

The ACCESS ACT: Schools should be OPEN TO ALL.

A student's zip code should NEVER limit their opportunity.

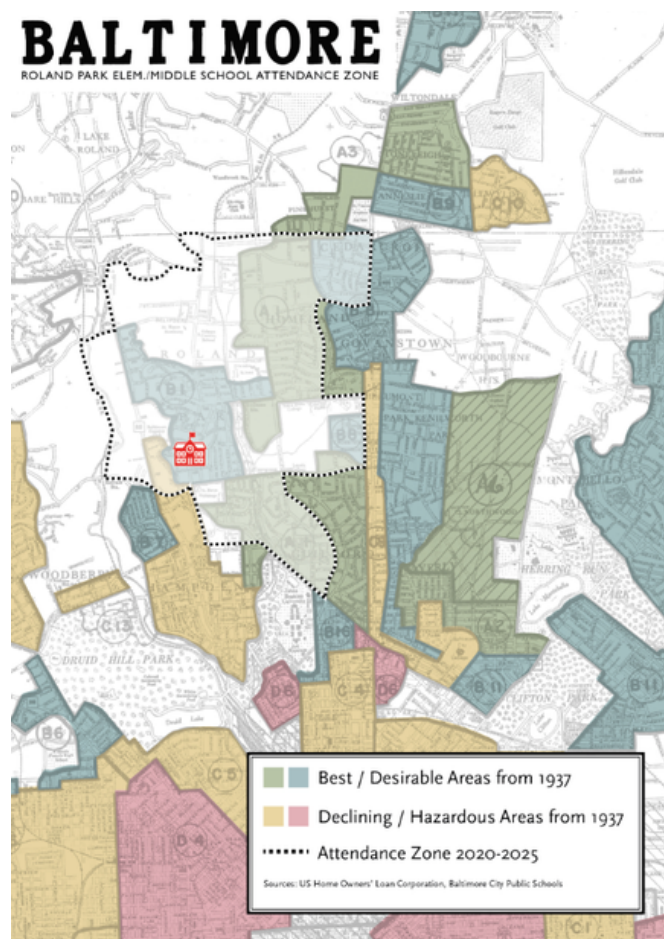
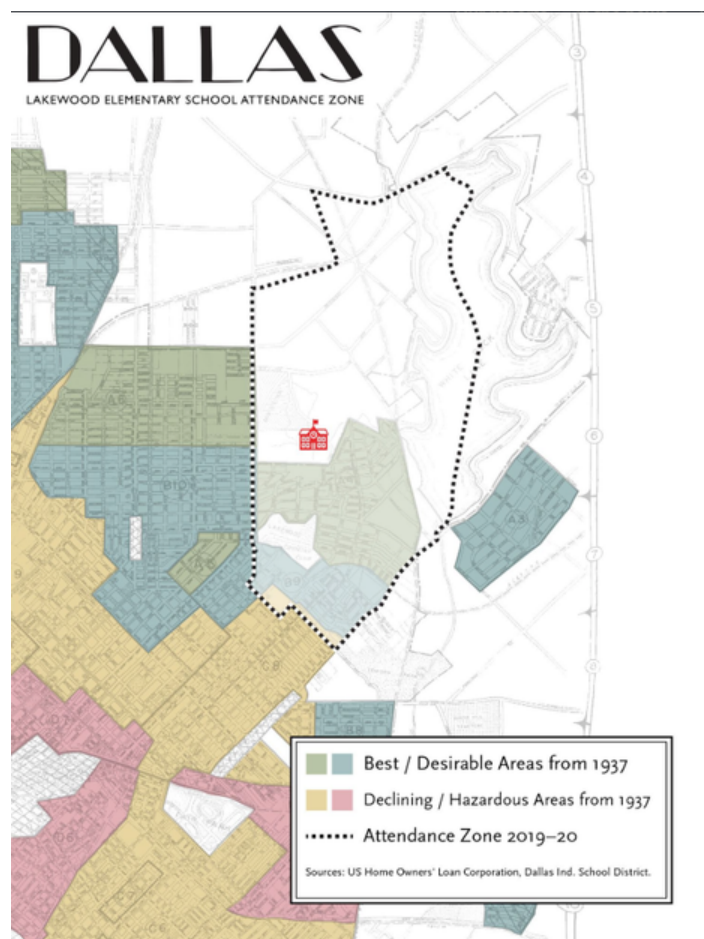
Too many students are still trapped in schools that don't meet their needs. Parents want more public school choices, and the federal government can help deliver that by expanding open enrollment. The ACCESS Act would support states in breaking down district boundaries that lock students out of opportunities available to their peers. It ensures that children stuck in chronically failing schools can access better options. In 2025, every child should have the chance to attend a great school—no matter their neighborhood or zip code.

Why neighborhood zoning harms students:

For decades, public schools have promised to be "available to all on equal terms," as the Supreme Court affirmed in *Brown v. Board of Education*. In reality, neighbourhood school zoning continues to lock countless children out of high-quality public schools, reinforcing patterns of inequality.

As documented by [Available to All](#), attendance boundaries often mirror the racist redlining maps of the 1930s. These "educational redlines" perpetuate racial and economic segregation by confining access to the most coveted schools to families who can afford to live within their borders. In many communities, the cost of buying into these zones is an additional \$200,000 or more – effectively making a "free" public education inaccessible to low- and middle-income families.

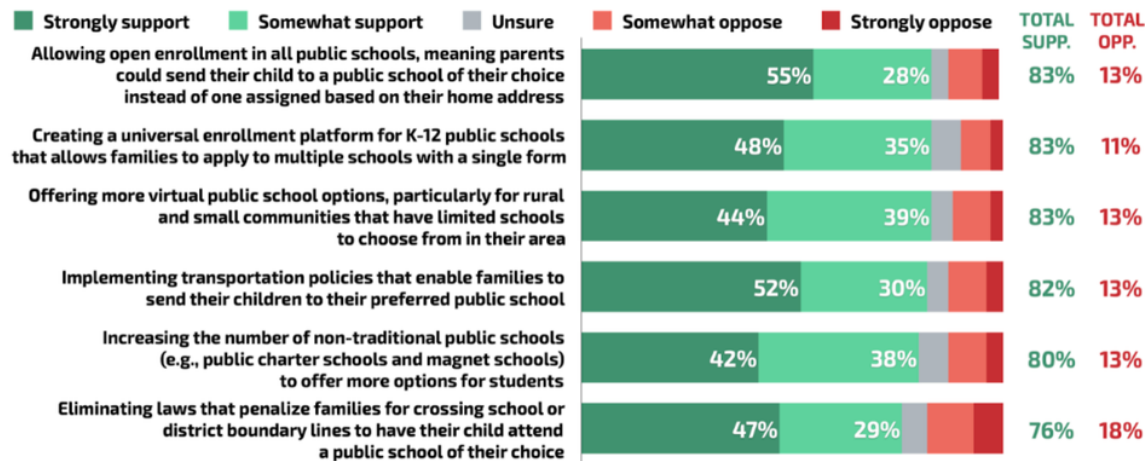
Across different states, public schools charge out-of-zone families anywhere from \$5,000 to over \$20,000 a year to attend. Families who try to bypass these exclusionary lines by using a relative's address can face severe penalties, including fines, investigations by private detectives, and even incarceration.



Open enrollment: Learning beyond the boundary lines

A well-designed open enrollment policy breaks down these barriers by allowing students to attend any public school with available seats, regardless of where they live. This is achieved through intra-district choice (allowing students to transfer from one school in their residentially assigned district to another within their district) and/or inter-district choice (allowing students to transfer to a school in a different district). Schools and districts may still reserve a percentage of seats for families who live within their boundaries to maintain local access.

Polling shows broad, bipartisan support for open enrollment policies.



Q. Would you support or oppose policymakers doing each of the following regarding K-12 public schools?
Survey of 1,529 Parents of K-12 Public School Students, conducted December 2-6, 2024



The ACCESS Act: A National Solution to a National Problem

The Advancing Choice in Education for Student Success (ACCESS) Act amends the Elementary and Secondary Education Act of 1965 (ESEA) to break the link between where a child lives and the public school they're allowed to attend, starting with the students who need it most. The bill:

- **Guarantees an exit from failing schools.** Any student in a school identified for Comprehensive Support and Improvement (the lowest-performing tier) has the right to transfer to a better-performing public school in their district.
- **Encourages open enrollment.** States and districts are encouraged to let all families enroll across boundary lines, both within and between districts.
- **Invests in real options.** Families should be able to choose from a variety of high-quality public schools so that they can find the right fit for their child, including magnet schools, innovation schools, charters, career academies, early college, and apprenticeships.
- **Breaks down the barriers to choice.** Choice only works if families are empowered to use it. The ACCESS Act eliminates tuition charges for public schools, ends the civil and criminal penalties families face for crossing boundary lines, invests in transportation so a seat actually comes with a ride, and incentivizes simple enrollment systems under one unified application platform.

We urge policymakers to expand opportunity and choice for the families furthest from it, while reaffirming a commitment to equitable, high-quality public schools for all.



Deep Dive: How do open enrollment systems work?

Open enrollment policies vary widely across states, but the strongest policies:

- Require all districts to participate in inter-district choice programs
- Feature information about open enrollment policies on school district websites in English, Spanish, and any other Major Language spoken by the majority of Limited English Proficient parents served by the school district
- Publicly report the number of open seats at every school
- Simplify the application process through one unified enrollment system
- Prioritize equitable transportation policies, with additional funding when possible
- Do not charge transfer students any additional tuition or fees
- Explicitly bar the cherry-picking of students (including discrimination against students with disabilities) and instead create a lottery system when the number of applications exceeds the number of available seats

Funding also varies widely across states, and the fiscal impact differs depending on whether a state has intra-district choice, inter-district choice, or both. Wisconsin's funding model is particularly compelling, as the majority of funding follows the student while some remains in the school for which they are originally zoned. In the 2020-21 school year, receiving districts received \$8,125 per pupil, while home districts retained an average of \$5,624 to soften the financial impact of losing students. Receiving districts received significantly more funding for students with IEPs and could apply for further reimbursement of up to \$30,000 per pupil. Wisconsin also provides transportation funding for low-income families, although it is often inaccessible and insufficient.

Deep Dive: How do open enrollment systems improve outcomes?

Improving academic achievement and student outcomes

In **Denver, Colorado**, more than 80% of students participate in the district's universal school choice program, which allows families to rank preferred schools across the city. The program has been highly effective in placing students in environments where they learn best, and test scores reflect that. Fourth grade reading scores on the NAEP have consistently gone up over time, and in 2024, the district saw a seven-point increase compared to other large cities.

California's District of Choice program has also shown positive trends. A 2016 report from the California Legislative Analyst's Office (LAO) found improvements in both home districts and districts of choice, with test score increases of 9 and 10 points per year, respectively, from 2008 to 2013. By comparison, districts statewide improved by an average of 7 points during the same time period. These gains were corroborated in a follow-up report in 2021.

In **Wisconsin**, research indicates that districts losing more students than they gain through open enrollment tend to see initial improvements in test performance. While these effects may fade over time, they demonstrate the potential of open enrollment to motivate school improvement.

Expanding access to advanced coursework and specialized programs

Wealthy families already have the opportunity to pick and choose specialized programs for their children. Open enrollment ensures that *all* families have this choice, and it incentivizes public schools to reassess community needs and invest in popular programs in order to retain students.

In **California**, families frequently participated in school choice so that they could access college preparatory coursework (such as IB and AP programs), STEM academies, or language immersion programs not available in their home districts. The LAO reports found that when home districts began losing students, they often hosted forums and town halls with parents in order to better understand how to attract and retain students; many districts then prioritized the implementation of new programs that were popular in their communities.