

and you would have to be able to justify that.

SENATOR SMITH: You would have had that done beforehand, is that what you're saying?

SENATOR BAACK: Oh, yes. Yes, school boards are going to have to set those kind of policies, absolutely.

SENATOR SMITH: So we don't see any problem with the fact that it could be saying you're discriminating against some students by not allowing them to come in?

SENATOR BAACK: They could go to court over it, that could happen, it could happen.

SENATOR SMITH: Do you perceive that there would be, could be a lot of court cases as a result of this?

SENATOR BAACK: No, I don't, I don't think so.

SENATOR SMITH: Okay, and then you know Senator Moore brought up an example where he talked about the unfair advantage where you had, you know, a school that was...where the costs were lower. I would like to use an example that I have expressed to you, I think privately, which is a concern that I do have and ask if you could tell me, does this amendment in any way impact on my concern. The example I would give is, having lived in Lochland in my district, in the Class VI area, the rural area, the taxes are about two-thirds of the tax level that they have to levy on the schools in the city system of Hastings. If I, and there are many people that had children going to schools out in Lochland who went into the rural schools and then into the Class VI school out there, but if they should decide that they thought that the level of education in Hastings was superior to that of Adams Central, for instance, my understanding is that they could then petition to go into the Hastings city district and then again my concern becomes, they are paying a lower tax, they would still be able to retain that lower tax rate of support for the school system that they were...the area they are in and be receiving the benefits from what they consider to be a better education in another school system where the taxpayers there are paying more for the cost of education and they are picking up the cost basically then for this other student that is now coming in from a lower tax district. Is that correct?