

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 [Virginia House Bill 659](#).

Virginia H.B. 659 would make it easier for students to find a public school that best fits their needs. The legislation would let students transfer to public schools outside their attendance zone, but inside their school division, that are a better fit so long as capacity is available. The proposal also requires that out-of-zone attendance policies, as well as the available capacity by grade level, be posted on each school division's website. At the same time, the proposal requires the state department of education to collect important data on student transfers, including the number of the transfer students, the number of rejected applications, and why they were rejected. This data, disaggregated by school division and school level, must be published in an annual report. The bill also stops out-of-zone transfer students from being charged public school tuition. This is a step forward since it expands educational options for more students and increases transparency.

However, H.B. 659 could be improved to help the state's public school students access every available seat. In § 22.1-7.1.C, the proposal states that local school boards may establish and implement out-of-zone attendance policies. This language should be strengthened to say "shall establish." This would ensure that every school division participates in the out-of-zone attendance policy, letting students access every available seat in their school division.

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.

Reports from [California](#), [Wisconsin](#), [Texas](#), [Colorado](#) show that students transfer schools for a variety of reasons, such as better academics, accessing specialized programming, such as Advanced Placement (AP) courses, or class sizes, shortening their commutes, escaping bullying or because the school is a better fit.

A Dec. 2023 [Morning Consult-EdChoice](#) poll of 1,320 adults found that 73% of parents with children in school supported student transfer policies, and only 17% opposed it. They also enjoy bipartisan support: 76% of Democrats, 75% of Republicans, and 69% of Independents with kids in schools in favor of them. Moreover, robust out-of-zone attendance laws signed into law in Idaho and West Virginia during the 2023 legislative sessions enjoyed [significant bipartisan support](#).

Adopting a robust out-of-zone attendance policy in Virginia 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.