

1871

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. WRIGHT, AUBRY, ESPAILLAT, GREENE, PERRY --
Multi-Sponsored by -- M. of A. DESTITO, DINOWITZ, GALEF, PHEFFER,
TOWNS -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to reporting of bias-re-
lated incidents on state university campuses

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

1 Section 1. Paragraph 1 of subdivision 2 of section 355 of the educa-
2 tion law, as amended by chapter 424 of the laws of 1998, is amended to
3 read as follows:
4 1. To appoint university police officers who shall have the powers of
5 police officers and to remove such police officers at pleasure;
6 provided, however, that any person appointed a police officer must have
7 satisfactorily completed or complete within one year of the date of his
8 appointment a course of law enforcement training approved by the municipi-
9 pal police training council in consultation with the university. It
10 shall be the duty of such police officers to preserve law and order on
11 the campuses and other property of the university, including any portion
12 of a public highway which crosses or abuts such property. IT SHALL BE
13 THE DUTY OF SUCH PEACE OFFICERS TO IMMEDIATELY NOTIFY COLLEGE AND
14 UNIVERSITY PERSONNEL THAT A BIAS-RELATED OFFENSE MAY HAVE BEEN COMMITTED
15 UPON ANY STUDENT OR ON ANY PERSON ON THE CAMPUS OR OTHER COLLEGE PROPER-
16 TY. Subject to the approval of the chancellor, the president of each
17 state-operated campus of the state university shall enter into a written
18 agreement with adjoining law enforcement agencies establishing protocols
19 for the exercise of authority by such university police officer off-cam-
20 pus, including mutual aid and assistance. Such written protocols shall
21 not be deemed to supersede the authority of other police officers. The
22 provisions of this paragraph shall not apply to any of the state insti-
23 tutions and property referred to in section five thousand seven hundred
24 nine of this chapter. FOR THE PURPOSES OF THIS SECTION, "BIAS-RELATED

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

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1 OFFENSE" SHALL MEAN ANY CRIMINAL ACT WHETHER ACTUAL, THREATENED OR
2 ATTEMPTED DIRECTED AT AN INDIVIDUAL BECAUSE OF HIS ACTUAL OR PERCEIVED
3 RACE, CREED, COLOR, RELIGION, RELIGIOUS PRACTICE, ETHNICITY, NATIONAL
4 ORIGIN, DISABILITY, AGE, GENDER OR SEXUAL ORIENTATION.

5 S 2. This act shall take effect immediately.