S T A T E O F N E W Y O R K

1457

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. WRIGHT -- Multi-Sponsored by -- M. of A. J. RIVERA -- read once and referred to the Committee on Education

AN ACT to amend the education law and the civil service law, in relation to providing for police training high schools in certain city school districts and making provisions for their graduates' further education and recruitment

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

Section 1. The section heading of section 2555 of the education law, such section as renumbered by chapter 762 of the laws of 1950, is amended and a new subdivision 4 is added to read as follows:

Kindergartens, nursery [and], night schools AND POLICE TRAINING HIGH SCHOOLS.

4. A. EACH SCHOOL DISTRICT SUBJECT TO THE PROVISIONS OF THIS ARTICLE MAY ESTABLISH A POLICE TRAINING HIGH SCHOOL OR POLICE TRAINING PROGRAM IN AN EXISTING HIGH SCHOOL WITHIN ITS DISTRICT, EXCEPT THAT THE CITY OF NEW YORK MAY ESTABLISH SUCH A HIGH SCHOOL IN EACH OF ITS BOROUGHS. SUCH HIGH SCHOOLS OR PROGRAMS SHALL SERVE STUDENTS IN GRADES NINE THROUGH TWELVE AND SHALL PROVIDE, IN ADDITION TO THE STANDARD HIGH SCHOOL CURRICULUM OTHERWISE PRESCRIBED BY LAW, SPECIALIZED COURSES CONTAINING EDUCATION AND TRAINING TO PREPARE STUDENTS FOR ADMISSION TO POLICE ACADEMIES AND CAREERS AS POLICE OFFICERS.

B. GUIDELINES FOR THE CURRICULUM FOR SUCH POLICE EDUCATION AND TRAINING COURSES SHALL BE PRESCRIBED BY THE COMMISSIONER, IN CONSULTATION WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES AND THE MUNICIPAL POLICE TRAINING COUNCIL. EACH HIGH SCHOOL OR PROGRAM MAY FURTHER DEVELOP ITS OWN CURRICULUM IN CONSULTATION WITH A UNIT OF THE STATE UNIVERSITY OF NEW YORK OR THE CITY UNIVERSITY OF NEW YORK HAVING A CRIMINAL JUSTICE SCHOOL OR PROGRAM.

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

LBD00101-01-9

C. SUCH HIGH SCHOOLS OR PROGRAMS SHALL SERVE STUDENTS LIVING IN POLICE PRECINCTS HAVING HIGH JUVENILE DELINQUENCY RATES. SCHOOL AUTHORITIES SHALL RECRUIT STUDENTS FROM SUCH AREAS. EACH CLASS SHALL CONTAIN NO MORE THAN TWENTY STUDENTS, AND EACH HIGH SCHOOL OR PROGRAM SHALL CONTAIN NO MORE THAN TWENTY CLASSES.

D. THE POLICE TRAINING CURRICULUM SHALL INCLUDE A SUMMER SCHOOL COMPONENT. THIS COMPONENT SHALL BE OFFERED AT ONE OR MORE OF THE CAMPUSES OF THE CITY UNIVERSITY OF NEW YORK OR THE STATE UNIVERSITY OF NEW YORK HAVING PROGRAMS IN CRIMINAL JUSTICE. NECESSARY ARRANGEMENTS THEREFOR SHALL BE MADE BY THE COMMISSIONER IN CONSULTATION WITH THE CHANCELLORS OF SUCH UNIVERSITIES. THE COMMISSIONER MAY, IN HIS OR HER DISCRETION, ARRANGE FOR A SUMMER SCHOOL COMPONENT TO BE OFFERED AT A COMMUNITY COLLEGE.

S 2. The section heading of section 2514 of the education law, as added by chapter 762 of the laws of 1950, is amended and a new subdivision 4 is added to read as follows:

Kindergartens, nursery [and], night schools AND POLICE TRAINING HIGH SCHOOLS.

4. A. EACH SCHOOL DISTRICT SUBJECT TO THE PROVISIONS OF THIS ARTICLE, IN A CITY HAVING A POPULATION OF ONE HUNDRED THOUSAND OR MORE, MAY ESTABLISH A POLICE TRAINING HIGH SCHOOL OR POLICE TRAINING PROGRAMS IN AN EXISTING HIGH SCHOOL WITHIN ITS DISTRICT, EXCEPT THAT THE CITY OF NEW YORK MAY ESTABLISH SUCH A HIGH SCHOOL IN EACH OF ITS BOROUGHS. SUCH HIGH SCHOOLS OR PROGRAMS SHALL SERVE STUDENTS IN GRADES NINE THROUGH TWELVE AND SHALL PROVIDE, IN ADDITION TO THE STANDARD HIGH SCHOOL CURRICULUM OTHERWISE PRESCRIBED BY LAW, SPECIALIZED COURSES CONTAINING EDUCATION AND TRAINING TO PREPARE STUDENTS FOR ADMISSION TO POLICE ACADEMIES AND CAREERS AS POLICE OFFICERS.

B. GUIDELINES FOR THE CURRICULUM FOR SUCH POLICE EDUCATION AND TRAINING COURSES SHALL BE PRESCRIBED BY THE COMMISSIONER, IN CONSULTATION WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES AND THE MUNICIPAL POLICE TRAINING COUNCIL. EACH HIGH SCHOOL OR PROGRAM MAY FURTHER DEVELOP ITS OWN CURRICULUM IN CONSULTATION WITH A UNIT OF THE STATE UNIVERSITY OF NEW YORK OR THE CITY UNIVERSITY OF NEW YORK HAVING A CRIMINAL JUSTICE SCHOOL OR PROGRAM.

C. SUCH HIGH SCHOOLS OR PROGRAMS SHALL SERVE STUDENTS LIVING IN POLICE PRECINCTS HAVING HIGH JUVENILE DELINQUENCY RATES. SCHOOL AUTHORITIES SHALL RECRUIT STUDENTS FROM SUCH AREAS. EACH CLASS SHALL CONTAIN NO MORE THAN TWENTY STUDENTS, AND EACH HIGH SCHOOL OR PROGRAM SHALL CONTAIN NO MORE THAN TWENTY CLASSES.

D. THE POLICE TRAINING CURRICULUM SHALL INCLUDE A SUMMER SCHOOL COMPONENT. THIS COMPONENT SHALL BE OFFERED AT ONE OR MORE OF THE CAMPUSES OF THE CITY UNIVERSITY OF NEW YORK OR THE STATE UNIVERSITY OF NEW YORK HAVING PROGRAMS IN CRIMINAL JUSTICE. NECESSARY ARRANGEMENTS THEREFOR SHALL BE MADE BY THE COMMISSIONER IN CONSULTATION WITH THE CHANCELLORS OF SUCH UNIVERSITIES. THE COMMISSIONER MAY, IN HIS OR HER DISCRETION, ARRANGE FOR A SUMMER SCHOOL COMPONENT TO BE OFFERED AT A COMMUNITY COLLEGE.

S 3. The education law is amended by adding a new section 319 to read as follows:

S 319. POLICE OFFICER TRAINING CORPS (POTC). 1. THE COMMISSIONER, IN COOPERATION WITH THE CHANCELLORS OF THE CITY UNIVERSITY OF NEW YORK AND THE STATE UNIVERSITY OF NEW YORK SHALL ESTABLISH A POTC PROGRAM TO BE OFFERED AT EACH COLLEGE OF SUCH UNIVERSITIES OFFERING UNDERGRADUATE PROGRAMS IN CRIMINAL JUSTICE.

2. SUCH POTC PROGRAM SHALL BE BASED ON THE RESERVE OFFICER TRAINING CORPS (ROTC) OF THE ARMED FORCES OF THE UNITED STATES.

S 4. The education law is amended by adding a new section 355-d to read as follows:

S 355-D. SPECIAL POLICE OFFICER EDUCATION AND TRAINING POWERS AND DUTIES. 1. THE STATE UNIVERSITY SHALL COOPERATE WITH THE COMMISSIONER IN ESTABLISHING AND IMPLEMENTING THE POLICE TRAINING SUMMER SCHOOL COMPONENT PROVIDED FOR IN SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FOURTEEN OR SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FIFTY-FIVE OF THIS CHAPTER.

2. THE STATE UNIVERSITY SHALL COOPERATE WITH THE COMMISSIONER IN ESTABLISHING A POLICE OFFICER TRAINING CORPS (POTC) PROVIDED FOR IN SECTION THREE HUNDRED NINETEEN OF THIS TITLE.

3. IN THE CONSIDERATION OF APPLICATIONS FOR ADMISSION TO UNDERGRADUATE CRIMINAL JUSTICE PROGRAMS, AN APPLICANT'S GRADUATION FROM A POLICE TRAINING HIGH SCHOOL OR PROGRAM ESTABLISHED PURSUANT TO SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FOURTEEN OR SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FIFTY-FIVE OF THIS CHAPTER SHALL BE REGARDED AS A FACTOR WEIGHING IN FAVOR OF ADMISSION.

S 5. The education law is amended by adding a new section 6204-b to read as follows:

S 6204-B. SPECIAL POLICE OFFICER EDUCATION AND TRAINING POWERS AND DUTIES. 1. THE CITY UNIVERSITY SHALL COOPERATE WITH THE COMMISSIONER IN ESTABLISHING AND IMPLEMENTING THE POLICE TRAINING SUMMER SCHOOL COMPONENT PROVIDED FOR IN SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FOURTEEN OR SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FIFTY-FIVE OF THIS CHAPTER.

2. THE CITY UNIVERSITY SHALL COOPERATE WITH THE COMMISSIONER IN ESTABLISHING A POLICE OFFICER TRAINING CORPS (POTC) PROVIDED FOR IN SECTION THREE HUNDRED NINETEEN OF THIS CHAPTER.

3. IN THE CONSIDERATION OF APPLICATIONS FOR ADMISSION TO JOHN JAY COLLEGE OF CRIMINAL JUSTICE OR ANY OTHER UNDERGRADUATE CRIMINAL JUSTICE PROGRAMS, AN APPLICANT'S GRADUATION FROM A POLICE TRAINING HIGH SCHOOL ESTABLISHED PURSUANT TO SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FOURTEEN OR SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FIFTY-FIVE OF THIS CHAPTER SHALL BE REGARDED AS A FACTOR WEIGHING IN FAVOR OF ADMISSION.

S 6. Article 4 of the civil service law is amended by adding a new title C to read as follows:

TITLE C

SPECIAL PROVISIONS FOR POLICE RECRUITMENT

SECTION 66. SPECIAL PROVISIONS FOR POLICE RECRUITMENT.

S 66. SPECIAL PROVISIONS FOR POLICE RECRUITMENT. 1. (A) THE PROVISIONS OF THIS SECTION SHALL SUPERSEDE ANY INCONSISTENT PROVISIONS OF THIS ARTICLE AND SHALL APPLY TO THE RECRUITMENT OF PERSONS TO FILL ALL AVAILABLE POSITIONS AS POLICE OFFICERS, AS THE TERM "POLICE OFFICER" IS DEFINED BY SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, IN ANY CITY WITH A POPULATION OF ONE HUNDRED THOUSAND OR MORE WHICH HAS ADOPTED A LOCAL LAW WHICH GRANTS ADDITIONAL CREDITS IN COMPETITIVE EXAMINATIONS FOR ORIGINAL APPOINTMENT AS DESCRIBED IN SUBDIVISION TWO OF THIS SECTION.

(B) FOR THE PURPOSES OF THIS SECTION, THE TERM "GRADUATE" MEANS A PERSON GRADUATED FROM A POLICE TRAINING HIGH SCHOOL OR PROGRAM ESTABLISHED PURSUANT TO SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FOURTEEN OR SUBDIVISION FOUR OF SECTION TWENTY-FIVE HUNDRED FIFTY-FIVE OF THE EDUCATION LAW.

2. ADDITIONAL CREDITS IN COMPETITIVE EXAMINATIONS FOR ORIGINAL APPOINTMENT.

(A) IN ANY CITY WITH A POPULATION OF ONE HUNDRED THOUSAND OR MORE WHICH HAS ADOPTED A LOCAL LAW WHICH GRANTS ADDITIONAL CREDIT IN COMPETITIVE NOMINATIONS FOR ORIGINAL APPOINTMENT TO GRADUATES AS DEFINED IN PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION, ON ALL ELIGIBLE LISTS RESULTING FROM COMPETITIVE EXAMINATIONS, THE NAMES OF ELIGIBLES SHALL BE ENTERED IN THE ORDER OF THEIR RESPECTIVE FINAL EARNED RATINGS ON EXAMINATION, WITH THE NAME OF THE ELIGIBLE WITH THE HIGHEST FINAL EARNED RATING AT THE HEAD OF SUCH LIST, PROVIDED, HOWEVER, THAT FOR THE PURPOSE OF DETERMINING FINAL EARNED RATINGS, SUCH GRADUATES SHALL BE ENTITLED TO RECEIVE FIVE POINTS ADDITIONAL IN A COMPETITIVE EXAMINATION FOR ORIGINAL APPOINTMENT.

(B) SUCH ADDITIONAL CREDIT SHALL BE ADDED TO THE FINAL EARNED RATING OF SUCH GRADUATE AFTER HE OR SHE HAS QUALIFIED IN THE COMPETITIVE EXAMINATION AND SHALL BE GRANTED ONLY AT THE TIME OF ESTABLISHMENT OF THE RESULTING ELIGIBLE LIST.

3. APPLICATION FOR ADDITIONAL CREDIT; PROOF OF ELIGIBILITY; ESTABLISHMENT OF ELIGIBLE LIST. ANY CANDIDATE, BELIEVING HIMSELF OR HERSELF ENTITLED TO ADDITIONAL CREDIT IN A COMPETITIVE EXAMINATION AS PROVIDED HEREIN, MAY MAKE APPLICATION FOR SUCH ADDITIONAL CREDIT AT ANY TIME BETWEEN THE DATE OF HIS OR HER APPLICATION FOR EXAMINATION AND THE DATE OF THE ESTABLISHMENT OF THE RESULTING ELIGIBLE LIST. SUCH CANDIDATES SHALL BE ALLOWED A PERIOD OF NOT LESS THAN TWO MONTHS FROM THE DATE OF THE FILING OF HIS OR HER APPLICATION FOR EXAMINATION IN WHICH TO ESTABLISH BY APPROPRIATE DOCUMENTARY PROOF HIS OR HER ELIGIBILITY TO RECEIVE ADDITIONAL CREDIT UNDER THIS SECTION. AT ANY TIME AFTER TWO MONTHS HAVE ELAPSED SINCE THE FINAL DATE FOR FILING APPLICATIONS FOR A COMPETITIVE EXAMINATION FOR ORIGINAL APPOINTMENT, THE ELIGIBLE LIST RESULTING FROM SUCH EXAMINATION MAY BE ESTABLISHED, NOTWITHSTANDING THE FACT THAT A GRADUATE WHO HAS APPLIED FOR ADDITIONAL CREDIT HAS FAILED TO ESTABLISH HIS OR HER ELIGIBILITY TO RECEIVE SUCH ADDITIONAL CREDIT. A CANDIDATE WHO FAILS TO ESTABLISH, BY APPROPRIATE DOCUMENTARY PROOF, HIS OR HER ELIGIBILITY TO RECEIVE ADDITIONAL CREDIT BY THE TIME AN ELIGIBLE LIST IS ESTABLISHED SHALL NOT THEREAFTER BE GRANTED ADDITIONAL CREDIT ON SUCH ELIGIBLE LIST.

4. THE ADDITIONAL CREDIT GRANTED PURSUANT TO THIS SECTION SHALL BE IN ADDITION TO ANY OTHER ADDITIONAL CREDIT THAT MAY BE AUTHORIZED PURSUANT TO ANY GENERAL, SPECIAL OR LOCAL LAW.

5. IN ADDITION TO CONSIDERATION OF COMPETITIVE EXAMINATION RESULTS, IN THE RECRUITMENT OF POLICE OFFICERS, ADDITIONAL CONSIDERATION AND WEIGHT SHALL BE ACCORDED TO GRADUATES AS FOLLOWS:

(A) A GRADUATE'S STATUS AS AN APPLICANT WITH PERTINENT AND SPECIALIZED TRAINING SHALL BE CONSIDERED AS ADDITIONAL EVIDENCE OF FITNESS FOR APPOINTMENT;

(B) A GRADUATE'S SUCCESSFUL COMPLETION OF AN UNDERGRADUATE PROGRAM IN CRIMINAL JUSTICE SHALL BE CONSIDERED AS ADDITIONAL EVIDENCE OF FITNESS FOR APPOINTMENT; AND

(C) A GRADUATE'S EMPLOYMENT BY A POLICE DEPARTMENT OR AGENCY IN A CIVILIAN OR NON-SWORN CAPACITY SHALL BE CONSIDERED AS ADDITIONAL EVIDENCE OF FITNESS FOR APPOINTMENT.

S 7. This act shall take effect immediately.