

**Testimony of the  
Baltimore City Board of School Commissioners  
In Opposition of  
House Bill 26 – Public Schools – Open Enrollment – Policies and Funding**

**February 25, 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 House Bill 26 and urges an unfavorable report.

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