

**WILTON-LYNDEBOROUGH COOPERATIVE
SCHOOL BOARD PUBLIC HEARING-OPEN ENROLLMENT
Tuesday, February 10, 2026
Wilton-Lyndeborough Cooperative M/H School
6:30 p.m.**

The videoconferencing link was published several places including on the meeting agenda.

Present: *Dennis Golding, Brianne Lavallee, John Zavgren, Michelle Alley, Erin Collins, Darlene Anzalone, Diane Foss, and Jonathan Lavoie*

Superintendent Peter Weaver, Business Administrator Kristie LaPlante, Principals Tom Ronning (online) and Principal Stacy Maghakian (online), Assistant Principal Katie Gosselin (online), Technology Director Nicholas Buroker, Curriculum Coordinator Samantha Dignan (online)

I. CALL TO ORDER/OPEN PUBLIC HEARING

Chairman Golding called the meeting to order at 6:30pm.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

III. PUBLIC HEARING-OPEN ENROLLMENT-PRESENTATION

Chairman Golding informed the group the reason for this public hearing is to inform the public about Warrant Article #4 which is the open enrollment warrant article which Ms. Lavallee and Mr. Lavoie would present. Ms. Lavallee reported there are copies of the slide deck for the public which does include the wording of the warrant article. She reviewed what open enrollment is. In 2009 NH law RSA 194:D stated that public open enrollment schools could accept students in at the sending districts expense and could also send students out at their own expense. The tuition rate was set and determined to be 80% of the cost per pupil, that rate is set by NH Department of Education. She gave examples, based on our 2024-2025 cost per pupil, the rate would be \$19,617 that we would have to send out with any student that went to another public school. It is important to note that if a student has additional special education costs, we would be responsible for paying all those costs or providing those services in addition to the tuition cost we would be paying the school we are sending them to. Under the current law our school district can determine how many students we will accept and how many we can afford to tuition out through voter approval. This allows districts to anticipate both our needs for staffing and resources as well as our potential expenses making for responsible fiscal management. The general understanding in 2009 was that in order to receive tuition or be required to pay tuition the districts would need to adopt an open enrollment policy approved by the voters. Prospect Mountain did that and had other students from other schools apply and were accepted. The sending districts had not adopted an open enrollment policy. They argued that they should not have to pay the 80% tuition to Prospect Mountain. The case made it all the way to the NH Supreme Court and ruled that a sending school district is required to pay tuition to an open enrollment school in another district even if the sending district has not adopted an open enrollment program. This has resulted in schools across the state looking at their districts and making decisions based on their budgets and their enrollment to adopt their own policy to ensure budget and resource stability. Communities need to decide what to do now. Our School Board has decided to bring forth Warrant Article #4 to the voters so that we can adequately plan our budgets and maintain local control over our costs. We cannot plan ahead if our costs are unknown. Some may ask why we cannot plan ahead. School district costs do not increase or decrease in direct proportion to our enrollment. For example, if we have 12 children leave spanning the 12 different grades 1st-12th grade, we cannot necessarily reduce our staffing levels to accommodate that change and also the reverse is true if we gain a student per grade, we do not add staffing to accommodate that. Warrant Article #4 will be voted on March 7, 2026. She highlighted a few things; the high school and

elementary school are included in the warrant article. Kindergarten and preschool are not included in the warrant article. She reviewed the percentages. A hundred percent of our resident students will continue to have a place in our district schools. Zero percent of our students will be provided with tuition to go somewhere else. They can still choose to leave at any time, but local taxes will not follow them. We can collect and accept tuition from sending districts. Based on our current enrollment, that would be about 10% of 1st-12th grade enrollment. The reason why we are proposing this and what we are proposing is to limit our exposure financially by capping the students out while still allowing roughly 50 students district wide to be accepted in. She reviewed some of the pros and cons. A no vote on Warrant Article #4 would mean that the district and local taxpayers would lose control over our budget and would be unable to accurately project our expenses. She gave an example. If we have 1 student from each grade 1st-12th leave our kids, (12 students) the cost to our budget with our projected numbers would be about \$240,000, that would be an additional 1.45% increase on top of the proposed budget that would be coming forth on March 7. There would also be no direct offset in our budget since they were spread across the 12 grades and 2 different schools. How would we address the cost for the taxpayers while still ensuring that we provide the same education to the remaining students that we are attempting to provide with the proposed budget on March 7. A yes vote on Warrant Article #4 would mean parents can still decide to send their student to any school of their choosing but our local taxpayers would not be required to pay the approximate \$20,000 in tuition. The School Board would then create a submission policy, and we can admit students from other towns based on our district's academic goals as stated in the current law. We can charge those towns' tuition. It is important to note that under the current law the receiving schools can choose not to accept a student if they do not meet the criteria that a particular school sets in their policy. In the end it is the school's choice not necessarily the parents' choice. Even if someone desires to leave our district there is no guarantee that they will be accepted into a different public school. She spoke of the potential impact on our district if the open enrollment warrant article is not approved. There are a number of impacts, she discussed a few. Not passing this warrant article creates a scenario where we are in the dark with both the numbers of students that we need to service, the curriculum resources and staff we are going to require. We would not be able to accurately project the cost for taxpayers. We would not be able to plan ahead for the following school year, and it would directly impact any ability we would have to do long distant strategic planning. She gave a specific example of how it would impact students directly. As most parents within our district know that we have athletics, dance team, robotics etc. that we try to put forth to enhance the educational opportunities for our students. In our small district there have been years when we were not been able to have a team because we did not have enough players, in particular, one year without any varsity basketball. The coaches and students actively go out and recruit other students to play so that we can still fill those teams. It is truly a community effort to provide those opportunities. If participation declines because we have students that are leaving our district, these vulnerable programs that offer opportunities for our students may not be sustainable for the students that remain. Something else we should all consider; there are students already residing in the district but not enrolled in WLC. The EFA (Education Freedom Accounts) data from the NH Department of Education places that number at over 70 students. If only 7 or 10% of those EFA students decide to enroll here and then use open enrollment to go to a different school. Not adopting this warrant article could potentially cost us \$140,000 if 7 of them leave. That is only 10% and is without any of our current students leaving the school. We also decided to add an additional slide at the end to highlight what is going on with current legislation. If the pending legislation becomes law, then the current open enrollment would be repealed, and our warrant article would not hold. She highlighted that the Senate has already passed a related bill, SB 101. They fast-tracked it through the Senate and was skipped in committee and is now moving toward the House. The House has a similar bill, HB 751 that was supposed to be voted on last week. They have pushed it off and now may be voted on as early as this Thursday. If these pass the House, the governor would then need to sign them into law. If signed into law, it would take effect immediately, which would not just impact next year's budget but could impact our current year's budget as well. It is important to note that parents in NH have always and will always continue to have the right to send their child to any school of their choosing. The difference in the past was that it would be the local taxpayers would not be affected by that decision. The local taxpayers would not have to pay for that preference.

IV. PUBLIC COMMENTS

The public comment section of the agenda was read. Chairman Golding reminded folks this is a public comment session and not a question-and-answer session. If you have questions, please forward them to the Board and they will try to the best of their abilities. Ms. Lavallee suggested that the questions would be posted with the answers on the SAU website so that all members of the public can see what the answers are.

Ms. Kelly Gibson, Wilton, commented that open enrollment is intended to provide limited structure flexibility for families when circumstances change whether due to an academic fit, safety, concerns or financial hardship. When families cannot leave through an IEP, manifest hardship or an out of district placement, open enrollment is supposed to be the relief valve. Setting outgoing enrollment to zero closes that valve entirely. It is important to be clear about who is affected by this policy and who is not. Families with sufficient means can still leave the district by paying tuition. Like Ms. Lavallee said under the current law, when outgoing open enrollment is set to zero the district covers only 80% of its per pupil rate and the parent must pay the remaining 20% which by itself can exceed \$400 per month if considering Amherst. Plus, the difference between the district's per pupil rate and the receiving school rate for many families that cost makes leaving impossible. If outgoing open enrollment were set to even a very small number of students those families would receive 100% of the districts per pupil finding and the only remaining cost would be the difference in per student rates roughly at \$60 a month. That is still the parent's responsibility, but it is the difference between a realistic option and no option at all. When open enrollment is set to zero, choice does not disappear. It becomes a privilege only available to families who can afford it. I understand concerns about fiscal responsibility and the fear of a mass exodus, but open enrollment has always been capped and managed specifically to prevent that outcome. Setting out going enrollment to zero is not a budgeting requirement, it is a policy choice. If the district has confidence in the quality of its schools, then allowing a careful limited number of students to leave should not pose a threat. A cap preserves budget control while maintaining fairness and flexibility. Policies should apply equally. If the district believes it is appropriate to invite students in under open enrollment to offset operational costs, then it should also allow some students to go out. What is good for the goose should be good for the gander. She is asking votes and the Board to advocate for amending the open enrollment warrant article so that it allows a small percentage of outgoing students instead of zero. If zero is not a neutral number but an affirmative policy decision, then the question becomes simple. How does the district justify a policy that disproportionately impacts low-income families and higher income families functionally untouched. And furthermore, by only limiting it from 1st grade to 12th grade you are limiting our early intervention learners our pre-k and kindergarten. In the most important years out of their 12-year curriculum by not allowing that group to have privileges as 1st through grade 12 is limiting any child who needs an out of district placement, you would be limiting my grandson.

Mr. Fran Bujak, Lyndeborough appreciated the Board bringing this forward. He spoke in support of this warrant article in its current form. Unfortunately, as Ms. Lavallee mentioned, he is not sure that's what we'll be left with. He thanked the group for taking the time to allow public comment on an issue that our representatives in Concord seem to have no desire to actually listen to. There is a significant flaw in his opinion in what they are doing and very misleading to the public in the fact that as Ms. Lavallee mentioned, he thinks all of us know that have ever sat in the seats that you are right now, there is no district in this state that is going to accept a student that will cost them one dime. So, to send them a full tuition from any other school district is just subsidizing a school district. While he is not an attorney, it certainly looks like it violates the Constitution of the State of NH in requiring us to pay for the same student twice, requiring us to have an unfunded mandate from the State of NH. While we may never get a chance to provide any comment and we may get stuck with that, he has never recommended anyone join a lawsuit in his 30 plus years working with these 2 towns but when the lawsuit comes from whatever district it comes, if that law passes, he encourages this district to join it because this is flawed from the standpoint as Ms. Lavallee mentioned. We are going to set a budget in a cosudden,f weeks and the parents will decide in September whether or not they will come to school here putting either gaping holes or if we were so fortunate to have students show up from Greenfield,

Greenville, and Mason then all of a sudden we have hundreds of thousands of dollars that we're going to do what with? We are going to just lower our tax base at the expense of someone else. That type of stuff, although it sounds great in our favor, shouldn't be allowed to happen in this state.

Superintendent called out all the phone numbers and names joined in the meeting asking if they wanted to comment.

Ms. Jenny Lord, Wilton said she has been with you all year. She thanked the group for everything they have done. She thinks it is important that this presentation is done just the way you did it. She thinks it is very clear and important that we all educate people on what they are voting for and she thanked the group for their time. She added she doesn't say much unless she feels it really needs to be said but she also echoes what you have all said and Mr. Bujak.

VI. ADJOURNMENT

A MOTION was made by Mr. Lavoie and SECONDED by Ms. Foss to adjourn the Board meeting at 6:51pm.

Voting: all aye, motion carried.

*Respectfully submitted,
Kristina Fowler*