PROVIDED that the sending district demonstrates the need for a lower tuition rate relative to fixed costs.” Who is going to arbitrate the decision on whether the sending district has demonstrated this need or not? My guess is this will become a legal matter that will drag sending and receiving districts into court with each other. How is that a good use of taxpayer funds? This contradiction in language is subtle, that implies if you want to stay out of court, then you are stuck paying 100% of the cost per pupil. Let’s not be fooled by any other interpretation in terms of what will happen when this type of contradictory language is applied real time in school conversations related to tuition payments for open enrollment.

Key Point #3: Equity. For my purpose today, *equity* recognizes that each person has different circumstances and allocates the specific resources needed to reach an equal outcome. Even though this point can sometimes get lost in the open enrollment discussion, it is one that Superintendents over the summer identified as a key area of concern. It is without a doubt, that even in the existing RSA language and even more so in the language of SB 101, open enrollment as proposed will create more educational gaps in communities across New Hampshire - expanding the divide between “haves and have nots.” Public schools educate all students. If it wasn’t for my hometown public school of Newport High School, I would not be the educational leader I am today. That public school system opened doors and opportunities for me that could not have been provided by a family of blue collar workers doing all they could to support their 4 children in having a future beyond their means. When you have language about parents being responsible for differences in tuition costs, how can you even think this represents the key societal role our public schools play in our world? When there is language about students who have struggles and challenges in school, for a variety of reasons, or miss school because they need to care for younger siblings and are labeled with chronic absenteeism and they can be denied a transfer application, and think this is acceptable practice in our duty to educate all students...it speaks more to the dismantling of public schools, which is likely what is behind this open enrollment legislation. There are many other equity issues to be addressed, especially when it comes to the treatment of students with identified and specialized services. To do anything else, but vote ITL, on this bill is a clear message that the value of public schools to our society is in question.

Conclusion

I ask this committee to listen to the constituents across this state who have already shared their voices on open enrollment through the warrant article process. When this topic has been presented at the local level, there are still too many questions and uncertainty about how open enrollment will be viable. To ignore these voices and create an educational pathway under political pressure is bad for NH students, families, and constituents. Send a message that open enrollment needs further study and development. Take a stand and push politics out of our public schools by voting **Inexpedient to Legislate (ITL)** on SB 101. Listen to NH voters and taxpayers who are here today exercising their civic duty.

Thank you. I am happy to answer any questions.

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Goshen NH