



To: Ohio Senate Education Committee Members

From: Jude Schwalbach, Senior Policy Analyst, Reason Foundation

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My name is Jude Schwalbach, and I'm a senior education policy analyst with Reason Foundation, a national 501c(3) nonprofit policy research organization. I'm testifying on Ohio [Senate Bill 208](#).

Ohio S.B. 208 would make it easier for students whose parents are active-duty military members to find a public school that best fits their needs. The legislation would require all school districts to permit cross-district open enrollment when a transfer student's parent is an active-duty military member stationed in Ohio. Under these circumstances, public school transfer students could not be charged tuition or transfer fees and would be eligible for school transportation services. This would expand educational options and be a step forward for Ohio's students.

However, S.B. 208 also falls short of good education policy in important ways and could be improved to help more of the state's public school students. The bill should require all school districts to participate in cross-district open enrollment, letting all students transfer to any public schools with open seats. Ohio's current law lets school districts opt out, which can result in high-performing and wealthier districts blocking transfer students. In fact, more than half of the school districts that currently opt out of the state's existing cross-district open enrollment program received a five- or four-star rating in achievement on the Ohio Department of Education & Workforce's Performance Index in 2023. Ohio should require all school districts with open seats available to participate and prevent them from charging tuition to students, regardless of where they live.

In 1996, a [report](#) found that Ohio's open enrollment program, which allows students to transfer to school districts other than their residentially assigned one, encouraged competition and improvement in rural school districts. More recent reports from other states show similar results. For example, California's nonpartisan Legislative Analyst's Office's [2016](#) and [2021](#) reports on the state's District of Choice program found open enrollment policies that let students transfer to public schools with open seats have spurred school districts to improve.

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A 2023 report by the [Becker-Friedman Institute for Economics at the University of Chicago](#) found that students participating in the Los Angeles Unified School District’s within-district open enrollment program saw positive results in achievement and college enrollment, especially when transfer students were compared with nonparticipants. In addition, school quality in the district’s lowest-performing schools improved the most. The researchers concluded that these positive effects were due to the competitive pressures put on public schools by open enrollment.

Similarly, school district administrators in Arizona, North Carolina, Indiana, and Florida have stated that open enrollment laws encouraged them to innovate, create new programs for students and improve existing ones so they could better attract and retain students, according to a 2023 [EdChoice](#) report.

A February 2024 [Morning Consult-EdChoice](#) poll of 1,320 adults found that 73% of parents with children in school supported open enrollment, and only 14% opposed it. It also enjoys bipartisan support: 77% of Democrats, 73% of Republicans, and 74% of Independents with kids in schools say they favor allowing families to attend schools across school district lines. Moreover, robust open enrollment laws signed into law in Idaho, Montana, and West Virginia during the 2023 legislative sessions enjoyed [significant bipartisan support](#), receiving the votes of over 80% of Democrats and 90% of Republicans in those legislatures.

Senate Bill 208 could be additionally improved by adopting transparency provisions to ensure that the open enrollment process is fair and accessible to all families. School districts should post their open enrollment policies and procedures online, along with their available capacity by grade level, so parents can identify public schools with openings.

Adopting a robust open enrollment policy in Ohio would help ensure that public schools are available to all students and further empower families to find the public schools that are the right fit for their kids.

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