

# Senate Bill 659

Sponsored by Senator LINTHICUM (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows student who is resident of state to attend any public school of state.

Requires student to receive consent from school district to attend schools of school district if student is nonresident student. Requires school district to give consent, with limited exceptions.

Prohibits school districts from charging tuition or entering into contracts for admission for nonresident students.

Removes cap on percentage of students from school districts who may attend certain virtual public charter schools.

Prohibits school districts from requiring disclosure of student's medical history as condition of student attending school.

## A BILL FOR AN ACT

1  
2 Relating to school access; creating new provisions; amending ORS 327.006, 332.405, 335.090, 336.095,  
3 337.150, 338.025, 338.125, 339.005, 339.115, 339.127, 339.133, 433.240, 433.255, 433.267, 433.269 and  
4 433.273; and repealing ORS 339.125 and 339.128.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. (1) A resident of this state may enroll in any of the public schools of this**  
7 **state as provided by this section.**

8 **(2) A student may enroll in the schools of another school district by receiving consent**  
9 **under ORS 339.127. A student who receives consent from another school district shall be**  
10 **considered a resident of that school district.**

11 **(3) A student may enroll in any of the schools of a school district without consideration**  
12 **of attendance boundaries.**

13 **(4)(a) Notwithstanding subsections (2) and (3) of this section, a school district may pro-**  
14 **hibit a student from enrolling in a school if that student's enrollment would exceed the ca-**  
15 **capacity of a program, class, grade level or building.**

16 **(b) When the number of students choosing to enroll in a school exceeds the capacity of**  
17 **a program, class, grade level or building, the school district shall:**

18 **(A) Give preference to students who live in the attendance boundaries of the school; and**

19 **(B) Select remaining students through an equitable lottery process that may give priority**  
20 **to students enrolled in the school for the previous school year or who have siblings enrolled**  
21 **in the school.**

22 **(5) A school district is not required to provide transportation to a school for a student**  
23 **who resides outside of the attendance boundaries of the school, but may allow the student**  
24 **to use existing bus routes and transportation services of the school district.**

25 **(6) The State Board of Education may adopt any rules necessary for the administration**  
26 **of this section.**

27 **SECTION 2. ORS 339.127 is amended to read:**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 339.127. (1) A district school board [*that admits*] **shall admit** nonresident students by giving  
 2 consent as described in [*ORS 339.133 (5)(a)*] **this section. A school district** may not consider race,  
 3 religion, sex, sexual orientation, ethnicity, national origin, disability, health, **medical history**,  
 4 whether a student has an individualized education program, the terms of an individualized education  
 5 program, income level, residence, proficiency in the English language, athletic ability or academic  
 6 records when **giving consent** [:]

7 [*(a) Determining whether to give consent; or*

8 [*(b) Establishing any terms of consent*].

9 (2) A district school board that [*is considering whether to admit*] **gives consent to** a nonresident  
 10 student [*by giving consent*] may require only the following information prior to [*deciding whether to*  
 11 *give*] **giving consent**:

12 (a) The name, contact information, date of birth and grade level of the student;

13 (b) Information about whether the school district may be prevented or otherwise limited from  
 14 providing consent as provided by ORS 339.115 (8);

15 (c) Information about whether the student may be given priority as provided by [*subsection (4)*  
 16 *of this*] section 1 (4)(b) of this 2021 Act; and

17 (d) Information about which schools the student prefers to attend.

18 (3)(a) A district school board that is [*considering whether to admit a nonresident student by*  
 19 *giving*] **requested to give** consent may not:

20 (A) Request or require any person to provide or have provided any of the following information  
 21 related to a student prior to the district school board [*deciding whether to give*] **giving** consent to  
 22 the student:

23 (i) Information about the student's race, religion, sex, sexual orientation, ethnicity, national or-  
 24 igin, disability, health, **medical history**, whether a student has an individualized education program,  
 25 the terms of an individualized education program, income level, residence, proficiency in the English  
 26 language or athletic ability; or

27 (ii) Academic records, including eligibility for or participation in a talented and gifted program  
 28 or special education and related services.

29 (B) Request or require the student to participate in an interview, to tour any of the schools or  
 30 facilities of the school district or to otherwise meet with any representatives of a school or a school  
 31 district prior to the district school board [*deciding whether to give*] **giving** consent to the student.

32 (C) Request any information used to supplement the information described in subsection (2) of  
 33 this section prior to [*deciding whether to give*] **giving** consent to the student.

34 (b) Nothing in this subsection prevents a student from voluntarily touring any of the schools or  
 35 facilities of a school district or from requesting or receiving any information from a school or the  
 36 school district.

37 [(4)(a) A district school board that gives consent as described in ORS 339.133 (5)(a) may limit the  
 38 number of students to whom consent is given. The district school board must make the determination  
 39 whether to limit the number of students to whom consent is given by an annual date established by the  
 40 board.]

41 [(b) If the number of students seeking consent exceeds any limitations imposed by the district school  
 42 board, the board must give consent to students based on an equitable lottery selection process. The  
 43 process may give priority to students who:]

44 [(A) Have siblings currently enrolled in a school of the same school district for which the student  
 45 seeks admission;]

1        *[(B) Previously had received consent as provided by subsection (10) of this section because of a*  
 2 *change in legal residence; or]*

3        *[(C) Attended a public charter school located in the same district for which the student seeks ad-*  
 4 *mission for at least three consecutive years, completed the highest grade offered by the public charter*  
 5 *school and did not enroll in and attend school in another district following completion of the highest*  
 6 *grade offered by the public charter school.]*

7        *[(c) A district school board may revise the maximum number of students to whom consent will be*  
 8 *given at a time other than the annual date established by the board if there are no pending applications*  
 9 *for consent.]*

10        *[(5) A district school board that is requested to give consent to allow a resident student to be ad-*  
 11 *mitted by another school district as described in ORS 339.133 (5)(a) may not consider race, religion,*  
 12 *sex, sexual orientation, ethnicity, national origin, disability, health, whether a student has an individ-*  
 13 *ualized education program, the terms of an individualized education program, income level, residence,*  
 14 *proficiency in the English language, athletic ability or academic records when determining whether to*  
 15 *give consent.]*

16        *[(6) If a district school board decides to not give consent to a student, the board must provide a*  
 17 *written explanation to the student.]*

18        *[(7)(a) For a nonresident student who receives consent to be admitted to a school district as de-*  
 19 *scribed in ORS 339.133 (5)(a), a district school board may:]*

20        *[(A) Determine the length of time for which consent is given; and]*

21        *[(B) Revoke consent for failure to comply with minimum standards for behavior or attendance, but*  
 22 *may not revoke consent for failure to meet standards for academics.]*

23        *[(b) Any limitations in length of time for consent, as allowed under paragraph (a) of this sub-*  
 24 *section, must be applied consistently among all students to whom consent is given. The length of time*  
 25 *for which consent is given shall not be affected by any changes in the legal residence of the student if*  
 26 *the student wishes to continue to attend the schools of the school district.]*

27        *[(c) If consent is revoked as provided by paragraph (a) of this subsection, a student may not request*  
 28 *consent from the same school district that revoked the consent for the school year following the school*  
 29 *year in which the consent was revoked.]*

30        **[(8)] (4)** For a resident student who receives consent to be admitted to another school district  
 31 as described in ORS 339.133 (5)(a), a district school board may not impose any limitations on the  
 32 length of time for which consent is given to the student. The board may not require the student to  
 33 receive consent more than one time. *[to be admitted to the same school district, regardless of any time*  
 34 *limitations imposed by the district school board under paragraph (a) of this subsection.]*

35        **[(9)(a)] (5)(a)** A school district that provides consent to nonresident students to attend the  
 36 schools of the school district may not expend moneys received from the State School Fund or as  
 37 Local Revenues, as described in ORS 327.011, to advertise openings for nonresident students if the  
 38 advertisements are:

39        (A) Located outside the boundaries of the school district, including advertisements that are  
 40 made by signage or billboards; or

41        (B) Directed to nonresident students, including:

42        (i) Advertisements that are targeted to nonresident students through direct mail or online mar-  
 43 keting;

44        (ii) Television or radio advertisements; or

45        (iii) Newspaper advertisements, unless the advertisement is in a newspaper that primarily serves

1 the residents of the school district.

2 (b) Notwithstanding paragraph (a)(A) of this subsection, if a school is located outside the  
 3 boundaries of the school district, the school district may advertise openings for nonresident students  
 4 on the property of the school.

5 (c) Nothing in this subsection:

6 (A) Prohibits a school district from providing information or advertisements to nonresident stu-  
 7 dents if the parents of the students request the information or advertisements.

8 (B) Prohibits a public charter school from advertising openings.

9 *[(10) Notwithstanding any other provision of this section, a district school board that is requested*  
 10 *to give consent as described in ORS 339.133 (5)(a) must give consent to a student whose legal residence*  
 11 *changes to a different school district:]*

12 *[(a) During the school year, to enable the student to complete the school year in the school district;*  
 13 *or]*

14 *[(b) During the summer prior to the school year, to enable the student to complete the school year*  
 15 *following the summer in the school district.]*

16 *[(11) (6) Nothing in this section:*

17 *[(a) Requires a district school board to admit students for whom priority may be given under*  
 18 *subsection (4)(b) of this section if the board imposes limitations on the number of students admitted by*  
 19 *consent.]*

20 *[(b) (a) Prevents a district school board from denying admission to a nonresident student as*  
 21 *provided by ORS 339.115 (8).*

22 *[(c) (b) Prevents a district school board from requesting information or giving consent to a*  
 23 *student in the event of:*

24 (A) An emergency to protect the health, safety or welfare of the student; or

25 (B) A hardship of the student, as determined based on rules adopted by the State Board of Ed-  
 26 ucation.

27 *[(d) (c) Prevents a district school board from establishing minimum standards for behavior and*  
 28 *attendance that a student must maintain to remain enrolled in the schools of the school district.*

29 **SECTION 3.** ORS 339.133, as amended by section 2, chapter 21, Oregon Laws 2020 (first special  
 30 session), is amended to read:

31 339.133. (1) As used in this section:

32 (a)(A) “Foster care” means substitute care for children placed by the Department of Human  
 33 Services or a tribal child welfare agency away from their parents and for whom the department or  
 34 agency has placement and care responsibility, including placements in foster family homes, foster  
 35 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and  
 36 preadoptive homes.

37 (B) “Foster care” does not mean care for children whose parent or guardian voluntarily placed  
 38 the child outside the child’s home with a public or private agency and for whom the child’s parent  
 39 or guardian retains legal guardianship.

40 (b)(A) “Person in parental relationship” means an adult who has physical custody of an indi-  
 41 vidual or resides in the same household as the individual, interacts with the individual daily, pro-  
 42 vides the individual with food, clothing, shelter and incidental necessities and provides the  
 43 individual with necessary care, education and discipline.

44 (B) “Person in parental relationship” does not mean a person with a power of attorney or other  
 45 written delegation of parental responsibilities if the person does not have other evidence of a par-

1 ental relationship.

2 (c) "School district of origin" means the school district where an individual was a resident be-  
 3 fore:

4 (A) The individual was placed into foster care; or

5 (B) The foster care placement of the individual changed.

6 (d) "School of origin" means the school that an individual attended before:

7 (A) The individual was placed into foster care; or

8 (B) The foster care placement of the individual changed.

9 (2)(a) Except as provided in subsections (3) to (5) of this section, individuals between the ages  
 10 of 4 and 18 shall be considered resident for school purposes in the school district in which their  
 11 parents, their guardians or persons in parental relationship to them reside.

12 (b) Nonemancipated individuals between the ages of 4 and 18 living outside the geographic area  
 13 of the school district for such reasons as attending college, military service, hospital confinement  
 14 or employment away from home shall be considered resident in the district in which their parents,  
 15 their guardians or persons in parental relationship to them reside.

16 (c) Individuals living temporarily in a school district for the primary purpose of attending a  
 17 district school may not be considered resident in the district in which they are living temporarily,  
 18 but shall be considered resident in the district in which they, their parents, their guardians or per-  
 19 sons in parental relationship to them reside.

20 (3) Individuals considered legally emancipated from their parents shall be considered resident  
 21 in the district in which they actually reside, irrespective of the residence of their parents, their  
 22 guardians or persons in parental relationship.

23 (4)(a) An individual who is between the ages of 4 and 21 and who is placed in foster care shall  
 24 be considered a resident of:

25 (A) The school district of origin; or

26 (B) The school district where the individual resides due to placement by the Department of  
 27 Human Services or a tribal child welfare agency if a juvenile court determines it is not in the best  
 28 interest of the individual to continue attending the school of origin or any other school in the school  
 29 district of origin, based on consideration of all factors relating to the individual's best interests.

30 (b) If a juvenile court makes a determination that it is not in the best interest of the individual  
 31 to continue attending the school of origin, the individual shall be immediately enrolled in a new  
 32 school, even if the individual is unable to produce records normally required for enrollment.

33 (c) Individuals who are residents of their school district of origin pursuant to paragraph (a)(A)  
 34 of this subsection shall:

35 (A) Remain in the individual's school district of origin and, if applicable, the individual's school  
 36 of origin for the duration of the individual's time in foster care; and

37 (B) Be provided, free of charge, transportation between the individual's home and the  
 38 individual's school district of origin or, if applicable, the individual's school of origin.

39 (d) The Department of Education, the Department of Human Services, tribal child welfare  
 40 agencies and school districts shall collaborate to ensure that the provisions of this subsection are  
 41 implemented.

42 (5)(a) Except as provided in ORS [327.006 (6) and] 335.090, an individual whose legal residence  
 43 is not within the district but who attends school in the district is considered a resident in the dis-  
 44 trict in which the individual attends school if the individual receives written consent from [*both of*  
 45 *the affected district school boards as provided by policies adopted by the boards*] **the school district**

1 **as provided by ORS 339.127.**

2 (b) An individual whose legal residence is not within the district but who attends school in the  
3 district is considered a resident in the district in which the individual attends school if:

4 (A) The legal residence of the individual had been in the district in which the individual attends  
5 school before a boundary change was made to the district;

6 (B) The legal residence of the individual is no longer in the district in which the individual at-  
7 tends school because of the boundary change; and

8 (C) The individual has had the same legal residence and has continuously been enrolled in a  
9 school in the district since the boundary change.

10 (6)(a) Individuals who are foreign exchange students and who are residing in Oregon in a  
11 dormitory operated by a school district are considered to be residents of the school district in which  
12 the dormitory is located.

13 (b) For the purpose of this subsection:

14 (A) An individual may not be considered to be a foreign exchange student for more than one  
15 school year.

16 (B) An individual may be considered to be a resident of a school district as provided by this  
17 subsection only if, for the 2010-2011 school year, the school district had foreign exchange students  
18 who would have been considered residents under the provisions of this subsection.

19 (C) The number of individuals who may be considered residents under the provisions of this  
20 subsection may not increase relative to the number who would have been considered residents under  
21 the provisions of this subsection for the 2010-2011 school year.

22 (c) As used in this subsection, “foreign exchange student” means an individual who attends  
23 school in Oregon under a cultural exchange program and whose parent, guardian or person in par-  
24 ental relationship resides in another country.

25 **SECTION 4.** ORS 339.133, as amended by sections 2 and 3, chapter 21, Oregon Laws 2020 (first  
26 special session), is amended to read:

27 339.133. (1) As used in this section:

28 (a)(A) “Foster care” means substitute care for children placed by the Department of Human  
29 Services or a tribal child welfare agency away from their parents and for whom the department or  
30 agency has placement and care responsibility, including placements in foster family homes, foster  
31 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and  
32 preadoptive homes.

33 (B) “Foster care” does not mean care for children whose parent or guardian voluntarily placed  
34 the child outside the child’s home with a public or private agency and for whom the child’s parent  
35 or guardian retains legal guardianship.

36 (b)(A) “Person in parental relationship” means an adult who has physical custody of an indi-  
37 vidual or resides in the same household as the individual, interacts with the individual daily, pro-  
38 vides the individual with food, clothing, shelter and incidental necessities and provides the  
39 individual with necessary care, education and discipline.

40 (B) “Person in parental relationship” does not mean a person with a power of attorney or other  
41 written delegation of parental responsibilities if the person does not have other evidence of a par-  
42 ental relationship.

43 (c) “School district of origin” means the school district where an individual was a resident be-  
44 fore:

45 (A) The individual was placed into foster care; or

1 (B) The foster care placement of the individual changed.

2 (d) "School of origin" means the school that an individual attended before:

3 (A) The individual was placed into foster care; or

4 (B) The foster care placement of the individual changed.

5 (2)(a) Except as provided in subsections (3) to (5) of this section, individuals between the ages  
6 of 4 and 18 shall be considered resident for school purposes in the school district in which their  
7 parents, their guardians or persons in parental relationship to them reside.

8 (b) Nonemancipated individuals between the ages of 4 and 18 living outside the geographic area  
9 of the school district for such reasons as attending college, military service, hospital confinement  
10 or employment away from home shall be considered resident in the district in which their parents,  
11 their guardians or persons in parental relationship to them reside.

12 (c) Individuals living temporarily in a school district for the primary purpose of attending a  
13 district school may not be considered resident in the district in which they are living temporarily,  
14 but shall be considered resident in the district in which they, their parents, their guardians or per-  
15 sons in parental relationship to them reside.

16 (3) Individuals considered legally emancipated from their parents shall be considered resident  
17 in the district in which they actually reside, irrespective of the residence of their parents, their  
18 guardians or persons in parental relationship.

19 (4)(a) An individual who is between the ages of 4 and 21 and who is placed in foster care shall  
20 be considered a resident of:

21 (A) The school district of origin; or

22 (B) The school district where the individual resides due to placement by the Department of  
23 Human Services or a tribal child welfare agency if a juvenile court determines it is not in the best  
24 interest of the individual to continue attending the school of origin or any other school in the school  
25 district of origin, based on consideration of all factors relating to the individual's best interests.

26 (b) If a juvenile court makes a determination that it is not in the best interest of the individual  
27 to continue attending the school of origin, the individual shall be immediately enrolled in a new  
28 school, even if the individual is unable to produce records normally required for enrollment.

29 (c) Individuals who are residents of their school district of origin pursuant to paragraph (a)(A)  
30 of this subsection shall:

31 (A) Remain in the individual's school district of origin and, if applicable, the individual's school  
32 of origin for the duration of the individual's time in foster care; and

33 (B) Be provided, free of charge, transportation between the individual's home and the  
34 individual's school district of origin or, if applicable, the individual's school of origin.

35 (d) The Department of Education, the Department of Human Services, tribal child welfare  
36 agencies and school districts shall collaborate to ensure that the provisions of this subsection are  
37 implemented.

38 (5)(a) Except as provided in ORS [327.006 (6) and] 335.090, an individual whose legal residence  
39 is not within the district but who attends school in the district is considered a resident in the dis-  
40 trict in which the individual attends school if the individual receives written consent from [*both of*  
41 *the affected district school boards as provided by policies adopted by the boards*] **the school district**  
42 **as provided by ORS 339.127.**

43 (b) An individual whose legal residence is not within the district but who attends school in the  
44 district is considered a resident in the district in which the individual attends school if:

45 (A) The legal residence of the individual had been in the district in which the individual attends

1 school before a boundary change was made to the district;

2 (B) The legal residence of the individual is no longer in the district in which the individual at-  
3 tends school because of the boundary change; and

4 (C) The individual has had the same legal residence and has continuously been enrolled in a  
5 school in the district since the boundary change.

6 **SECTION 5.** ORS 339.115 is amended to read:

7 339.115. (1) Except as provided in ORS 339.141, authorizing tuition for courses not part of the  
8 regular school program, the district school board shall admit free of charge to the schools of the  
9 district all persons between the ages of 5 and 19 who reside within [*the school district*] **this state**.  
10 A person whose 19th birthday occurs during the school year shall continue to be eligible for a free  
11 and appropriate public education for the remainder of the school year. A district school board **shall**  
12 **admit nonresident persons as provided by ORS 339.127 and** may admit [*nonresident persons, de-*  
13 *termine who is not a resident of the district*] **persons who are not residents of this state** and fix  
14 rates of tuition for [*nonresidents*] **those persons**.

15 (2)(a) A district must admit an otherwise eligible person who has not yet attained 21 years of  
16 age prior to the beginning of the current school year if the person is:

17 (A) Receiving special education and has not yet received a high school diploma as described in  
18 ORS 329.451; or

19 (B) Receiving special education and has received a modified diploma, an extended diploma or  
20 an alternative certificate as described in ORS 329.451.

21 (b) A district may admit an otherwise eligible person who is not receiving special education and  
22 who has not yet attained 21 years of age prior to the beginning of the current school year if the  
23 person is shown to be in need of additional education in order to receive a high school diploma or  
24 a modified diploma.

25 (3) The obligation to make a free appropriate public education available to individuals with  
26 disabilities 18 through 21 years of age who are incarcerated in an adult correctional facility applies  
27 only to those individuals who, in their last educational placement prior to their incarceration in the  
28 adult correctional facility:

29 (a) Were identified as being a child with a disability as defined in ORS 343.035; or

30 (b) Had an individualized education program as described in ORS 343.151.

31 (4) For purposes of subsection (3) of this section, "adult correctional facility" means:

32 (a) A local correctional facility as defined in ORS 169.005;

33 (b) A regional correctional facility as defined in ORS 169.620; or

34 (c) A Department of Corrections institution as defined in ORS 421.005.

35 (5) An otherwise eligible person under subsection (2) of this section whose 21st birthday occurs  
36 during the school year shall continue to be eligible for a free appropriate public education for the  
37 remainder of the school year.

38 (6) The person may apply to the board of directors of the school district [*of residence*] for ad-  
39 mission after the 19th birthday as provided in subsection (1) of this section. A person aggrieved by  
40 a decision of the local board may appeal to the State Board of Education. The decision of the state  
41 board is final and not subject to appeal.

42 (7) Notwithstanding ORS 339.133 (2)(a), a school district shall not exclude from admission a child  
43 [*located in the district*] solely because the child does not have a fixed place of residence or solely  
44 because the child is not under the supervision of a parent, guardian or person in a parental re-  
45 lationship.



1 (8) Notwithstanding subsection (1) of this section, a school district:

2 (a) May for the remaining period of an expulsion deny admission to the regular school to a  
3 resident student who is expelled from another school district; and

4 (b) Shall for at least one calendar year from the date of the expulsion and if the expulsion is for  
5 more than one calendar year, may for the remaining period of time deny admission to the regular  
6 school program to a student who is under expulsion from another school district for an offense that  
7 constitutes a violation of a school district policy adopted pursuant to ORS 339.250 (7).

8 (9) Notwithstanding the minimum age requirement prescribed by ORS 339.010 and 339.020, a  
9 district school board may admit free of charge a child whose needs for cognitive, social and physical  
10 development would best be met in the school program, as defined by policies of the district school  
11 board, to enter school even though the child has not attained the minimum age requirement [*but is*  
12 *a resident of the district*].

13 **SECTION 6.** ORS 327.006 is amended to read:

14 327.006. As used in ORS 327.006 to 327.133, 327.348 and 327.731:

15 (1) “Aggregate days membership” means the sum of days present and absent, according to the  
16 rules of the State Board of Education, of all resident pupils when school is actually in session during  
17 a certain period. The aggregate days membership of kindergarten pupils shall be calculated on the  
18 basis of a half-day program for half-day kindergarten and on the basis of a full-day program for  
19 full-day kindergarten.

20 (2)(a) “Approved transportation costs” means those costs as defined by rule of the State Board  
21 of Education and is limited to those costs attributable to transporting or room and board provided  
22 in lieu of transporting:

23 (A) Elementary school students who live at least one mile from school;

24 (B) Secondary school students who live at least 1.5 miles from school;

25 (C) Any student required to be transported for health or safety reasons, according to supple-  
26 mental plans from districts that have been approved by the state board identifying students who are  
27 required to be transported for health or safety reasons, including special education;

28 (D) Preschool children with disabilities requiring transportation for early intervention services  
29 provided pursuant to ORS 343.224 and 343.533;

30 (E) Students who require payment of room and board in lieu of transportation;

31 (F) A student transported from one school or facility to another school or facility when the  
32 student attends both schools or facilities during the day or week; and

33 (G) Students participating in school-sponsored field trips that are extensions of classroom  
34 learning experiences.

35 (b) “Approved transportation costs” does not include the cost of constructing boarding school  
36 facilities.

37 (3) “Average daily membership” or “ADM” means the aggregate days membership of a school  
38 during a certain period divided by the number of days the school was actually in session during the  
39 same period. However, if a district school board adopts a class schedule that operates throughout  
40 the year for all or any schools in the district, average daily membership shall be computed by the  
41 Department of Education so that the resulting average daily membership will not be higher or lower  
42 than if the board had not adopted such schedule.

43 (4) “Kindergarten” means a kindergarten program that conforms to the standards and rules  
44 adopted by the State Board of Education.

45 (5) “Net operating expenditures” means the sum of expenditures of a school district in

1 kindergarten through grade 12 for administration, instruction, attendance and health services, op-  
 2 eration of plant, maintenance of plant, fixed charges and tuition for resident students attending in  
 3 another district, as determined in accordance with the rules of the State Board of Education, but  
 4 net operating expenditures does not include transportation, food service, student body activities,  
 5 community services, capital outlay, debt service or expenses incurred for nonresident students.

6 [(6)(a)] **(6)** “Resident pupil” means any pupil:

7 [(A)] **(a)** Whose legal school residence is within the boundaries of a school district reporting the  
 8 pupil, if the district is legally responsible for the education of the pupil; [, *except that “resident*  
 9 *pupil” does not include a pupil who pays tuition or for whom the parent pays tuition or for whom the*  
 10 *district does not pay tuition for placement outside the district; or]*

11 [(B)] **(b)** Whose legal residence is not within the boundaries of the district reporting the pupil  
 12 but who attends school in the district with the written consent of the district school board where  
 13 the school is located as provided by ORS 339.133 (5)(a); [.]

14 [(b) *A pupil is not considered to be a resident pupil under paragraph (a)(A) of this subsection if*  
 15 *the pupil is attending school in another school district pursuant to a contract under ORS 339.125 and*  
 16 *in the prior year was considered to be a resident pupil in another school district under paragraph*  
 17 *(a)(B) of this subsection. The pupil shall continue to be considered a resident of another school district*  
 18 *under paragraph (a)(B) of this subsection.]*

19 [(c) *A pupil is not considered to be a resident pupil under paragraph (a)(B) of this subsection if*  
 20 *the pupil is attending school in a school district pursuant to ORS 339.133 (5)(a) and in the prior year*  
 21 *was considered to be a resident pupil under paragraph (a)(A) of this subsection because the pupil was*  
 22 *attending school in another school district pursuant to a contract under ORS 339.125. The pupil shall*  
 23 *continue to be considered a resident pupil under paragraph (a)(A) of this subsection.]*

24 [(d) *“Resident pupil” includes a pupil who is:]*

25 [(A)] **(c) Who is** admitted to a school district under ORS 339.115 (7); or

26 [(B)] **(d) Who is** considered a resident under ORS 339.133 (5)(b).

27 (7) “Standard school” means a school meeting the standards set by the rules of the State Board  
 28 of Education.

29 (8) “Tax” and “taxes” includes all taxes on property, excluding exempt bonded indebtedness, as  
 30 those terms are defined in ORS 310.140.

31 **SECTION 7.** ORS 332.405 is amended to read:

32 332.405. (1) The district school board shall provide transportation for pupils or combinations of  
 33 pupils and other persons to and from school-related activities where required by law or when con-  
 34 sidered advisable by the board.

35 (2) The board may furnish board and room for pupils in lieu of transportation when reasonable  
 36 board and room can be provided at equal or less expense than transportation. The board may also  
 37 provide board and room in a facility that existed on July 1, 1998, or a replacement facility for that  
 38 facility, for pupils attending a district school as described in ORS 327.006 [(6)(a)(B)] **(6)(b)** or  
 39 through a power of attorney authorized under ORS 109.056 (2). This subsection does not apply to  
 40 a pupil who attends a district school through a power of attorney and who is a foreign exchange  
 41 student enrolled in a school under a cultural exchange program.

42 (3) The transportation costs or expenses for board and room shall be paid from funds available  
 43 to the district for that purpose.

44 (4) The district school board may expend district funds to improve or provide for pedestrian fa-  
 45 cilities off district property if the board finds that the expenditure reduces transportation costs of

1 the district and enhances the safety of pupils going to and from schools of the district.

2 **SECTION 8.** ORS 335.090 is amended to read:

3 335.090. (1) The high school education of all children of school age resident within a school  
4 district that does not operate a high school or that is not a component part of a union high school  
5 district shall be the responsibility of the district.

6 (2) **If the nearest standard public high school which pupils may attend is outside the**  
7 **state,** the district shall pay the tuition of all pupils resident within the district who are qualified  
8 to attend and are attending a standard public high school [*either within or*] outside the state.

9 (3) The district shall provide for transportation to the nearest standard public high school which  
10 pupils may attend. Reasonable board and room may be furnished instead of transportation if desired.  
11 If the district arranges for the attendance of pupils at a standard public high school other than the  
12 nearest one pupils may attend, then the district shall provide for transportation to the standard  
13 public high school which the pupils are attending.

14 (4) The estimated cost of tuition and transportation or board and room instead of transportation  
15 shall be included in and be a part of the budget and shall be levied as provided in ORS 335.095.

16 **SECTION 9.** ORS 339.005 is amended to read:

17 339.005. As used in ORS 339.040 [*and 339.125*], unless the context requires otherwise, “adminis-  
18 trative office for the county” means the administrative office of the education service district or of  
19 a common school district that includes an entire county.

20 **SECTION 10.** ORS 336.095 is amended to read:

21 336.095. (1)(a) A school district that is not a union high school district must offer half-day  
22 kindergarten and may choose to offer full-day kindergarten.

23 (b) A public charter school may choose to offer half-day kindergarten or full-day kindergarten.

24 (c) The State Board of Education shall adopt by rule:

25 (A) Standards for half-day kindergarten and full-day kindergarten; and

26 (B) The minimum number of instructional hours required for half-day kindergarten and full-day  
27 kindergarten.

28 (d) Nothing in this subsection requires a school district to offer half-day kindergarten in a school  
29 where the school district offers full-day kindergarten.

30 (2) Every school district that is not a union high school district must provide kindergarten fa-  
31 cilities free of charge for the kindergarten children residing in the district by operating the facilities  
32 either singly or jointly with other districts or by contracting with public or private providers that  
33 conform to standards adopted by rule by the State Board of Education.

34 (3) Nothing in this section prevents a district school board from admitting free of charge a child  
35 [*who is a resident of the district and*] whose needs for cognitive, social and physical development  
36 would best be met in the school program, as defined by policies of the district school board, even  
37 though the child has not attained the minimum age requirement.

38 (4) Kindergarten that is offered as provided by subsection (1) of this section shall be funded in  
39 the same manner as other grades of the district are funded, except that the aggregate days mem-  
40 bership of children in kindergarten shall be calculated as provided by ORS 327.006.

41 (5) Kindergarten is an integral part of the public school system of this state.

42 **SECTION 11.** ORS 337.150 is amended to read:

43 337.150. (1) Subject to ORS 339.155, each district school board shall provide textbooks, pre-  
44 scribed or authorized by law, for free use by all [*resident public school*] pupils enrolled in  
45 kindergarten through grade 12 **of the public schools of the school district.**

1 (2) Subject to ORS 339.155, each public charter school as defined in ORS 338.005 shall provide  
2 textbooks, prescribed or authorized by law, for free use by all pupils enrolled in the public charter  
3 school.

4 **SECTION 12.** ORS 338.125 is amended to read:

5 338.125. (1) Student enrollment in a public charter school is voluntary.

6 (2)(a) All students who reside in the school district in which the public charter school is located  
7 are eligible for enrollment in the public charter school if space is available.

8 (b) Students who do not reside in the school district in which the public charter school is lo-  
9 cated are eligible for enrollment in the public charter school if space is available and subject to  
10 subsection (4) of this section.

11 (c) A public charter school may not limit student enrollment based on race, religion, sex, sexual  
12 orientation, ethnicity, national origin, disability, the terms of an individualized education program,  
13 income level, proficiency in the English language or athletic ability.

14 (3)(a) Except as provided by paragraphs (b) and (c) of this subsection, if the number of applica-  
15 tions from students who reside in the school district exceeds the capacity of a program, class, grade  
16 level or building, the public charter school shall select students through an equitable lottery se-  
17 lection process.

18 (b)(A) A public charter school may give priority for admission to students who reside within the  
19 attendance boundaries that were in effect at the time a school district closed a nonchartered public  
20 school if:

21 (i) The public charter school began to operate not more than two years after the nonchartered  
22 public school was closed;

23 (ii) The school district that closed the nonchartered public school is the sponsor of the public  
24 charter school;

25 (iii) The public charter school is physically located within the attendance boundaries of the  
26 closed nonchartered public school; and

27 (iv) The school district board, through board action, approved the public charter school giving  
28 priority as described in this paragraph.

29 (B) Nothing in this paragraph requires an amendment to a charter. A school district board may  
30 take an action described in subparagraph (A)(iv) of this paragraph at any time during the term of  
31 a charter.

32 (c) After a public charter school has been in operation for one or more years, the public charter  
33 school may give priority for admission to students who:

34 (A) Were enrolled in the school in the prior year;

35 (B) Have siblings who are presently enrolled in the school and who were enrolled in the school  
36 in the prior year; or

37 (C) If the public charter school is a party to a cooperative agreement described in ORS 338.080,  
38 reside in the school district that is the sponsor of the public charter school or in a school district  
39 that is a party to the cooperative agreement.

40 [(4)(a) A student who wishes to enroll in a virtual public charter school does not need the approval  
41 of the school district where the student is a resident before the student enrolls in the virtual public  
42 charter school. If a student wishes to enroll in a virtual public charter school, the parent, legal  
43 guardian or person in parental relationship with the student must provide the following notices to the  
44 school district where the student is a resident:]

45 [(A) Intent to enroll the student in a virtual public charter school; and]

1 *[(B) Enrollment of the student in a virtual public charter school.]*

2 *[(b)(A) Notwithstanding paragraph (a) of this subsection and ORS 339.133, if more than three*  
 3 *percent of the students who reside in a school district are enrolled in virtual public charter schools that*  
 4 *are not sponsored by the school district, a student who is a resident of the school district must receive*  
 5 *approval from the school district before enrolling in a virtual public charter school. A school district*  
 6 *is not required to give approval if more than three percent of the students who reside in the school*  
 7 *district are enrolled in virtual public charter schools that are not sponsored by the school district.]*

8 *[(B) For the purpose of determining whether more than three percent of the students who reside in*  
 9 *the school district are enrolled in virtual public charter schools that are not sponsored by the school*  
 10 *district, the school district board shall include any students who:]*

11 *[(i) Reside in the school district, regardless of whether the students are considered residents of*  
 12 *different school districts as provided by ORS 339.133 (5); and]*

13 *[(ii) Are enrolled in virtual public charter schools that are not sponsored by the school district.]*

14 *[(C) Students who reside in the school district, regardless of whether the students are considered*  
 15 *residents of different school districts as provided by ORS 339.133 (5), must receive approval from the*  
 16 *school district before enrolling in a virtual public charter school if the limit described in subparagraph*  
 17 *(A) of this paragraph has been met.]*

18 *[(c) If the school district does not give approval under paragraph (b) of this subsection, the school*  
 19 *district must provide information to the parent, legal guardian or person in parental relationship with*  
 20 *the student about the right to appeal the decision to the State Board of Education and other online*  
 21 *options available to the student. If an appeal is made to the State Board of Education, the board must*  
 22 *issue a decision within 30 days of the submission of the appeal.]*

23 *[(5)] (4) Within 10 days of a student's enrollment in a public charter school, the public charter*  
 24 *school shall provide written notice of the student's enrollment to the school district in which the*  
 25 *public charter school is located if the student does not reside in the school district where the public*  
 26 *charter school is located.*

27 *[(6)] (5) Within 10 days of receiving the notice described in subsection [(5)] (4) of this section,*  
 28 *the school district in which the public charter school is located shall provide to the student's parent,*  
 29 *legal guardian or person in parental relationship written information about:*

30 *(a) The school district's responsibility to identify, locate and evaluate students enrolled in the*  
 31 *public charter school to determine which students may be in need of special education and related*  
 32 *services as provided by ORS 338.165; and*

33 *(b) The methods by which the school district may be contacted to answer questions or provide*  
 34 *information related to special education and related services.*

35 *[(7)] (6) When a student described in subsection [(5)] (4) of this section withdraws from a public*  
 36 *charter school for a reason other than graduation from high school, the school district in which the*  
 37 *public charter school is located shall:*

38 *(a) Provide to the school district in which the student resides written notice that the student*  
 39 *has withdrawn.*

40 *(b) Provide to the student's parent, legal guardian or person in parental relationship written*  
 41 *information about:*

42 *(A) The responsibility of the school district in which the student resides to identify, locate and*  
 43 *evaluate students who reside in the school district to determine which students may be in need of*  
 44 *special education and related services as provided by ORS 338.165; and*

45 *(B) The methods by which the school district in which the student resides may be contacted to*

1 answer questions or provide information related to special education and related services.

2 [(8)(a)] (7)(a) If a student described in subsection (5) of this section enrolls in a public charter  
3 school and has an individualized education program, the school district in which the public charter  
4 school is located must implement the individualized education program and follow the terms of the  
5 individualized education program until a new individualized education program is developed.

6 (b) If a student described in subsection [(5)] (4) of this section withdraws from a public charter  
7 school and has an individualized education program, the school district in which the student resides  
8 must implement the individualized education program and follow the terms of the individualized ed-  
9 ucation program until a new individualized education program is developed.

10 [(9)] (8) When a virtual public charter school enrolls a student or a student no longer is enrolled  
11 in a virtual public charter school, the virtual public charter school shall provide the written notices  
12 described in ORS 338.120 (1)(m) and (n) to the school district where the student is a resident.

13 [(10)] (9) A public charter school may conduct fund-raising activities but may not require a  
14 student to participate in fund-raising activities as a condition of admission to the public charter  
15 school.

16 **SECTION 13.** ORS 338.025 is amended to read:

17 338.025. (1) The State Board of Education may adopt any rules necessary for the implementation  
18 of this chapter. The rules shall follow the intent of this chapter.

19 (2) Upon application by a public charter school, the State Board of Education may grant a  
20 waiver of any provision of this chapter if the waiver promotes the development of programs by  
21 providers, enhances the equitable access by underserved families to the public education of their  
22 choice, extends the equitable access to public support by all students or permits high quality pro-  
23 grams of unusual cost. The State Board of Education may not waive any appeal provision in this  
24 chapter or any provision under ORS 338.115 (1)(a) to (aa), 338.120, [338.125 (4),] 338.135 (2)(b) or  
25 339.122.

26 **SECTION 14.** ORS 433.240 is amended to read:

27 433.240. [(1)] In adopting ORS 433.235 to 433.284, the Legislative Assembly recognizes the obli-  
28 gation of parents to have their children properly immunized [*and to provide to schools and facilities*  
29 *accurate records of immunization*].

30 [(2) *Notwithstanding ORS 339.030, nothing in ORS 433.235 to 433.284 operates to remove parental*  
31 *liability under compulsory attendance laws.*]

32 **SECTION 15.** ORS 433.255 is amended to read:

33 433.255. Except in strict conformity with the rules of the Oregon Health Authority, no child or  
34 employee shall be permitted to be in any school or children's facility when:

35 (1) That child or employee has any restrictable disease; **or**

36 (2) That child or employee comes from any house in which exists any restrictable disease; *or*]

37 [(3) *That child has been excluded as provided in ORS 433.267 (5) or (7).*]

38 **SECTION 16.** ORS 433.267 is amended to read:

39 433.267. (1) [*As a condition of attendance in any school or children's facility in this state,*] **A**  
40 **school district may request that** every child through grade 12 [*shall*] submit to the  
41 administrator[, *unless the school or facility the child attends already has on file a record that indicates*  
42 *that the child has received immunizations against the restrictable diseases prescribed by rules of the*  
43 *Oregon Health Authority as provided in ORS 433.273,*] one of the following:

44 (a) A document signed by the parent, a practitioner of the healing arts who has within the scope  
45 of the practitioner's license the authority to administer immunizations or a representative of the

1 local health department certifying the immunizations the child has received;

2 (b) A document signed by a physician or a representative of the local health department stating  
3 that the child should be exempted from receiving specified immunization because of indicated med-  
4 ical diagnosis; or

5 (c) A document, on a form prescribed by the authority by rule and signed by the parent of the  
6 child, stating that the parent is declining one or more immunizations on behalf of the child. A doc-  
7 ument submitted under this paragraph:

8 (A) May include the reason for declining the immunization, including whether the parent is de-  
9 clining the immunization because of a religious or philosophical belief; and

10 (B) Must include either:

11 (i) A signature from a health care practitioner verifying that the health care practitioner has  
12 reviewed with the parent information about the risks and benefits of immunization that is consistent  
13 with information published by the Centers for Disease Control and Prevention and the contents of  
14 the vaccine educational module approved by the authority pursuant to rules adopted under ORS  
15 433.273; or

16 (ii) A certificate verifying that the parent has completed a vaccine educational module approved  
17 by the authority pursuant to rules adopted under ORS 433.273.

18 [(2)(a)] (2) A newly entering child or a transferring child *[shall be required]* **may be requested**  
19 to submit the document described in subsection (1) of this section prior to attending the school or  
20 facility.

21 *[(b) Notwithstanding paragraph (a) of this subsection, a child transferring from a school in the*  
22 *United States must submit the document required by subsection (1) of this section not later than the*  
23 *exclusion date set by rule of the authority.]*

24 (3) Persons who have been emancipated pursuant to ORS 419B.558 or who have reached the age  
25 of consent for medical care pursuant to ORS 109.640 may sign those documents on their own behalf  
26 otherwise requiring the signatures of parents under subsection (1) of this section.

27 *[(4) The administrator shall conduct a primary evaluation of the records submitted pursuant to*  
28 *subsection (1) of this section to determine whether the child is entitled to begin attendance by reason*  
29 *of having submitted a document that complies with the requirements of subsection (1) of this section.]*

30 *[(5) If the records do not meet the initial minimum requirements established by rule, the child may*  
31 *not be allowed to attend until the requirements are met. If the records meet the initial minimum re-*  
32 *quirements, the child shall be allowed to attend.]*

33 *[(6) At the time specified by the authority by rule, records for children meeting the initial minimum*  
34 *requirements and records previously on file shall be reviewed for completion of requirements by the*  
35 *administrator to determine whether the child is entitled to continue in attendance. If the records do not*  
36 *comply, the administrator shall notify the local health department and shall transmit any records con-*  
37 *cerning the child's immunization status to the local health department.]*

38 *[(7) The local health department shall provide for a secondary evaluation of the records to deter-*  
39 *mine whether the child should be excluded for noncompliance with the requirements stated in sub-*  
40 *section (1) of this section. If the child is determined to be in noncompliance, the local health department*  
41 *shall issue an exclusion order and shall send copies of the order to the parent or the person who is*  
42 *emancipated or has reached the age of majority and the administrator. On the effective date of the or-*  
43 *der, the administrator shall exclude the child from the school or facility and not allow the child to at-*  
44 *tend the school or facility until the requirements of this section have been met.]*

45 *[(8) The administrator shall readmit the child to the school or facility when in the judgment of the*

1 *local health department the child is in compliance with the requirements of this section.]*

2 [(9)] (4) The administrator shall be responsible for updating the document described in sub-  
3 section (1)(a) of this section as necessary to reflect the current status of the immunization of the  
4 child and the time at which the child comes into compliance with immunizations against the  
5 restrictable diseases prescribed by rules of the authority pursuant to ORS 433.273.

6 [(10)] (5) Nothing in this section shall be construed as relieving agencies, in addition to school  
7 districts, which are involved in the maintenance and evaluation of immunization records on April  
8 27, 1981, from continuing responsibility for these activities.

9 [(11)] (6) All documents [required by] **requested under** this section shall be on forms approved  
10 or provided by the authority.

11 [(12)] (7) In lieu of signed documents from practitioners, the authority may accept immunization  
12 record updates using practitioner documented immunization records generated by electronic means  
13 or on unsigned practitioner letterhead if the authority determines such records are accurate.

14 [(13)] (8) As used in this section:

15 (a) "Newly entering child" means a child who is initially attending:

16 (A) A facility in this state;

17 (B) A school at the entry grade level;

18 (C) Either a school at any grade level or a facility from homeschooling; or

19 (D) A school at any grade level or a facility after entering the United States from another  
20 country.

21 (b) "Transferring child" means a child moving from:

22 (A) One facility to another facility;

23 (B) One school in this state to another school in this state when the move is not the result of  
24 a normal progression of grade level; or

25 (C) A school in another state to a school in this state.

26 **SECTION 17.** ORS 433.269 is amended to read:

27 433.269. (1) A local public health authority shall ensure that immunizations required under ORS  
28 433.282 and 433.283 and the rules adopted pursuant to ORS 433.273 for [attendance at] a school,  
29 children's facility or post-secondary educational institution are available through local health care  
30 providers or the local public health authority or its contractors:

31 (a) To the entire population of the area served by the local public health authority in convenient  
32 areas and at convenient times.

33 (b) Regardless of whether a child or student is able to pay for the immunization.

34 (2)(a) Each local public health authority, school and children's facility shall report annually to  
35 the Oregon Health Authority on:

36 (A) The number of children in the area served by the local public health authority, school or  
37 children's facility; and

38 (B) The number of children in the area served by the local public health authority, school or  
39 children's facility who are susceptible to restrictable disease as prescribed by the Oregon Health  
40 Authority's rules pursuant to ORS 433.273.

41 (b) Each school and children's facility shall report annually to the Oregon Health Authority on  
42 the number of children in the area served by the school or children's facility who are in attendance  
43 at the school or children's facility [conditionally because of] **with** an incomplete immunization  
44 schedule.

45 (c) Each local public health authority shall make available to each school and children's facility



1 in the area served by the local public health authority data on the immunization rate, by disease,  
 2 of children in the area. Upon request, the Oregon Health Authority shall assist local public health  
 3 authorities in compiling data for purposes of this paragraph.

4 (d) A child exempted under ORS 433.267 is susceptible to restrictable disease for purposes of this  
 5 subsection.

6 (3)(a) For the purpose of providing parents with the information necessary to protect their  
 7 children's health, each school and children's facility shall make available the information reported  
 8 and received by the school and children's facility pursuant to subsection (2) of this section:

9 (A) At the main office of the school or children's facility;

10 (B) On the school's or school district's website or on the children's facility's website, if avail-  
 11 able; and

12 (C) To the parents of the children who attend the school or children's facility, in the form of a  
 13 paper document or electronic communication that includes the information in a clear and easy to  
 14 understand manner.

15 (b) The information required to be made available under paragraph (a) of this subsection must  
 16 be made available at the beginning of each school year [*and not later than one month after the date*  
 17 *that children may be excluded as provided by ORS 433.267*].

18 (4) The administrator of a school or children's facility shall maintain immunization records of  
 19 children, including children who are in attendance at the school or children's facility [*conditionally*  
 20 *because of*] **with** an incomplete immunization schedule and children who are exempted as described  
 21 in ORS 433.267 (1)(b) and (c).

22 **SECTION 18.** ORS 433.273 is amended to read:

23 433.273. The Oregon Health Authority shall adopt rules pertaining to the implementation of ORS  
 24 433.235 to 433.284, which shall include, but need not be limited to:

25 (1) The definition of "restrictable" disease;

26 (2) The required immunization against diseases;

27 (3) The time schedule for immunization;

28 (4) The approved means of immunization;

29 [(5) *The procedures and time schedule whereby children may be excluded from attendance in*  
 30 *schools or children's facilities under ORS 433.267 (1)(b) and (c), provided that the authority includes*  
 31 *as part of those procedures service of notice to parents;*]

32 [(6)] (5) The manner in which immunization records for children are established, evaluated and  
 33 maintained;

34 [(7)] (6) Exemptions for schools and children's facilities, including exemptions from the reporting  
 35 requirements of ORS 433.269 (2) and exemptions from the requirement under ORS 433.269 (3) to make  
 36 information available;

37 [(8)] (7) The implementation of ORS 433.282 and 433.283;

38 [(9)] (8) The process for approving a vaccine educational module;

39 [(10)] (9) Criteria for a vaccine educational module, including the requirement that a vaccine  
 40 educational module present information that is consistent with information published by the Centers  
 41 for Disease Control and Prevention concerning:

42 (a) Epidemiology;

43 (b) The prevention of disease through the use of vaccinations; and

44 (c) The safety and efficacy of vaccines; and

45 [(11)] (10) Documentation required to verify completion of a vaccine educational module, in-

1 cluding the qualifications of persons who may certify the completion.

2 **SECTION 19. ORS 339.125 and 339.128 are repealed.**

3 \_\_\_\_\_