

frankly, admitted, and I'm sure he would to anybody else, that the lawyer for these families came to him. So not only do the families have enough money to pay that tuition which they've been paying, \$8,000 a year, they've got the money to hire a high-priced lawyer from one of the big shot firms. Senator Lynch, we're not talking about run-of-the-mill people, such as you and I represent. And it's not to say that run-of-the-mill people would not like to be in a position to afford to send their children to Westside. But I will say this about the Lincoln situation, too, regardless of the rationale for saying that there is a difference, if, in fact, Lincoln, under this bill, has a situation which will be the following--children were allowed into the Lincoln district by paying tuition. As a result of a provision in this bill they will continue to be allowed to attend the Lincoln schools, but they won't pay tuition. However, no other child can take advantage of that situation. That makes it to me essentially the same as the circumstances in Omaha, even though Lincoln doesn't have a desegregation plan. We're talking again about a closed class. Under choice no children would be allowed from another district into the Lincoln district, unless Lincoln, the receiving district, and the sending district agree. Maybe the sending district would agree, and Lincoln would say, we're filled up, so none can come. If...that would have to be what they would say to every child. They cannot deny the children of parents A and B entry into the schools because they are overcrowded, or full, but then allow the children of C and D into the schools. So, if the children now attending the Lincoln schools do so only because they paid tuition, if they're allowed to remain in the Lincoln schools, it should be only because they continue to pay tuition, because those are the conditions under which they were allowed in the school. Now we have the choice bill in place. Lincoln, in effect, is not going to participate, but somehow tying the existence of the choice bill into the argument they're going to say, we're not going to participate in choice and let other children come in under that bill, but because the bill exists, those who are here by way of paying tuition can stay here without paying tuition as though they're choice students but, in fact, they are not. And in law they are not. If, in law, you're going to say they're choice students, then you're denying equal protection of law to other people's children because they can't get into the Lincoln schools under any circumstances. So what has been built here for us is a house of cards by administrators and maybe some lawyers, but we as lawmakers have to look at what is constitutional, not just what