

BRIEF



PORTFOLIO OF CHOICE

District Open Enrollment

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Portfolio of Choice: District Open Enrollment

The National Comprehensive Center

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Key Takeaways

- » Forty-seven states and the District of Columbia have open enrollment policies in place.
- » Intra-district open enrollment allows students to transfer to other schools within their residential district, while inter-district open enrollment allows students to transfer to schools in another district. These policies can be either mandatory or voluntary.
- » There's limited data and research on the students who participate in open enrollment and their outcomes; however, existing studies suggest:
 - › Students from all demographic backgrounds participate in open enrollment. Some research suggests that higher-income and higher-performing students may participate at disproportionate rates.
 - › Participating in inter-district open enrollment has limited effects on students' academic outcomes. However, students who open enroll consistently tend to experience moderately positive effects.
 - › Schools and districts that lose large numbers of students due to open enrollment may respond to competitive pressure and improve their performance.
- » Policymakers wanting to strengthen their states' open enrollment policies should consider addressing known barriers to equitable access, putting in place high-quality, transparent data collection and reporting procedures, and ensuring that their states' open enrollment policies are designed to support clearly articulated goals.

Introduction

In the United States, students are assigned to public schools based on where they live. School districts have set boundaries and students living in the neighborhoods within those boundaries attend the district's schools. The district's boundaries are further delineated into attendance zones, in which particular homes and neighborhoods are assigned to a particular elementary, middle, and high school.

While all school choice policies aim to disrupt this—giving families options other than their assigned neighborhood schools—open enrollment policies specifically target the issue of school and district boundaries by giving families the ability to send their children either to another school within their district of residence (**intra-district** open enrollment) or to a school in another district (**inter-district** open enrollment).

Minnesota passed the nation's first open enrollment policy in 1988, which required schools and districts to allow and accept transfers across district lines.¹ Other states soon followed, with most

¹ <https://www.ecs.org/clearinghouse/01/07/96/10796.pdf>



states enacting open enrollment policies between 1993 and 2003.² Federal policy, in particular, No Child Left Behind (NCLB), which Congress passed in 2001, actively promoted intra-district open enrollment policies, requiring states and districts to allow students who attended low-performing schools to transfer to other public schools within their district.³

Today, 47 states and the District of Columbia have open enrollment policies in place giving parents the ability to send their children to public, district-operated schools other than the one to which they are assigned.

The goal of this brief is to provide policymakers with an overview of the landscape of open enrollment policies, including how they work, where they operate, and what the research says about their implementation and effect on student achievement. It also offers state policymakers some recommendations to strengthen their states' open enrollment policies.

² <https://www.prrac.org/pdf/ASW-inter-district.pdf>

³ <https://www2.ed.gov/nclb/choice/schools/choicefacts.html#:~:text=Under%20the%20No%20Child%20Left%20Behind%20Act%20%2C%20children%20in%20schools.for%20transportation%20to%20the%20other>



School desegregation plans and open enrollment policies

School desegregation efforts, some of which relied on enrolling students across district boundaries, and today's inter-district open enrollment policies that provide families with additional school options, have some similarities in their mechanisms; however, they have important differences in terms of their goals and purposes. Inter-district desegregation plans were the result of Supreme Court rulings, including *Brown v. Board of Education* and *Green v. New Kent County*,⁴ and the various court cases and court-ordered desegregation plans that followed those rulings. Many districts' desegregation plans relied heavily on busing students across district lines. This practice enabled Black students attending schools with disproportionate populations of Black students to attend schools outside of their residential school districts.⁵ Some plans also included the development of magnet schools or other reforms designed to encourage White students to transfer to districts or schools with large populations of Black students.

These plans, however, failed to meaningfully desegregate schools. This is due in large part to the Supreme Court's 1974 ruling in *Milliken v. Bradley*, in which the Supreme Court overturned a lower court's approval of Detroit Public Schools' desegregation plan, which included 53 suburban school districts surrounding Detroit's inner-city school district.⁶ This decision essentially cemented the practice of creating neighborhood-based school district boundaries and shielding White suburban school districts from desegregation efforts.⁷ As a result, inter-district desegregation remedies have typically been undertaken on a voluntary basis.⁸

Open enrollment policies with school choice as a goal, rather than school desegregation, are somewhat more modern. These policies are meant to solve a different problem than desegregation, though they sometimes result in students attending more integrated schools. Open enrollment policies are a form of school choice. They enable families to send their children either to another school in their district of residence or to a school outside of their residential school district, providing families with a greater number of schools from which to choose.

States' open enrollment policies tend not to mention race explicitly. However, some states' policies target specific types of schools or districts (e.g., low-performing) that tend to enroll large populations of Black and Hispanic students. As such, open enrollment policies may result in Black and Hispanic families choosing a school with a larger population of White students compared to their residentially assigned school.

⁴ <https://www.theatlantic.com/education/archive/2018/05/the-radical-supreme-court-decision-that-america-forgot/561410/>

⁵ <https://www.prrac.org/pdf/ASW-inter-district.pdf>

⁶ <https://law.irank.org/pages/24834/Milliken-v-Bradley-Significance.html>

⁷ <https://www.chalkbeat.org/2019/7/25/21121021/45-years-later-this-case-is-still-shaping-school-segregation-in-detroit-and-america>

⁸ <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1572&context=nlr>



What Is Open Enrollment and What States Have Open Enrollment Policies?

Forty-six states and D.C. have open enrollment policies in place at the state level. A total of 33 states and D.C. have intra-district enrollment policies, 43 states have inter-district enrollment policies, and 28 states have both inter- and intra-district policies.⁹ Alabama, Maryland, and North Carolina are the only states that do not address open enrollment in state policy.¹⁰

States' open enrollment policies can be either mandatory, requiring districts to implement the policy, or voluntary, allowing districts to implement the policy but stopping short of requiring it. Some states have multiple combinations of voluntary and mandatory inter- and intra-district policies. For example, California law provides for voluntary inter-district and voluntary intra-district open enrollment statewide. In addition, legislation calls for mandatory inter-district and intra-district open enrollment for students attending low-performing schools and districts.¹¹ Connecticut law calls for voluntary intra-district and inter-district open enrollment statewide, and mandatory inter-district programs in four cities.¹²

Figures 1 and 2 illustrate the varied approaches to open enrollment in states across the country, and Table 1 captures the number of states using each of the four main approaches to open enrollment policies.

⁹ <https://www.ecs.org/wp-content/uploads/Open-Enrollment.pdf>

¹⁰ <http://ecs.force.com/mbdata/MBQuestNB2n?rep=OE1801>

¹¹ <http://ecs.force.com/mbdata/mbquest4NE?rep=OE1805>

¹² <http://ecs.force.com/mbdata/mbquest4NE?rep=OE1805>



Figure 1. Map of voluntary and mandatory inter-district open enrollment policies

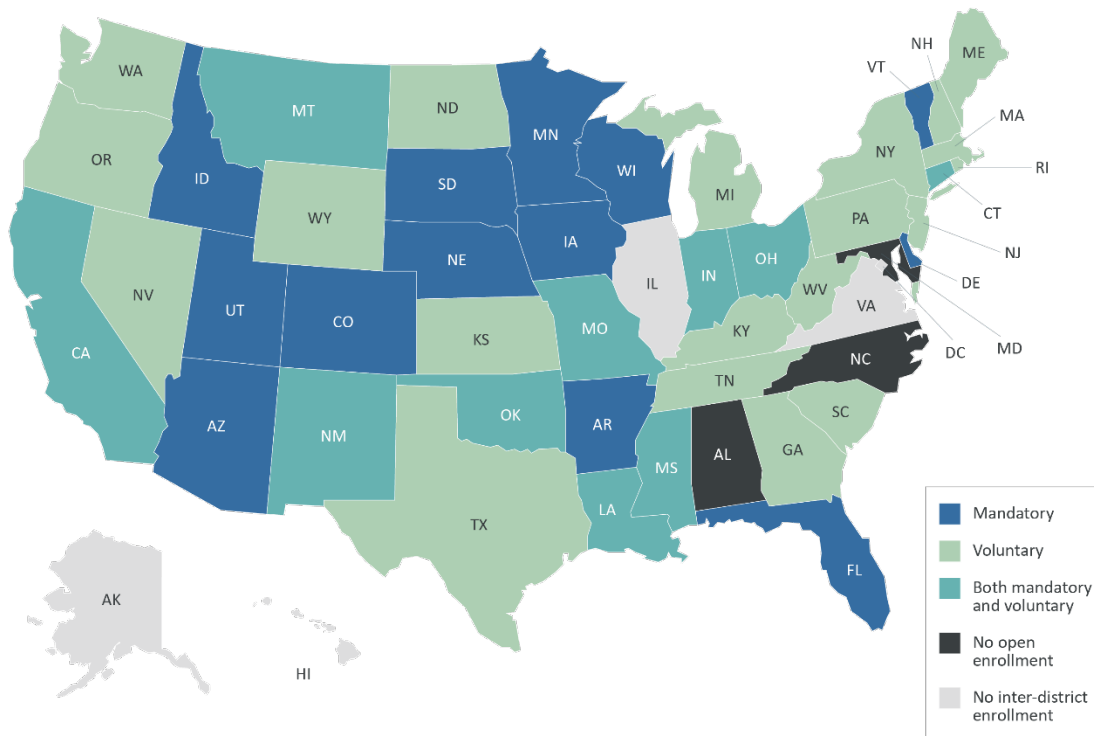


Figure 2. Map of voluntary and mandatory intra-district open enrollment policies

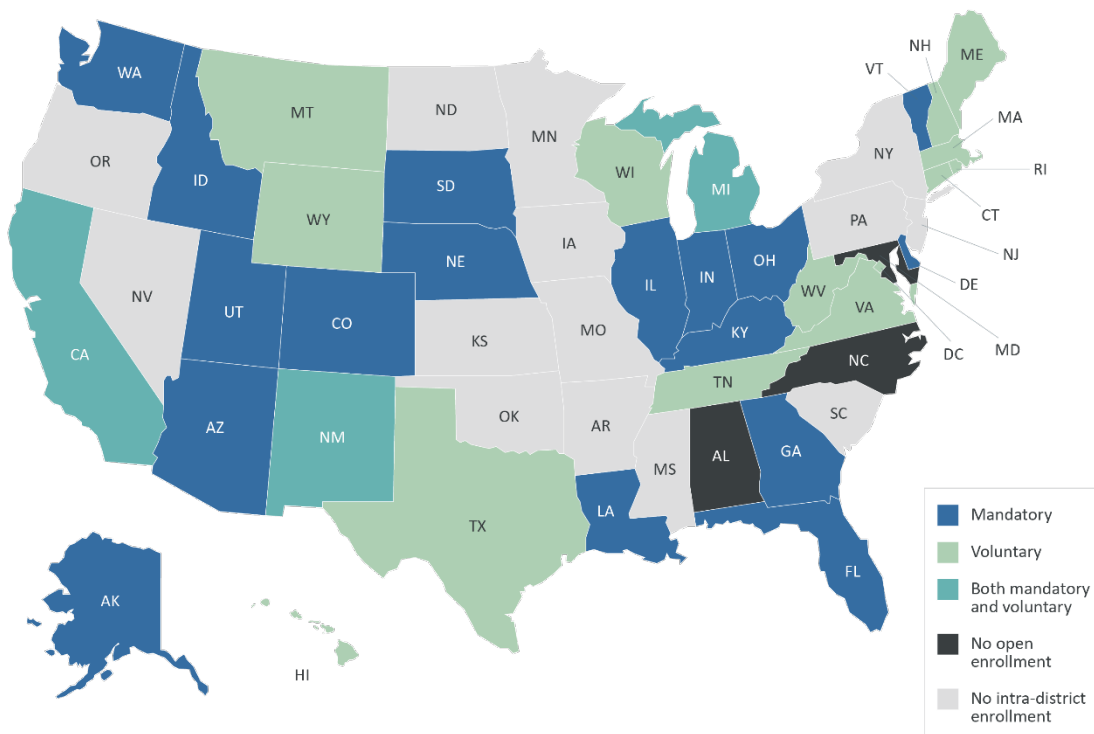


Table 1. Numbers and types of open enrollment policies, 2017

District	Intra-district	Inter-district
Mandatory	19 states	23 states
Voluntary	17 states	30 states

Source: [National Center for Education Statistics – State Education Reforms](#)

How Do States Design Open Enrollment Policies?

As described above, states' open enrollment policies are a combination of inter-district or intra-district, and mandatory or voluntary. In addition to these broad design structures, there are several important elements of open enrollment policy design that policymakers must consider.

Relationship to Desegregation

As of 2015-16, 334 districts nationwide reported being subject to desegregation orders or had a desegregation plan in place.¹³ Of the 47 states and DC with open enrollment policies in place, about half (23) of those states' policies address the issue of desegregation orders. Most often, states' open enrollment policies ensure that desegregation plans take precedence over student transfers that result from open enrollment policies, allowing districts to deny transfers in order to maintain compliance with a desegregation plan.¹⁴ Open enrollment, for instance, is prohibited if the resulting student demographics violate standing desegregation policy or will result in racial imbalance. In a few cases, such as Iowa and Minnesota, states give priority to transfer requests that will enhance diversity within schools or districts.

Transportation

Transportation is a major factor affecting the ability of eligible students to take advantage of school choice policies in general, including open enrollment policies.¹⁵ If there is no safe and reliable way for a student to be transported to a school across the district or in a neighboring community, then open enrollment policies don't actually provide more options for families.

States' approaches to transportation for open enrollment policies vary widely. Thirteen states simply don't address the issue.¹⁶ In these cases, it's likely that the burden falls on the families of transfer students to transport their children to and from school each day. Seventeen states require parents to be involved in transportation. The extent of parent involvement varies, from requiring parents to provide all transportation to and from school, to allowing parents to request transportation from the district, to requiring parents to transport students to a designated location where the child can then catch a bus. The remaining state policies designate partial or total responsibility for transporting students to one or more entities. In some states the responsibility is

¹³<https://www.edweek.org/ew/articles/2018/05/02/there-are-wild-swings-in-school-desegregation.html>

¹⁴<http://ecs.force.com/mbdata/mbquest4NE?rep=OE1805>

¹⁵https://bellwethereducation.org/sites/default/files/Bellwether_Bus-WFF-Transportation_FINAL.pdf

¹⁶<http://ecs.force.com/mbdata/MBQuestNB2n?rep=OE1804>



assigned to either the sending or receiving district. Other states, such as Texas, provide transportation only for students transferring from a low-performing school. Rhode Island only provides transportation within certain boundaries, while Montana requires the sending and receiving districts to have an attendance agreement outlining financial obligations.¹⁷

Funding

When students transfer to a school outside of their home district through inter-district open enrollment policies, state funding typically follows the student to their new schools. However, local funding typically stays with the sending district.¹⁸ This means that the receiving district is likely receiving less than its average per-pupil spending when they accept inter-district transfer students. This is a commonly cited reason for pushback to open enrollment policies, especially inter-district policies: a belief that districts should not be expected to educate students whose families' tax dollars do not support those schools.¹⁹

It is often the most well-funded districts that have the weakest financial incentives to enroll transfer students. The property wealth of communities and the extent to which a particular district relies on state versus local dollars can result in uneven incentives across districts. In Ohio, for example, districts receive about \$6,000 per pupil in state funding for each inter-district transfer student. In districts that raise substantial local revenue, this dollar amount is not sufficient to cover the marginal cost of educating a student. Specifically, Ohio districts that don't accept transfer students spend about \$11,300 per pupil and raise about 60 percent of that revenue locally. Districts that do accept transfer students, on the other hand, spend \$9,550 per pupil on average and raise only about 40 percent of that locally.²⁰

Priorities and Exceptions

Some states allow districts to set priorities for the students they accept through inter-district open enrollment. Where the goals of open enrollment policies are related to racial or socioeconomic integration, for example, districts' admissions priorities might target low-income students or students of color. Other priorities include students transferring from low-performing schools, siblings of currently enrolled students, the children of school or district employees, or the children of active duty military personnel.²¹

¹⁷<http://ecs.force.com/mbdata/MBQuestNB2n?rep=OE1804>

¹⁸<https://reason.org/wp-content/uploads/how-to-fix-education-funding.pdf>

¹⁹<https://reason.org/wp-content/uploads/how-to-fix-education-funding.pdf>

²⁰<https://fordhaminstitute.org/ohio/research/inter-district-open-enrollment-ohio-participation-and-student-outcomes#:~:text=inter-district%20open%20enrollment%20in%20Ohio%3A%20Participation%20and%20Student%20Outcomes,-Deven%20Carlson%20St%C3%A9phane&text=inter-district%20open%20enrollment%20allows%20students,outside%20their%20district%20of%20residence.&text=In%20Ohio%2C%20over%2070%2C000%20students,outside%20their%20district%20of%20residence.>

²¹<http://ecs.force.com/mbdata/mbquest4NE?rep=OE1805>



Some state policies also create exceptions that allow districts to refuse applicants under certain circumstances, even if open enrollment policies are mandatory. Colorado law, for example, provides for mandatory intra- and inter-district open enrollment, and permits districts to deny enrollment for a number of reasons, including: lack of space or teaching staff, program requested is not offered, the school lacks capacity to meet special needs, the student does not meet eligibility criteria for participating in a particular program, or the student has been expelled from another district.²²

The most common opt-out provision across states' open enrollment policies is to allow districts to deny enrollment if the district does not have space available to enroll additional students.²³ State laws tend not to define what it means for a district to have "space available," instead, leaving interpretation and implementation up to the receiving district. While maximum class sizes and school capacity are real factors that receiving districts must consider, a district's interpretation of what it means to be "full" can also be seen as a barrier for students who are otherwise eligible to transfer.²⁴

Voluntary open enrollment policies provide an extreme exception to open enrollment policies, as they allow districts to choose not to participate. Certain students have more or less access to school choice based on the participation of surrounding districts. A study of Ohio's voluntary inter-district open enrollment policy, for example, noted a "disturbing map" of district participation, indicating the vast majority of suburban districts that surround the state's largest urban centers do not participate.²⁵ This means that the students and families living in Ohio's cities, whom data shows would benefit the most from open enrollment policies, have the fewest options.

Enrollment and Communication

Regardless of whether a state's open enrollment policies are mandatory or voluntary, states tend to leave it to districts to design the processes families must use to enroll their children in a school or district other than their zoned school. This means that families seeking options outside of their home district must navigate multiple enrollment processes and application timelines and deadlines. Some districts, such as Denver Public Schools, have a single, online application process through which families can rank their options for enrolling in any of the city's public schools.²⁶ Other districts require families to enroll their children in-person at the school or district office. Some districts accept inter-district transfer students on a first-come, first-served basis, while others use a lottery system.²⁷ Some districts require families to re-enroll their transfer students each year, while in others, re-enrollment is automatic. Depending on how many districts families are considering,

²²<http://ecs.force.com/mbdata/mbquest4NE?rep=OE1805>

²³<https://www.ecs.org/wp-content/uploads/Open-Enrollment.pdf>

²⁴<https://www.ecs.org/clearinghouse/01/07/96/10796.pdf>

²⁵[https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/FORDHAM%20Open%20Enrollment%20Report Online%20final_0.pdf](https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/FORDHAM%20Open%20Enrollment%20Report%20Online%20final_0.pdf)

²⁶<http://schoolchoice.dpsk12.org/>

²⁷<https://readycolo.org/wp-content/uploads/2018/10/ODODfinal.pdf>



this can result in a dizzying array of requirements and deadlines that complicate their ability to participate in open enrollment programs.

Moreover, the information families need to take advantage of open enrollment programs, such as a description of enrollment processes and associated deadlines, is not always transparent or readily available on a district's website. A lack of access to information can create yet another challenge for families.

Finally, in some cases there are financial requirements for students who choose to open enroll into another district. Texas policy, for example, which provides for voluntary inter- and intra-district open enrollment, allows receiving districts to charge tuition to the families of inter-district transfers. Lovejoy Independent School District, for example, charges transfer students up to \$14,000 in tuition.²⁸ While these fees may help the district cover some cost associated with accepting transfer students (see funding section above), they also make it extremely difficult for low- and moderate-income families to take advantage of the policy.

These enrollment and communication constraints are especially profound for families facing other barriers, such as a lack of access to transportation, the inability to take off work to enroll in-person, financial challenges, or language barriers.

As policymakers design and strengthen open enrollment policies, it's critical that they consider and address these elements of open enrollment policies.

Trends in Student Participation and Outcomes

Most states lack robust data collection policies and procedures to capture information about student transfers, making it difficult to understand who participates in open enrollment policies and the extent to which participants benefit academically from their new schools. Where statewide data does exist, student participation in inter-district open enrollment programs varies widely. Less than one-half of one percent of California's students participate in inter-district open enrollment,²⁹ while 16 percent of students do so in Colorado.³⁰ Several states with robust open enrollment policies tend to hover just below 10 percent: In Minnesota, 9 percent of students participate in open enrollment;³¹ approximately 8 percent do in Florida,³² and 7 percent in Wisconsin.³³

²⁸<https://4.files.edl.io/3860/03/31/19/224103-81f6b356-ddda-499d-a0a9-edd6c316b0bf.pdf>

²⁹<https://lao.ca.gov/reports/2016/3331/district-of-choice-012716.pdf>

³⁰<https://readycolo.org/wp-content/uploads/2018/10/ODODfinal.pdf>

³¹<https://education.mn.gov/MDE/fam/open/#:~:text=In%20the%202017%2D18%20school,two%20school%20districts%20in%20Minnesota.>

³²<https://www.redefinedonline.org/2019/01/charter-schools-take-the-top-spot-as-floridas-most-popular-school-choice-option/>

³³ Author's calculation based on data from <https://rightwisconsin.com/2019/04/25/evers-education-plan-hits-districts-benefitting-from-open-enrollment> and total enrollment from <https://wisedash.dpi.wi.gov/Dashboard/dashboard/16840>



The research and analysis of open enrollment policies is quite limited, and most existing studies focus primarily, if not exclusively, on inter-district open enrollment. These studies offer some insight into the characteristics of the students who participate in inter-district open enrollment. In general, research demonstrates that families use open enrollment as a means to access higher-performing schools—student achievement is a stronger predictor of transfer demand than its socioeconomic composition or per-pupil spending.³⁴ Somewhat surprisingly, however, there's substantial variation in the demographics of the students who transfer. Studies of participation in open enrollment programs in Colorado and Minnesota suggest that larger numbers of students use open enrollment to transfer out of high-achieving districts (and into even higher-achieving districts) than out of lower-achieving ones,³⁵ suggesting that open enrollment programs may be disproportionately used by comparatively more advantaged and high-achieving students.³⁶ Analysis of inter-district open enrollment participation in Ohio, Colorado, and California suggests, similarly, that transfer students are *less* likely to be economically disadvantaged than their peers who stay in their home districts.³⁷ And in Ohio, transfer students are disproportionately White.³⁸

Those trends are not consistent everywhere, though. In both Colorado and Michigan, Black students open enroll at higher rates than their peers of other races. Open enrollers in Michigan were also more likely to be from lower-income families and be lower achieving in math and reading compared to their peers who remained in their home districts.³⁹

Evidence is more consistent about the underrepresentation among open enrollment transfer students of certain subgroups, namely students with disabilities, English language learners, and gifted students.⁴⁰ Moreover, evidence from Ohio, Michigan, and Colorado suggests that participation in open enrollment is often short-lived, with students returning to their home districts

³⁴<https://pdfs.semanticscholar.org/49fa/c04025ca9cd27e298663582ffa9385c4f0c8.pdf>

³⁵<https://www.tandfonline.com/doi/abs/10.1080/01619560902810120>

³⁶<https://shareok.org/bitstream/handle/11244/25187/10.1177.0895904813518103.pdf;jsessionid=0B7B4C7B6311D308DFCE40460B87E5B3?sequence=1> and <https://files.eric.ed.gov/fulltext/ED574662.pdf>

³⁷https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/FORDHAM%20Open%20Enrollment%20Report%20Online%20final_0.pdf and <https://lao.ca.gov/reports/2016/3331/district-of-choice-012716.pdf> and <https://shareok.org/bitstream/handle/11244/25187/10.1177.0895904813518103.pdf;jsessionid=0B7B4C7B6311D308DFCE40460B87E5B3?sequence=1>

³⁸https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/FORDHAM%20Open%20Enrollment%20Report%20Online%20final_0.pdf

³⁹<https://shareok.org/bitstream/handle/11244/25187/10.1177.0895904813518103.pdf;jsessionid=0B7B4C7B6311D308DFCE40460B87E5B3?sequence=1> and <https://files.eric.ed.gov/fulltext/ED574662.pdf>

⁴⁰<https://shareok.org/bitstream/handle/11244/25187/10.1177.0895904813518103.pdf;jsessionid=0B7B4C7B6311D308DFCE40460B87E5B3?sequence=1>; https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/FORDHAM%20Open%20Enrollment%20Report%20Online%20final_0.pdf



often within the same school year. Economically disadvantaged students are the most likely to move in and out of schools through inter-district choice programs.⁴¹

Evidence on whether or not students benefit from transferring through inter-district open enrollment programs, as measured by their scores on state math and reading assessments, is also somewhat mixed. Studies of Colorado's and Michigan's programs generally conclude that there's no meaningful relationship between open enrollment and student test scores.⁴² Additional evidence from Colorado suggests there are small achievement gains for students who remain stably enrolled in their transfer school; however, any gains are lost for students who return to their home schools.⁴³ Evidence from Ohio is slightly more positive, suggesting that consistent participation in open enrollment is associated with modest learning gains overall and substantial learning gains for Black students.⁴⁴

There is also some evidence that inter-district open enrollment benefits the sending districts. In California, research suggests that even as participating students transferred into higher performing districts, their home districts improved.⁴⁵ And in Wisconsin, evidence indicates that districts experiencing high enrollment losses due to open enrollment may respond to competitive pressure by improving their performance, as measured by increased student standardized test scores in years following substantial enrollment losses.⁴⁶

Given the limited number of studies analyzing open enrollment policies, student participation patterns, and outcomes data, it's difficult to draw firm conclusions about the extent to which these policies work for which students, and what policy design elements are most closely associated with positive outcomes. The research here does suggest that policymakers ought to keep a close eye on who has access to and who uses open enrollment policies, to ensure that they are meeting the needs of families who would benefit from additional school options.



Best Practices for Designing High-Quality Open Enrollment Policies

Open enrollment policies are a straightforward approach to providing families with additional public school options. They eliminate the constraints placed on families by school and district boundaries, opening the doors to schools in other communities. However, there is wide variation in how states implement open enrollment, with some focusing on intra-district enrollment and others

⁴¹https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/FORDHAM%20Open%20Enrollment%20Report%20Online%20final_0.pdf

⁴²<https://journals.sagepub.com/doi/pdf/10.1177/2332858417731555>

⁴³<https://onlinelibrary.wiley.com/doi/epdf/10.1111/ssqu.12478>

⁴⁴https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/FORDHAM%20Open%20Enrollment%20Report%20Online%20final_0.pdf

⁴⁵<https://lao.ca.gov/reports/2016/3331/district-of-choice-012716.pdf>

⁴⁶<https://www.sciencedirect.com/science/article/abs/pii/S0272775711001750>



on inter-district enrollment. Some policies are mandatory and others are voluntary. Nationwide, 47 states and D.C. have some form of open enrollment policy on their books, yet participation varies widely. There's also a limited amount of research on their implementation or effectiveness. State policymakers have considerable opportunities to strengthen their states' open enrollment policies to ensure that they support all families in accessing high-quality school options.

- 1. Eliminate known barriers to equitable access.** Despite limited research, analysis of open enrollment policies points to several well-known barriers that make it difficult for families to take advantage of the open enrollment policies, including funding, transportation, and the inclusion of "exceptions" in states' policies. In particular, policymakers could:
 - a. Address school finance structures that disincentivize district participation.** While state funding typically follows a transfer student to their new district, local funding does not. For districts that raise considerable proportions of their per-pupil funding locally, this creates a huge gap in per-pupil funding when a district accepts transfer students. States could offer financial incentives that help close the gap, by offering payments to cover the per-pupil amount raised through local income or property taxes. This could help ameliorate the issue of using local tax dollars to educate children from outside the community.⁴⁷ States could also consider more fundamental school finance reforms that reduce variation in per-pupil funding that vary across communities, such as property wealth and tax rates. For example, in 2008 the Indiana legislature abolished property tax levies as a source of general fund education revenue (however, local dollars still supported debt service, transportation, and major capital projects). This led to improved funding equity and a substantial increase in the number of students participating in inter-district open enrollment.⁴⁸
 - b. Ensure transfer students have access to transportation.** If students do not have safe, reliable transportation to their school of choice, then that school is not a true choice for that family. Too many states' open enrollment policies simply ignore the issue of transportation altogether. Others leave it up to the parents or provide transportation to only certain students participating in open enrollment. At a minimum, policymakers must ensure that students from low-income families have access to state- or district-funded transportation to and from their school of choice under inter- and intra-district open enrollment policies. This minimum bar helps ensure that a state's open enrollment policy is accessible to underserved students. However, if policymakers are interested in ensuring that open enrollment policies are accessible to all families, providing transportation to all students is an important step. Requiring the sending or receiving school district to provide busing is one approach, but policymakers could consider other approaches such as transportation scholarship accounts that make it possible for families to use state funds to pay for their preferred method of transportation (e.g., public transportation, a child-friendly rideshare program, etc.).⁴⁹

⁴⁷<https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=4115&context=flr>

⁴⁸<https://reason.org/wp-content/uploads/how-to-fix-education-funding.pdf>

⁴⁹<https://thehill.com/opinion/education/472167-can-i-get-a-ride-removing-an-obstacle-for-families-using-school-choice>



c. Develop equitable enrollment processes and ensure transparent communication.

Districts' varying approaches to enrolling students from outside their boundaries create barriers for families, who must navigate multiple processes, requirements, and deadlines—often with limited information and communication from the district. These challenges can be especially profound for underserved groups of students and their families, such as those who are low income or speak a language other than English. State policymakers should design open enrollment policies with consistent enrollment timelines and windows across districts and set expectations about the type of information districts must communicate to families.

d. Clearly define any exceptions included in mandatory policies. While voluntary open enrollment policies give districts an explicit choice to participate—or not—in open enrollment, mandatory policies often have exceptions that allow districts to refuse to accept transfer students. The most common provision is the lack of space. Capacity is a real barrier and one that states should probably include in their policies. However, policymakers should clarify the definition of capacity to ensure consistency across districts (e.g., building capacity, class size, student-teacher ratio). Whatever exceptions and definitions policymakers choose ought to be codified in state policy, and districts ought to be required to provide proof that they meet the definition before being able to legally refuse a transfer request.

2. Collect better data and establish transparent data reporting systems. One major barrier to understanding whether and how open enrollment policies work is a lack of data. State policymakers must put in place processes to track students who transfer between schools within their home districts and to schools outside of their home districts to understand the scope of participation. Policymakers should also collect students' demographic and academic performance data to help them understand which students are participating and which groups of students may face barriers to participating. Additionally, policymakers should collect data about where the students transfer and, if they are refused enrollment by another district, why. This data can help policymakers understand demand for inter- and intra-district enrollment and address barriers—such as school capacity—that arise.

Moreover, policymakers could require districts to report annually the number of open enrollment seats district-wide or at each grade level, to increase transparency and support families in making decisions about where to send their children to school.





Key Resources on Open Enrollment

- » [National Center for Education Statistics](#)
 - › Table showing the number of and type of open enrollment policies by states as of 2017
- » [50-State Comparisons](#)
 - › Education Commission of the States: Compares states' open enrollment policies across four key questions: Does the state have open enrollment programs? Do desegregation provisions affect those programs? Does the state set priorities for participating districts to follow, and who is responsible for transportation?
- » [Open Enrollment State Profiles](#)
 - › Education Commission of the States: Provides an overview of each state's open enrollment policy

