

scholarships. Where does that put this rule in conjunction...Does that constitute a substantial educational opportunity?

SENATOR BAACK: They would have to state that reason, if that is the reason that they stated, I would guess that that would be...they could transfer it that way. But I'm not so sure...see, Minnesota doesn't have any prohibition against athletic transfers whatsoever in their law, it's wide open. They can transfer for athletics, it doesn't matter, because their attitude is who are we, as a state, to tell a seven footer that he has to stay inside of a certain district and not have that opportunity available to him to possibly receive a full-ride scholarship when he goes to college. Are we, as a state, in that position that we should tell them that they cannot do that just because he's seven foot tall? That was their attitude, so they have no restrictions whatsoever as far as athletics go. I knew that it was going to be an athletic recruitment issue here, that's why I put in some restrictions, only the restrictions that are in place now.

SENATOR WEHRBEIN: Okay, thank you. Well, I'll listen carefully to the debate as time goes along. That's one of the areas that I'm skeptical about because I can see that many decisions will be made on that basis in many districts across Nebraska in time. That is one of the areas that I am interested in. Thanks for this...at this point.

SPEAKER BARRETT: The gentleman from Bellevue, Senator Hartnett.

SENATOR HARTNETT: Mr. Speaker and members of the body, if I could ask Senator Baack a question. I don't know whether this is an appropriate time. Does a district have a right, Senator Baack, of a refusal, that I can say I don't want any students from outside, under this bill?

SENATOR BAACK: Absolutely, they certainly do. School districts...

SENATOR HARTNETT: The districts themselves can say...

SENATOR BAACK: School districts will set policies, they've got to be based on something, you can't just say, okay, we're not going to have anybody. They've got to base them on some things as far as fullness of program, if they don't even offer a