

Moreno SB350 Favorable Written Testimony.pdf

Uploaded by: Christy Moreno

Position: FAV

Christy Moreno
National Organizing Director
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Testimony in Support of Senate Bill 350 (SB0350)

Chair, Vice Chair, and Members of the Education, Energy, and the Environment Budget and Taxation Committee:

Thank you for the opportunity to provide written testimony today in strong support of **Senate Bill 350**, which would authorize county boards of education to adopt open enrollment policies allowing students to attend a public school in a county other than the one where they live, free of charge, subject to clear, equitable procedures.

Expanding Access and Expanding Opportunity

This bill would help dismantle the deeply entrenched connection between a child's ZIP code and their school access — a link that too often determines educational quality and opportunity in Maryland. When families can only enroll in the school to which they are assigned, regardless of fit or needs, many students remain in underperforming environments or fall through the cracks. Open enrollment gives families a voice and options within the public system itself — not outside of it.

Keeping Public Schools Available to All

Organizations like Available to All emphasize that public education should be a fully accessible public good — not segmented by geography, wealth, or circumstance. Open enrollment models do exactly that: they expand access without privatizing education or diverting public funds away from traditional public schools. By allowing families to choose within the public sector, SB350 strengthens accountability and responsiveness across the system.

Supporting Equity, Not Inequality

The National Parents Union's "Closing the Promise Gap" framework highlights a critical contrast in education policy: **public school choice, like open enrollment, can increase equity for all families**, whereas tuition-based vouchers or Education Savings Accounts often create two tiers of access, privileging those who can pay and leaving others behind. SB350 keeps choice squarely within the public realm — no tuition, no separate system, and no economic gatekeeping — ensuring that all students can benefit.

Key Provisions That Promote Fairness

SB350 thoughtfully incorporates safeguards to ensure implementation is fair and transparent:

Christy Moreno
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- Boards must publish open enrollment capacity by school and grade level and update that data regularly so families can plan and choose with confidence.
- Application processes must be accessible — available in electronic and hard copy form — with clear timelines and notifications of decisions.
- Enrollment decisions may be subject to equitable selection methods, such as lotteries, if demand exceeds capacity.
- Enrollment pursuant to this policy counts for full-time equivalent funding for the receiving county, ensuring resources follow students and incentivizing districts to participate.

These provisions help ensure open enrollment is not a burdensome administrative experiment, but a well-structured opportunity that respects both family choice and school integrity.

Real Schools, Real Teachers, Real Families

SB350 ensures that open enrollment does not require schools to redesign programs or offer services they do not already provide, and it preserves existing eligibility criteria for specialized programs so that quality and safety remain paramount. It also allows districts to make thoughtful decisions about capacity, student needs, and available resources.

Conclusion

Maryland's public education system is stronger when families can choose the best fit for their children. SB350 is a commonsense, equity-centered policy that expands access within our public schools, honors local control, and ensures transparency and fairness for families and districts alike.

I respectfully urge the committee to vote in favor of **Senate Bill 350**.

Thank you.

Christy Moreno
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MD Catholic Conference_SB 350_FAV.pdf

Uploaded by: Garrett O'Day

Position: FAV



**MARYLAND
CATHOLIC
CONFERENCE**

February 25, 2026

SB 350

Public Schools - Open Enrollment - Policies and Funding

**Senate Education, Energy and the Environment Committee
Senate Budget & Taxation Committee**

Position: FAVORABLE

The Maryland Catholic Conference offers this testimony in support of Senate Bill 350. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 350 would allow parents to choose the public school best suited to their child's needs by allowing county boards of education to adopt open enrollment policies to authorize students to attend, free of charge, a public school in a county other than the county where the student is domiciled. Funding would be in turn directed to the county in which the student is enrolled.

All three of (arch)dioceses serving Maryland have a strong commitment to education and recognize the important role that education plays in a child's development and future. Within the State of Maryland, Catholic schools serve approximately 50,000 students over nearly 150 schools. Additionally, tens of thousand more Catholic parishioners send their children to our state's public schools.

The parental choice option provided by this proposal aligns succinctly with the mission of our faith tradition, which holds that parents are the first educators of their children. The state owes a duty to ensure all of Maryland's children are afforded the educational opportunities best suited to their needs, regardless of whether that is a public or nonpublic school. For these reasons, we urge a favorable report for Senate Bill 350.

MD HB0026 Open Enrollment Written Testimony.pdf

Uploaded by: Jason Allen

Position: FAV



Dear Members of the Education, Energy, and the Environment Committee:

I am writing this testimony in support of House Bill 0026 (HB0026). I don't take this opportunity lightly to advocate on behalf of modern American families in Maryland as a long time educator.

So may ask, why is this bill important to families and public education? I can assure you that this bill is one of the most urgent and needed pieces of legislation to ensure we meet the needs of all children effectively.

This policy will allow us to truly bring innovation in educational practices to all children across the state as we all learn differently.

Our learning differences require different programming, specialists, teachers and curriculum that the school behind your house may not have but the school in a neighboring community might. This is one example of how parents and families having the ability to choose the best educational setting for their child(ren) can help increase positive outcomes.

As you know, supporting **Senate Bill 350**, would authorize county boards of education to adopt open enrollment policies allowing students to attend a public school in a county other than the one where they live, free of charge, subject to clear, equitable procedures.

Modern American families thrive when children and youth have stable, efficient and innovative educational options.

Maryland also has a large number of caretakers and grandparents raising school aged children. This helps families that are blended, multicultural, multilingual or multigenerational who have responsibilities across the region prepare, plan and provide the educational care needed for their children.

Expanding access to all families allows students to take advantage of opportunities that can help improve their post secondary outcomes and most importantly positively impact their ability to be successful citizens in our society.

Allowing Maryland families to choose which educational option works best for their child(ren) and this bill gives parents the opportunity to meet their children's specific learning needs in the best educational setting.



Adopting open enrollment policies doesn't create cost, it constructs change for children to grow in educational spaces that may not be available to them.

It makes public access universal, moving choice away from being available only to families with resources like private tuition or transportation.

The National Parents Union's "Closing the Promise Gap" framework highlights a critical contrast in education policy: **public school choice, like open enrollment, can increase equity for all families**, whereas tuition-based vouchers or Education Savings Accounts often create two tiers of access, privileging those who can pay and leaving others behind.

SB350 keeps choice squarely within the public realm — no tuition, no separate system, and no economic gatekeeping — ensuring that all students can benefit.

Transparency and safeguards are key to ensuring that every child and family that goes through the open enrollment process will be supported and that administrative staff won't be overwhelmed due to lack of resources. This bill will improve planning, school selection, design and educational programming.

I believe that Maryland's public education system will only grow stronger through the adoption of SB350. When families can choose the best fit for their children through a commonsense, equity-centered policy that expands access within our public schools, honors local control, and ensures transparency and fairness for families and districts alike, we all win!

I respectfully urge the committee to vote in favor of **Senate Bill 350**.

Thank you.

Jason B. Allen
National Director of Partnerships
National Parents Union
jason@npunion.org

SB 350 Testimony.pdf

Uploaded by: Lien Hoang

Position: FAV

ALONZO T. WASHINGTON
Legislative District 22
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Finance Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 27, 2026

The Honorable Brian J. Feldman, Chair
Senate Education, Energy, and the Environment Committee
Maryland State Senate
Annapolis, Maryland

RE: SB 350 - Public Schools - Open Enrollment - Policies and Funding
Position: Favorable

Dear Chair Feldman and Members of the Committee,

Thank you for the opportunity to speak today about Senate Bill 350. This bill gives Maryland families something they have been asking for, a fair, realistic way to access public schools outside their county of residence without paying tuition. SB 350 is about opening doors that have been closed for far too long, especially for students who are ready for advanced coursework such as college career readiness pathways, career technical education programs, and dual enrollment opportunities.

Maryland operates 24 independent local school systems, each with its own transfer rules, timelines, and criteria. There is no statewide process for students to access programs outside of their home county, and Maryland is not listed among states with statewide open enrollment in federal school choice summaries. This leaves families navigating a confusing patchwork of rules with no clear or consistent way to pursue the programs their children need. According to data from the Maryland State Department of Education, more than 900,000 Maryland students are affected by these county-based boundaries, meaning access to advanced coursework or career and technical education programs depends heavily on where a student lives.

Students who are ready for these programs often cannot access them simply because their home county does not offer those opportunities. Families face inconsistent rules, unclear timelines, and no uniform process for seeking access to programs that align with their child's goals.

SB 350 creates a voluntary statewide framework that gives families a transparent way to request enrollment in another county when their home county lacks the program they need. The bill

preserves local control and respects capacity limits.

SB 350 does not mandate participation, shift funding, or override local control. It simply creates a voluntary, transparent process that counties can adopt based on their capacity and program availability. SB 350 provides families with a fair pathway opportunity without imposing new burdens on local school systems.

For these reasons, I respectfully request a favorable report on Senate Bill 350.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alonzo T. Washington', written in a cursive style.

Alonzo T. Washington
Maryland State Senate
District 22

NPU MD Open Enrollment Testimony.pdf

Uploaded by: Rianna Saslow

Position: FAV



My name is Rianna Saslow, and I am here on behalf of the National Parents Union—a network of about 1.6 million parents across the country, including many right here in Maryland.

Parents want their children to have a fair shot at a great education. But today, that opportunity is too often determined by their ZIP code. School attendance boundaries are typically a direct legacy of housing segregation, yet they continue to lock families out of high-quality public schools. This is educational redlining.

Parents are telling us that they feel trapped. Most families can't pay thousands of dollars in private school tuition, they can't afford to move to better districts, and some face massive fines just for trying to get their kids into a better school.

This is not equity. This does not uphold education's role as the great equalizer. And it does not fulfill Maryland's constitutional promise of a "thorough and efficient System of Free Public Schools."

Senate Bill 350 takes an important step toward fixing that by allowing students to attend public schools outside their home county, free of charge.

This is exactly what parents are asking for. According to our polling data, 83% of parents support open enrollment policies. SB350 gives parents the choice they desperately want while keeping children and resources in public schools.

We know this approach works. Similar policies across the country have improved student outcomes, expanded access to advanced coursework, and spurred continuous community engagement.

Parents are not asking for special treatment. They are asking for access — access to opportunity, to quality, and to hope. No child's future should be limited by a boundary line on a map.

On behalf of the National Parents Union and the families we represent, we urge you to pass Senate Bill 350 and take a meaningful step toward a stronger public education system for every child in Maryland.

Thank you for your time and your commitment to Maryland's students.

Tafshier Cosby - SB0350 Support testimony.pdf

Uploaded by: Tafshier Cosby

Position: FAV

Tafshier Cosby, National Parents Union

Written Testimony in Support of Maryland Senate Bill 350

**Maryland Senate Education, Energy, and the Environment Committee
SB 350 – Public Schools – Open Enrollment Policies**

Chair and Members of the Committee:

My name is Tafshier Cosby, and I serve as Senior Director of Organizing and Partnerships at the National Parents Union (NPU), a national network of parent leaders and organizations representing families across the country. I respectfully submit this testimony in strong support of Maryland Senate Bill 350 (2026 Regular Session).

At the National Parents Union, we believe families deserve access to high-quality public education options that meet the unique needs of their children. SB 350 represents a thoughtful, responsible step toward expanding opportunity for Maryland families by authorizing local school boards to adopt open enrollment policies.

This bill does three important things:

First, it expands access.

SB 350 allows county boards of education to permit students to attend public schools outside of their assigned attendance zones at no cost to families. For many parents, especially those whose children may not be thriving in their zoned school this flexibility can be life-changing. School boundaries should not become barriers to opportunity.

Second, it preserves local decision-making.

This legislation does not impose a statewide mandate. Instead, it authorizes local boards to adopt policies that reflect their communities' needs. That flexibility matters. District leaders are best positioned to determine how to structure application processes, timelines, and communication systems that work for their families.

Third, it balances choice with capacity.

SB 350 appropriately requires that any open enrollment policy account for building capacity and staffing limitations. This ensures that implementation is responsible and sustainable. Open enrollment should increase access not create overcrowding or strain school systems. The bill's clear guardrails help maintain that balance.

From our experience working with parent leaders nationwide, we know families want more transparency, more clarity, and more agency in educational decisions. Open enrollment policies, when well-designed, promote fairness by creating clear application processes and defined criteria for participation. They reduce the informal advantages that often benefit only families with insider knowledge or financial means.

Importantly, SB 350 keeps public education dollars in public schools. It strengthens the public system by allowing families to seek better-fit options within it.

Parents are not asking for chaos. They are asking for access. They are asking for options when a placement is not working. They are asking to be trusted as partners in their children's education.

SB 350 moves Maryland closer to a public education system that works for more families without dismantling local authority, without imposing mandates, and without ignoring capacity realities.

On behalf of the National Parents Union and the families we represent, I urge a favorable report on Senate Bill 350.

Thank you for your consideration.

Reverentially submitted,

A handwritten signature in cursive script that reads "Tafshier Cosby".

Tafshier Cosby

Senior Director of Organizing and Partnerships
National Parents Union

Testimony in favor of SB0350 by Tim DeRoche of Ava

Uploaded by: Tim DeRoche

Position: FAV

Testimony in favor of SB0350 by Tim DeRoche, founder and president of Available to All, a nonpartisan watchdog defending equal access to public schools

At Available to All, we defend the fundamental principle that all kids should have equal access to the best public schools. We have argued against strict policies of residential assignment that prevent children from enrolling in high-quality public schools that may be just blocks from their homes.

Strict attendance zone maps and district boundaries create many problems for Maryland families:

- Contributes to the affordable housing crisis, by driving up the price of homes in neighborhoods that are attractive to young families
- Leads to the deterioration of neighborhoods that are boxed out of nearby high-quality schools, as young families move out
- Forces school districts to hire private detectives to conduct residency checks on families who are just trying to find the right public school for their children
- Leads to dramatic inequalities in which the highest-performing public schools are reserved for wealthier families who can afford to pay the distorted price to live in the zone, leading to the development of

Indeed, we have found that the enrollment maps for many coveted public schools mirror the racist redlining maps from the 1930s. This is the case for Roland Park Elementary/Middle School in Baltimore, where 58% of children are reading proficiently. Less than 2 miles away is Walter P. Carter Elementary, where only 16% of the kids are reading proficiently.

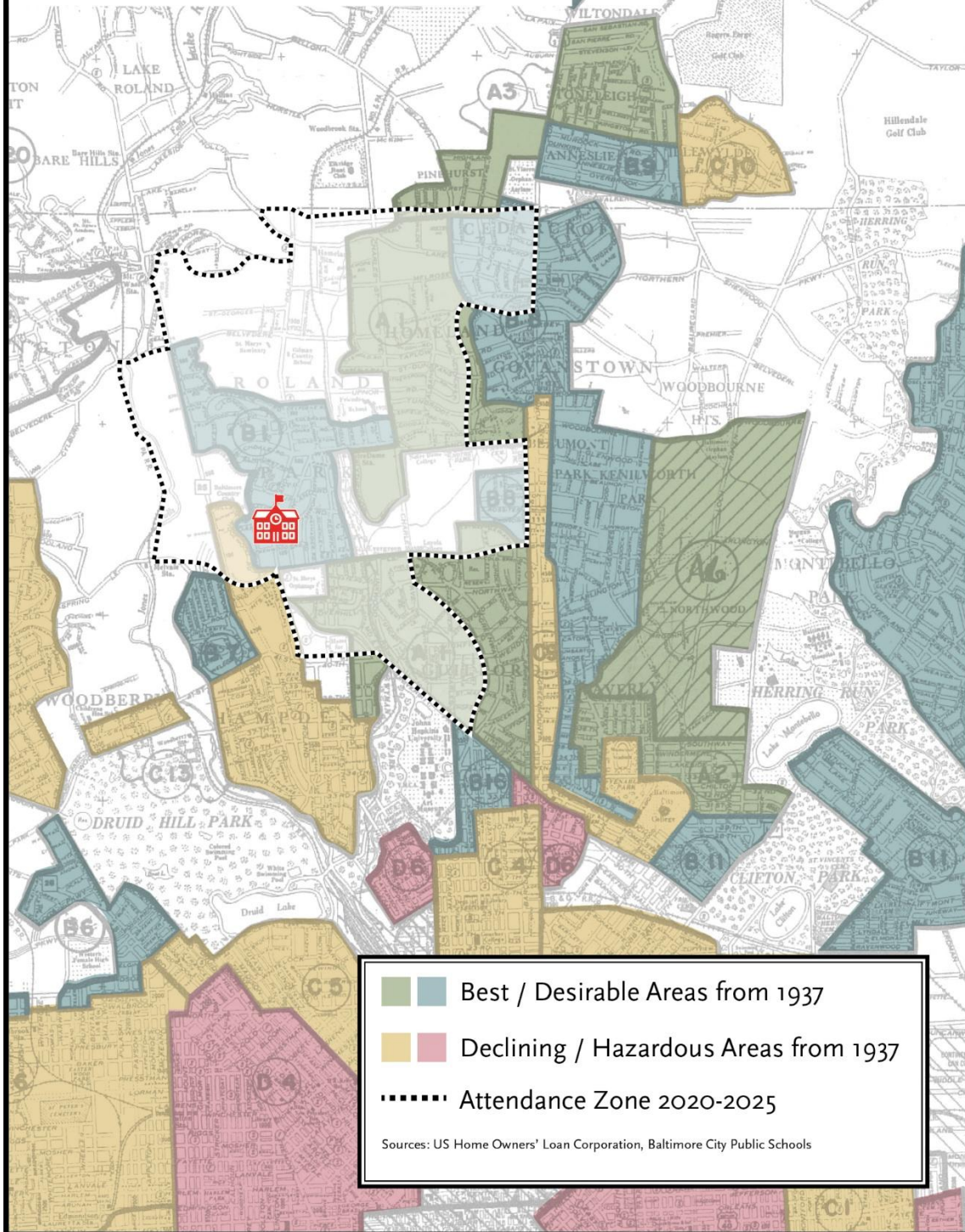
Carter families are taxpaying constituents of the Baltimore City Public Schools, but they aren't welcome at a high-performing school less than two miles from their homes and instead are assigned to a school where the vast majority of students are not reading at grade level.

Open enrollment laws like SB0350 have the ability to open up high-quality public schools to more Maryland children.

Before founding Available to All, I wrote the book, *A Fine Line: How Most American Kids Are Kept Out of the Best Public Schools*.

BALTIMORE

ROLAND PARK ELEM./MIDDLE SCHOOL ATTENDANCE ZONE



2026 SB0350 Testimony Against 2026-02-27.pdf

Uploaded by: Alan Lang

Position: UNF

Testimony Against SB0350

Honorable Senators

Please enter an unfavorable decision about SB0350.

I am opposed to

- Authorizing a county board of education to adopt an open enrollment policy to authorize certain students to attend, free of charge, a public school in a county other than the county where the student is domiciled with the student's parent or guardian, subject to certain requirements;
- requiring county boards to include certain students in full-time equivalent enrollment counts; and
- directing certain funding to the county in which certain students are enrolled in a public school under an open enrollment policy.

Why would any board of education want to do this? An open enrollment policy would create an extra administrative and financial challenge to implement on top of the formidable challenges these boards are already facing. Not knowing why the sponsor believes this bill is needed makes it hard to determine whether the unstated benefits are worth the additional burdens needed to implement it.

Please enter an unfavorable decision about SB0350.

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February 25, 2026

Testimony - SB 350 - Public Schools - Open Enrollm

Uploaded by: Dawana Sterrette

Position: UNF

**Testimony of the
Baltimore City Board of School Commissioners
In Opposition of
Senate Bill 350 – Public Schools – Open Enrollment – Policies and Funding**

February 27, 2026

The Baltimore City Board of School Commissioners has several concerns with the bill, as drafted. While the legislation does not mandate school districts to adopt an open enrollment policy, if we were to do so, it would definitely have a mix of administrative, operational, and fiscal impacts. And, the issue of having some school systems adopt open enrollment and others not adopt poses challenges to parents.

The school board would have to create an entire workstream that establishes and has daily responsibility for managing a formal application process within defined timelines, written approvals/denials, selection mechanisms (i.e., algorithm lotteries) when demand exceeds capacity, and clear enrollment policies. We would also be required to track and publicly post school-by-grade capacity and update this information routinely. Collectively, these requirements would require additional FTEs (ECT Specialists III and Data Analyst) to manage staff workload, system configuration needs, and ongoing compliance responsibilities.

From a fiscal standpoint, the impact on City Schools would depend largely on whether the district functions primarily as a sending system, a receiving system, or both. If City Schools is a sending district, it would be required to transfer per-pupil funding to receiving counties based on the lesser of the two districts' local current expense per student, while still retaining many fixed costs such as staffing, facilities, and transportation infrastructure. This dynamic could result in financial pressure.

Conversely, if City Schools were to be a receiving district, it would receive per-pupil funding from sending counties and, in cases where the sending county's per-pupil spending is lower, supplemental State funding to cover the difference. While this could be revenue-positive in some scenarios, the transferred funding may not fully cover the marginal cost of serving students with higher needs, such as those requiring special education or intensive academic and behavioral supports.

Transportation also presents a notable area of risk, as the legislation allows districts to provide transportation but assigns all transportation costs to the receiving district if transportation is offered, regardless of which district actually provides the service. Even if City Schools elected not to offer transportation, equity and access concerns could generate pressure to do so,

potentially creating an unfunded cost obligation. Additionally, the bill's requirements around capacity limits, program eligibility, and nondiscrimination compliance could expose the district to disputes or legal challenges if enrollment decisions are perceived as inconsistent or inequitable.

For the foregoing reasons, the Baltimore City Board of School Commissioners opposes Senate Bill 350 and urges an unfavorable report.

Dawana Merritt Sterrette, Esq.
Executive Director, Legislative and Government Affairs
Baltimore City Board of School Commissioners
443-250-0190

SB 350 - Public Schools - Open Enrollment.pdf

Uploaded by: Denise Riley

Position: UNF



A Union of Professionals
AFT-Maryland

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Kenya Campbell
PRESIDENT

LaBrina Hopkins
SECRETARY-TREASURER

**Written Testimony to the Senate Education, Energy, and the Environment Committee
SB 350 - Public Schools - Open Enrollment – Policies and Funding
February 27, 2026**

OPPOSE

Chair Feldman, Vice Chair Kagan and Members of the Committee, AFT Maryland opposes SB 350 because the legislation risks undermining the progress of the Blueprint for Maryland's Future, which aims to provide equitable, high-quality education to every child regardless of zip code.

While the intent of SB 350 is to provide families with more options, the proposed funding mechanism creates a unstable financial environment for Maryland's public school districts. By requiring a "sending" county to transfer a portion of its local per-pupil funding to a "receiving" county, the bill effectively drains resources from districts that may already be struggling to maintain their infrastructure and staffing levels.

The bill also allows receiving schools to deny enrollment based on "lack of capacity" or if they cannot meet a child's "special needs." Without a more robust guarantee of inclusion, this policy could lead to de facto segregation, where high-performing schools cherry-pick students and leave more vulnerable populations behind.

Open enrollment often favors families with the means to provide their own transportation, as the bill does not mandate the receiving district to provide transit for out-of-county students. This creates a tiered system where only families with means can realistically exercise the choice provided by the bill, while low-income students may remain in underfunded sending districts.

Public schools operate on high fixed costs, such as building maintenance, utilities, and transportation routes. The exit of students does not proportionately decrease these overhead costs, leaving the students who remain in their home districts with fewer resources and potentially larger class sizes as the local tax base is diverted elsewhere.

Instead of creating a competitive market that treats students as "market share," the state should double down on its commitment to fully funding every local school system so the best school for every child is the one in their own neighborhood. Again, we ask for an unfavorable report.

2-25 SB 350 - Public Schools - Open Enrollment - P

Uploaded by: Gail Sunderman

Position: UNF



**TESTIMONY TO THE SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE
and THE BUDGET AND TAX COMMITTEE**

SB 350 - Public Schools – Open Enrollment – Policies and Funding

Position: Unfavorable

By: Linda T. Kohn, President

Date: February 25, 2026

The League of Women Voters of Maryland (LWVMD) is a nonpartisan organization that supports policies that provide an equitable, quality education for all children. *SB 350 – Public Schools – Open Enrollment – Policies and Funding* authorizes Local Education Agencies (LEAs) to adopt an open enrollment policy that allow students to attend a public school, free of charge, in a county where the student is not a resident. This bill raises several issues that will negatively impact low-income and minority students, as well as students with disabilities and the schools serving these students.

This open enrollment program has costs that are not accounted for in the bill. The policy does not adequately account for how cross-district open enrollment will impact the LEA enrollment, especially those districts that enroll high numbers of low-income and minority students. We anticipate that LEAs serving these students will see a higher rate of students transferring out and few students transferring into the LEA. Enrollment declines can reduce services and harm vulnerable students.

The bill does not consider structural cost differences that influence district finances. For example, it does not account for fixed costs, such as utilities, facility maintenance and operation, which remain constant regardless of enrollment changes. Pension obligations may also lock in costs. Large enrollment declines can force a district to reduce services, close schools, or consolidate programs.

The program is likely to negatively impact educational quality. Research on choice and voucher programs shows that families with more economic and social capital are more likely to take advantage of open enrollment options and that the racial make-up of a school or district influences who is likely to participate in the program.¹ Differences in the educational needs of students will also impact who is likely to take advantage of cross district open enrollment. Students with fewer educational needs are less expensive to educate and more likely to move, leaving students with more expensive needs in the sending district.

Open-enrollment across districts has implications for students with disabilities who receive special education services. Federal and state law require the provision of a free and appropriate public education to students with disabilities. Senate Bill 350 allows a receiving school in an open enrollment

¹ Monarrez, T., Kisida, B. & Chingos. M. (2022). "The Effect of Charter Schools on School Segregation. *American Economic Journal: Economic Policy* 14 (1): 301–40. DOI: 10.1257/pol.20190682

Villavicencio, A. (2013) "It's Our Best Choice Right Now": Examining the Choice Options of Charter School Parents. *Education Policy Analysis Archives*, 21 (81) <http://epaa.asu.edu/ojs/article/view/1274>

district to deny an enrollment application if it does not “offer appropriate programs or is not structured or equipped with the necessary facilities to meet any special needs of the child.” Allowing schools to reject students with disabilities without due process is discriminatory – it means that many students with disabilities will not have the opportunity to participate in the program. It also unfairly burdens some districts more than others.

The administrative costs of implementing an open enrollment policy are not addressed. The implementation of this policy will require extensive State and local administrative capacity not accounted for in the bill. It will impact State Aid calculations as it requires MSDE to provide the difference in funding when local expense per student differs between receiving and sending districts. Districts with open enrollment policies will have to manage application processes and develop financial procedures for payment between districts. The provision of transportation services to out-of-district students will also add administrative and financial costs to the participating districts. These costs induce spending that could otherwise be used on programming and personnel to improve student outcomes.

Rather than offering open enrollment across districts, targeting resources on improving all schools would better serve students.

LWVMD urges an **unfavorable report** on SB 350.

SB350_MSEA_Lamb_UNF.pdf

Uploaded by: Lauren Lamb

Position: UNF

UNFAVORABLE
Senate Bill 350
Public Schools - Open Enrollment - Policies and Funding

Senate Committee on Education, Energy, and the Environment
February 27, 2026

Lauren Lamb
Government Relations

The Maryland State Education Association opposes Senate Bill 350, which would authorize a county board of education to adopt an open enrollment policy that authorizes students to attend a public school in a county other than the county where the student lives with their parent or guardian. It would also require county boards to include out-of-county students in full-time equivalent enrollment counts and direct funding to the enrolling county.

MSEA represents 76,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. MSEA also represents 44 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3-million-member National Education Association (NEA).

Local education agencies allocate resources based on the number of students enrolled in their schools, which includes decisions about building capacity and staffing levels. We are concerned about the destabilizing effect the policies proposed in this bill could have on school enrollment and resource allocation. The school choice dynamic created by this bill has the potential to perpetuate inequities and introduce complex funding variations that are made more complicated by the involvement of multiple boards of education, superintendents, and school systems. This approach is not conducive to the ongoing implementation of the Blueprint for Maryland's Future nor the State's aim of ensuring that all schools and students have the resources they need to thrive.

We urge the committee to issue an unfavorable report.

SB 350 - Oppose - Open Enrollment.pdf

Uploaded by: Sam Mathias

Position: UNF



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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
CONTACT: Sam Mathias, Legal & Policy Director (smathias@mabe.org)

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.

HB 026_SB 350_ Public Schools - Open Enrollment -

Uploaded by: Trudy Tibbals

Position: UNF

HB 026/SB 350: Public Schools - Open Enrollment - Policies and Funding: Please vote to **OPPOSE** this bill.

Dear Ways & Means Committee and Education, Energy & the Environment Committee:

I am writing to respectfully **oppose HB 026/SB 350**, concerning *Public Schools – Open Enrollment – Policies and Funding*.

While expanding educational options can be an appealing concept, this legislation raises significant concerns regarding funding stability, **local control**, and the potential unintended consequences for community-based schools.

Open enrollment policies that allow students to transfer across district lines can create **funding volatility** for local school systems. When per-pupil funding follows the student, **districts experiencing enrollment shifts may face sudden budget shortfalls while still maintaining fixed costs such as facilities, transportation, staffing, and special education services. This instability can negatively affect students who remain in their home districts.**

Additionally, the bill may limit the ability of locally elected boards of education to manage enrollment, capacity, and program offerings based on the unique needs of their communities. Education policy decisions are best made at the local level, where officials are most familiar with infrastructure constraints, demographic trends, and resource availability.

There are also practical considerations related to transportation, class size, and equitable access. Without clear and sustainable funding mechanisms, open enrollment may unintentionally advantage families with greater flexibility and resources, while creating administrative and logistical burdens for districts.

Educational improvement should focus on strengthening all neighborhood schools rather than redistributing students in ways that may create fiscal and operational strain.

For these reasons, I respectfully urge you to **oppose HB 026/SB 350**.

Thank you for your time and thoughtful consideration.

Respectfully,

Trudy Tibbals

SB 350 - Public Schools - Open Enrollment - Polici

Uploaded by: Zaniah Anderson

Position: UNF



Mary Pat Fannon, Executive Director
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BILL: SB 350
TITLE: Public Schools - Open Enrollment - Policies and Funding
DATE: February 27, 2026
POSITION: Unfavorable
COMMITTEE: Senate Education, Energy, and the Environment Committee
CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four public school superintendents, **opposes** Senate Bill 350.

This bill authorizes local boards of education to adopt an open enrollment policy. If adopted the local boards would be required to (1) allow a child from a sending county to be enrolled in a receiving school free of charge; (2) reserve space for students who are enrolled in the receiving school during the previous school year for automatic enrollment in each subsequent school year without application; (3) be published in an easily accessible manner on the local board's website; and (4) comply with applicable federal and State antidiscrimination laws.

The open enrollment policy authorized under Senate Bill 350, if adopted, would significantly limit local school boards' flexibility to manage enrollment, staffing, and resources in response to changing conditions. While participation is optional, the bill prescribes detailed requirements that constrain how districts may design and administer enrollment decisions, effectively limiting local discretion.

Superintendents, with their local boards, must retain discretion over enrollment decisions in order to manage resources, staffing, and capacity based on local conditions. For example, using existing statutory authority, the [Howard County Public School System](#) (HCPSS) allows students to apply for reassignment to schools with available capacity within the county. These enrollment decisions are discretionary, capacity-driven, and subject to ongoing review by the Superintendent, allowing the district to respond to changes in enrollment, staffing levels, and facility constraints.

By contrast, this bill would impose a more prescriptive open enrollment framework. Once a student is accepted under an open enrollment policy, the bill would require the receiving district to prioritize that student for continued enrollment in subsequent years, limiting the district's ability to reevaluate placements as enrollment patterns shift. This approach replaces locally tailored, flexible decision-making with a rigid structure that reduces superintendent authority and constrains districts' ability to adapt to changing student populations.

In addition, the policy would introduce fiscal unpredictability for a 'sending county' that experiences a large number of students moving to other districts as budgets are mainly driven by enrollment. While revenues "follow students," many costs remain fixed so shifting enrollment does not always result in an equal staffing or fixed cost adjustment.

Current law also requires the State to cover the difference when a student transfers to a higher-cost district. As proposed under the bill a district can choose to participate. However, students moving from "non-participating" districts to "participating districts" creates even more fiscal instability and the State would likely see increases in expenditures to cover the different enrollment shifts between low and high-cost districts.

PSSAM has a longstanding policy of resisting legislation that would restrict local authority and limit superintendents' ability to respond to local needs. We ask the Legislature to support the historical balance in crafting education policy by allowing superintendents, along with their boards of education, to enact locally-appropriate eligibility and enrollment policies.

For these reasons, PSSAM **opposes** Senate Bill 350 and kindly requests an **unfavorable** committee report.

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Uploaded by: Christopher Wilson

Position: INFO

Reason Foundation Comments on Maryland Senate Bill 350

Prepared for: Education, Energy, and the Environment Committee,
Maryland Senate

Prepared by: Christopher T. Wilson, Government Affairs Manager,
Reason Foundation

Date: February 27, 2026



Chair Feldman, Vice Chair Kagan, and distinguished members of the Maryland Senate Education, Energy, and the Environment Committee:

Thank you for the opportunity to submit testimony on [Senate Bill \(SB\) 350](#), *An Act Concerning Public Schools - Open Enrollment - Policies and Funding*.

My name is Christopher Wilson, and I am a government affairs manager at [Reason Foundation](#), a national 501(c)(3) public policy research and education organization with expertise across a range of policy areas. In addition to specializing in school finance policy, our [K–12 education policy team](#) is a leader in public school [open enrollment policy research](#), publishing an annual analysis and rating of each state's open enrollment laws: [Public Schools Without Boundaries 2025](#).

Strong open enrollment laws can benefit students and school districts. They ensure students can attend public schools that are the right fit for their goals and needs, with many using these programs to enroll in [A- or B-rated school districts](#), [escape bullying](#), access [Advanced Placement \(AP\) courses](#) and specialized learning models, enjoy [smaller class sizes](#), or shorten their family commutes.

A [report](#) from the nonpartisan California Legislative Analyst's Office and a 2023 Reason Foundation [study](#) both found that the competitive effects of open enrollment also encourage public school districts to improve. In fact, when interviewed for a [2023 EdChoice report](#), public school district administrators in Arizona, North Carolina, Indiana, and Florida stated that open enrollment encouraged them to innovate by creating new programs and improving existing programs to better attract and retain students.

Research also shows that K–12 open enrollment is widely used and supported. Reason Foundation's [K–12 Open Enrollment by the Numbers: 2025](#) study found 22% of Delaware students and 28% of Colorado students in public schools used open enrollment to transfer and attend schools that were the right fit for them. Furthermore, according to a [2025 national poll](#) by EdChoice, open enrollment is supported by 75% of school parents across party lines—80% of Republicans, 75% of Democrats, and 74% of independents—in favor of allowing families to attend public schools outside their assigned district's boundaries. This bipartisan support led, in part, to open enrollment legislation being passed and signed into law in [Idaho, Montana, and West Virginia](#) (2023) and [Nevada](#) (2025).



Yet, as explained in this year's edition of *Public Schools Without Boundaries*, Maryland is one of only four states that deprives students of any cross- or within-district open enrollment options, scoring a 0 out of Reason's 100-point best practices criteria (an "F" letter grade). This leaves significant room for policy improvements across all seven key metrics that the study evaluates.

Maryland SB 350 is a first step toward filling that gap in public-school opportunities available to students, empowering families to match their children with schools that best fit their needs.

The bill would allow Maryland's local county boards of education to adopt a cross-district open enrollment policy for enrolling students residentially assigned to other counties. Participating county boards would be prohibited from charging tuition or fees to such transfer students and would be required to determine and publish their program-related policies and transfer capacity (by school and grade level; updated every four weeks) on their website.

In doing so, the bill would make Maryland the [47th state](#) to adopt an open enrollment policy and would improve the state's related score (from a zero) to a 44 out of 100 possible points on open enrollment best practices, surpassing states such as New Jersey and Virginia.

Even still, SB 350 leaves plenty of room for future improvement. Within-district open enrollment—allowing students to transfer between schools within their residentially assigned districts—should also be codified, and all districts should be required to accept within- and cross-district transfers so long as they have space available at the applicant's grade level.

To ensure fairness, student transfer applications should be explicitly guaranteed equal consideration without regard to their economic background, abilities, or disabilities, preventing districts from [discriminating](#). Moreover, districts should be required to inform rejected applicants in writing of the reasons for their denial, and those applicants should be permitted appeal of their rejection to the state board of education.

Lastly, the Maryland State Department of Education should be required to annually publicly report district-level open enrollment data (including the numbers of transfers accepted, applications rejected, actual transfers received, and why applicants were denied) to promote program accessibility, transparency, and accountability.

Thank you again for allowing me to submit testimony on Senate Bill 350. Please do not hesitate to reach out to me or my colleagues with any follow-up questions.

Respectfully submitted,

Christopher T. Wilson
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EACtestimony2026.SB350.pdf

Uploaded by: Leslie Margolis

Position: INFO

EDUCATION ADVOCACY COALITION FOR STUDENTS WITH DISABILITIES

EDUCATION, ENERGY, AND THE ENVIRONMENT

BUDGET AND TAXATION

SENATE BILL 350

PUBLIC SCHOOLS—OPEN ENROLLMENT—POLICIES AND FUNDING

February 27, 2026

POSITION: LETTER OF INFORMATION

The Education Advocacy Coalition for Students with Disabilities (EAC) is a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland. The EAC files this Letter of Information to identify several issues for consideration regarding open enrollment and its impact on students with disabilities.

Federal and state law require the provision of a free appropriate public education (FAPE) to students with disabilities; specifically, school districts must provide individualized special education instruction, related services that enable the student to benefit from the education they receive, and supplementary aids and services and program modifications and supports. These services must be provided in the least restrictive environment in which the child's education plan—the Individualized Education Program (IEP)—can be implemented, with a preference for placement in the school the student would attend if not disabled and for placement with nondisabled peers. Cross-district open enrollment as outlined in House Bill 26 raises several issues with significant implications for students with disabilities who receive special education services and supports:

First, and most significantly, House Bill 26 allows a receiving school in an open enrollment district to deny an enrollment application if the “school does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet any special needs of the child.” Because the focus of House Bill 26 addresses open enrollment across Maryland's local school systems, which are public entities, receiving schools are obligated to comply, not only with the Individuals with Disabilities Education Act (IDEA), but also with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Allowing receiving schools to unilaterally reject an application without any due process procedures in place for students whose applications are rejected and without any consideration of whether reasonable accommodations or modifications to the program

could be made effectively guarantees that many students with disabilities will not be able to avail themselves of the opportunity to participate in open enrollment. In fact, in states with cross district open enrollment, this is exactly what has happened. See, e.g., [The Hidden Role of K-12 Open-Enrollment Policies in U.S. Public Schools - Education Next](#) .

Second, House Bill 26 allows a receiving school to deny an application if the child does not meet the established criteria for participation in a program, including required levels of performance. EAC members have successfully challenged blanket application of performance requirements for students who, as a result of their disabilities, may not be able to meet eligibility criteria for a program, such as a minimum reading level or particular grades, but who, with reasonable accommodations, are able to participate appropriately in the program. This provision of House Bill 26 will also serve to screen out students with disabilities.

Additionally, although House Bill 26 requires a receiving county board to pay for transportation services if a sending county is providing transportation services to a student enrolled under the open enrollment policy, the bill does not address who actually has to provide the transportation service. Many students with disabilities receive transportation as a related service in accord with their IEPs; because school district buses do not cross district lines, the bill's lack of clarity will create another barrier for students with disabilities who might wish to avail themselves of open enrollment.

The EAC takes no position on the concept of cross-district open enrollment but submits this testimony simply to underscore the importance of ensuring that students with disabilities have equal access to participation in the open enrollment process. Well-established civil rights statutes require nothing less.

Contact: Leslie Seid Margolis at lesliem@disabilityrightsmd.org or 443-692-2505.

Respectfully submitted,

Selena Almazan, Attorney
Linda Barton, Education Consultant
Beth Benevides, Autism Society of Maryland, Co-Chair, Education Advocacy Coalition
Ellen A. Callegary, Attorney (Retired)
Melanie Carlos, xMinds (Partnership for Extraordinary Minds)
Stephanie Carr, S.L. Carr Education Consultants, LLC
Rich Ceruolo, Parent and Advocate
Michelle R. Davis, M.Ed., ABCs for Life Success
Jennifer Engel Fisher, JEF Consultants, LLC

Lisa Frank, Special Kids Company

Marjorie Guldan, Bright Futures, LLC

Beth Ann Hancock, Charting the Course, LLC

Ande Kolp, The Arc Maryland

Mallory Legg, Project HEAL at Kennedy Krieger Institute

Rachel London, Maryland Developmental Disabilities Council

Leslie Seid Margolis, Disability Rights Maryland

Monica Martinez, Martinez Advocacy

Beth Nolan, Education Team Allies

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Ronza Othman, National Federation of the Blind of Maryland

Kate Rabb, Joseph & Rabb, LLC

Rebecca Rienzi, Pathfinders for Autism

Jaime Seaton, BGS Law

Ronnetta Stanley, Loud Voices Together Educational Advocacy Group