

A new Part 6019 is added to 9 NYCRR to read as follows:

PART 6019

PRE-EMPLOYMENT CORRECTIONS TRAINING

Section

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6019.1. Definitions.

When used in this Part:

(a) The term *commissioner* shall mean the Commissioner of the Division of Criminal Justice Services or his or her designee.

(b) The term *council* shall mean the Municipal Police Training Council.

(c) The term *pre-employment corrections basic training course* shall mean the course of training prescribed in section 6019.3 of this Part that the commissioner has approved, in writing, as meeting or exceeding the prescribed minimum standards.

(d) The term *pre-employment corrections training school* shall mean an entity which provides a pre-employment corrections basic training course within the State of New York which meets or exceeds the minimum qualifications as set forth in section 6019.3 of this Part, or other approved pre-employment corrections training, and has been approved as a pre-employment corrections training school by the commissioner in accordance with section 6019.4 of this Part.

(e) The term *director* shall mean the director of an approved pre-employment corrections training school, or his or her designee.

(f) The term *municipality* shall mean any county, city, town, park commission, village, or police district in the State, or training academy sponsored by one or more police departments' and/or sheriffs' offices.

(g) The term *college* shall have the same meaning as set forth in Part 50 of Title 8 NYCRR.

(h) The term *university* shall have the same meaning as set forth in Part 50 of Title 8 NYCRR.

(i) The term *junior college or two-year college* shall have the same meaning as set forth in Part 50 of Title 8 NYCRR.

6019.2. Statement of purpose.

(a) The purpose of this Part is to set forth minimum standards for a pre-employment corrections basic training course, including, but not limited to, subject matter and time allotments,

requirements for administration of the course-by-course directors, and rules governing attendance and completion of such course.

(b) The pre-employment corrections basic training course is an alternative method of corrections officer basic training set forth in Part 6018 of this Title and is designed to be completed by civilians. An individual who successfully completes a pre-employment corrections basic training course must complete additional training after appointment as a sworn corrections officer in order to fulfill requirements set forth in section 2.30 of the Criminal Procedure Law. Provided, however, nothing in this Part shall preclude a sworn corrections officer from attending a pre-employment corrections basic training course.

(c) Use of a pre-employment corrections basic training course is not required and the determination to utilize this alternative method of training shall be within the discretion of each employer. An employer may require an individual who has been appointed as a sworn corrections officer, and who previously successfully completed a pre-employment basic course, to complete the basic course for corrections officers as set forth in Part 6018 of this Title.

6019.3. Minimum standards for approval of a pre-employment corrections basic training course.

(a) A pre-employment corrections basic training course must be approved by the commissioner pursuant to this Part prior to being conducted, and shall be conducted only at an approved pre-employment corrections training school.

(b) A pre-employment corrections basic training course shall follow the basic course for correction officers curriculum as set forth in Part 6018 of this Title, with the exception of the units determined by the council that shall not be presented to civilians. If a civilian completes

one or more of the excepted categories, credit for such completion shall not be awarded toward the basic course for correction officers set forth in Part 6018 of this Title.

(c) Specific time allotment for the categories and respective titles and topics shall meet or exceed those established by the council and published by the commissioner for the basic course for correction officers as set forth in Part 6018 of this Title.

(d) Only instructors certified in accordance with the provisions of Parts 6023 and/or 6024 of this Title may provide instruction in a pre-employment corrections basic training course.

(e) Only individuals who are citizens of the United States or lawfully residing within the United States, who possess a high school diploma or general education diploma, and who have not been convicted of a felony or convicted of an offense in another jurisdiction that would constitute a felony in the State of New York may attend a pre-employment corrections basic training course.

6019.4. Requirements for approval of a pre-employment corrections training school.

(a) A pre-employment corrections training school must be approved by the commissioner pursuant to this Part prior to conducting a pre-employment corrections basic training course. An entity shall not be designated as an approved pre-employment corrections training school by the commissioner unless it satisfies all requirements prescribed by the commissioner which shall include, but not be limited to, the certification of the instructors pursuant to Parts 6023 and/or 6024 of this Title, and any other requirements deemed necessary by the commissioner.

(b) Entities eligible to operate a pre-employment corrections training school shall include an accredited college, two-year college, or university that:

(1) has an active criminal justice program, public safety program, or other similar or equivalent program;

(2) is registered and approved by the Department of Education; and

(3) has an agreement with a municipality to present a pre-employment corrections basic training course.

(c) Each pre-employment corrections training school applying for approval shall appoint a director whose name, address, type of instructor certification (if any), and telephone number shall be filed with the commissioner upon his or her appointment.

(d) The school director shall file a copy of the school qualifications with the commissioner at least 45 days prior to commencement of a pre-employment corrections basic training course. The qualifications shall be in a form and manner prescribed by the commissioner. The commissioner may require any additional information deemed necessary for the purposes of approving a pre-employment corrections training school.

(e) The commissioner shall provide a written approval of a pre-employment corrections training school when, in the commissioner's judgment, the information provided warrants approval.

(f) The school shall give written notification to the commissioner as soon as possible if a school director ceases to be employed by the pre-employment corrections training school and shall, within 30 days of the director's termination of employment, appoint a new school director. The school shall provide written notification to the commissioner of the name of the newly appointed school director as soon as possible.

(g) If any information filed with the commissioner for the application required pursuant to this Part is changed or modified, the school shall notify the commissioner in writing of such change within 15 days of the change.

6019.5. Revocation or suspension of approval of a pre-employment corrections training school.

The commissioner may suspend or revoke the approval granted to a pre-employment corrections training school for cause at any time. Reasons for such suspension or revocation may include, but not be limited to, violation of the program requirements as set forth in this Part.

6019.6. Term and renewal of pre-employment corrections training school approval.

The pre-employment corrections training school approval shall be valid for a period of two years from the date of approval, provided that the council has not made any changes to the minimum qualifications as set forth in this Part. Such approval may be renewed by a pre-employment corrections training school upon filing a copy of the current school qualifications and approval by the commissioner in accordance with this Part.

6019.7. Requirements for conducting a pre-employment corrections basic training course.

(a) The director shall ensure that a pre-employment corrections basic training course is conducted in accordance with this Part and all applicable standards, policies and procedures.

(b) Within 10 days of the commencement of a pre-employment corrections basic training program, the course director shall forward a course roster to the commissioner, on a form

prescribed by the commissioner, listing the names, and other information contained in the form and required by the council, for all attendees.

(c) The director shall make written notification to the commissioner of any departures from the approved curriculum and shall be responsible for assuring that such changes do not materially change course content.

(d) The college, two-year college, or university shall be responsible for maintaining accurate records for each pre-employment corrections basic training course. Such records shall include, but are not limited to, lesson plans for each topic inclusive of objectives, attendance and performance records, a copy of the curriculum approved for use, and a record of any changes in the curriculum after such approval. The college, two-year college, or university must retain these records as required by the appropriate schedule for records retention and disposition promulgated by the Commissioner of Education or 30 years, whichever is longer. Such records must be available for inspection by the commissioner.

6019.8. Requirements for completion of a pre-employment corrections basic training course.

(a) All pre-employment corrections basic training course requirements must be completed as a single and cohesive unit.

(b) Attendance is required at all sessions of the pre-employment corrections basic training course except for valid reasons. The director is authorized to decide the validity of excuses and excuse absences of not more than 10 percent of the total hours of instruction as provided for in the curriculum of the course. An absentee from any scheduled class session will make up such absence as required by the director.

(c) Each individual enrolled in a pre-employment corrections basic training course shall keep a notebook. The notebook shall contain an outline of major points and pertinent information for each topic presented. The director will evaluate notebooks based upon criteria such as, content, organization, regularity of entries, accuracy and legibility.

(d) The taking and passing of written examination(s) with at least a grade of C (70 percent) is required of each individual before a pre-employment corrections basic training course for corrections officers is successfully completed. The director will assemble examination material, give and supervise examination(s), and grade the examination(s). The college, two-year college, or university shall retain the examination papers as required by the appropriate schedule for records retention and disposition promulgated by the Commissioner of Education. Such records must be available for inspection by the commissioner.

(e) Within 10 days after conclusion of a basic course, the director shall forward the course roster to the commissioner denoting the performance of respective trainees.

(f) The college, two-year college, or university shall record the completion of a pre-employment corrections basic training course on the official transcript issued by the college, two-year college, or university to each individual that successfully passes the written examination(s) required pursuant to subdivision (d) of this section. The date of completion of the pre-employment corrections basic training course or the program it was a component of shall appear on the transcript.

(g) A transcript record of completion of a pre-employment corrections basic training course shall attest only to completion of a portion of the total curriculum required in Part 6018 of this Title,

and does not fulfill the training requirements for corrections officers set forth in section 2.30 of the Criminal Procedure Law.

(h) The training completed pursuant to this Part shall remain valid for two years from the date of completion recorded on the transcript. An individual who has completed the pre-employment corrections basic training course has two years from the date of completion recorded on the transcript to obtain employment as a sworn corrections officer and, thereafter, complete the remaining training requirements prescribed by the council in accordance with the requirements of Part 6018 of this Title for purposes of compliance with the provisions of section 2.30 of the Criminal Procedure Law.

(j) After 2 years from the date of completion recorded on the transcript, the training will no longer be valid for purposes of compliance with the provisions of section 2.30 of the Criminal Procedure Law.

6019.9. Limitations regarding pre-employment corrections basic training courses.

(a) Completion of a pre-employment corrections basic training course not approved by the commissioner pursuant to the provisions of this Part and pre-employment corrections training completed before the effective date of this regulation shall not be deemed to be successful completion of a pre-employment corrections basic training course and shall not be recognized by the council or the commissioner for purposes of compliance with the provisions of section 2.30 of the Criminal Procedure Law.

(b) Completion of a pre-employment corrections basic training course does not entitle or guarantee employment as a corrections officer, nor affect, in any way, the applicability of the

Civil Service Law or other provisions of law regarding the hiring and retention of corrections officers.