

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

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I N S E N A T E

February 10, 2009

Introduced by Sens. GOLDEN, LARKIN, MORAHAN, SKELOS -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the education law, in relation to child abuse in an educational setting

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

1 Section 1. The opening paragraph of section 1128 of the education law,
2 as added by chapter 180 of the laws of 2000, is amended to read as
3 follows:

4 Upon receipt of a written report described in paragraph (a) of subdi-
5 vision one of section eleven hundred twenty-six of this article alleging
6 that a child has been abused in an educational setting, a school admin-
7 istrator or superintendent shall [where there is a reasonable suspicion
8 to believe that an act of child abuse has occurred]:

9 S 2. Subdivision 2 of section 1131 of the education law, as added by
10 chapter 180 of the laws of 2000, is amended to read as follows:

11 2. Upon receiving notice of a conviction from a district attorney
12 pursuant to subdivision one of this section, the commissioner shall,
13 without delay, proceed to determine whether the individual possesses
14 good moral character, in accordance with the regulations of the commis-
15 sioner governing such a determination, EXCEPT THAT UPON NOTICE OF
16 CONVICTION OF CHILD SEXUAL ABUSE AS DEFINED IN SUBDIVISION NINE OF
17 SECTION ELEVEN HUNDRED TWENTY-FIVE OF THIS ARTICLE, THE COMMISSIONER
18 SHALL REVOKE THE CERTIFICATION OF SUCH SCHOOL EMPLOYEE.

19 S 3. Section 1132 of the education law is amended by adding a new
20 subdivision 1-a to read as follows:

21 1-A. THE COMMISSIONER SHALL DEVELOP A TRAINING MANUAL ADDRESSING CHILD
22 ABUSE IN AN EDUCATIONAL SETTING TO BE PROVIDED TO EACH SCHOOL DISTRICT
23 AND PRIVATE SCHOOL IN THE STATE WITH THE REQUIREMENT THAT IN-SERVICE
24 TRAINING BE PROVIDED TO ALL LICENSED AND CERTIFIED SCHOOL EMPLOYEES ON
25 AN ANNUAL BASIS.

26 S 4. This act shall take effect immediately.

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

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