1 2 An act relating to the Florida Statutes; amending ss. 3 322.091, 334.351, 414.1251, 440.491, 445.024, 468.304, 478.45, 480.035, 480.041, 944.1905, 944.275, 944.801, 4 5 958.045, 985.601, 1001.42, 1003.21, 1003.51, 1003.52, 1004.02, 1004.65, 1004.93, 1008.345, and 1009.21, 6 7 F.S.; to conform to the directive of the Legislature 8 to the Division of Law Revision and Information in 9 section 38 of chapter 2013-51, Laws of Florida, to 10 change the terms "General Educational Development test" or "GED test" to "high school equivalency 11 examination" and the terms "general education 12 diploma," "graduate equivalency diploma," or "GED" to 13 "high school equivalency diploma" wherever those terms 14 15 appear in the Florida Statutes; providing an effective 16 date. 17 18 Be It Enacted by the Legislature of the State of Florida: 19 20 Section 1. Paragraph (c) of subsection (1) of section 21 322.091, Florida Statutes, is amended to read: 22 322.091 Attendance requirements.-23 (1) ELIGIBILITY REQUIREMENTS FOR DRIVING PRIVILEGES.-A minor is not eligible for driving privileges unless that minor: 24 25 (c) Is enrolled in a study course in preparation for the 26 high school equivalency examination Test of General Educational 27 Development and satisfies relevant attendance requirements; 28 29 The department may not issue a driver license or learner's

Page 1 of 19

2014940er 30 driver license to, or shall suspend the driver license or learner's driver license of, any minor concerning whom the 31 32 department receives notification of noncompliance with the 33 requirements of this section. Section 2. Paragraph (b) of subsection (3) of section 34 35 334.351, Florida Statutes, is amended to read: 334.351 Youth work experience program; findings and intent; 36 37 authority to contract; limitation.-38 (3) When selecting a nonprofit youth organization to 39 perform work on transportation-related facilities and before awarding a contract under this section, the department must 40 41 consider the following criteria: 42 (b) The number of participants receiving high school 43 diplomas or high school equivalency diplomas GEDs; 44 Section 3. Subsection (1) of section 414.1251, Florida 45 Statutes, is amended to read: 414.1251 Learnfare program.-46 47 (1) The department shall reduce the temporary cash 48 assistance for a participant's eligible dependent child or for 49 an eligible teenage participant who has not been exempted from 50 education participation requirements, if the eligible dependent 51 child or eligible teenage participant has been identified either 52 as a habitual truant, pursuant to s. 1003.01(8), or as a 53 dropout, pursuant to s. 1003.01(9). For a student who has been 54 identified as a habitual truant, the temporary cash assistance 55 must be reinstated after a subsequent grading period in which 56 the child's attendance has substantially improved. For a student 57 who has been identified as a dropout, the temporary cash 58 assistance must be reinstated after the student enrolls in a

Page 2 of 19

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2014940er 59 public school, receives a high school diploma or its 60 equivalency, enrolls in preparation for the high school 61 equivalency examination General Educational Development Tests, 62 or enrolls in other educational activities approved by the 63 district school board. Good cause exemptions from the rule of 64 unexcused absences include the following: 65 (a) The student is expelled from school and alternative 66 schooling is not available. 67 (b) No licensed day care is available for a child of teen 68 parents subject to Learnfare. 69 (c) Prohibitive transportation problems exist (e.g., to and 70 from day care). 71 72 Within 10 days after sanction notification, the participant 73 parent of a dependent child or the teenage participant may file 74 an internal fair hearings process review procedure appeal, and 75 no sanction shall be imposed until the appeal is resolved. 76 Section 4. Paragraph (a) of subsection (6) of section 77 440.491, Florida Statutes, is amended to read: 78 440.491 Reemployment of injured workers; rehabilitation.-79 (6) TRAINING AND EDUCATION.-(a) Upon referral of an injured employee by the carrier, or 80 upon the request of an injured employee, the department shall 81 82 conduct a training and education screening to determine whether 83 it should refer the employee for a vocational evaluation, approve training and education, or approve other vocational 84 services for the employee. At the time of such referral, the 85 86 carrier shall provide the department a copy of any reemployment 87 assessment or reemployment plan provided to the carrier by a

Page 3 of 19

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88 rehabilitation provider. The department may not approve formal 89 training and education programs unless it determines, after 90 consideration of the reemployment assessment, that the 91 reemployment plan is likely to result in return to suitable 92 gainful employment. The department may expend moneys from the 93 Workers' Compensation Administration Trust Fund, established by 94 s. 440.50, to secure appropriate training and education at a 95 Florida public college or at a career center established under 96 s. 1001.44, or to secure other vocational services when 97 necessary to satisfy the recommendation of a vocational evaluator. As used in this paragraph, "appropriate training and 98 education" includes securing a high school equivalency general 99 100 education diploma (GED), if necessary. The department shall by rule establish training and education standards pertaining to 101 102 employee eligibility, course curricula and duration, and 103 associated costs. For purposes of this subsection, training and 104 education services may be secured from additional providers if:

105 1. The injured employee currently holds an associate degree 106 and requests to earn a bachelor's degree not offered by a 107 Florida public college located within 50 miles from his or her 108 customary residence;

109 2. The injured employee's enrollment in an education or 110 training program in a Florida public college or career center 111 would be significantly delayed; or

3. The most appropriate training and education program is available only through a provider other than a Florida public college or career center or at a Florida public college or career center located more than 50 miles from the injured employee's customary residence.

Page 4 of 19

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	2014940er
117	Section 5. Paragraph (k) of subsection (1) of section
118	445.024, Florida Statutes, is amended to read:
119	445.024 Work requirements
120	(1) WORK ACTIVITIESThe Department of Economic Opportunity
121	may develop activities under each of the following categories of
122	work activities. The following categories of work activities,
123	based on federal law and regulations, may be used individually
124	or in combination to satisfy the work requirements for a
125	participant in the temporary cash assistance program:
126	(k) Satisfactory attendance at a secondary school or in a
127	course of study leading to a <u>high school</u> graduate equivalency
128	diploma.
129	Section 6. Paragraph (b) of subsection (3) of section
130	468.304, Florida Statutes, is amended to read:
131	468.304 CertificationThe department shall certify any
132	applicant who meets the following criteria:
133	(3) Submits satisfactory evidence, verified by oath or
134	affirmation, that she or he:
135	(b) Is a high school, vocational school, technical school,
136	or college graduate or has successfully completed the
137	requirements for a <u>high school</u> graduate equivalency diploma
138	(GED) or its equivalent;
139	
140	The department may not certify any applicant who has committed
141	an offense that would constitute a violation of any of the
142	provisions of s. 468.3101 or applicable rules if the applicant
143	had been certified by the department at the time of the offense.
144	An application for a limited computed tomography certificate may
145	not be accepted. A person holding a valid computed tomography

Page 5 of 19

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	2014940er
146	certificate as of October 1, 1984, is subject to s. 468.309.
147	Section 7. Paragraph (c) of subsection (1) of section
148	478.45, Florida Statutes, is amended to read:
149	478.45 Requirements for licensure
150	(1) An applicant applying for licensure as an electrologist
151	shall file a written application, accompanied by the application
152	for licensure fee prescribed in s. 478.55, on a form provided by
153	the board, showing to the satisfaction of the board that the
154	applicant:
155	(c) Possesses a high school diploma or a <u>high school</u>
156	graduate equivalency diploma.
157	Section 8. Subsection (2) of section 480.035, Florida
158	Statutes, is amended to read:
159	480.035 Board of Massage Therapy
160	(2) Five members of the board shall be licensed massage
161	therapists and shall have been engaged in the practice of
162	massage for not less than 5 consecutive years prior to the date
163	of appointment to the board. The Governor shall appoint each
164	member for a term of 4 years. Two members of the board shall be
165	laypersons. Each board member shall be a high school graduate or
166	shall have received a <u>high school</u> graduate equivalency diploma.
167	Each board member shall be a citizen of the United States and a
168	resident of this state for not less than 5 years. The
169	appointments will be subject to confirmation by the Senate.
170	Section 9. Paragraph (a) of subsection (1) of section
171	480.041, Florida Statutes, is amended to read:
172	480.041 Massage therapists; qualifications; licensure;
173	endorsement

174

(1) Any person is qualified for licensure as a massage

Page 6 of 19

ENROLLED 2014 Legislature

	2014940er
175	therapist under this act who:
176	(a) Is at least 18 years of age or has received a high
177	school diploma or <u>high school</u> graduate equivalency diploma;
178	Section 10. Paragraph (b) of subsection (2) of section
179	944.1905, Florida Statutes, is amended to read:
180	944.1905 Initial inmate classification; inmate
181	reclassificationThe Department of Corrections shall classify
182	inmates pursuant to an objective classification scheme. The
183	initial inmate classification questionnaire and the inmate
184	reclassification questionnaire must cover both aggravating and
185	mitigating factors.
186	(2) In scoring the initial inmate classification
187	questionnaire, points may be deducted from the inmate's overall
188	score for factors indicating the inmate's stability. Such
189	factors may include:
190	(b) High school diploma or <u>high school equivalency diploma</u>
191	GED received; and
192	Section 11. Paragraph (d) of subsection (4) of section
193	944.275, Florida Statutes, is amended to read:
194	944.275 Gain-time
195	(4)
196	(d) Notwithstanding subparagraphs (b)1. and 2., the
197	education program manager shall recommend, and the Department of
198	Corrections may grant, a one-time award of 60 additional days of
199	incentive gain-time to an inmate who is otherwise eligible and
200	who successfully completes requirements for and is awarded a
201	high school equivalency diploma general educational development
202	certificate or vocational certificate. Under no circumstances
203	may an inmate receive more than 60 days for educational

Page 7 of 19

2014940er 204 attainment pursuant to this section. 205 Section 12. Paragraphs (g) and (j) of subsection (3) of 206 section 944.801, Florida Statutes, are amended to read: 207 944.801 Education for state prisoners.-208 (3) The responsibilities of the Correctional Education 209 Program shall be to: 210 (g) Develop and maintain complete and reliable statistics 211 on the number of high school equivalency diplomas general 212 educational development (GED) certificates and vocational 213 certificates issued by each institution in each skill area, the 214 change in inmate literacy levels, and the number of inmate admissions to and withdrawals from education courses. The 215 216 compiled statistics shall be summarized and analyzed in the 217 annual report of correctional education activities required by 218 paragraph (f). 219 (j) Recommend the award of additional incentive gain-time 220 for inmates who receive a high school equivalency diploma 221 general educational development certificate or a vocational 222 certificate. 223 Section 13. Paragraph (a) of subsection (1) and paragraph 224 (b) of subsection (6) of section 958.045, Florida Statutes, are 225 amended to read: 226 958.045 Youthful offender basic training program.-227 (1) The department shall develop and implement a basic 228 training program for youthful offenders sentenced or classified 229 by the department as youthful offenders pursuant to this 230 chapter. The period of time to be served at the basic training 231 program shall be no less than 120 days. 232 (a) The program shall include marching drills,

Page 8 of 19

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233 calisthenics, a rigid dress code, manual labor assignments, 234 physical training with obstacle courses, training in 235 decisionmaking and personal development, <u>high school equivalency</u> 236 <u>diploma general educational development</u> and adult basic 237 education courses, and drug counseling and other rehabilitation 238 programs.

239 (6)

(b) While in the community residential program, as 240 241 appropriate, the offender shall engage in gainful employment, 242 and if any, shall pay restitution to the victim. If appropriate, 243 the offender may enroll in substance abuse counseling, and if 244 suitable, shall enroll in a high school equivalency diploma general educational development or adult basic education class 245 for the purpose of attaining a high school diploma. Upon release 246 247 from the community residential program, the offender shall 248 remain on probation, or other postrelease supervision, and abide 249 by the conditions of the offender's probation or postrelease 250 supervision. If, upon transfer from the community residential 251 program, the offender has not completed the enrolled educational 252 program, the offender shall continue the educational program 253 until completed. If the offender fails to complete the program, 254 the department may request the court or the control release 255 authority to execute an order returning the offender back to the 256 community residential program until completion of the program.

257 Section 14. Subsection (4) of section 985.601, Florida 258 Statutes, is amended to read:

985.601 Administering the juvenile justice continuum.(4) The department shall maintain continuing cooperation
with the Department of Education, the Department of Children and

Page 9 of 19

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262 Family Services, the Department of Economic Opportunity, and the 263 Department of Corrections for the purpose of participating in 264 agreements with respect to dropout prevention and the reduction 265 of suspensions, expulsions, and truancy; increased access to and 266 participation in high school equivalency diploma GED, 267 vocational, and alternative education programs; and employment 268 training and placement assistance. The cooperative agreements 269 between the departments shall include an interdepartmental plan 270 to cooperate in accomplishing the reduction of inappropriate 271 transfers of children into the adult criminal justice and 272 correctional systems.

273 Section 15. Paragraph (b) of subsection (18) of section 274 1001.42, Florida Statutes, is amended to read:

275 1001.42 Powers and duties of district school board.—The 276 district school board, acting as a board, shall exercise all 277 powers and perform all duties listed below:

278 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.-279 Maintain a state system of school improvement and education 280 accountability as provided by statute and State Board of 281 Education rule. This system of school improvement and education accountability shall be consistent with, and implemented 282 283 through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, 284 285 and 1011.01. This system of school improvement and education 286 accountability shall comply with the provisions of ss. 1008.33, 287 1008.34, 1008.345, and 1008.385 and include the following:

(b) Public disclosure.—The district school board shall
provide information regarding the performance of students and
educational programs as required pursuant to ss. 1008.22 and

Page 10 of 19

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291 1008.385 and implement a system of school reports as required by 292 statute and State Board of Education rule which shall include 293 schools operating for the purpose of providing educational 294 services to youth in Department of Juvenile Justice programs, and for those schools, report on the elements specified in s. 295 296 1003.52(19). Annual public disclosure reports shall be in an 297 easy-to-read report card format and shall include the school's 298 grade, high school graduation rate calculated without high 299 school equivalency diploma recipients GED tests, disaggregated 300 by student ethnicity, and performance data as specified in state board rule. 301

302 Section 16. Paragraph (c) of subsection (1) of section 303 1003.21, Florida Statutes, is amended to read:

1003.21 School attendance.-

305

(1)

304

306 (c) A student who attains the age of 16 years during the 307 school year is not subject to compulsory school attendance 308 beyond the date upon which he or she attains that age if the 309 student files a formal declaration of intent to terminate school enrollment with the district school board. Public school 310 students who have attained the age of 16 years and who have not 311 graduated are subject to compulsory school attendance until the 312 formal declaration of intent is filed with the district school 313 314 board. The declaration must acknowledge that terminating school 315 enrollment is likely to reduce the student's earning potential 316 and must be signed by the student and the student's parent. The 317 school district shall notify the student's parent of receipt of the student's declaration of intent to terminate school 318 319 enrollment. The student's certified school counselor or other

Page 11 of 19

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320 school personnel shall conduct an exit interview with the 321 student to determine the reasons for the student's decision to 322 terminate school enrollment and actions that could be taken to 323 keep the student in school. The student's certified school counselor or other school personnel shall inform the student of 324 325 opportunities to continue his or her education in a different 326 environment, including, but not limited to, adult education and 327 high school equivalency examination GED test preparation. 328 Additionally, the student shall complete a survey in a format 329 prescribed by the Department of Education to provide data on 330 student reasons for terminating enrollment and actions taken by 331 schools to keep students enrolled.

332 Section 17. Subsection (4) of section 1003.51, Florida333 Statutes, is amended to read:

334

1003.51 Other public educational services.-

335 (4) The Department of Education shall ensure that district 336 school boards notify students in juvenile justice residential or 337 nonresidential facilities who attain the age of 16 years of the 338 provisions of law regarding compulsory school attendance and 339 make available the option of enrolling in a program to attain a 340 Florida high school diploma by taking the high school equivalency examination General Educational Development test 341 prior to release from the facility. District school boards or 342 343 Florida College System institutions, or both, shall waive high 344 school equivalency examination GED testing fees for youth in 345 Department of Juvenile Justice residential programs and shall, 346 upon request, designate schools operating for the purpose of providing educational services to youth in Department of 347 348 Juvenile Justice programs as high school equivalency examination

Page 12 of 19

349 GED testing centers, subject to <u>high school equivalency</u> 350 <u>examination</u> GED testing center requirements. The administrative 351 fees for the <u>high school equivalency examination</u> General 352 <u>Educational Development test</u> required by the Department of 353 Education are the responsibility of district school boards and 354 may be required of providers by contractual agreement.

355 Section 18. Paragraph (a) of subsection (3) and subsection 356 (6) of section 1003.52, Florida Statutes, are amended to read:

357 1003.52 Educational services in Department of Juvenile358 Justice programs.-

(3) The district school board of the county in which the
residential or nonresidential care facility or juvenile
assessment facility is located shall provide appropriate
educational assessments and an appropriate program of
instruction and special education services.

364 (a) The district school board shall make provisions for 365 each student to participate in basic, career education, and 366 exceptional student programs as appropriate. Students served in 367 Department of Juvenile Justice programs shall have access to the 368 appropriate courses and instruction to prepare them for the high 369 school equivalency examination GED test. Students participating 370 in high school equivalency diploma GED preparation programs 371 shall be funded at the basic program cost factor for Department 372 of Juvenile Justice programs in the Florida Education Finance 373 Program. Each program shall be conducted according to applicable 374 law providing for the operation of public schools and rules of 375 the State Board of Education. School districts shall provide the high school equivalency diploma GED exit option for all juvenile 376 377 justice programs.

Page 13 of 19

SB 940

2014940er

378 (6) Participation in the program by students of compulsory 379 school-attendance age as provided for in s. 1003.21 shall be 380 mandatory. All students of noncompulsory school-attendance age 381 who have not received a high school diploma or its equivalent 382 shall participate in the educational program, unless the student files a formal declaration of his or her intent to terminate 383 school enrollment as described in s. 1003.21 and is afforded the 384 385 opportunity to take the high school equivalency examination 386 general educational development test and attain a Florida high 387 school diploma prior to release from a facility. A youth who has 388 received a high school diploma or its equivalent and is not 389 employed shall participate in workforce development or other 390 career or technical education or Florida College System 391 institution or university courses while in the program, subject 392 to available funding.

393 Section 19. Subsections (5) and (17) of section 1004.02, 394 Florida Statutes, are amended to read:

395

1004.02 Definitions.-As used in this chapter:

(5) "Adult secondary education" means courses through which a person receives high school credit that leads to the award of a high school diploma or courses of instruction through which a student prepares to take the <u>high school equivalency examination</u> General Educational Development test.

401 (17) "<u>High school equivalency examination</u> General
402 Educational Development (GED) test preparation" means courses of
403 instruction designed to prepare adults for success on <u>high</u>
404 <u>school equivalency diploma</u> GED subject area tests leading to
405 qualification for a State of Florida high school diploma.
406 Section 20. Paragraph (b) of subsection (6) and paragraph

Page 14 of 19

	2014940er
407	(c) of subsection (8) of section 1004.65, Florida Statutes, are
408	amended to read:
409	1004.65 Florida College System institutions; governance,
410	mission, and responsibilities
411	(6) A separate and secondary role for Florida College
412	System institutions includes the offering of programs in:
413	(b) Adult education services, including adult basic
414	education, adult general education, adult secondary education,
415	and <u>high school equivalency examination</u> General Educational
416	Development test instruction.
417	(8) Florida College System institutions are authorized to:
418	(c) Make provisions for the high school equivalency
419	examination General Educational Development test.
420	
421	Authority to offer one or more baccalaureate degree programs
422	does not alter the governance relationship of the Florida
423	College System institution with its district board of trustees
424	or the State Board of Education.
425	Section 21. Paragraph (a) of subsection (1) and paragraph
426	(c) of subsection (2) of section 1004.93, Florida Statutes, are
427	amended to read:
428	1004.93 Adult general education
429	(1)(a) The intent of this section is to encourage the
430	provision of educational services that will enable adults to
431	acquire:
432	1. The basic skills necessary to attain basic and
433	functional literacy.
434	2. A high school diploma or successfully complete the $\underline{\text{high}}$
435	school equivalency examination General Educational Development

Page 15 of 19

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436	test.
437	3. An educational foundation that will enable them to
438	become more employable, productive, and self-sufficient
439	citizens.
440	(2) The adult education program must provide academic
441	services to students in the following priority:
442	(c) Students who are earning credit required for a high
443	school diploma or who are preparing for the <u>high school</u>
444	equivalency examination General Educational Development test.
445	Section 22. Paragraph (d) of subsection (6) of section
446	1008.345, Florida Statutes, is amended to read:
447	1008.345 Implementation of state system of school
448	improvement and education accountability
449	(6)
450	(d) The commissioner shall assign a community assessment
451	team to each school district or governing board with a school
452	that earned a grade of "F" or three consecutive grades of "D"
453	pursuant to s. 1008.34 to review the school performance data and
454	determine causes for the low performance, including the role of
455	school, area, and district administrative personnel. The
456	community assessment team shall review a high school's
457	graduation rate calculated without high school equivalency
458	<u>diploma recipients</u> GED tests for the past 3 years, disaggregated
459	by student ethnicity. The team shall make recommendations to the
460	school board or the governing board and to the State Board of
461	Education which address the causes of the school's low
462	performance and may be incorporated into the school improvement
463	plan. The assessment team shall include, but not be limited to,
464	a department representative, parents, business representatives,

Page 16 of 19

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	2014940er
465	educators, representatives of local governments, and community
466	activists, and shall represent the demographics of the community
467	from which they are appointed.
468	Section 23. Paragraph (c) of subsection (3) of section
469	1009.21, Florida Statutes, is amended to read:
470	1009.21 Determination of resident status for tuition
471	purposes.—Students shall be classified as residents or
472	nonresidents for the purpose of assessing tuition in
473	postsecondary educational programs offered by charter technical
474	career centers or career centers operated by school districts,
475	in Florida College System institutions, and in state
476	universities.
477	(3)
478	(c) Each institution of higher education shall
479	affirmatively determine that an applicant who has been granted
480	admission to that institution as a Florida resident meets the
481	residency requirements of this section at the time of initial
482	enrollment. The residency determination must be documented by
483	the submission of written or electronic verification that
484	includes two or more of the documents identified in this
485	paragraph. No single piece of evidence shall be conclusive.
486	1. The documents must include at least one of the
487	following:
488	a. A Florida voter's registration card.
489	b. A Florida driver's license.
490	c. A State of Florida identification card.
491	d. A Florida vehicle registration.
492	e. Proof of a permanent home in Florida which is occupied
493	as a primary residence by the individual or by the individual's

Page 17 of 19

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2014940er 494 parent if the individual is a dependent child. 495 f. Proof of a homestead exemption in Florida. 496 g. Transcripts from a Florida high school for multiple 497 years if the Florida high school diploma or high school 498 equivalency diploma GED was earned within the last 12 months. 499 h. Proof of permanent full-time employment in Florida for 500 at least 30 hours per week for a 12-month period. 501 2. The documents may include one or more of the following: 502 a. A declaration of domicile in Florida. 503 b. A Florida professional or occupational license. 504 c. Florida incorporation. 505 d. A document evidencing family ties in Florida. 506 e. Proof of membership in a Florida-based charitable or 507 professional organization. 508 f. Any other documentation that supports the student's 509 request for resident status, including, but not limited to, 510 utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; 511 512 or an official state, federal, or court document evidencing 513 legal ties to Florida. 514 Reviser's note.-Amended to conform to the directive of the 515 Legislature to the Division of Law Revision and Information 516 in s. 38, ch. 2013-51, Laws of Florida, to change the terms 517 "General Educational Development test" or "GED test" to 518 "high school equivalency examination" and the terms "general education diploma," "graduate equivalency 519 diploma," or "GED" to "high school equivalency diploma" 520 521 wherever those terms appear in the Florida Statutes. 522 Section 24. This act shall take effect on the 60th day

Page 18 of 19

523 after adjournment sine die of the session of the Legislature in 524 which enacted.