

yes.  
every  
kid.

# No More Lines

Opening Public Schools to  
All Families by 2030

May 2024



# No More Lines

## EXECUTIVE SUMMARY

At yes. every kid., we envision an education landscape where all students have access to any public school, regardless of their home address, and where families are empowered to choose the schools that best meet their children’s unique needs. The path to achieving this landscape will not be easy, but to fully empower families, each state must start taking real steps to get there.

In the following brief, we contextualize this vision and outline three policy approaches — **mandatory open enrollment, decriminalizing address sharing, and prohibiting address discrimination** – that states can enact to move toward our bold goal of creating a boundaryless educational landscape by 2030. These policy recommendations are rooted in four key principles: opening public schools to all, ending parent criminalization, viewing schools with an abundance mindset, and most importantly, empowering families.

# No More Lines

## INTRODUCTION: OUR VISION

In 2011, Kelley Williams-Bolar spent nine days in jail after being convicted of a felony for enrolling her teenage daughters in school using her father’s address, even though Williams-Bolar and her daughters divided their time between the two homes. Williams-Bolar would go on to say, “It just doesn’t make sense that enrolling your children in a public school is a crime.”<sup>1</sup>

While Williams-Bolar’s prosecution was extreme, it was not unique. In 2024, Kenwood Academy High School, which offers a robust educational program in an area of Chicago with limited educational options, has regularly made unannounced home investigations as part of its student enrollment process. Megan Rische, a Kenwood Academy mom, will never forget the night when she and her four kids were leaving home for dinner and two men who had been hired by the district approached her family to verify their residency in the neighborhood.<sup>2</sup>

These stories demonstrate that we are living in a country that not only tells parents they **cannot** choose the public school that is the best fit for their children but that it is **illegal** for them to do so. Decades after a slew of civil rights laws were passed to protect Americans from discrimination based on race, ethnicity, or religion, there is still a persistent, prevalent, and legal type of discrimination that millions of families face when trying to access public schools – discrimination based on a family’s residential address.

Today’s school attendance zones mirror neighborhood boundaries that were established in the 1930s and 1940s, when families of color and/or lower incomes could only live in specific areas with generally fewer resources like medical clinics, grocery stores, and safe schools.

Even as our country’s public schools become increasingly diverse, most school district boundaries are still drawn along these highly segregated socioeconomic lines from the early 20th century. Exclusionary zoning in Penfield, New York, for example, has created the most segregated school district boundary in the country – with the neighboring Rochester City Schools having 90% Black students and 40% poverty, while Penfield has only 16% non-White students and 5% poverty.<sup>3</sup> This is one example of the thousands of archaic and unfair school district boundaries that are costing millions of families educational freedom and access to one of the most expensive public goods that we all pay for – public education.



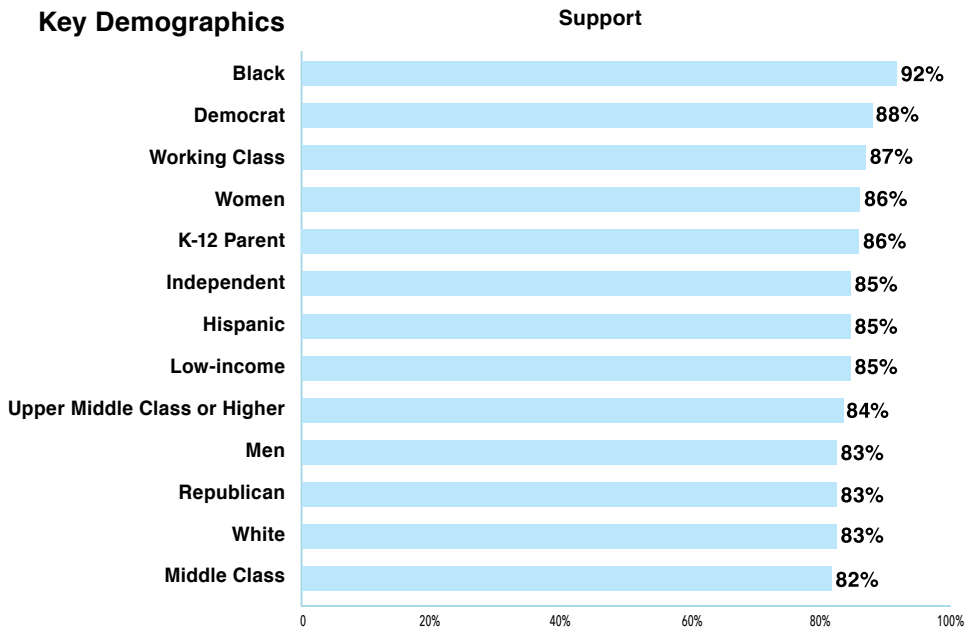
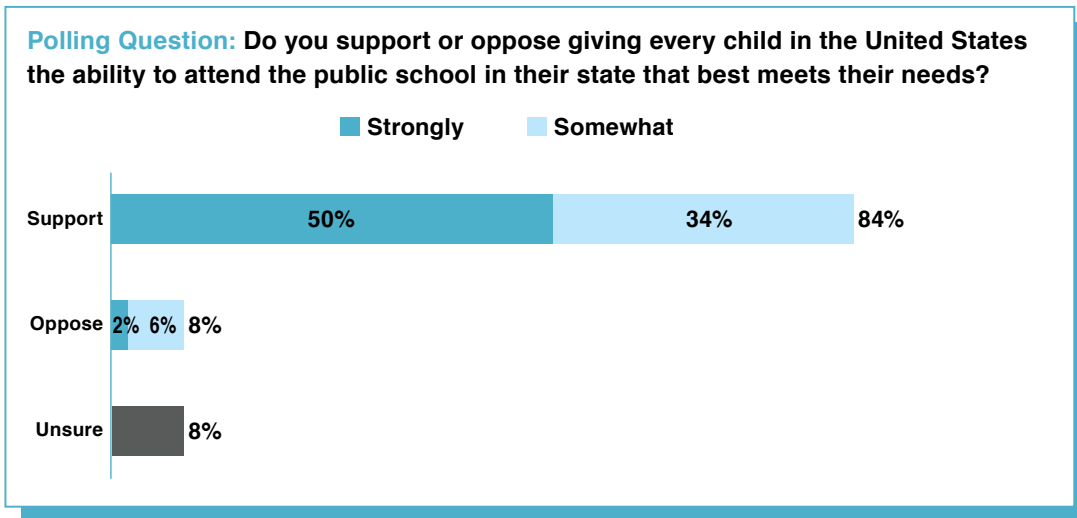
<sup>1</sup>yes. every kid. foundation. (July 5, 2023). Meet No More Lines Fellow Kelley Williams-Bolar. <https://yeseverykidfoundation.org/meet-no-more-lines-fellow-kelley-williams-bollar/>.

<sup>2</sup>Vevea, B. (Feb 26, 2024). “Can You Prove Your Teen Lives Here? Some Schools Make House Calls.” WBEZ. <https://www.wbez.org/stories/can-you-prove-your-teen-lives-here-some-schools-make-house-calls/31fec378-fa6e-41cb-bc4f-27690f6db6d9>.

<sup>3</sup>EdBuild. (2020). Fault Lines. <https://edbuild.org/content/fault-lines>.

# No More Lines

yes. every kid. envisions a different educational experience – one that allows students to move freely to the public school of their choosing, where a ZIP code no longer dictates a child’s educational journey, and where families have the power to decide which schools best meet their children’s educational and socioemotional needs. Our bold goal is to eliminate **all** public school district boundary lines in all 50 states by 2030. This goal is rooted in the reality of what parents want; as shown in the charts below, 84% of Americans support allowing students to access any public school in their state, regardless of home address or socioeconomic status.<sup>4</sup>



<sup>4</sup>yes. every kid. foundation. (October 18, 2023). Landmark Poll: Americans Believe Expanding Education Freedom Strengthens the Nation’s Education System. <https://yeseverykidfoundation.org/landmark-poll-americans-believe-expanding-education-freedom-strengthens-the-nations-education-system/>.

# No More Lines

## PRINCIPLES

Our vision for an open educational landscape is driven by the following four principles:

- 1. Empower Families** — Families should be empowered to choose the schools that best meet their children's needs, regardless of government-imposed district boundaries.
- 2. Open to All** — All public schools should be available to all students. Just like public parks, libraries, and pools, public schools are a public good that all taxpayers should have the right to access and use. Schools should be responsive to families and prohibited from discriminating against families because of where they live.
- 3. Stop Criminalizing Parents** — School districts should not violate a family's privacy by investigating where they live, nor should law enforcement use precious time and resources arresting and imprisoning parents who share addresses in order to enroll their kids in public school.
- 4. Abundance** — It is possible to have an abundance of excellent public schools. When a school is in high demand, states and districts should expand that school (by building upon the existing campus, expanding to a new building, acquiring a new campus, or even offering virtual classes) so that every family that wants to attend is able to. Capacity, in other words, is malleable.

## POLICIES

States that enact the following three policies will make serious strides toward creating an educational experience that empowers families:

- 1. Prohibit Discrimination Based on Residential Address** — All states can and should enact legislation that explicitly prohibits states from discriminating against students based on their residential address. Through this one legislative action, states create a pathway for families to demand equal access to schools.
- 2. Decriminalize Address Sharing** — The 24 states that currently allow parents to be criminally prosecuted for using a shared address to enroll their children in public school must pass legislation to ensure that parents will never be penalized for accessing a school outside of their attendance zone.
- 3. Create Mandatory Open Enrollment** — The 34 states that do not have mandatory open enrollment must change their laws and policies so that all districts are required to accept out-of-boundary students. This is a crucial step toward opening our public schools and decoupling family income from educational opportunities.

# No More Lines

## Current Policies to Create Open Educational Access for Families

As of March 2024

STATE	MANDATORY STATEWIDE OPEN ENROLLMENT <sup>5</sup>	DOES NOT CRIMINALIZE ADDRESS SHARING	PROHIBITS ADDRESS DISCRIMINATION
Alabama			
Alaska			
Arizona	■	■	
Arkansas	■		
California			
Colorado	■	■	
Connecticut		■	
Delaware	■		
D.C.			
Florida	■		
Georgia			
Hawaii			
Idaho	■	■	■
Illinois			
Indiana		■	
Iowa	■		
Kansas	■	■	
Kentucky		■	
Louisiana		■	
Maine		■	
Maryland		■	
Massachusetts		■	
Michigan			
Minnesota			
Mississippi			
Missouri			

STATE	MANDATORY STATEWIDE OPEN ENROLLMENT <sup>5</sup>	DOES NOT CRIMINALIZE ADDRESS SHARING	PROHIBITS ADDRESS DISCRIMINATION
Montana	■	■	
Nebraska	■	■	
Nevada			
New Hampshire		■	
New Jersey			
New Mexico		■	
New York			
North Carolina			
North Dakota	■	■	
Ohio			
Oklahoma	■		
Oregon		■	
Pennsylvania			
Rhode Island		■	
South Carolina			
South Dakota	■	■	
Tennessee		■	
Texas			
Utah	■	■	
Vermont		■	
Virginia			
Washington		■	
West Virginia	■	■	
Wisconsin	■	■	
Wyoming		■	

<sup>5</sup>Reason Foundation. (October 26, 2023). Public Schools Without Boundaries. <https://reason.org/open-enrollment/public-schools-without-boundaries-2023>.

<sup>6</sup>Ibid.

# No More Lines

## DISCUSSIONS

### Prohibiting Discrimination Based on Residential Address

In 1954, the U.S. Supreme Court determined that it is unconstitutional to explicitly assign children to schools based on their race.<sup>7</sup> In response, states carved out their school districts along racial and socioeconomic lines (see map to the right). Today, nearly 70 years after *Brown v. Board*, most states' school district boundaries and enrollment policies are set up so that families experience de facto discrimination based on their residential address, meaning that the school their child attends is determined solely by their address.

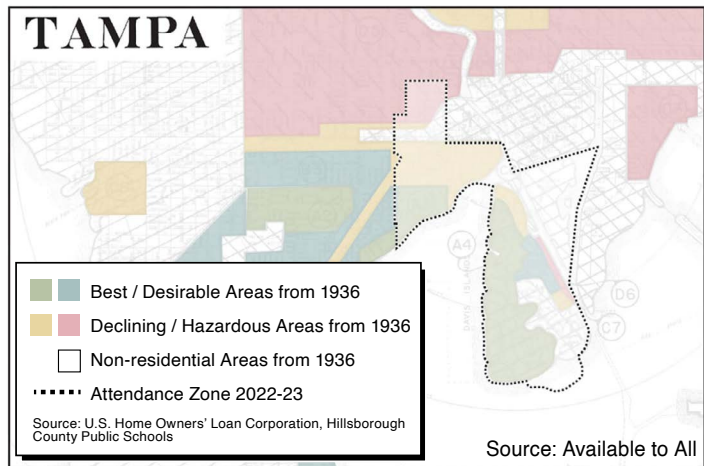
Address discrimination has a real and immediate impact – children whose families live in poorer neighborhoods are usually assigned to schools where they are physically or emotionally unsafe and/or do not learn the basic reading and math skills to keep them on par with their peers who live in wealthier neighborhoods. This impact lasts a lifetime. Studies continually show that a high-quality education is associated with a multitude of life outcomes, including better physical and mental health, stronger interpersonal relationships, and increased financial earnings.<sup>8</sup>

In 2023, Idaho became the first state to prohibit discrimination based on residential address. When it passed a strong bill to create mandatory statewide open enrollment, Idaho included the following language:

“School districts shall adopt policies to govern the process for enrollment options pursuant to this chapter, including in-district transfers. The policies shall prohibit discrimination against any pupil on the basis of his residential address, ability, disability, race, ethnicity, sex, or socioeconomic status.”

This revolutionary law creates a strong foundation for eliminating exclusionary school boundary lines that, by their nature, discriminate based on students' residential address.

Policymakers in other states should take critical steps toward empowering families and opening access to all public schools by enacting similar legislation. This new type of discrimination protection can be utilized in a multitude of ways to empower families who have been excluded from coveted schools for decades. For example, thanks to Idaho's new prohibition against discrimination, a group of families in Idaho whose kids are zoned to attend low-performing schools could potentially sue the state for denying them access to high-quality schools based on their residential address.



**Coveted Gorrie Elementary in Tampa has an attendance zone that largely replicates the exclusionary pattern of the redlining map from the New Deal era over 80 years ago.**

<sup>7</sup>Brown v. Board of Education of Topeka, Opinion; May 17, 1954; Records of the Supreme Court of the United States; Record Group 267; National Archives. <https://www.archives.gov/milestone-documents/brown-v-board-of-education>.  
<sup>8</sup>Chetty et al. 2011. How Does Your Kindergarten Classroom Affect Your Earnings? Evidence from Project Star. Quarterly Journal of Economics 126(4): 1593-1660. [www.doi.org/10.1093/qje/qjr041](http://www.doi.org/10.1093/qje/qjr041)

# No More Lines

## Decriminalizing Address Sharing

At minimum, states should ensure that parents are not jailed, fined, or criminally prosecuted for using a shared or incorrect address to enroll their kids in an out-of-boundary school. Families across the country have long engaged in the practice of address sharing – using an address that is not the family’s actual residence but usually the address of a friend, relative, or colleague – in response to exclusionary school assignment practices. But over the past 20 years, many states have been cracking down on parental address sharing to aggressively protect school district boundaries. As explained by the nonprofit organization Available to All:

“ This tight link between district or zone boundaries and school assignment perpetuates the idea that public education is a scarce and commodified resource, one that homeowners can purchase by moving to specific neighborhoods. From this perspective, education is seen as a form of property owned by the district and selectively allocated by the district for the good of its residents; it is long-standing legal doctrine that the core of any property right is the right to exclude.<sup>9</sup> ”

The chart on page four shows the 26 states where parents who use an address that is not their residence to enroll their children in school cannot be criminally prosecuted. To empower parents, the 24 states that currently allow parents to be prosecuted for address sharing must pass laws to ensure that prosecutors and local governments cannot use a state’s general criminal law to prosecute parents who engage in address sharing. These states can follow the lead of Connecticut, which, in 2013, became the first and only state to explicitly decriminalize address sharing after the high-profile arrest of Tanya McDowell, a mother experiencing homelessness who used her son’s babysitter’s address to enroll him in elementary school.

Once we live in a country without exclusionary school district boundaries, this issue of parental prosecution will become moot. Until then, it is important for states to do everything they can to empower rather than punish parents and protect the choices that families make for their kids.

## Creating Mandatory Open Enrollment

Open enrollment policies empower students to cross school district lines to attend a school outside of their attendance zone that meets their learning needs. Arizona, for example, has unrestricted open enrollment for public schools, which means that parents can send their children to any public school in Arizona, regardless of where they live or where the school is located, so long as that school has the capacity. During the 2021-2022 school year, 1.1 million students were enrolled in Arizona public schools, and 10% of those students (over 115,000) attended a school other than their assigned one, thanks to Arizona’s robust open enrollment program.<sup>10</sup>

Part of what makes Arizona’s open enrollment program so strong is that all school districts are required to participate; in other words, all schools and districts must accept out-of-boundary students when they have extra seats. This is called mandatory open enrollment. Other states, like Ohio, have voluntary open enrollment programs that allow districts to accept out-of-boundary students but do not require them to do so.

<sup>9</sup>Available to All. (August 2023). When Good Parents Go to Jail. <https://availabletoall.org/wp-content/uploads/2023/07/WHEN-GOOD-PARENTS-GO-TO-JAIL-Available-to-All-001.pdf>.



# No More Lines

Where mandatory open enrollment creates a truly open educational landscape, voluntary open enrollment usually leads to a limited and confusing enrollment program in which only some parents are empowered to choose some schools, depending on where they live and what their neighboring districts are. The chart on page four shows the 16 states that have mandatory open enrollment programs; we recommend that the other 34 states also require that school districts eliminate exclusionary boundary lines. For most states, having mandatory open enrollment is an important intermediate step to eliminating school district boundaries altogether.

An important consideration when designing open enrollment programs is how schools and districts determine their capacity to accept open enrollment students. Ideally, each school will calculate its capacity by subtracting the number of pupils enrolled and the number of school staff from the maximum building capacity. This straightforward calculation helps ensure that schools are transparent about their capacity and open their doors to open enrollment students when they have room to do so, even if the out-of-boundary students who are requesting to enroll in the school are English learners or students with special needs who may require higher levels of support than general education students. Finally, we believe that all public schools should be required to accept at least some percentage of open enrollment students who apply because capacity is adjustable (buildings can expand, schools can replicate), and schools should be able to reasonably accommodate parental demand.

Finally, states that are strengthening their open enrollment programs must ensure that as much funding as possible follows each student to their school of choice. One way to do this is to allow districts receiving out-of-boundary-students to charge a per-pupil tuition to the sending districts. This kind of fiscal structure gives receiving schools the funds they need to provide a strong educational experience for open enrollment students and ensures that public funds are not going to schools that students are no longer attending.



## State Highlight: Arizona's Open Enrollment Program

Created in 1988, Arizona's open enrollment program is one of the oldest and strongest nationwide. Every year, over 115,000 Arizona students participate in open enrollment. Here's a summary of the program's key policy points:

- All districts must participate in statewide cross-district and within-district open enrollment.
- All open enrollment policies must be easily accessible from the homepage of school district websites in English, Spanish, and any other language that is used by the majority of parents served by the school district.
- Schools must accept open enrollment students throughout the year so long as there are open seats.
- When a school is at full capacity, any remaining students will be put on a waitlist and admitted through a lottery. Schools must give priority to returning students and the siblings of current open enrollment students.
- Districts and schools must update their available capacity by grade level on their website every 12 weeks.
- School districts cannot charge tuition to open enrollment students.
- The Arizona Department of Education must annually provide a detailed open enrollment report to policymakers.
- Open enrollment students receive free transportation to schools up 30 miles from their homes.

<sup>10</sup>Schwalbach, Jude. Reason Foundation. (October 3, 2023). New data shows Arizona's public schools, including rural ones, can compete in an education marketplace. <https://reason.org/commentary/new-data-shows-arizonas-public-schools-including-rural-ones-can-compete-in-an-education-market-place/>

# No More Lines

## CONCLUSION

Our eyes are on the future – a future in which families are empowered to choose the schools that meet their children’s needs and are never criminalized for doing so, a future in which public education is a public good that is open to all, and a future in which great schools and amazing educational experiences are viewed in abundance rather than scarcity.

Now is the time to create fair and open education policies – a time in which state leaders are bravely voicing their support for a boundless educational landscape where all families have access to the public schools that work best for them. In this brief, we discussed three key policy levers that each state can pass to move toward a landscape with no lines – ending discrimination based on residential address, decriminalizing address sharing, and mandatory open enrollment.

History teaches us to challenge outdated considerations of educational boundaries. In 1961, the California Legislature decided to dismantle exclusionary boundaries around California colleges, thereby allowing any California resident to enroll in any state college rather than just the college in their respective part of the state.<sup>11</sup> Like most revolutionary changes, this expansive policy was met with concern, but it ultimately fostered the largest state college system in the country, with nearly 80% of California college students attending a public institution and over 2.1 million post-secondary students attending a public institution.<sup>12</sup>

Advocates for flexibility, efficiency, and family decision-making in education have a duty to cast a bold vision for the future. While a few states and localities have shown a path forward, and history offers some examples, there is still a long way to go until residential boundaries no longer determine a student’s educational opportunities. The first step in truly transforming how our kids attain their education must be to guarantee every kid access to public schools. We look forward to eliminating all school boundaries by 2030 in close partnership with our No More Lines Coalition and, hopefully, with you.

*For support creating your state’s No More Lines policy agenda, please reach out to Erica Jedynak at [ejedynak@yeseverykid.com](mailto:ejedynak@yeseverykid.com).*


### About the Author


Halli Faulkner is the senior legislative drafter with yes. every kid. She is a seasoned education policy professional and a former middle school English teacher. Most recently, as the senior director of state and federal policy for the American Federation for Children, Halli supported education leaders in more than 18 states in creating student-centered law and policies. Halli earned her law degree from the George Washington University Law School and master’s degree in secondary education from Loyola Marymount University’s Graduate School of Education. Today, she works with the yes. every kid. team to create policies that empower students and families.


### About yes. every kid.

yes. every kid. is a leading advocacy team with a families-first approach to transform America’s education policy landscape.

 /yeseverykid

 @yes\_everykid

 @yeseverykid

 [hello@yeseverykid.com](mailto:hello@yeseverykid.com)

<sup>11</sup>California State University. History. <https://www.calstate.edu/csu-system/about-the-csu/Pages/history.aspx>.

<sup>12</sup>Public Policy Institute of California. (January 2024). California’s Higher Education System. <https://www.ppic.org/publication/californias-higher-education-system>.