

**Policy Outline**

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**I. Policy Value Statement**

The Board of Education of Howard County, with the advice of the Superintendent, establishes school attendance areas to provide quality, equitable educational opportunities to all students while balancing the capacity utilization of all schools. The Board recognizes that school openings, closings, additions, program changes, population growth and other demographic changes may require adjustments to school attendance areas. The Board also recognizes the value of diverse and inclusive school populations when establishing attendance areas. The Board believes that analyses and recommendations from the Superintendent/designee, as well as public advice and comment, are integral to its deliberations and decisions related to school attendance areas.

**II. Purpose**

The purpose of this policy is to define the conditions and process by which school attendance area adjustments will be developed and adopted.

**III. Standards**

- A. The Board will consider school attendance area adjustments whenever one or more of the following conditions exist:
  - 1. A new school or addition is scheduled to open.
  - 2. An existing permanent school facility is significantly damaged, deemed no longer to be usable, or otherwise scheduled to close.
  - 3. School attendance area projections are outside the capacity utilization range of 90-110% and available capacity exists.

4. The program capacity of a school building is altered by the Board of Education.
  5. A unique circumstance arising from internal or external contributing factors that prompts adjustments to promote efficiencies, provide for the welfare of students, or adapt for shifts in program delivery.
- B. The Board, Superintendent/designee and the Attendance Area Committee (AAC), if convened, will consider the impact of the following factors during the review or development of any school attendance area adjustment plan. While each of these factors will be considered, it may not be feasible to reconcile each and every attendance area adjustment with each and every factor.

Attendance area adjustment plans are to be evaluated analytically, based on the factors identified below.

1. Facility Utilization. Where reasonable, school attendance area utilization should stay within the capacity utilization range of 90-100% for as long a period of time as possible through the consideration of:
  - a. Efficient use of available capacity.
  - b. Long-range enrollment projections, capital plans and capacity needs of school infrastructures (e.g., cafeterias, restrooms and other shared core facilities).
  - c. Fiscal responsibility through optimized use of capital and operating costs.
  - d. The number of students that walk or receive bus service and the distance and time based students travel.
  - e. Location of regional programs, with the goal of achieving an equitable distribution of regional programs across the county.
  - f. The condition of school facilities based on state and local assessments of school facilities.
2. Community Stability. Where reasonable, school attendance areas should promote a sense of community in both the geographic place (e.g., neighborhood or place in which a student lives) and the promotion of a student from each school level through the consideration of:
  - a. Feeds that encourage keeping students together from one school to the next. For example, avoiding feeds of less than 15% at the receiving school.
  - b. Maintaining contiguous communities or neighborhoods.

- c. Limiting frequency with which any one geographic area is reassigned, by trying to avoid reassigning cohorts more than once within a school level.
- 3. Demographic Characteristics of Student Population. Where reasonable, school attendance areas should promote the creation of a diverse and inclusive student body at both the sending and receiving schools through the consideration of:
  - a. The racial/ethnic composition of the student population.
  - b. Socioeconomic composition of each school's student population.
  - c. Academic performance of students in both the sending and receiving schools.
  - d. Distribution of English language learners.
  - e. Number of students reassigned, taking into account the correlation between the number of students reassigned, the outcomes of other standards achieved in Section III.B. and the length of time those results are expected to be maintained.
  - f. Other reliable demographic indicators.

C. Board of Education's Deliberations

- 1. The Superintendent/designee will submit projections, capacity concerns and strategies to the Board for discussion.
- 2. If attendance area adjustments are considered under Section III.A., the Board will notify the public of its decision for the Superintendent to proceed [or not to proceed] with the attendance area review process.
- 3. The Board of Education must comply with reporting requirements of Education Article Section 4-140, including:
  - a. Reporting on the program capacity of each permanent school facility;
  - b. If student enrollment at a permanent school facility is not within 10% of target utilization, reporting on a plan to adjust student enrollment to meet target utilization, which can include needs and strategies that may involve operating and capital budgets, as well as programmatic proposals; and
  - c. If student enrollment at a permanent school facility is not within 20% of target utilization, assessing the need for a boundary review process.

If a boundary review process is not initiated, reporting must include an explanation of the reason a boundary review process was not appropriate, and

a plan to adjust student enrollment to meet target utilization, which can include needs and strategies that may involve operating and capital budgets, as well as programmatic proposals.

4. The Superintendent will submit to the Board the Superintendent's Proposed Attendance Area Adjustment Plan, which includes data on each of the factors in Section III.B. to the extent reliable measures can be obtained.
5. The Board, in accordance with Policy 2040 Public Participation in Meetings of the Board, will provide opportunities to receive testimony, including but not limited to public hearings, regarding the Superintendent's Proposed Attendance Area Adjustment Plan.
6. The Board may direct the Superintendent to provide additional information related to the Superintendent's Proposed Attendance Area Adjustment Plan and/or ask that alternative scenarios be developed by the Superintendent/designee. Alternative scenarios may also be developed by individual Board members for consideration by the Board. When practical, these alternative scenarios are to be made public at least 48 hours prior to a public hearing.
7. Attendance area adjustments will not affect rising twelfth grade students unless Section III.A.2. prompts attendance area adjustment review. The Board may consider exemptions for students to continue attending schools in an area that is proposed for attendance area adjustments including, but not limited to:
  - a. Rising fifth, eighth, and eleventh grade students.
  - b. Students who have been reassigned once already at their school level or once within the last five years provided that they remained registered at the same address during that time.
  - c. Students who have an Individualized Education Program (IEP) or 504 plan.
  - d. Students who have at least one parent who is currently active duty military personnel.
8. The Board reserves the right to consider or to modify the Superintendent's Proposed Attendance Area Adjustment Plan or any alternative scenarios submitted during the Board's deliberations.
9. The Board may vote to approve a Board Preliminary Attendance Area Adjustment Plan in accordance with Education Article Section 4-109-1.
  - a. When a geographic area that was not proposed for reassignment:
    - i. in the Superintendent's Proposed Attendance Area Adjustment Plan or
    - ii. in a Board-approved Preliminary Attendance Area Adjustment Plan that has been previously subject to a public hearing

Is proposed for reassignment in a Board-approved Preliminary Attendance Area Adjustment Plan, the proposal is considered to “differ” from Section III.C.9.a.i. and Section III.C.9.a.ii. Therefore, the Board will allow public hearing testimony by one or more members of only those households that were not previously the subject of any reassignment under the Superintendent’s Proposed Attendance Area Adjustment Plan or any prior Board-approved Preliminary Attendance Area Adjustment Plan that has been previously subject to a public hearing.

NOTE: Once a geographic area is proposed to be reassigned in the Superintendent’s Proposed Attendance Area Adjustment Plan or a Board-approved Preliminary Attendance Area Adjustment Plan and an opportunity for public hearing testimony has been provided, alternative assignment(s) for the same geographic area are not included in the definition of “differ” and an additional public hearing testimony is not required to satisfy Education Article Section 4-109-1.

- b. Following public testimony as provided in Section III.C.9.a., if the Board approves a Preliminary Attendance Area Adjustment Plan that differs from the Superintendent’s Proposed Attendance Area Adjustment Plan and any prior Board-approved Preliminary Attendance Area Adjustment Plan for which there has been the opportunity for public testimony the procedures in this section will continue.
10. In a public meeting, the Board will take final action to adopt the Superintendent’s Proposed Attendance Area Adjustment Plan or a Board-approved Preliminary Attendance Area Adjustment Plan, which becomes the Board’s Final Attendance Area Adjustment Plan.

**D. Community Input**

- 1. After the Board initiates the attendance area review process, the Superintendent may form an AAC in accordance with the Implementation Procedures of this policy for the purpose of advising the Superintendent during the planning phase of the attendance area adjustment process. In the case of an extended emergency situation, the Superintendent/designee will propose an attendance area adjustment plan.
- 2. Students, parents, staff, and community members may provide feedback to inform the Superintendent/designee during development of an attendance area adjustment plan proposal to the Board, including the submission of alternative school attendance area adjustment scenarios.
- 3. Student, parent, staff, and community member feedback will be sought in a variety of methods in a consistent way from each potentially impacted attendance area at the elementary, middle, and high school levels, as well as countywide community

feedback. Feedback will be available to the public in an aggregated, not identifiable fashion.

4. The Board will provide opportunities for public testimony in accordance with Policy 2040 Public Participation in Meetings of the Board as part of the Board work sessions/review process. Students, parents, staff, and community members may provide testimony to the Board during their deliberations, including the submission of alternative school attendance area adjustment scenarios.
- E. The Board may alter these provisions, upon a majority vote of the Board, when an extended emergency as defined by Policy 3010 Emergency Preparedness and Response occurs or when other extraordinary circumstances warrant such an alternation.

#### **IV. Responsibilities**

- A. The Superintendent/designee will prepare and provide enrollment projections and attendance area considerations on an annual basis to the Board.
- B. The Board will determine whether any conditions exist that prompt the consideration of school attendance area adjustments and, when applicable initiate the attendance area review process. The Board of Education will define the proposed scope and identify which standards noted in Section III.A. of this policy prompted this attendance area review for the upcoming process.
- C. The Superintendent/designee will seek student, parent, staff, and community feedback on the attendance area adjustment considerations and provide opportunities for differing viewpoints to be expressed.
- D. The Superintendent/designee will take summary notes of the AAC meeting(s) and make these summary notes available to the public.
- E. The Board will hold public hearings, work sessions, and adopt the Board's Final Attendance Area Adjustment Plan in public meetings.
- F. The Superintendent/designee will communicate the Board's action on the Board's Final Attendance Area Adjustment Plan to the principals, PTA presidents and SGA presidents of each affected school, the president of the PTA Council of Howard County and the chairman of the Community Advisory Council to the Board.
- G. Principals will communicate attendance area adjustments to the parents of students in areas affected by the Board's action.

#### **V. Delegation of Authority**

The Superintendent is authorized to develop appropriate procedures to implement this policy.

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**VI. Definitions**

Within the context of this policy, the following definitions apply:

- A. Attendance Area Adjustment Plan – An idea or suggestion that changes the geographical school assignment(s) for one or more area(s) of the County including the Superintendent’s Proposed Attendance Area Adjustment Plan; any scenario or alternative developed by a Board member; Superintendent/designee or community member; a Board-approved Preliminary Attendance Area Adjustment Plan; an alternative Board-approved Preliminary Attendance Area Adjustment Plan; or Board’s Final Attendance Area Adjustment Plan.
- B. Attendance Area Committee (AAC) – Committee composed of community members appointed by the Superintendent to provide feedback to the Superintendent on attendance area adjustment considerations.
- C. Board’s Final Attendance Area Adjustment Plan – A final attendance area adjustment plan adopted by the Board.
- D. Board’s-approved Preliminary Attendance Area Adjustment Plan – An attendance area adjustment plan approved by the Board that differs from the Superintendent’s Proposed Attendance Area Adjustment Plan.
- E. Capacity Utilization – The comparison of a permanent school facility’s program capacity and its enrollment or projected future enrollment.
- F. Equitable – Just or fair access, opportunities, and supports needed to help students reach their full potential by removing barriers to success that individuals face. It does not mean equal or everyone having the same things.
- G. Extended Emergency – A severe or long-term emergency that affects an individual school, multiple schools, or the entire school system.
- H. Feed – The percentage of students, based on geographical assignments, in an upper level school that come from a school of the lower organizational level.
- I. Inclusive – Providing opportunities to ensure that all individuals can be engaged participants in the learning environment and community. All students, families and employees feel valued, respected, appreciated and involved. Individuals see their unique identities reflected in all facets of education including staffing, curriculum, instruction, and activities.
- J. Long-Range Enrollment – Each school’s student population projections for the upcoming 10 years.

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- K. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
1. Biological Parent – A natural parent whose parental rights have not been terminated.
  2. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.
  3. Custodian – A person or agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
  4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
  5. Caregiver – An adult resident of Howard County who exercises care, custody, or control over the student but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101 (c) (Informal Kinship Care) or has been issued a U.S. Department of Health and Human Service’s Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.
  6. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
- L. Permanent School Facility – School building that is constructed with brick, concrete and steel, with a wooden or fabricated steel frame; a lasting structure designed and intended for support, enclosure, shelter or protection of people and for the delivery of instruction. Excluded from this definition are relocatables which are temporary and can be moved to alternative locations.
- M. Program Capacity – The number of students that can be reasonably accommodated in a school, based on the permanent school facility (relocatables are excluded) and the educational program offered (pre-kindergarten regional programs are excluded). Program capacity is calculated based on the Board’s approved local methodology:
1. Elementary schools: the product of the Board-approved student-to-teacher ratio and the number of teaching stations identified in the capital budget.
  2. Middle schools: 95% of the product of the Board-approved student-to-teacher ratio and the number of teaching stations identified in the capital budget.
  3. High schools: 80% or 85% of the product of the Board-approved student-to-teacher ratio and the number of teaching stations in the capital budget.

- N. Projections – Estimated student enrollment for future school years.
- O. Regional Program – A countywide educational program located at one or more, but not all schools that is designed to provide a particular type of educational leadership or intervention to students. Regional programs may include, but are not limited to Regional Academic Life Skills, Preschool Program, including Parent-Assisted Learning at Schools, Pre-Kindergarten, Elementary School Model Full-day Pre-Kindergarten, Early Beginnings, Regional Emotional Disabilities, Multiple Intensive Needs Classroom, Junior Reserve Officer Training Course (JROTC) and Elementary School Primary Learner Program.
- P. Relocatables – Prefabricated, stand-alone buildings providing temporary capacity for a school and that are excluded from program capacity.
- Q. Scenario – Any draft attendance area adjustment plan that is developed by individuals, Board members, staff members, or community members.
- R. School Attendance Area – Geographic area from which a school’s students are drawn.
- S. Superintendent’s Proposed Attendance Area Adjustment Plan – The attendance area adjustment plan submitted by the Superintendent/designee to the Board. The plan may include more than one recommendation.
- T. Target Utilization – Capacity utilization of permanent school facilities between 90% and 100%, when feasible.
- U. Teaching Stations – Rooms that are at least 660 square feet in size and are or could be used for delivery of the educational program. Rooms that are excluded include, but are not limited to, rooms assigned to administrative purposes, regional programs, prekindergarten, special education, cooperative use areas, and elementary related arts.

## VII. References

- A. Legal
  - The Annotated Code of Maryland, Education Article, Section 4-109, Establishment of Public School
  - Maryland House Bill 1142 Education Article, Section 4-109.1
  - Maryland House Bill 1190 Education Article, Section 4-140
- B. Other Board Policies
  - Policy 1080 Educational Equity
  - Policy 2040 Public Participation in Meetings of the Board
  - Policy 2050 Advisory Committees to Staff and Schools
  - Policy 3010 Emergency Preparedness and Response
  - Policy 5200 Student Transportation
  - Policy 6000 Site Selection and Acquisition

Policy 6020 School Planning/School Construction Programs  
Policy 6070 Discontinuation of School Use  
Policy 9000 Student Residency, Eligibility, Enrollment, and Assignment

C. Relevant Data Sources

D. Other

## VIII. History<sup>1</sup>

ADOPTED: April 15, 2004

REVIEWED: July 1, 2015

MODIFIED: November 29, 2018

February 28, 2019

February 10, 2022

REVISED: April 28, 2005

April 16, 2009

January 26, 2017

December 16, 2021

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<sup>1</sup> Key: ***Adopted***-Original date the Board took action to approve a policy; ***Reviewed***-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; ***Modified***-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; ***Revised***-The date the Board took action on a policy that based on the recommendation of the Superintendent/designee needed a comprehensive examination; ***Effective***-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.

**SCHOOL ATTENDANCE AREAS**Effective: February 10, 2022

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**I. Development and Consideration of School Attendance Area Adjustment Plans**

The long-range school facilities planning process is conducted on an annual basis according to the county's and state's capital budget process. The timing, sequence, and/or steps may be adjusted based on budgetary and operational needs, to account for holidays and other considerations. The development and consideration of school attendance area adjustment plans will take place in the following manner:

Determine Proposed Scope:

- A. Calendar Year 1 – June-December  
Duration of this step is 1-2 months and it occurs between 21-27 months before implementation of attendance area adjustment.

After the presentation of the student enrollment projections, recommendations for attendance area changes or after any approval of changes in the attendance areas, the Superintendent and the Board of Education will consult with each other to define the proposed scope (i.e. open a new school only or comprehensive plan for all three levels) of the upcoming year's attendance area adjustments and develop a communication plan. The proposed scope may be adjusted during the review and approval process. The Board will notify the public of its decision for the Superintendent to proceed or not to proceed with the attendance area review process and identify the reasons that the attendance area review has been initiated.

Review and Approval Process:

- B. Calendar Year 2 – January/February  
Duration of this step is 2 months and it begins 20 months before implementation of attendance area adjustment.

The Office of School Planning will facilitate meetings to inform the public of the attendance area review process and obtain public comment regarding attendance area adjustments. The Office of School Planning will solicit public input in a variety of methods in a consistent way from each potentially impacted attendance area, as well as countywide community feedback, about matters related to development of the Superintendent's Proposed Attendance Area Adjustment Plan. The procedure and requirements to submit community member input will be identified and disclosed to the public.

- C. Calendar Year 2 – March-May  
Duration of this step is 2 months and begins 18 months before implementation of attendance area adjustment.

The Office of School Planning may solicit and interview candidates for the potential Attendance Area Committee (AAC) and nominate candidates for appointment by the Superintendent.

The Office of School Planning will provide the Superintendent with enrollment projections by school annually. The Office of School Planning updates of scenario testing data and tool(s), report(s) and associated data will be made available to the Board and public.

- D. Calendar Year 2 – June/July  
Duration of this step is 2 months and it begins 15 months before implementation of attendance area adjustment.

If an AAC is created, the Office of School Planning oversees the committee and employees will provide training to the AAC. Training will include, but is not limited to the following:

1. Review of Policy 6010 and its standards used to establish an attendance area adjustment plan.
2. Review the AAC's responsibilities in the attendance area adjustment plan process.

With assistance from the Office of School Planning, the AAC will review any attendance area adjustment considerations, and make a committee recommendation to the Superintendent to assist the Superintendent in developing a recommendation to the Board.

- E. Calendar Year 2 – June/July  
Duration of this step is 1 month and occurs between 14-15 months before implementation of attendance area adjustment.

The Superintendent/designee presents projections, attendance area considerations and planning issues to the Board and community members.

- F. Calendar Year 2 – July/August  
Duration of this step is 2 months and it begins 14 months before implementation of attendance area adjustment.

The Office of School Planning will advise the Superintendent on capacity needs for the upcoming budget process during capital budget preparations.

After receipt of input from the AAC, if convened, and the public, the Superintendent's Proposed Attendance Area Adjustment Plan will be presented to the Board. Submitted input will be shared with the Board of Education and public.

- G. Calendar Year 2 – August-October  
Duration of this step is 3 months and it begins 13 months before implementation of attendance area adjustment.

The Board holds public hearing(s), work session(s), and then may instruct staff to develop alternative scenarios or alterations to existing attendance area adjustment plans for the Board to review.

- H. Calendar Year 2 – October-November  
Duration of this step is 1-2 months and it begins 11 months before implementation of attendance area adjustment.

The Board may develop a Board-approved Preliminary Attendance Area Adjustment Plan. If the Board proposes a plan by vote that differs from the Superintendent's Proposed Attendance Area Adjustment Plan, a public hearing will be held. Proposed plans will be made public prior to a public hearing.

- I. Calendar Year 2 – November  
Duration of this step is 1 month and it occurs 10 months before implementation of attendance area adjustment.

Adoption of Board's Final Attendance Area Adjustment Plan.

- J. Calendar Year 2 – December  
Duration of this step is 1 or more month(s) and it begins 9 months before implementation of attendance area adjustment.

The Superintendent/designee and Board will assess the attendance area adjustment process. Modifications to this process will be made, as needed, prior to the beginning of the next attendance area adjustment.

#### Implementation

- K. Calendar Year 2 – December-Year 3 – January  
Duration of this step is 2 or more months and it begins 9 months before implementation of attendance area adjustment.

After the Board has made any final decision(s) regarding attendance area adjustments, the approved attendance area maps are developed, the school locator is updated, and transportation routes are updated. The Superintendent will communicate the Board's action to the principals, PTA presidents and SGA presidents of each affected school, the president of the PTA Council of Howard

County and the chairman of the Community Advisory Council to the Board. The Superintendent/designee will assist school-based administrators and employees with articulating students affected by attendance area adjustments. Principals will communicate attendance area adjustments to the parents of students in areas affected by the Board's action. The Superintendent/designee will direct principals receiving new students to provide multiple opportunities for individualized support for students who are being reassigned. Specific transition steps or a transition plan will be offered for students and families that are being reassigned.

- L. Calendar Year 3 – January/February  
Duration of this step is 2 months and it begins 8 months before implementation of attendance area adjustment.

Capital/Operating Budgets reviewed by the Board of Education.

- M. Calendar Year 3 – May  
This step occurs 4 months before implementation of attendance area adjustment.

Capital/Operating Budgets approved by County Council and Board of Education.

- N. Calendar Year 3 – September  
Implementation of new attendance areas is effective.

## **II. Attendance Area Committee Make-up and Responsibilities**

- A. The AAC shall consist of 10 to 15 members. Consideration will be given to providing diverse representation. Representation may include, but is not limited to the following:
1. At least one member from the Howard County Association of Student Councils.
  2. At least one member from each of the HCPSS planning regions.
  3. At least three, but no more than eight at-large community members, with consideration toward identifying members of the community based on the attendance area/planning region(s) that may be affected by attendance area adjustments.
  4. Of those AAC members selected, no more than six members will have been members of a previous AAC.
  5. Members may not serve on more than two consecutive AACs.
- B. The AAC, after receiving training, will work in collaboration with the Office of School Planning employees and the Superintendent/designee to provide feedback

on attendance area considerations. The basis for the review will be enrollment projections and the Policy 6010 Standards set forth in Section III.B.

### **III. Appeals**

- A. The Board's Final Attendance Area Adjustment Plan may be appealed to the State Board of Education.

In accordance with the Code of Maryland Regulations (COMAR) 13A.01.05.02, an appeal of the Board's decision may be filed with the Maryland State Board of Education within 30 calendar days of the Board of Education meeting at which final action was taken.

- B. The appeal must be in writing and filed with the Maryland State Board of Education, 200 West Baltimore Street, Baltimore, MD 21201 in one of the following ways:
1. Delivered to the State Board within 30 calendar days of the Board's action.
  2. Deposited in the United States mail as registered or certified mail or Express Mail within 30 calendar days of the Board's action.
  3. Deposited with a delivery service, such as FedEx, UPS, or DHL, that provides verifiable tracking of the item from the point of origin, within 30 calendar days of the Board's action.
- C. Parents of students being reassigned based on attendance area adjustments may request a waiver through the student reassignment process, not appeals to the State Board of Education. The State Board of Education does not accept appeals of individual student assignment requests that have not first been decided by the local Board of Education through the local process.

### **IV. Definitions**

Within the context of these implementation procedures, the following definition applies:

Planning Region – A geographic area of Howard County made up of one or more schools used by the Howard County Public School System (HCPSS) Office of School Planning for long-range planning purposes.

### **V. Monitoring**

Policy 6010 implementation procedures will be overseen by the Division of Operations.

## VI. History<sup>1</sup>

ADOPTED: April 28, 2005  
REVIEWED: July 1, 2015  
MODIFIED: November 29, 2018  
February 28, 2019  
February 10, 2022  
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