

Reason Foundation Comments on Maryland House Bill 26

Prepared for: Ways and Means Committee,
Maryland House of Delegates

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Chair Wilkins, Vice Chair Feldmark, and distinguished members of the Maryland House Ways and Means Committee:

Thank you for the opportunity to submit testimony on [House Bill \(HB\) 26](#), *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 HB 26 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, HB 26 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 House Bill 26. Please do not hesitate to reach out to me or my colleagues with any follow-up questions.

Respectfully submitted,

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