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accurately as I can remember, after all the dust is settled with the Attorney General's Opinion, we are at the point where the latest word is, anyway, that the standards are so vague that the State Department of Education cannot require the school districts to test to those standards until such time as they've cleaned up the problem. Is that accurate?

SENATOR CUDABACK: Senator Bohlke, would you respond?

SENATOR BOHLKE: Senator Beutler, you've seen that Attorney General's Opinion. And I met with the commissioner, and they had their attorneys look at it. They believe they can go ahead with the standards as written if after giving a test there is no penalty for a school district.

SENATOR BEUTLER: Well, I suppose they can always go ahead with the standards because if nothing depends...

SENATOR BOHLKE: But I mean they can go ahead and test on those as long as the test does not result...

SENATOR BEUTLER: But if somebody refuses...if any school district refuses to do the test, they cannot force the school district to do the assessment. Isn't that accurate?

SENATOR BOHLKE: That would be there's no penalty currently now. There'd be rules and regs.

SENATOR BEUTLER: Well, there's not only no penalty for one thing, but there's no legal requirement to do it in the face of the Attorney General's Opinion as I understand it.

SENATOR BOHLKE: The way that you read it and the way the attorneys for the Department of Education have read it are two different views. And what I have said is that's their problem.

SENATOR BEUTLER: Okay, let's talk about two things. Do they intend to go back and make those standards less vague? Do they intend to clear the Attorney General's objection with respect to the vagueness of the standards?

SENATOR BOHLKE: Since that Attorney General's Opinion, I do not