

TO: Senate Committee on Education, Energy, and the Environment

BILL: Senate Bill (HB) 819 – *Public Schools - Open Enrollment - Policies and Funding*.

DATE: March 7, 2025

POSITION: Information

The Maryland State Department of Education (MSDE) provides this information regarding **Senate Bill (HB) 819 – *Public Schools - Open Enrollment - Policies and Funding***.

SB 819 Summary

SB 819 authorizes Local Education Agencies (LEAs) to adopt an open enrollment policy allowing students to attend a public school in a county where the student is not a resident. An LEA that adopts the policy will develop an application process and procedures for issuing and receiving payments between the sending and receiving LEAs. The LEA must also publish a report on the open enrollment capacity by school and grade level.

MSDE Information

The proposed legislation will impact State Aid calculations as it requires MSDE to provide the difference in funding if the local current expense per student in the sending LEA is less than the receiving LEA. SB 819 will require an update to the enrollment data collection system. The Department will need to adjust State Aid calculations to provide the difference in the local current expense per student, in the event that the sending LEA has a lower local current expense per student than the receiving LEA. Maryland's LEAs' Local Current Expense amount ranges from \$3,575 to \$10,531.

Under Maryland law, public school attendance is according to the geographic attendance area determined by the county board of education. (Ed. Art. §4–109). The statute states: “With the advice of the county superintendent, the county board shall determine the geographical attendance area for each school established...”. Some LEAs have created flexibility in enrollment or magnet programs that enroll students without regard to residence. LEAs have adjusted transportation and extracurricular participation rules to accommodate students attending schools that are not the zoned school.

The LEA that adopts an open enrollment policy must adopt an application process and financial procedures for payments between LEAs. Whether or not the LEA elects to adopt an open enrollment policy, it may still see an impact if residents of its county are able to enroll in a school in a county that does have such a policy.

MSDE respectfully requests consideration of these comments as SB 819 is discussed and deliberated.

For further information, please contact Dr. Akilah Alleyne (Executive Director of Government Affairs) at 410-767-0504, or Akilah.alleyne@maryland.gov