

Pre-Employment Police Basic Training

July 2015

Administrator's Guide



**Division of Criminal
Justice Services**

New York State Division of Criminal Justice Services
80 South Swan Street, Albany, New York 12110

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Foreword

The Pre-employment Police Basic Training Administrator's Guide was developed by the staff of the New York State Division of Criminal Justice Services, Office of Public Safety. This guide is intended to explain the administration of the course.

This guide will define regulations that govern Municipal Police Training Council approval for this course, including the requirements for conducting and reporting training, as well as the responsibilities of the various parties involved.

Preface

It is the goal of the Division of Criminal Justice Services, Office of Public Safety to assist course directors in the administration of law enforcement training in a manner consistent with New York law, regulation and policy.

This guide is designed to provide the information necessary for each course to be administered in a manner that will provide a level of training required to adequately perform public safety functions.

ACKNOWLEDGMENTS

Acknowledging the efforts of people involved in the development of this guide.

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Table of Contents

Introduction	1
The Division of Criminal Justice Services.....	1
School Director Selection	2
Instructor Selection	3
Training Facilities	3
Obtaining School Approval	4
Renewal of School Approval.....	4
The First Phase: Pre-employment Police Basic Training Course	5
Course Planning	5
Student Entrance Requirements	7
Attendance	8
Examinations.....	8
Course Documentation	8
Official Transcript	9
Validity of Pre-Employment Police Basic Training	9
The Second Phase: Basic Course for Police Officers Equivalency	10
Course Planning	10
Student Entrance Requirements	10
Attendance	11
Examinations.....	12
Course Documentation	12
Certificates of Completion for Police Basic Training	12
Questions	13
Appendix A.....	14

Introduction

Pre-employment Police Training is an alternative to the conventional manner of conducting the Basic Course for Police Officers. Training consists of two phases: the first phase, the Pre-employment Police Basic Training Course, may be attended by civilian students as well as sworn police officers and includes the vast majority of the instructional material in the Basic Course for Police Officers. The second phase of training, the Police Officer Equivalency (Phase 2) is presented only to sworn police officers pursuant to and contains the remainder of police training units which civilian students are prohibited by state law from attending.

This alternative method of basic training is an option. The decision to conduct this training or use it for police officer training is a local matter.

The concept of pre-employment police training has been conducted throughout the United States for decades. This experience has resulted in the creation of many outstanding programs.

Development of the New York program commenced at the direction of the Municipal Police Training Council (MPTC) and was created by the Division of Criminal Justice Services (DCJS) in consultation with a panel of subject matter experts.

The rules and regulations for Pre-employment Police Basic Training Course are codified in Title 9 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*, Part 6026 (9 NYCRR 6026). The regulation was promulgated by Governor George Pataki and became effective September 10, 2003.

The Division of Criminal Justice Services

The Municipal Police Training Council (MPTC), created under Executive Law §839, determines minimally acceptable training and employment standards for law enforcement officers in New York State. The MPTC recommends rules and regulations for promulgation by the Governor. Once implemented, these rules and regulations carry the force of law.

The DCJS Office of Public Safety provides program oversight and technical assistance to schools and their directors on all matters related to pre-employment police basic training, including

- Final approval of curriculum and school applications,
- Approval and certification of instructors,
- Maintenance of a school contact list and publication of that list on the DCJS web site, and
- The performance of announced and unannounced site visits to schools for compliance verification.

It is the goal of DCJS to assist practitioners in providing quality training programs. School directors and college administrators are encouraged to review this guide and ask questions. DCJS will make every effort to help practitioners understand and deliver a quality product that meets, or exceeds, the standards established by the MPTC.

A pre-employment police basic training school must be created by a municipality (this includes police departments, sheriff's offices, jointly sponsored academies, or training centers) that has experience presenting the Basic Course for Police Officers in conjunction with an accredited college, junior college, or two-year college having an active criminal justice, public safety program, or other similar or equivalent program registered and approved by the Department of Education. A municipality may apply with only one college and a college may only apply with one municipality. DCJS staff will review the school application and issue the final approval. Approval is valid for a two (2) year period. All approvals are at the discretion of DCJS.

The collaboration between an institution of higher learning and law enforcement in the presentation of this training is vital to the success of the program. The college and the municipality have equal authority in the decision making processes required to administer this training program. Agreements regarding local program administration, curriculum, and instructor selection must be reached prior to submission of the school application to DCJS. The experience of colleges providing educational services to a diverse population, coupled with the practical experience of the established cadre of police instructors, will provide students in this program the high level of training the public deserves.

School Director Selection

Each school must appoint a school director. The school director serves as the administrator of the course and is responsible for a variety of important tasks that will be explained in this guide. It is preferable for the school director to be a certified MPTC instructor

and possess a high level of administrative skill and the ability to work with a diverse student population. **All contact with the school is conducted through the director.**

The school director is expected to be an administrator who is available to students, instructors, and DCJS staff during school operational hours. Students and instructors should direct all questions or inquiries through the school director. Accordingly, the director must have the level of authority equal to this responsibility.

Instructor Selection

The Pre-Employment Police Basic Training Course standard established by the MPTC requires the program be presented by instructors who are certified pursuant to Title 9 of the *Official Compilation of Codes, Rules, and Regulations of the State of New York*, Parts 6023 and 6024. Each unit of the Basic Course for Police Officers curriculum describes the additional instructor experience or training required. Instructors in this program must be of the highest quality.

Certified instructor(s) must possess a current general topics instructor certificate issued by the MPTC. Instructor certificates are valid for five years. School directors must maintain a file copy of each instructor's certificate(s).

Approved instructor(s) must possess an instructor approval letter issued by DCJS that details the specific topic(s) the instructor is permitted to teach. School directors must maintain a file copy of each letter.

It is the responsibility of the school director to select the appropriate instructors to present this course. Both the college and the municipality may provide input on the selection of instructors.

Training Facilities

Classrooms, like those used in any other training venue are sufficient for this program. The classrooms should meet the standards established by the Commissioner of Education for instructional resources set forth in section 52.2 of Title 8 of the *Official Compilation of Codes, Rules and Regulations of the State of New York* (8 NYCRR 52.2)

Driver training must be conducted at an area that will support the driving skills detailed in the Basic Course for Police Officers.

Physical fitness training facilities must meet the standards established by the Commissioner of Education for instructional resources set forth in 8 NYCRR 52.2.

Obtaining School Approval

Pursuant to 9 NYCRR 6026, a School Application form, curriculum and school policies must be filed with DCJS at least 45 days prior to the start of the first session of the course. This requirement provides the opportunity for the DCJS staff to review the curriculum and the instructors presenting each topic. During this review, the curriculum is compared to the minimum standard established by the MPTC to ensure compliance with the mandated topics and hours.

For the purposes of curriculum, DCJS defines an hour of instruction as 50 minutes. Topic names used on the Curriculum Content Form must correspond with the topic names established in the standard. If a school includes multiple units of the curriculum as part of a credit bearing course(s), that must be detailed to permit DCJS staff to conduct the evaluation.

Topics and hours established by MPTC may not be omitted or decreased. Any change in instructor, the topic, curriculum, or [required] school policy must be reported to DCJS, in writing, within ten days of the change.

Every instructor who may teach a topic must be listed on the Curriculum Content Form. DCJS staff verifies each instructor listed is currently certified or approved by the MPTC as well as possesses the required experience. If problems are discovered during this review, DCJS staff will contact the school director to advise what changes are necessary to obtain approval of the course.

Upon approval of a curriculum, DCJS training staff will issue a letter to the school director indicating approval has been granted and the dates for such approval. Approvals are valid for a two year period, at which time the school may apply for renewal.

Renewal of School Approval

The Director is responsible for renewal of the school approval. Schools must submit a School Application form with the required documentation at least 45 days prior to the expiration date of the current approval period. Upon approval, DCJS training staff will issue a letter to the school director indicating renewal has been granted and the dates for such approval. Renewals are valid for a two year period.

In cases where DCJS receives an application less than 45 days prior to the expiration date of the current approval period or fails to renew school approval, the director is at risk of conducting a program that may not meet the MPTC standard and may render any training provided invalid.

The First Phase: Pre-employment Police Basic Training Course

Course Planning

The Pre-Employment Police Basic Training Course (pre-employment) is the first of the two phase program that leads to a police officer obtaining a certificate of completion for a course equivalent to the Basic Course for Police Officers. The use of a two phase program was necessary to remain in compliance with provisions of the Penal Law of the State of New York that restrict possession of weapons, specifically, handguns and impact weapons, and to provide for exclusion units not appropriate for civilians.

This first phase of Pre-employment may be presented to both civilians and sworn police officers. Schools may offer the course to full-time or part-time students as a standalone program, a credit bearing course, or as a component of a degree program. Administrative decisions on issues including: student conduct, grooming, and attire, rest with the school director.

Pre-Employment is comprised of select units of the Basic Course for Police Officers curriculum. This is the only component of basic training that can be presented to civilian students. The remaining units contained in the second phase may only be presented to sworn police officers and may not be presented to civilian student. Currently, prohibited units of instruction consist of:

- Counter-Terrorism Awareness (for Recruit Police Officers),
- Firearms Training, and
- Supervised Field Training Review and Orientation.

The Interpersonal Skills/Arrest Techniques Unit will be presented with the exception of the use of actual impact devices. Schools may use soft training batons during this unit.

All police training schools are required, by regulation, to "meet or exceed" the minimum standards established by the MPTC. The MPTC encourages schools to exceed the minimum standards by adding hours and objectives for existing units as well as adding new topics to

create the best graduates possible. Every session of the Basic Course for Police Officers conducted in New York State since 1999 has exceeded the minimum standard. Schools have the flexibility to add scenario based training to provide their students with the ability to practice newly learned skills and be evaluated in a realistic environment.

The rules and regulations for the administration of the Basic Course for Police Officers must be followed when presenting the Pre-Employment Police Basic Training Course, with the exception of the prohibitions related to non-sworn students. This includes teaching the minimum standard instructional objectives and use of approved curriculum outlines of each unit.

Schools must establish written policies and procedures for the administration of this training. Policy areas must, at minimum, include: attendance, remediation, and retesting.

Pursuant to 9 NYCRR 6026, training must be conducted as a single and cohesive unit. In practical terms, this means that a student must complete the first phase of training, the Pre-Employment Police Basic Training Course, during one session, at one school. ***Under no circumstances may a student split the training among multiple schools.***

Every student enrolled in a pre-employment course, regardless of employment status, must satisfactorily complete each unit of the Pre-employment Police Basic Training Course as defined in 9 NYCRR 6026. This includes sworn police officers who enroll for the purposes of obtaining mandated police basic training as well as the civilian students who receive appointment to police officer positions while in attendance at a pre-employment course.

It is the school director’s responsibility to ensure each instructor is provided with a complete copy of the unit they are assigned to teach.

Colleges, municipalities, local governing bodies, or school directors do not have the authority to disregard or waive any policy, procedure, rule, or regulation established by either the MPTC or by DCJS. Violations may result in revocation of school approval and render any training provided invalid.

The DCJS Office of Public Safety is available to provide any technical assistance required by the school director. Students and instructors should direct all questions or inquiries through the school director.

Student Entrance Requirements

Civilians or sworn police officers may attend the first phase of training – the Pre-Employment Police Basic Training Course. Students must:

- Be citizens of the United States of America or lawfully residing within the United States of America.
- Not have been convicted of a felony.
- Possess either a high school diploma or a General Education Diploma (GED).

There are no minimum or maximum age requirements for students. However, it should be noted that pursuant to section 58 of the Civil Service Law, a candidate seeking permanent appointment to a police officer title must be twenty years of age as of the date of appointment, and not more than thirty-five years of age as of the date when the applicant takes the written examination. Time spent on military duty or on terminal leave, not exceeding a total of six years, shall be subtracted from the age of any applicant who has passed his or her thirty-fifth birthday.

Although, a background investigation on students is not required, citizenship and possession of a high school diploma (or GED) must be verified by the school.

The determination to conduct student background investigations is solely at the discretion of the school. If a background investigation is conducted, schools will need to establish a policy in the method the inquiry that will be conducted. If a school decides to conduct a criminal history search on the student, a local law will need to be enacted to provide the authority for submission of applicant fingerprint cards by the school to DCJS for processing.

It is recommended that students are medically evaluated to determine if they are physically able to safely participate in fitness training and testing.

Students must be provided with clear written warning about the actual value of the Pre-employment Police Basic Training Course, including the fact that completion of the program is not a guarantee of employment as a police officer. A model student warning notice is included with this guide. Schools may use the DCJS form or develop a form that includes each of the points in the DCJS form.

Every student enrolled in a pre-employment school, regardless of employment status, must complete each unit of the Pre-employment Police Basic Training Course as defined in 9

NYCRR 6026. This includes police officers who enroll for the purposes of obtaining mandated police basic training as well as civilian students who are appointed to police officer positions while attending a pre-employment course.

Attendance

Students shall attend all sessions of a course. The school director is responsible for maintaining an accurate record of attendance, and may excuse an officer for valid reasons. The school director shall determine the validity of the excuse and may excuse absences of no more than ten percent of the required hours. It is within the school director’s purview to require students make up the missed lessons as appropriate.

Within 10 days after commencement of a Pre-employment Police Basic Training Course, the director shall forward the 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 MPTC for all enrollees.

Within 10 days after conclusion of a pre-employment course, the director shall forward the course roster, entitled “Pre-employment Police Basic Training Course (Phase 1)” to the commissioner denoting the performance of respective trainees.

Examinations

The passing of a written examination, or series thereof, is required for the first phase of the program. Students must achieve a minimum passing score of 70% on the examination, or series of examinations, in order to complete the course. If a series of examinations is administered, the average score must be 70%. If a series of examinations for mandated topics and agency specific topics are employed, the portion of the course prescribed by the MPTC shall constitute no less than 50% of the final grade.

Course Documentation

The school director is responsible for the maintenance of the records related to each session of Pre-Employment Police Basic Training Course. This includes, but is not limited to, student warning notices, attendance records, curriculum, instructors, written examinations, and practical examination records. Records retention is governed by Article 57-A of the Arts and

Cultural Affairs Law and the regulations of the Commissioner of Education. Records are subject to inspection by DCJS staff.

The course director has ten days in which to submit a Class Roster/Notification of Completion to DCJS. This form must be typed and contain all required information, including the MPTC approved course title "Pre-employment Police Basic Training Course (Phase 1)," the academy name, the location, dates, student information (name, social security number, sex, date of birth) and whether or not each student (both sworn and civilian) satisfactorily completed (S) or unsatisfactorily (U) completed the course. A Class Roster/Notification of Completion is not valid unless it bears the course directors original signature.

Official Transcript

Upon satisfactory completion of every unit of the Pre-Employment Police Basic Training Course, an entry shall be made on the student's official transcript indicating satisfactory completion of the first phase of the program. The transcript must list both the course name (Pre-Employment Police Basic Training) and the date of satisfactory completion of the program. The transcript record must be standardized across the state to provide the director of the second phase of training a clear indication the student satisfactorily completed the first phase of the program (Pre-Employment Police Basic Training Course).

Validity of Pre-Employment Police Basic Training

A Pre-Employment Police Basic Training Course will be valid for a period of two (2) years from the date of completion of any program that includes the training (for example - the graduation date with an Associate Degree or the completion date of a stand-alone program). The date listed on the official transcript issued by the college will be the determining date.

In instances where a graduate has not obtained employment within two (2) years, there is no need to "refresh" or repeat the Pre-employment Police Basic Training Course.

Pursuant to 9 NYCRR 6026.8(h), should a graduate obtain employment as a sworn police more than two (2) years, but less than ten (10) years, from the date of completion recorded on the transcript, the individual is eligible to attend a Police Officer Refresher Course as determined by the Commissioner to refresh the original pre-employment training and complete the remaining training requirements not included in the first phase of training.

If more than ten years has lapsed since graduation, the student will be required to repeat the entire program or attend an entire [conventional] Basic Course for Police Officers upon appointment as a police officer. This is consistent with the statutory provisions established for police officers who have left police employment (ref. General Municipal Law §209-q).

The Second Phase: Basic Course for Police Officers Equivalency

Course Planning

After appointment, in order to receive certification of police basic training as required by section 209-q of the General Municipal Law, a police officer who completed the Pre-Employment Police Basic Training Course must complete the second phase of the program. Currently, regulation requires police officers attend a Basic Course for Police Officers within one year of appointment. In the case of newly sworn police officers who have completed the Pre-Employment Police Basic Training Course, they must attend the second phase of training using the Pre-Employment Police Basic Training Course as a pre-requisite. This course is often referred to as "Phase 2."

The second phase of the program is not restricted solely to an approved pre-employment school (college/municipal partnership). The second phase may be conducted by any police training academy or employer with the necessary facilities and instructors for conducting police basic training. The Second phase is governed by Title 9 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*, Part 6020 (9 NYCRR 6020).

Student Entrance Requirements

Only sworn police officers may attend the second phase of training. The school director has two responsibilities with respect student admission. First, the director must ensure the officer has been duly appointed as a police officer. ***If a student does not appear on the Central State Registry of Police Officers and Peace Officers maintained by DCJS, the director shall exclude them from the second phase of training.*** Second, the school director must verify all students possess a valid transcript from an MPTC approved a Pre-employment Police Basic Training Course prior to admittance. An official transcript indicating satisfactory completion of the first phase must be filed with the director. The official transcript must be in a sealed envelope sent to the director from the issuing college. A photocopy of the official transcript must be sent to DCJS with the initial Class Roster/Notification of Completion form and other required

documentation filed pursuant to 9 NYCRR 6020.5(a). The director’s signature on the DCJS Class Roster/Notification of Completion form certifies verification was made.

During this second phase of training, police officers must be presented the three remaining units of the Basic Course for Police Officers, including, but not limited to:

- Counter-Terrorism for Recruit Police Officers;
- Firearms Training; and
- Supervised Field Training Review and Orientation.

In addition, each police officer must be presented Impact Device Training and Testing for at least eight hours.

The school director must file a Curriculum Content Form for the second phase with DCJS pursuant to the provisions of 9 NYCRR 6020. All rules for conducting police basic training apply. The only difference between this method and the conventional method of filing the course is that this curriculum need only include the required data for the remaining four units. Directors must add the following declaration to the Curriculum Content Form: “Students in this course have satisfactorily completed the Pre-Employment Police Basic Training Course.”

There may be instances where a student is provided the second phase of training during an ongoing [conventional] Basic Course for Police Officers. This practice is an acceptable means of conducting the second phase of training. To do this, a separate Curriculum Content Form and Class Roster/Notification of Completion form, for the “Police Equivalency Course (Phase 2),” must be filed with DCJS.

Additional topics or advanced in-service training such as the Radar Lidar Operator Course may be added to this phase of training. Each in-service course requires a separate Curriculum Content Form and must be conducted pursuant to 9 NYCRR 6022.

Attendance

Police officers shall attend all sessions of a course. The school director is responsible for maintaining an accurate record of attendance, and may excuse an officer for valid reasons. The school director shall determine the validity of the excuse and may excuse absences of no more than ten percent of the required hours. It is within the school director’s purview to require police officers make up the missed lessons as appropriate.

Examinations

The passing of a written examination, or series thereof, is required for the second phase of the program. Students must achieve a minimum passing score of 70% on the examination, or series of examinations, in order to complete the course. If a series of examinations is administered, the average score must be 70%. If a series of examinations for mandated topics and agency specific topics are employed, the portion of the course prescribed by the MPTC shall constitute no less than 50% of the final grade.

Course Documentation

The school director is responsible for the maintenance of the records related to second phase of the program. This includes, but is not limited to, attendance records, curriculum, instructors, written examinations, and practical examination records. Records retention is governed by Article 57-A of the Arts and Cultural Affairs Law and the regulations of the Commissioner of Education. Records are subject to inspection by DCJS staff.

Once the second phase of training has been completed, the course director has ten days in which to submit a Class Roster/Notification of Completion to DCJS. This form must be typed and contain all required information, including the MPTC approved course title “Police Equivalency Course (Phase 2),” the academy name, the location, dates, student information (name, social security number, sex, date of birth, employer, rank, status (full-time/part-time) and whether or not each student satisfactorily completed (S) or unsatisfactorily (U) completed the second phase. A Class Roster/Notification of Completion is not valid unless it bears the course directors original signature.

Certificates of Completion for Police Basic Training

Police officers who satisfactorily complete the second phase of training will receive a certificate indication completion of “a course equivalent to the Basic Course for Police Officers,” thus satisfying the minimum basic training requirements as established in section 209-q of the General Municipal Law.

Peace officers who satisfactorily complete the second phase of training will receive a certificate indication completion of “a course equivalent to the Basic Course for Peace Officers,” and where appropriate a certificate indicating satisfactory completion of the “Initial Firearms

Course,” thus satisfying the minimum basic training requirements as established in section 2.30 of the Criminal Procedure Law.

Questions

If, after reviewing this guide, course directors or instructors have any questions or concerns, please contact DCJS prior to commencing any training.

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Appendix A

THIS FORM IS USED TO ENSURE STUDENTS ATTENDING A PRE-EMPLOYMENT POLICE BASIC TRAINING PROGRAM HAVE BEEN ADVISED OF THE PROGRAM REQUIREMENTS AND RULES AND REGULATIONS GOVERNING TRAINING AND APPOINTMENT AS A POLICE OFFICER. FORMS PRESENTED FOR FILING MUST CONTAIN ORIGINAL SIGNATURES. ALTHOUGH THE BLANK FORM MAY BE DUPLICATED, PHOTOCOPIES OF COMPLETED FORMS, OR FORMS WITH PHOTOCOPIED SIGNATURES WILL NOT BE ACCEPTED.

Students in the Pre-Employment Police Basic Training Course must be advised of several conditions of this training program that will affect them during and after attending the program. Schools are required to advise the student of these conditions by the policy established for this program by Division of Criminal Justice Services.

1. Completion of this program is **not a guarantee of employment** as a police officer.
2. To complete this pre-employment training program, a student must participate in physical fitness training and satisfactorily complete a physical fitness examination.
3. To complete this pre-employment training program, a student must comply with mandated New York State regulations that include: strict attendance requirements; maintaining a notebook; and passing written examination/s.
4. This is a two-phase program. The first phase is conducted pre-employment and the second phase is conducted after appointment as a police officer. Each individual phase of this training program must be completed as a single and cohesive unit. This means that students must complete the phase of the program at one institution. The following phase may be conducted at a separate institution.
5. Before being appointed as a police officer, a person must complete New York State Civil Service requirements and appointing agency hiring standards (including minimum and maximum age and residency requirements) by taking a written examination and scoring high enough on the eligibility list to be considered for appointment.
6. Before being appointed as a police officer, a person must take and satisfactorily complete a physical fitness examination.
7. Before being appointed as a police officer, a person must submit to a medical examination, which may include drug screening.
8. Before being appointed as a police officer, a person may be required to submit to a psychological examination.
9. Before being appointed as a police officer, a person with criminal conviction or with a felony conviction may be disqualified from employment.
10. Before being appointed as a police officer, a person may be required to submit to a background investigation.
11. Upon appointment as a police officer, a person will be required to satisfactorily complete additional training. Failure to complete this training will result in denial of certification by the New York State Municipal Police Training Council. This certification is required by § 209-q of the General Municipal Law for police officers to remain in their positions.
12. Pre-employment training will be valid for two years after completion of this program. If a person is not appointed before two years has elapsed, they will be required to attend a Police Refresher Course. After ten years from the date of completion records on the transcript, the training will no longer be valid (this is consistent with the provision of §209-q of the General Municipal Law pertaining to police officers).

Applicant Attestation: <i>This affidavit must be signed and sworn to by the applicant before a Notary Public. I hereby attest that the information in this application is true to the best of my knowledge and belief. I understand that any omission or inaccuracy may be deemed sufficient reason to deny certification. I understand the Division of Criminal Justice Services may ask for additional information or documentation.</i>	
Student Signature	Date
School Director Signature	Date