

that and we can't preclude those. So I think it's better for them to govern the ineligibility for athletic reasons and they are willing to do that. Jim Riley came in and testified at the hearing that they would much prefer that because this makes it too confusing for schools when we have one thing in statute and they have another set of regulations. Their plan is to put in a set of regulations dealing specifically with open enrollment students and I think that we should allow them to do that. Now, we'll get to my amendment. My amendment is purely a clarifying one because it does make sure that when I talk about the funding it makes sure that it clarifies that the amount received and the amount expended are exactly the same so that it's a wash as far as dollars go. It doesn't figure any more of the equalization formula. They accept option enrollment students and their per pupil cost is higher. That doesn't have anything to do with the monies that they will receive. It's only they get so much money and they expend so much money so it's an absolute wash in their books. It also says that there is a little bit of change in the definition of "capacity," because it says that if your school district right now contracts for students and you have existing contracts for students who are coming in, say, for a special ed program or some other program that your school has, you can use those students when you're defining capacity. Because this contract has existed before open enrollment came into place, you can still use those, it's to help some co-ops out there that don't fit under some of our definitions in statute for special ed. But they have been contracting with a number of school districts. They have had a very good co-op that's working very well together. This says you can keep doing that and the school district that's accepting all those students can count those students when they're counting capacity. It doesn't just have to be resident students, it can also be contracted students when you're counting capacity. Oh, there is one other thing that my amendment does and this was a bill that was brought by Senator Lowell Johnson to the Education Committee. And there was a problem in his area where a...there was a...there's an old sta...there's a couple of statutes, a couple of sections of statute which say that a Class VI high school, if a student lives in a Class VI high school and he actually resides closer to another Class VI high school, then he can go to this other Class VI high school and the other district has to pay his expenses. It's only being used in one case that we know of in the state that's in Senator Johnson's district. Both of the schools agreed they would like to have that repealed because they have got a contract between them and it gets confusing as