



Universal Open Enrollment Can Help Students and School Districts

Policy brief

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In the “live free or die” state, switching public schools is surprisingly difficult. State law gives students only a few options. The one easy way is to enroll in a chartered public school, if one happens to be nearby and a good fit. Every other option is obstructed by a series of hurdles that cannot be cleared without the approval of public school officials.

More than a dozen states offer a better way: [K-12 open enrollment](#) which lets students attend public schools other than their residentially assigned ones.

New Hampshire lets school districts reassign students to a different district under limited circumstances. It has a separate open enrollment law, which is cumbersome, vague and seldom used. Districts have to designate a school as an open enrollment school. Yet districts that do this can prevent their own students from going to another district's open enrollment school. Only one district, Prospect Mountain, has an open enrollment program.

To fix this, legislators have introduced three proposals [House Bill \(HB\) 741](#), [Senate Bill \(SB\) 101](#), and [SB 97](#) that would significantly improve the state's open enrollment law by letting students attend public schools other than their residentially assigned one.

There are two types of [open enrollment](#): cross-district open enrollment lets students attend schools outside their assigned school district, while within-district open enrollment lets students attend schools other than their assigned one that are inside their school district.

A strong open enrollment law must be [statewide](#), meaning that school districts must admit all transfer applicants so long as extra seats are available. Currently [16 states](#) have strong open enrollment laws.

HB 741 and SB 101 would establish statewide cross-district open enrollment policies which would let students enroll in any public schools with extra seats. Both of these proposals boast [strong transparency provisions](#) at the state and district levels, ensuring that policymakers, taxpayers and families have open enrollment information at their fingertips.

If either of these proposals is codified, New Hampshire would be the [17th state](#) to adopt statewide cross-district open enrollment.

S.B. 97 would establish a statewide within-district open enrollment law, letting students attend schools that are outside their assigned catchment area, but inside their district. If codified, New Hampshire would join [14 other states](#), including [Delaware](#), with this policy.

All of these proposals would significantly strengthen New Hampshire's open enrollment law. However, the best of them H.B. 741 would launch New Hampshire's policy from 25th place to 5th place nationwide per [Reason Foundation's open enrollment best practices](#), putting the state on par with leaders in open enrollment, such as Arizona, Utah and West Virginia.

Students use open enrollment for varying reasons. Research from [Wisconsin](#), California, Colorado and Minnesota cross-district open enrollment programs showed that students used it to access better academics. Notably, data from [Arizona](#), [Florida](#) and [Texas](#) showed that students tended to transfer to higher-rated school districts.

Additionally, [Ready Colorado's](#) 2018 report and the California's Legislative Analyst's Office's [2016](#) and [2021](#) reports found that students used the state's cross-district open enrollment program to access specialized courses, such as Advanced Placement (AP) or International Baccalaureate classes, escape bullying, or shorten their commutes.

Moreover, a [2017 study](#) of Ohio's cross-district open enrollment program found achievement benefits for consistent participants compared to non-participants. The most significant positive effects occurred among black students and those in high-poverty urban areas. Similarly, a [2023 study](#) of Los Angeles Unified School District's within-district open enrollment program showed that it had positive effects on student achievement and college enrollment, especially when compared to non-participants

Open enrollment doesn't just help students. It can help districts improve as well. Research from [California](#), [Ohio](#) and [Wisconsin](#) showed that competition between school districts can encourage them to improve.

This isn't surprising since research from [Colorado](#) and [Minnesota](#) showed that lower-performing districts tend to lose transfers at higher rates. Moreover, small or rural school districts in [Wisconsin](#) and [California](#) bolstered their enrollments with transfers. These data show that open enrollment can be a win-win for students and school districts.

As California's Legislative Analyst's Office wrote in its evaluation of that state's District Choice Program, "home districts often respond to the program by taking action to gain clarity about the priorities of their communities and by implementing new educational

programs. We also found that the home districts most affected by the program have made above-average gains in student achievement over the past several years, although the role of the program in these gains is difficult to determine.”

The evidence from other states strongly suggests that statewide open enrollment would achieve two long-sought goals in public education: elevate individual student outcomes and improve district public schools.

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