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**BILL:** Senate Bill 350  
**TITLE:** Public Schools - Open Enrollment - Policies and Funding  
**HEARING DATE:** February 27, 2026  
**POSITION:** UNFAVORABLE  
**COMMITTEE:** Education, Energy, and the Environment  
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The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, **opposes Senate Bill 350.**

Senate Bill 350 authorizes local boards of education to adopt an open enrollment policy and, if adopted, requires participating boards to: (1) enroll a child from a sending county free of charge; (2) reserve space for students enrolled in the prior year for automatic re-enrollment in subsequent years without application; (3) publish the policy in an easily accessible manner on the local board's website; and (4) comply with applicable federal and State antidiscrimination laws.

Although participation is framed as optional, the bill establishes a detailed statutory framework that would significantly limit local discretion once adopted. Local boards would be bound by prescriptive requirements governing admissions, continued enrollment, and public reporting, thereby reducing their ability to adjust enrollment practices in response to shifting demographics, staffing constraints, and facility capacity.

The bill creates an interdependent system in which the decision of one county directly affects another. While a board may choose whether to accept students from outside its boundaries, no board may prevent its resident students from enrolling elsewhere if a receiving district has opted in. As a result, a single county's decision to participate could impose enrollment, staffing, transportation, and fiscal consequences on neighboring jurisdictions that did not elect to adopt the policy. This structure introduces substantial potential for unanticipated cross-county impacts.

Local boards must retain discretion over enrollment decisions to manage resources responsibly and respond to local conditions. Under existing law, districts may permit student reassignments based on available capacity, with decisions that are discretionary and driven by annual assessments of enrollment trends, staffing levels, and facility constraints. Senate Bill 350 would replace that flexible, locally tailored approach with a more rigid framework. Once a student is accepted under an open enrollment policy, the receiving district must prioritize that student for continued enrollment in subsequent years, limiting the district's ability to reevaluate placements as enrollment patterns shift and constraining its capacity to reallocate space for resident students when circumstances change.

Senate Bill 350 also introduces fiscal unpredictability. School system budgets are largely enrollment-driven, yet many operational costs remain fixed. When students transfer across county lines, revenues may follow the student but staffing and facility costs do not adjust proportionally or immediately. A sending county experiencing significant outflow could face budgetary strain without corresponding reductions in fixed expenses.

In addition, current law requires the State to cover the funding differential when a student transfers to a higher-cost district. If students move from non-participating, lower-cost districts into participating, higher-cost districts, State expenditures would likely increase to account for those cost differences. The interaction between voluntary participation and mandatory fiscal adjustments heightens the risk of instability for both local systems and the State budget.

MABE has consistently opposed legislation that restricts local authority and diminishes boards' ability to respond to local needs and conditions. Preserving the longstanding balance between State policy and local governance is essential to effective public education administration.

**For these reasons, MABE respectfully requests an unfavorable report on Senate Bill 350.**