

STATE OF NEW YORK

10885

IN ASSEMBLY

May 25, 2018

Introduced by M. of A. HAWLEY, CASTORINA, CROUCH, FRIEND, GIGLIO,
MURRAY, NORRIS, RA, RAIA, TAGUE, THIELE -- read once and referred to
the Committee on Education

AN ACT to amend the education law and the retirement and social security
law, in relation to a school resource officer program

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 2801-c
2 to read as follows:

3 § 2801-c. New York state school resource officer program. 1. For
4 purposes of this section, the term "school resource officer" shall mean
5 a school resource officer, school safety officer, school security offi-
6 cer, or any other substantially similar position or office, that is
7 designed to provide improved public safety and/or security on school
8 grounds. Such school resource officer may be a retired police officer, a
9 retired state trooper, a retired deputy sheriff, a state trooper, a
10 police officer in the active duty service of a town, city or village, or
11 a deputy sheriff from a county sheriff's department.

12 2. Any public or nonpublic school may employ, in either the classified
13 or unclassified service, any school resource officer for the purpose of
14 providing improved public safety and/or security on school grounds. Any
15 such public or nonpublic school may also contract with the state of New
16 York, or a county, city, town or village, for the provision of a state
17 trooper, police officer or deputy sheriff, to serve as a school resource
18 officer, for the purpose of providing improved public safety and/or
19 security on school grounds. A school district shall be authorized to
20 employ or contract for as many school resource officers as such district
21 deems necessary.

22 3. It shall be the primary role of the school resource officer to
23 provide improved public safety and/or security on school grounds. In
24 addition to this primary role, school resource officers also may serve
25 additional roles, including but not limited to:

26 (a) Proposing and enforcing policies and administrative procedures
27 related to school safety;

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

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1 (b) Utilizing technology with the implementation of a comprehensive
2 safety program;

3 (c) Serving as a liaison with other school officials and other commu-
4 nity agencies, including but not limited to, other law enforcement enti-
5 tities, courts, health care entities, and mental health entities;

6 (d) Proposing and implementing strategies concerning prevention,
7 response and recovery efforts for incidents and/or emergency situations
8 occurring on school grounds and/or involving students, faculty, adminis-
9 tration or visitors to the school;

10 (e) Proposing and assisting in the execution of school emergency
11 drills and proposing and assisting in the creation of school safety
12 plans;

13 (f) Providing educational and mentoring services to students;

14 (g) Assisting in the design, explanation and enforcement of school
15 safety and security policies and procedures; and

16 (h) Performing such other and further roles, responsibilities and
17 activities as the school district may deem appropriate and proper for a
18 law enforcement officer to perform, in order to advance the security,
19 safety and well-being of students, faculty, administration and visitors
20 to the school district's schools, transportation vehicles and school
21 grounds.

22 4. Such school resource officer may carry and possess firearms during
23 the course of their duties at such school district, but nothing in this
24 subdivision shall be deemed to authorize such school resource officer to
25 carry, possess, repair or dispose of a firearm unless the appropriate
26 license therefor has been issued pursuant to section 400.00 of the penal
27 law.

28 § 2. Section 3641 of the education law is amended by adding a new
29 subdivision 17 to read as follows:

30 17. School resource officer grants. a. In the two thousand eighteen--
31 two thousand nineteen school year and thereafter, within the amount
32 appropriated for services and expenses related to the expense of school
33 resource officers, the commissioner shall provide grants pursuant to
34 this subdivision to: (1) public school districts other than a city
35 school district in a city with a population of one million or more
36 inhabitants, (2) charter schools, and (3) non-public schools.

37 b. Grants under this subdivision shall be equal to the greater of
38 fifty thousand dollars or the product of (1) twenty thousand dollars,
39 and (2) the greater of (A) the total number of instructional school
40 buildings owned, leased or in use for instructional purposes by such
41 public school district, charter school, or non-public school, or (B) the
42 quotient of the enrollment of such public school district pursuant to
43 paragraph n of subdivision one of section thirty-six hundred two of this
44 article divided by two hundred and fifty, and (3) the aid ratio pursuant
45 to subdivision seven of section thirty-six hundred two of this article,
46 provided that for a charter school or non-public school, the aid ratio
47 shall be the aid ratio for the public school district where the charter
48 school or the non-public school is located.

49 c. The commissioner shall be authorized to adopt regulations to imple-
50 ment the provisions of this subdivision.

51 d. In the event the appropriation for purposes of this subdivision in
52 any year is insufficient to pay all claims received pursuant to this
53 subdivision, the commissioner shall pay such claims on a prorated basis
54 among all districts filing such claims until the appropriation is
55 exhausted.

1 § 3. Paragraph (b) of subdivision 2 of section 211 of the retirement
2 and social security law is amended by adding a new subparagraph 3-a to
3 read as follows:

4 (3-a) that his or her employment title and respective duties will be
5 restricted to school resource officer as such term is defined in section
6 twenty-eight hundred one-c of the education law;

7 § 4. This act shall take effect immediately.