

are asking that the state pick up 50% of the reimbursement for students who are allowed to go out of state. Ask yourself in this case why this is applicable to Class VIs and not to all other classes. There are certain criteria that can be looked at when you are making the determination as to whether students should be allowed to go outstate, whether a student lives near attendance center in the proposed receiving district than in the district of residence. That is one criteria. Well that criteria would apply to any district as well as to Class VIs. Natural barriers such as rivers cause transportation difficulties within the district of residence. What makes a Class VI different than any other district when it comes to the applicability of that particular criteria, road conditions, travel time, educational advantages in one district or the other? All of these criteria apply equally to all districts but somehow we are going to make a law here that Class VIs are going to be treated differently. No other class gets state reimbursement when one of their students is sent across state lines but now Class VIs will get reimbursed up to 50% of the cost. Let me tell you another problem with this particular law. When we set up the law generally with regard to students who could go across state lines, we set up some protections in the law. For example, one of them states that we won't go along with this unless, basically unless the other state has a reciprocity agreement with regard to sending students across to Nebraska. Another protection is that there is a daily rate of tuition which is a maximum amount that can be expended. Neither of these are protections now will apply to Class VI districts. They have a completely separate law. Let me take you back a few years ago to one change that was made in this law. It was one of the first distinctions that was made between Class VI districts and other districts with regard to this particular problem and it changed the appeal procedure. It said basically with regard to Class VI districts they would have the right to appeal to the Department of Education. With regard to all other districts the appeal is to the district court but they got the law changed so the Class VIs appealed to the Board of Education. Then what happened was that the Board of Education came down and said, all right, these students should go across state lines and now Senator Lamb comes in and tells you that because the Board of Education in appeal proceeding directed that they go across state lines, that this is the state mandating something to the local district and, therefore, the state should pay a part....

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: You have ten seconds.

SENATOR BEUTLER: ...but the Department of Education came