

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 [Oregon House Bill 4161](#).

Oregon H.B. 4161 would make it easier for students to find a public school that best fits their needs through K-12 open enrollment. The legislation would let students transfer to public schools outside their school district or attendance zone. This is a step forward since it expands educational options for students.

However, H.B. 4161 falls short of good policy in important ways. It does not require all school districts to participate in open enrollment, letting them receive waivers from the Department of Education. The bill also lets school districts artificially cap the number of students transferring in or out of them. A better policy would eliminate enrollment caps and waivers, requiring all school districts to participate so long as they have open seats. This ensures that students can access every available seat at schools that are a better fit.

In fact, data from [Arizona](#), [Florida](#), and [Wisconsin](#) show that school districts, including rural and small ones, can successfully operate with strong open enrollment laws without participation waivers or enrollment caps. Approximately 345,000 students used open enrollment in these three states during the 2021-22 school year.

California's Legislative Analyst's Office's [2016](#) report and [Reason Foundation's](#) 2023 report both show that the competitive effects of open enrollment can encourage school districts to improve. In a 2023 [EdChoice](#) report, school district administrators in Arizona, North Carolina, Indiana, and Florida stated that open enrollment encouraged them to innovate by creating or improving existing programs to attract and retain students.

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

A Jan. 2024 [Morning Consult-EdChoice](#) poll of 1,295 school parents found that 74% of parents with children in school supported student transfer policies, and only 16% opposed them. They also enjoy bipartisan support: 77% of Democrats, 78% of Republicans, and 68% of Independents with kids in schools in favor of them. Moreover, robust open enrollment laws signed into law in Idaho and West Virginia during the 2023 legislative sessions enjoyed [significant bipartisan support](#).

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