

3481

2017-2018 Regular Sessions

I N S E N A T E

January 23, 2017

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed,
and when printed to be committed to the Committee on Finance

AN ACT to amend the education law, in relation to establishing the
community schools act; and making an appropriation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. This act shall be known and may be cited as the "community
2 schools act".

3 § 2. The education law is amended by adding a new section 3602-g to
4 read as follows:

5 § 3602-G. COMMUNITY SCHOOLS GRANT PROGRAM. 1. THERE IS HEREBY ESTAB-
6 LISHED WITHIN THE DEPARTMENT A COMMUNITY SCHOOLS GRANT PROGRAM TO FUND
7 THE PLANNING, IMPLEMENTATION, IMPROVEMENT AND EVALUATION OF COMMUNITY
8 SCHOOLS. THE PURPOSE OF THIS PROGRAM SHALL BE:

9 A. TO ENSURE HIGH-QUALITY EDUCATIONAL OPPORTUNITIES AND IMPROVED
10 EDUCATIONAL OUTCOMES FOR ALL STUDENTS THROUGH INVESTMENT IN COMMUNITY
11 SCHOOLS;

12 B. TO ESTABLISH SUSTAINABLE COMMUNITY SCHOOLS WITH ENGAGING AND
13 CULTURALLY RELEVANT CURRICULUM, HEALTH, SOCIAL AND EMOTIONAL SERVICES,
14 POSITIVE DISCIPLINE PRACTICES SUCH AS RESTORATIVE JUSTICE, AND TRANSFOR-
15 MATIONAL PARENT AND COMMUNITY ENGAGEMENT, AS A COMPREHENSIVE SOLUTION TO
16 PROBLEMS FACING PUBLIC SCHOOLS, ESPECIALLY IN POOR COMMUNITIES; AND

17 C. TO DOCUMENT AND EVALUATE LESSONS LEARNED FROM COMMUNITY SCHOOLS
18 PROGRAMS TO DEVELOP A SET OF BEST PRACTICES TO BE SHARED LOCALLY, STATE-
19 WIDE AND NATIONALLY.

20 2. A. WITHIN AMOUNTS APPROPRIATED THEREFOR, THE COMMISSIONER IS HEREBY
21 AUTHORIZED AND DIRECTED TO AWARD COMPETITIVE GRANTS PURSUANT TO THIS
22 SECTION TO ELIGIBLE SCHOOL DISTRICTS OR IN A CITY WITH A POPULATION OF
23 ONE MILLION OR MORE AN ELIGIBLE ENTITY TO IMPLEMENT, BEGINNING IN THE
24 TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN SCHOOL YEAR, A PLAN THAT
25 TARGETS SCHOOL BUILDINGS AS COMMUNITY HUBS TO DELIVER CO-LOCATED OR

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 SCHOOL-LINKED ACADEMIC, HEALTH, MENTAL HEALTH, NUTRITION, COUNSELING,
2 LEGAL AND/OR OTHER SERVICES TO STUDENTS AND THEIR FAMILIES IN A MANNER
3 THAT WILL LEAD TO IMPROVED EDUCATIONAL AND OTHER OUTCOMES. IN A CITY
4 WITH A POPULATION OF ONE MILLION OR MORE, ELIGIBLE ENTITIES SHALL MEAN
5 THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK, OR NOT-FOR-PROFIT
6 ORGANIZATIONS, WHICH SHALL INCLUDE NOT-FOR-PROFIT COMMUNITY BASED ORGAN-
7 IZATIONS. AN ELIGIBLE ENTITY THAT IS A NOT-FOR-PROFIT MAY APPLY FOR A
8 COMMUNITY SCHOOL GRANT PROVIDED THAT IT COLLABORATES WITH THE CITY
9 SCHOOL DISTRICT OF THE CITY OF NEW YORK AND RECEIVES THE APPROVAL OF THE
10 CHANCELLOR OF THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK.

11 B. A REQUEST FOR PROPOSAL PROCESS SHALL BE USED IN AWARDING SUCH
12 GRANTS AND SHALL BEGIN NO LATER THAN JUNE FIRST, TWO THOUSAND SEVENTEEN.
13 PRIOR TO AWARDING SUCH GRANTS, THE COMMISSIONER SHALL DEVELOP THE
14 FOLLOWING:

15 (I) THE SCORING RUBRIC BY WHICH SUCH PROPOSALS WILL BE EVALUATED,
16 PROVIDED THAT SUCH GRANTS SHALL BE AWARDED BASED ON FACTORS INCLUDING,
17 BUT NOT LIMITED TO: MEASURES OF SCHOOL DISTRICT NEED; MEASURES OF THE
18 NEED OF THE STUDENTS TO BE SERVED BY EACH OF THE SCHOOL DISTRICTS; THE
19 SCHOOL DISTRICT'S PROPOSAL TO TARGET THE HIGHEST NEED SCHOOLS AND
20 STUDENTS; THE SUSTAINABILITY OF THE PROPOSED COMMUNITY SCHOOLS PROGRAM;
21 AND PROPOSAL QUALITY; AND THE FACTORS DELINEATED IN PARAGRAPH C OF THIS
22 SUBDIVISION;

23 (II) THE FORM AND MANNER BY WHICH APPLICATIONS WILL BE SUBMITTED;

24 (III) THE MANNER BY WHICH CALCULATION OF THE AMOUNT OF THE AWARD WILL
25 BE DETERMINED;

26 (IV) THE TIMELINE FOR THE REVIEW OF APPLICATIONS; AND

27 (V) PROGRAM IMPLEMENTATION PHASES THAT WILL TRIGGER PAYMENT OF SET
28 PERCENTAGES OF THE TOTAL AWARD.

29 C. IN ASSESSING PROPOSAL QUALITY, IN ADDITION TO THE SCORING RUBRIC,
30 THE COMMISSIONER SHALL TAKE INTO ACCOUNT FACTORS INCLUDING, BUT NOT
31 LIMITED TO:

32 (I) THE EXTENT TO WHICH THE SCHOOL DISTRICT'S PROPOSAL WOULD PROVIDE
33 SUCH COMMUNITY SERVICES THROUGH PARTNERSHIPS WITH LOCAL GOVERNMENTS AND
34 NON-PROFIT ORGANIZATIONS;

35 (II) THE EXTENT TO WHICH THE PROPOSAL WOULD PROVIDE FOR DELIVERY OF
36 SUCH SERVICES DIRECTLY IN SCHOOL BUILDINGS;

37 (III) THE EXTENT TO WHICH THE PROPOSAL ARTICULATES HOW SUCH SERVICES
38 WOULD FACILITATE MEASURABLE IMPROVEMENT IN STUDENT AND FAMILY OUTCOMES;

39 (IV) THE EXTENT TO WHICH THE PROPOSAL ARTICULATES AND IDENTIFIES HOW
40 EXISTING FUNDING STREAMS AND PROGRAMS WOULD BE USED TO PROVIDE SUCH
41 COMMUNITY SERVICES; AND

42 (V) THE EXTENT TO WHICH THE PROPOSAL ENSURES THE SAFETY OF ALL
43 STUDENTS, STAFF AND COMMUNITY MEMBERS IN SCHOOL BUILDINGS USED AS COMMU-
44 NITY HUBS.

45 D. EACH SCHOOL SITE REFERENCED IN A PROPOSAL SHALL BE:

46 (I) A LOW PERFORMANCE SCHOOL, PERFORMING IN THE LOWEST FIFTEEN PERCENT
47 OF SCHOOLS STATEWIDE;

48 (II) A SCHOOL WITH A GRADUATION RATE OF LESS THAN SIXTY PERCENT OVER
49 THE LAST THREE YEARS; OR

50 (III) DEEMED BY THE DEPARTMENT A SCHOOL IN POVERTY THAT WOULD BENEFIT
51 FROM THE GRANT PROGRAM.

52 E. A RESPONSE TO A REQUEST FOR PROPOSALS ISSUED PURSUANT TO THIS
53 SUBDIVISION MAY BE SUBMITTED BY A SINGLE SCHOOL DISTRICT OR JOINTLY BY A
54 CONSORTIUM OF TWO OR MORE SCHOOL DISTRICTS, OR IN A CITY WITH A POPU-
55 LATION OF ONE MILLION OR MORE, AN ELIGIBLE ENTITY.

1 F. THE AMOUNT OF THE GRANT AWARD SHALL BE DETERMINED BY THE COMMIS-
2 SIONER, EXCEPT THAT NO SINGLE DISTRICT MAY BE AWARDED MORE THAN FORTY
3 PERCENT OF THE TOTAL AMOUNT OF GRANT AWARDS MADE PURSUANT TO THIS
4 SECTION; AND PROVIDED FURTHER THAT THE MAXIMUM AWARD TO ANY INDIVIDUAL
5 COMMUNITY SCHOOL SITE SHALL BE FIVE HUNDRED THOUSAND DOLLARS PER YEAR;
6 AND PROVIDED FURTHER THAT THE AMOUNT AWARDED WILL BE PAID OUT IN SET
7 PERCENTAGES OVER TIME UPON SUCCESSFUL IMPLEMENTATION OF EACH PHASE OF A
8 SCHOOL DISTRICT'S APPROVED PROPOSAL; AND PROVIDED FURTHER THAT NONE OF
9 THE GRANTS AWARDED PURSUANT TO THIS SECTION MAY BE USED TO SUPPLANT
10 EXISTING FUNDING.

11 3. A. THE COMMISSIONER IS AUTHORIZED TO AWARD PLANNING GRANTS FOR A
12 TERM OF ONE YEAR. GRANTEEES WHO COMPLETE A PLAN THAT MEETS THE REQUIRE-
13 MENTS FOR DEMONSTRATED READINESS PURSUANT TO PARAGRAPH B OF THIS SUBDI-
14 VISION SHALL THEN BE AWARDED AN OPERATIONAL GRANT FOR A TERM OF FIVE
15 YEARS WHICH SHALL BE RENEWABLE AT THE DISCRETION OF THE COMMISSIONER.

16 B. GRANTS SHALL BE AWARDED FOR THE TWO THOUSAND SEVENTEEN--TWO THOU-
17 SAND EIGHTEEN SCHOOL YEAR TO APPLICANTS BASED UPON THE FACTORS IN SUBDI-
18 VISION TWO OF THIS SECTION. THE COMMISSIONER IS HEREBY AUTHORIZED TO
19 AWARD GRANTS FOR PLANNING OF NOT MORE THAN TWO HUNDRED THOUSAND DOLLARS
20 FOR A ONE-YEAR PERIOD. AT THE END OF THIS PERIOD, GRANTEEES SHALL MEET
21 THE FOLLOWING REQUIREMENTS FOR DEMONSTRATED READINESS:

22 (I) THE ESTABLISHMENT OF A SCHOOL LEADERSHIP TEAM FOR EACH COVERED
23 SCHOOL SITE OF THIRTEEN TO FIFTEEN PEOPLE WHICH SHALL INCLUDE: THE PRIN-
24 CIPAL, ONE COMMUNITY-BASED PARTNER, AT LEAST THREE PARENTS OR GUARDIANS
25 WITH AT LEAST ONE STUDENT CURRENTLY ENROLLED IN THE SCHOOL, SELECTED BY
26 THE PARENT BODY, AT LEAST THREE TEACHERS SELECTED THROUGH A PROCESS
27 ESTABLISHED BY THEIR RESPECTIVE COLLECTIVE BARGAINING UNITS, ONE SCHOOL
28 EMPLOYEE INCLUDING A GUIDANCE COUNSELOR, SOCIAL WORKER OR SCHOOL NURSE
29 SELECTED THROUGH A PROCESS ESTABLISHED BY THEIR RESPECTIVE COLLECTIVE
30 BARGAINING UNITS, AT LEAST TWO COMMUNITY MEMBERS, TWO STUDENTS, CURRENT-
31 LY ENROLLED AT THE COVERED SCHOOL AND ELECTED BY THE STUDENT BODY, IF
32 THE GRANTEE IS A HIGH SCHOOL AND TWO REPRESENTATIVES FROM INSTITUTIONS
33 OF HIGHER EDUCATION SELECTED, IF APPLICABLE, THROUGH A PROCESS ESTAB-
34 LISHED BY THEIR RESPECTIVE COLLECTIVE BARGAINING UNITS. THE SCHOOL LEAD-
35 ERSHIP TEAM SHALL CONDUCT A COMPREHENSIVE NEEDS ASSESSMENT OF THE SCHOOL
36 AND SURROUNDING COMMUNITY. THE SCHOOL LEADERSHIP TEAM SHALL ALSO DEVELOP
37 A SHARED VISION FOR THE SCHOOL WITH THE SCHOOL AND LOCAL COMMUNITY
38 THROUGH A COMMUNITY SCHOOL ACTION PLAN THAT INCLUDES TANGIBLE SHORT-TERM
39 CHANGES AND THREE- TO FIVE-YEAR REFORM OBJECTIVES AND MEETS THE REQUIRE-
40 MENTS OF SUBPARAGRAPH (III) OF THIS PARAGRAPH.

41 (A) THE SCHOOL LEADERSHIP TEAM SHALL HOLD AT LEAST TWO PUBLIC HEARINGS
42 AS PART OF ITS COMPREHENSIVE NEEDS ASSESSMENT AND COMMUNITY SCHOOL
43 ACTION PLAN DEVELOPMENT PROCESS FOR THE PURPOSE OF SOLICITING PUBLIC
44 INPUT AND SHALL TAKE ADDITIONAL STEPS TO SOLICIT PUBLIC INPUT AS IT
45 DEEMS APPROPRIATE.

46 (B) THE SCHOOL LEADERSHIP TEAM SHALL ALSO MAKE A PUBLIC PRESENTATION
47 OF THE COMMUNITY SCHOOL ACTION PLAN STATING HOW IT ADDRESSES STUDENT,
48 COMMUNITY AND SCHOOL NEEDS. SUCH PRESENTATION SHALL INCLUDE THE OPPORTU-
49 NITY FOR PUBLIC FEEDBACK AND INPUT ON THE COMMUNITY SCHOOL ACTION PLAN.

50 (C) THE SCHOOL LEADERSHIP TEAM SHALL ISSUE ANNUAL RECOMMENDATIONS TO
51 SCHOOL LEADERSHIP AND THE LOCAL SCHOOL DISTRICT. SUCH SCHOOL LEADERSHIP
52 TEAM REPORTS AND THE COMMUNITY SCHOOL ACTION PLAN SHALL BE MADE AVAIL-
53 ABLE TO THE PUBLIC ON THE SCHOOL'S AND THE SCHOOL DISTRICT'S WEBSITES
54 AND SHALL BE PROVIDED TO THE LEGISLATURE;

55 (II) THE HIRING OF A RESOURCE COORDINATOR TO COORDINATE SERVICES AT
56 EACH COVERED SCHOOL SITE. A GRANTEE PROPOSING TO COVER MORE THAN ONE

1 SCHOOL SHALL ALSO HIRE A PROGRAM DIRECTOR TO COORDINATE ACTIVITIES
2 ACROSS SCHOOL SITES. RESOURCE COORDINATORS AND PROGRAM DIRECTORS SHALL
3 WORK WITH SCHOOL LEADERSHIP AND THE SCHOOL LEADERSHIP TEAM TO DELIVER
4 PROGRAMS AND SERVICES; AND

5 (III) THE SUBMISSION TO THE DEPARTMENT OF A COMMUNITY SCHOOL ACTION
6 PLAN FOR EACH COVERED SCHOOL THAT INCLUDES THE FOLLOWING:

7 (A) THE COMPREHENSIVE NEEDS ASSESSMENT OF THE SCHOOL AND COMMUNITY AS
8 REPORTED BY THE SCHOOL LEADERSHIP TEAM;

9 (B) A PLAN TO IMPLEMENT A RESTORATIVE JUSTICE MODEL DESIGNED TO REDUCE
10 SUSPENSIONS. FOR PURPOSES OF THIS SECTION, "RESTORATIVE JUSTICE" SHALL
11 MEAN SCHOOL DISCIPLINE POLICIES THAT SHALL REDUCE SUSPENSIONS, ADDRESS
12 THE CAUSES OF STUDENT MISBEHAVIOR AND REPLACE PUNITIVE APPROACHES WITH
13 ALTERNATIVE METHODS THAT FOCUS ON CONFLICT RESOLUTION SKILLS, BUILDING
14 POSITIVE RELATIONSHIPS, USING RESTORATIVE PRACTICES, AND CREATING
15 COLLABORATION AMONG TEACHERS, PARENTS AND STUDENTS;

16 (C) A PLAN TO PROVIDE A MINIMUM OF FOUR OF THE FOLLOWING COMMUNITY
17 SCHOOL PROGRAMS:

18 (1) EARLY CHILDHOOD EDUCATION;

19 (2) ACADEMIC SUPPORT AND ENRICHMENT ACTIVITIES, INCLUDING EXPANDED
20 LEARNING TIME;

21 (3) SUMMER OR AFTER-SCHOOL ENRICHMENT AND LEARNING EXPERIENCES;

22 (4) PROGRAMS UNDER THE HEAD START ACT, INCLUDING EARLY HEAD START
23 PROGRAMS;

24 (5) TEACHER HOME VISITING AND/OR HOME VISITATION SERVICES BY OTHER
25 PROFESSIONALS;

26 (6) PROGRAMS THAT PROMOTE PARENTAL INVOLVEMENT AND FAMILY LITERACY,
27 INCLUDING THE READING FIRST AND EARLY READING FIRST PROGRAMS AUTHORIZED
28 UNDER PART B OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF
29 1965 (20 U.S.C. 6361 ET SEQ.);

30 (7) MENTORING AND OTHER YOUTH DEVELOPMENT PROGRAMS, INCLUDING PEER
31 MENTORING AND CONFLICT MEDIATION;

32 (8) PARENT LEADERSHIP DEVELOPMENT ACTIVITIES;

33 (9) PARENTING EDUCATION ACTIVITIES;

34 (10) CHILD CARE SERVICES;

35 (11) COMMUNITY SERVICE AND SERVICE-LEARNING OPPORTUNITIES;

36 (12) PROGRAMS THAT PROVIDE ASSISTANCE TO STUDENTS WHO HAVE BEEN
37 TRUANT, SUSPENDED, OR EXPELLED;

38 (13) JOB TRAINING, INTERNSHIP OPPORTUNITIES, AND CAREER COUNSELING
39 SERVICES;

40 (14) ADULT EDUCATION, INCLUDING INSTRUCTION IN ENGLISH AS A SECOND
41 LANGUAGE;

42 (15) JUVENILE CRIME PREVENTION AND REHABILITATION PROGRAMS;

43 (16) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES;

44 (17) HOMELESS PREVENTION SERVICES; OR

45 (18) OTHER PROGRAMMING DESIGNED TO MEET SCHOOL AND COMMUNITY NEEDS
46 IDENTIFIED THROUGH THE SCHOOL LEADERSHIP TEAM; AND

47 (D) A PLAN TO PROVIDE FOR SCHOOL-BASED HEALTH SERVICES INCLUDING
48 PRIMARY HEALTH CARE, DENTAL CARE, NUTRITION SERVICES AND MENTAL,
49 EMOTIONAL AND BEHAVIORAL HEALTH SERVICES AT THE COVERED SCHOOL OR
50 SCHOOLS.

51 C. GRANTEES THAT HAVE DEMONSTRATED READINESS TO BEGIN OPERATION OF A
52 SUSTAINABLE COMMUNITY SCHOOL PROGRAM SHALL BE AWARDED THE COMMUNITY
53 SCHOOLS OPERATIONAL GRANT FOR THE TWO THOUSAND EIGHTEEN--TWO THOUSAND
54 NINETEEN SCHOOL YEAR. THE COMMISSIONER IS HEREBY AUTHORIZED TO AWARD
55 OPERATIONAL GRANTS OF NOT MORE THAN FIVE HUNDRED THOUSAND DOLLARS PER

1 SCHOOL FOR EACH YEAR OF THE FIVE-YEAR GRANT PERIOD. OPERATIONAL GRANTS
2 SHALL SUPPLEMENT EXISTING SERVICES AND FUNDS.

3 D. THE COMMISSIONER SHALL CONTRACT WITH A NON-PROFIT ORGANIZATION WITH
4 A SUCCESSFUL TRACK RECORD OF SUPPORTING COMMUNITY SCHOOLS TO PROVIDE
5 TECHNICAL SUPPORT AND ASSISTANCE TO THE SCHOOL AND THE SCHOOL LEADERSHIP
6 TEAM IN ORDER TO ENSURE THE SUCCESSFUL DESIGN, PLANNING AND IMPLEMENTA-
7 TION OF THIS PROGRAM.

8 4. A. EVERY GRANTEE SHALL FILE AN ANNUAL REPORT WITH THE COMMISSIONER,
9 IN SUCH FORM AND WITH SUCH DATA AS THE COMMISSIONER PRESCRIBES DETAILING
10 THE EXPENDITURE OF GRANT FUNDS, TOGETHER WITH AN ANALYSIS OF THE
11 SCHOOL'S EFFORTS TO INTEGRATE COMMUNITY SCHOOL PROGRAMMING AT EACH
12 COVERED SCHOOL SITE, CHALLENGES ENCOUNTERED, THE IMPACT OF SUCH PROGRAM-
13 MING ON PARTICIPATING CHILDREN AND ADULTS AND RECOMMENDATIONS FOR
14 IMPROVEMENT. SUCH REPORT SHALL ALSO DOCUMENT THE NUMBER OF STUDENTS
15 RECEIVING SERVICES, RETENTION RATES, ACADEMIC ACHIEVEMENT, LOCAL FISCAL
16 SAVINGS AND INCREASED ACCESS TO SERVICES. THE DEPARTMENT SHALL EVALUATE
17 SUCH REPORTS AND AGGREGATE THE DATA PROVIDED.

18 B. THE DEPARTMENT SHALL REPORT ANNUALLY ON THE OPERATION AND EFFEC-
19 TIVENESS OF THE COMMUNITY SCHOOLS GRANT PROGRAM TO THE GOVERNOR, THE
20 TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY BEGIN-
21 NING ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION. SUCH REPORT
22 SHALL DETAIL THE IMPACT OF COMMUNITY SCHOOLS STATEWIDE AND INCLUDE ANAL-
23 YSIS OF THE EFFECTIVENESS OF IMPLEMENTING COMMUNITY SCHOOL ACTION PLANS,
24 IDENTIFY ANY FEDERAL, STATE, OR LOCAL LAW IMPEDING SUCH IMPLEMENTATION,
25 THE DEGREE TO WHICH THERE HAS BEEN AN INCREASE IN AVAILABLE SERVICES AND
26 AN ANALYSIS OF COST-SAVINGS IN AREAS INCLUDING BUT NOT LIMITED TO PUBLIC
27 HEALTH, SAFETY AND EDUCATION. DATA IN THE REPORT SHALL BE MADE AVAILABLE
28 TO THE PUBLIC IN MACHINE-READABLE FORMATS AND SUCH REPORT SHALL BE MADE
29 PUBLICLY AVAILABLE AT COVERED SCHOOL SITES AND ON THE DEPARTMENT'S
30 WEBSITE.

31 5. NO MODIFICATION OF ANY COLLECTIVE BARGAINING AGREEMENT SHALL BE
32 MADE, NOR SHALL ANY NEW TERMS AND CONDITIONS OF EMPLOYMENT BE ESTAB-
33 LISHED, EXCEPT THROUGH NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE
34 CIVIL SERVICE LAW.

35 § 3. The sum of two hundred fifty million dollars (\$250,000,000), or
36 so much thereof as may be necessary, is hereby appropriated to the
37 education department from any moneys in the state treasury in the gener-
38 al fund to the credit of the local assistance account not otherwise
39 appropriated, and made immediately available, for the purpose of carry-
40 ing out the provisions of this act for the 2017-2018 school year. Such
41 sum shall be payable on the audit and warrant of the state comptroller
42 on vouchers certified or approved by the commissioner of education, or
43 his or her duly designated representative, in the manner prescribed by
44 law.

45 § 4. This act shall take effect immediately.