

it's going to cost us an additional sum of money. I guess my concern is I'm not convinced that the formula that is being used to determine the amount that will be paid to the receiving district accurately reflects what could happen if a receiving district is required to take a student over and above what that district might normally do. So until I understand it a little bit better, I think I'm going to vote against the amendment. I'm not convinced that the formula is...accurately reflects the...what is actually going on on a day to day basis. I'm concerned that we're opening ourselves up possibly to, as I say, to lawsuits by students going into the receiving district, coming into the receiving district, who contend that, in fact, you do have room and the receiving district says that we do not. And one of the reasons that they take that position is the increased cost more than toilet paper and chalk and that sort of thing, but really gets down to an additional cost in adding the student into the system. So I'm a little unclear at this point and for that reason will vote against the amendment at this point until I can more fully understand how we came up with this number and how the formula makes sense on a day to day basis. Thank you.

SPEAKER BARRETT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. Speaker. Members of the body, I would like to just be able to continue along the same lines as Senator Ashford began on and I don't see Senator Baack but...okay, Senator Baack, I would address these comments to you. You heard what Senator Ashford's concerns were regarding the receiving district and the student who said that, yes, there is room and the school said, no, there is not room. My question was going to be, would we ever reach a point in time where this could be considered to be unconstitutional or discriminating? If you allowed some students to come into the school, then for some reason you decided as a school, no, this is our cutoff, we're not going to allow any more and that's it. The next student who requests and the family, could they say, hey, this is not constitutional. How can you say to them they can come in but I can't?

SENATOR BAACK: Well, you would have to, as a board, it's just like board policy, all kinds of board policies that they set now. As a school board, you would have to set a policy as to when you were or were not going to accept option students based on size of program, based on student-teacher ratio or whatever