STATE OF NEW YORK

10402

IN SENATE

May 15, 2026

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crimes of grooming of a child in the first and second degree and predatory sexual misconduct toward a child enrolled in school in the first and second degree; to amend the education law, in relation to updating the code of professional employee conduct for schools to include training on predatory misconduct and grooming; to amend the social services law, in relation to updating training for persons required to report cases of suspected child abuse or maltreatment; and to amend the correction law, in relation to classifying the crimes of grooming of a child in the first degree and predatory sexual misconduct towards a child in the first degree as a sex offense for purposes of the sex offender registry

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

Section 1. Short title. This act shall be known and may be cited as the "New York state child anti-grooming act".

§ 2. The penal law is amended by adding four new sections 260.36, 260.37, 260.38 and 260.39 to read as follows:

§ 260.36 Predatory misconduct toward a child enrolled in school in the second degree.

1. A person is guilty of predatory misconduct toward a child enrolled in school in the second degree when such person is an employee or volunteer of a school district, charter school, or nonpublic school with direct contact with a child and commits any act in an educational setting or school that is directed toward or with such child and that is intended to establish or advance, or that a reasonable person would understand as being intended to establish or advance, a romantic or sexual relationship with such child, including, but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity. Such an act includes, but is not limited to, any of the following: a sexual or romantic invitation to a child; dating or soliciting a date with a child; engaging in sexualized or romantic dialogue

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

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with a child; making sexually suggestive comments that are directed toward or with a child; self-disclosure or physical exposure of a sexual, romantic, or erotic nature to a child; or a sexual, indecent, romantic, or erotic contact with a child.

2. Nothing in this section shall be construed to prohibit an employee or volunteer who is a teacher, school nurse, school guidance counselor, school psychologist, school social worker, school administrator, or other school personnel required to hold a teaching or administrative license or certificate whose professional duties include instruction, counseling or other educational, health or mental health services from, in the normal course of their duties and in accordance with applicable professional standards and state learning standards, engaging in conduct or discussions that are reasonably necessary to support and facilitate student learning and development, including but not limited to, age-appropriate instruction on human development, health, sexuality, consent, and healthy respectful relationships, or to provide valid medical or mental health care services to a child.

3. It is an affirmative defense that at the time of the offense (a) the defendant and child are both enrolled in the same educational setting or school and that such child is at least seventeen years of age and such defendant is less than five years older than such child; (b) the defendant is enrolled in another educational setting or school and the child is at least seventeen years of age and such defendant is less than five years older than such child; or (c) the defendant and the child are married as such term is defined by section 130.00 of this chapter.

4. For the purposes of this section, the terms "child", "employee", "volunteer", "educational setting" and "school" shall have the same meaning as such terms are defined by section eleven hundred twenty-five of the education law.

Predatory misconduct toward a child enrolled in school in the second degree is a class A misdemeanor.

§ 260.37 Predatory misconduct toward a child enrolled in school in the first degree.

1. A person is guilty of predatory misconduct toward a child enrolled in school in the first degree when:

(a) Such person is an employee or volunteer of a school district, charter school, or nonpublic school who commits any act in an educational setting or school that is directed toward or with a child and that is intended to establish or advance, or that a reasonable person would understand as being intended to establish or advance, a romantic or sexual relationship with such child, including, but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity. Such an act includes, but is not limited to, any of the following: a sexual or romantic invitation to a child; dating or soliciting a date with a child; engaging in sexualized or romantic dialogue with a child; making sexually suggestive comments that are directed toward or with a child; self-disclosure or physical exposure of a sexual, romantic, or erotic nature to a child; or a sexual, indecent, romantic, or erotic contact with a child; and

(b) Such person has previously been convicted of a crime defined in article one hundred thirty of this chapter or section 260.36, 260.38 or 260.39 of this article.

2. Nothing in this section shall be construed to prohibit an employee or volunteer who is a teacher, school nurse, school guidance counselor, school psychologist, school social worker, school administrator, or

other school personnel required to hold a teaching or administrative license or certificate whose professional duties include instruction, counseling or other educational, health or mental health services from, in the normal course of their duties and in accordance with applicable professional standards and state learning standards, engaging in conduct or discussions that are reasonably necessary to support and facilitate student learning and development, including but not limited to, age-appropriate instruction on human development, health, sexuality, consent, and healthy respectful relationships, or to provide valid medical or mental health care services to a child.

3. It is an affirmative defense that at the time of the offense (a) the defendant and child are both enrolled in the same educational setting or school and such child is at least seventeen years of age and such defendant is less than five years older than such child; (b) the defendant is enrolled in another educational setting or school and the child is at least seventeen years of age and such defendant is less than five years older than such child; or (c) the defendant and the child are married as such term is defined by section 130.00 of this chapter.

4. For the purposes of this section, the terms "child", "employee", "volunteer", "educational setting" and "school" shall have the same meaning as such terms are defined by section eleven hundred twenty-five of the education law.

Predatory misconduct toward a child enrolled in school in the first degree is a class E felony and requires registration as a sex offender pursuant to article six-C of the correction law.

§ 260.38 Grooming of a child in the second degree.

A person is guilty of grooming of a child in the second degree when such person knowingly uses a computer online service, internet service, local bulletin board service or any other device capable of electronic data storage or transmission, performs an act in person or by conduct through a third party, or uses written or graphic imagery communication to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by such person to be a child or child's guardian, to commit any sex offense as defined by section one hundred sixty-eight-a of the correction law, to distribute photographs depicting the sex organs of such child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by such person to be a child.

Grooming of a child in the second degree is a class A misdemeanor.

§ 260.39 Grooming of a child in the first degree.

A person is guilty of grooming of a child in the first degree when:

1. Such person knowingly uses a computer online service, internet service, local bulletin board service, or any other device capable of electronic data storage or transmission, performs an act in person or by conduct through a third party, or uses written or graphic imagery communication to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by such person to be a child or child's guardian, to commit any sex offense as defined by section one hundred sixty-eight-a of the correction law, to distribute photographs depicting the sex organs of such child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by such person to be a child; and

2. Such person has previously been convicted of a crime defined in article one hundred thirty of this chapter or section 260.36, 260.37 or 260.39 of this article.

Grooming of a child in the first degree is a class E felony and requires registration as a sex offender pursuant to article six-C of the correction law.

§ 3. Paragraphs (j) and (k) of subdivision 3 of section 130.05 of the penal law, paragraph (j) as added by section 1 of part JJ of chapter 55 of the laws of 2018 and paragraph (k) as added by chapter 503 of the laws of 2024, are amended and a new paragraph (l) is added to read as follows:

(j) detained or otherwise in the custody of a police officer, peace officer, or other law enforcement official and the actor is a police officer, peace officer or other law enforcement official who either: (i) is detaining or maintaining custody of such person; or (ii) knows, or reasonably should know, that at the time of the offense, such person was detained or in custody[~~.~~]**; or**

(k) under the supervision of a local probation department, pursuant to section two hundred seventy-two of the correction law, or another local department or agency which fulfills a similar function and the actor is an employee who knows or reasonably should know that such person is committed to the supervision of a local probation department. For purposes of this paragraph, "employee" means an employee of such local probation department or agency who, as part of [~~his or her~~] **such person's** employment, supervises the victim at the time of the offense or has supervised the victim and the victim is still under supervision of a local probation department or agency at the time of the offense[~~.~~]**; or**

(l) a child in an educational setting or school and the actor is eighteen years of age or older and an employee or volunteer at such educational setting or school where such child is enrolled. For the purposes of this paragraph, the terms "child", "employee", "volunteer", "educational setting" and "school" shall have the same meaning as such terms are defined by section eleven hundred twenty-five of the education law.

§ 4. Section 130.10 of the penal law is amended by adding a new subdivision 5 to read as follows:

5. In any prosecution under paragraph (l) of subdivision three of section 130.05 of this article, it shall be an affirmative defense that at the time of the offense (a) the actor and child are both enrolled in the same educational setting or school and that such child is at least seventeen years of age and such actor is less than five years older than such child; (b) the actor is enrolled in another educational setting or school and the child is at least seventeen years of age and such actor is less than five years older than such child; or (c) the actor and the child are married as such term is defined by section 130.00 of this article. For the purposes of this subdivision, the terms "child", "educational setting" and "school" shall have the same meaning as such terms are defined by section eleven hundred twenty-five of the education law.

§ 5. Subdivision 1 of section 1125 of the education law, as amended by chapter 551 of the laws of 2023, is amended and a new subdivision 11 is added to read as follows:

1. "Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child: (a) intentionally or recklessly inflicting physical injury, serious physical injury or death, or (b) intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death, or (c) any child sexual abuse as defined in this section, or (d) the commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to

article two hundred thirty-five of the penal law, or (e) using corporal punishment as defined by the commissioner **or, (f) the commission or attempted commission of the crime of grooming as defined in sections 260.38 and 260.39 of the penal law, or (g) the commission or attempted commission of the crime of predatory misconduct toward a child enrolled in school pursuant to sections 260.36 and 260.37 of the penal law**.

11. "Predatory misconduct" shall mean any act, including, but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee or volunteer of the school district, charter school, or non-public school who commits any act in an educational or school setting that is directed toward or with a child and is intended to establish or advance what a reasonable person would understand as being intended to establish or advance a romantic or sexual relationship with the child. Such an act includes, but is not limited to, any of the following: a sexual or romantic invitation; dating or soliciting a date; engaging in sexualized or romantic dialogue; making sexually suggestive comments that are directed toward or with a child; self-disclosure of a sexual, romantic, or erotic nature; or physical exposure of a sexual, romantic, or erotic nature; or a sexual, indecent, romantic, or erotic contact with the child. Nothing in this subdivision shall be construed to prohibit an employee or volunteer who is a teacher, school nurse, school guidance counselor, school psychologist, school social worker, school administrator, or other school personnel required to hold a teaching or administrative license or certificate whose professional duties include instruction, counseling or other educational, health or mental health services from, in the normal course of their duties and in accordance with applicable professional standards and state learning standards, engaging in conduct or discussions that are reasonably necessary to support and facilitate student learning and development, including age-appropriate instruction on human development, health, sexuality, consent, and healthy respectful relationships, or to provide valid medical or mental health care services to the child.

§ 6. The education law is amended by adding two new sections 2801-c and 2801-d to read as follows:

§ 2801-c. Code of professional employee conduct. 1. a. The board of education or the trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational extension board, charter school, shall adopt and amend, as appropriate, an employee code of professional conduct for employees, as defined in subdivision three of section eleven hundred twenty-five of this chapter, that addresses all of the following:

(i) Incorporates the definition of "predatory misconduct" as defined in section eleven hundred twenty-five of this chapter.

(ii) Identifies the expectations for employees of the school district, charter school, or non-public school regarding how to maintain a professional relationship with students, including the expectations for staff-student boundaries, recognizing the age and developmental level of the students served, and establishes guidelines for all of the following situations:

(A) transporting a student;

(B) taking or possessing a photo or a video of a student; and

(C) meeting with a student or contacting a student outside of the employee's professional role.

(iii) References the employee reporting requirements required pursuant to article six of the social services law, including but not limited to

sections four hundred thirteen through four hundred twenty of the social services law, the abused and neglected child reporting act and under title IX of the federal education amendments of 1972.

(iv) References required employee training that is related to child abuse and educator ethics that are applicable under state and federal law.

b. The board of education or the trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational extension board, charter school, shall develop training on the provisions of this subdivision and provide such training to employees.

c. The employee code of professional conduct policy shall be posted on the website, if any, of each school district, charter school, or non-public school and must be included in any staff, student, or parent handbook provided by the school district, or charter school.

d. A violation of the employee code of professional conduct policy may subject an employee to disciplinary action up to and including dismissal from employment. Failure to report a violation of the employee code of professional conduct policy may subject an employee to disciplinary action up to and including dismissal from employment.

2. Such board of education or the trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational extension board, charter school may adopt a similar code of conduct for volunteers, as defined in subdivision four of section eleven hundred twenty-five of this chapter; provided, however, if such board of education or the trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational extension board, charter school has a code of conduct or similar policy that is applicable to volunteers, such codes of conduct or policies shall be amended to include the provisions of subparagraph (i) and (ii) of paragraph a of subdivision one of this section.

§ 2801-d. Code of professional employee conduct; non-public and private schools. 1. a. For the purposes of this section, "employee" shall mean any employee of a non-public or private elementary or secondary school which elects to adopt or amend an employee code of professional conduct pursuant to this section, or employee of a contracted service provider or worker placed within such school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such school, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

b. For the purposes of this section, "volunteer" shall mean any person, other than an employee, who has direct student contact and provides services to a non-public or private elementary or secondary school which elects to adopt or amend an employee code of professional conduct pursuant to this section.

2. a. Any non-public or private elementary or secondary school is authorized to adopt and amend, as appropriate, an employee code of professional conduct for employees, as defined in subdivision three of section eleven hundred twenty-five of this chapter, that addresses all of the following:

(i) Incorporates the definition of "predatory misconduct" as defined in section eleven hundred twenty-five of this chapter.

(ii) Identifies the expectations for employees of the school district, charter school, or non-public school regarding how to maintain a professional relationship with students, including the expectations for staff-student boundaries, recognizing the age and developmental level of the students served, and establishes guidelines for all of the following situations:

(A) transporting a student;

(B) taking or possessing a photo or a video of a student; and

(C) meeting with a student or contacting a student outside of the employee's professional role.

(iii) References the employee reporting requirements required pursuant to article six of the social services law, including but not limited to sections four hundred thirteen through four hundred twenty of the social services law, the abused and neglected child reporting act and under title IX of the federal education amendments of 1972.

(iv) References required employee training that is related to child abuse and educator ethics that are applicable under state and federal law.

(b) Non-public and private schools are authorized to develop and provide training on the provisions of this subdivision to employees.

(c) The employee code of professional conduct policy shall be posted on the website, if any, of each such school.

(d) A violation of the employee code of professional conduct policy may subject an employee to disciplinary action up to and including dismissal from employment. Failure to report a violation of the employee code of professional conduct policy may subject an employee to disciplinary action up to and including dismissal from employment.

3. Any non-public or private elementary or secondary school may adopt a similar code of conduct for volunteers, as defined in this section. If such school elects to adopt or amend an employee professional code of conduct that is applicable to employees pursuant to subdivision one of this section, and such school elects to adopt or amend a code of conduct for volunteers, such code of conduct shall include the provisions of subparagraphs (i) and (ii) of paragraph a of subdivision two of this section.

§ 7. Section 413 of the social services law is amended by adding a new subdivision 7 to read as follows:

7. The office of children and family services shall update training issued to persons and officials required to report cases of suspected child abuse or maltreatment to include guidance on identifying an abused or maltreated child who is being subject to grooming as defined in sections 260.38 and 260.39 of the penal law. Such guidance shall be developed in consultation with the state education department. People and officials required to report cases of suspected child abuse or maltreatment shall have two years from the effective date of this subdivision to receive such updated mandated reporter training.

§ 8. Paragraph (b) of subdivision 2 of section 412 of the social services law, as amended by section 2-a of part D of chapter 501 of the laws of 2012, is amended and a new paragraph (c) is added to read as follows:

(b) who has had serious physical injury inflicted upon [~~him or her~~] such child by other than accidental means; or

(c) against whom an offense defined in section 260.36, 260.37, 260.38, or 260.39 of the penal law has been committed, provided that this shall

not be construed to limit or supersede the authority of law enforcement to investigate criminal offenses. Allegations involving conduct defined in section 260.36, 260.37, 260.38 or 260.39 of the penal law shall be referred to appropriate law enforcement authorities, and any child protective investigation shall not delay or interfere with a criminal investigation.

§ 9. Subdivision 2 of section 168-a of the correction law is amended by adding a new paragraph (f) to read as follows:

(f) a conviction of or a conviction for an attempt to commit any of the provisions of section 260.37 or 260.39 of the penal law.

§ 10. The education law is amended by adding and new section 1135 to read as follows:

§ 1135. Employment history and child sexual abuse. 1. (a) When responding to a request for or providing or requesting employment records of employees, prospective employees, or applicants, or volunteer service records for volunteers, prospective volunteers, or applicants, the board of education or the trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational extension board, and charter school, shall request, provide or respond, as applicable, to such with the following information:

i. the dates of employment or volunteer service of the employee, volunteer, or prospective employee, prospective volunteer, or applicant;

ii. a notation or statement of any and each incidence when the employee, volunteer, or prospective employee, or prospective volunteer:

(A) has been the subject of an allegation of child sexual abuse, as defined by paragraph (c) or paragraph (f) of subdivision one of section eleven hundred twenty-five of this article or subdivision nine of section eleven hundred twenty-five of this article and such allegation has been reported in accordance with section eleven hundred twenty-six or eleven hundred twenty-eight of this article; whether there was an investigation; whether the investigation was completed, closed or pending; and whether the investigation resulted in a finding that the allegation was founded, substantiated, indicated, false, unfounded or unsubstantiated; or

(B) was discharged from, was asked to resign from, resigned from, or was otherwise separated from any employment or volunteer service, was disciplined by the employer, or had an employment contract not renewed due to an adjudication or finding of child abuse or while an allegation of child abuse was pending or under investigation, unless the investigation resulted in a finding that the allegation was false, unfounded, or unsubstantiated; or

(C) has ever had a license or certificate suspended, surrendered, or revoked due to an adjudication or finding of child sexual abuse or while an allegation of child sexual abuse as defined by paragraph (c) or paragraph (f) of subdivision one of section eleven hundred twenty-five of this article or subdivision nine of section eleven hundred twenty-five of this article, was pending or under investigation, unless the investigation resulted in a finding that the allegation was false, unfounded, or unsubstantiated.

(b) The board of education or the trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational extension board, and charter school, shall maintain in the employment records of employees or for volunteers such similar records

that contain the information as is required to comply with the provisions of paragraph (a) of this subdivision.

(c) Penalties for willful failure of an employee, school administrator or superintendent to comply with the provisions of this subdivision shall be the same as the penalty for failure to comply pursuant to section eleven hundred twenty-nine of this article including, for a school administrator or superintendent, a civil penalty not to exceed five thousand dollars upon an administrative determination by the commissioner.

2. (a) When responding to a request for or providing or requesting employment records of employees, prospective employees, or applicants, or volunteer service records for volunteers, prospective volunteers, or applicants, any non-public or private elementary or secondary school is authorized to request, provide or respond to such with the following information:

i. the dates of employment or volunteer service of the employee, volunteer, applicant, prospective employee, or prospective volunteer;

ii. a notation or statement of any and each incidence when the employee, volunteer, applicant, prospective employee, or prospective volunteer;

(A) has been the subject of an allegation of child sexual abuse, as defined by paragraph (c) or paragraph (f) of subdivision one of section eleven hundred twenty-five of this article or subdivision nine of section eleven hundred twenty-five of this article and such allegation has been reported in accordance with section eleven hundred twenty-six or eleven hundred twenty-eight of this article; whether there was an investigation; whether the investigation was completed, closed or pending; and whether the investigation resulted in a finding that the allegation was founded, substantiated, indicated, false, unfounded or unsubstantiated; or

(B) was discharged from, was asked to resign from, resigned from, or was otherwise separated from any employment or volunteer service, was disciplined by the employer, or had an employment contract not renewed due to an adjudication or finding of child abuse or while an allegation of child abuse was pending or under investigation, unless the investigation resulted in a finding that the allegation was false, unfounded, or unsubstantiated; or

(C) has ever had a license or certificate suspended, surrendered, or revoked due to an adjudication or finding of child sexual abuse or while an allegation of child sexual abuse as defined by paragraph (c) or paragraph (f) of subdivision one of section eleven hundred twenty-five of this article or subdivision nine of section eleven hundred twenty-five of this article, was pending or under investigation, unless the investigation resulted in a finding that the allegation was false, unfounded, or unsubstantiated.

(b) Any non-public or private elementary or secondary school is authorized to maintain in the employment records of employees, or for volunteers such similar records, that contain the information as is required to comply with the provisions of paragraph (a) of this subdivision.

(c) When any non-public or private elementary or secondary school elects to maintain records pursuant to paragraph (b) of this subdivision, penalties for willful failure of an employee or school administrator to comply with the provisions of this subdivision shall be the same as the penalty for failure to comply pursuant to section eleven hundred twenty-nine of this article including, for a school administrator or

equivalent school leader, a civil penalty not to exceed five thousand dollars upon an administrative determination by the commissioner.

§ 11. Subdivisions 2 and 3 of section 1132 of the education law, subdivision 2 as amended by chapter 363 of the laws of 2018 and subdivision 3 as amended by chapter 164 of the laws of 2019, are amended to read as follows:

2. The commissioner shall promulgate rules and regulations for training necessary for the implementation of this article provided all employees specifically described in section eleven hundred twenty-six of this article shall be required to complete training pursuant to such rules and regulations. Such training shall include, at a minimum, information regarding the physical and behavioral indicators of child abuse and maltreatment and the statutory reporting requirements set out in sections four hundred thirteen, four hundred fourteen, four hundred fifteen, four hundred sixteen, four hundred seventeen, four hundred eighteen, four hundred nineteen [~~and~~]**,** four hundred twenty of the social services law, **and section eleven hundred thirty-five of this article,** including but not limited to, when and how a report must be made, what other actions the reporter is mandated or authorized to take, the legal protections afforded reporters, and the consequences for failing to report.

3. All persons employed on or after July first, two thousand nineteen by a school, other than a school district or public school, in titles equivalent to a teacher or administrator as defined in the regulations of the commissioner, and any school bus driver employed by a school or any person or entity that contracts with a school to provide transportation services to children shall be required to complete two hours of coursework or training regarding the identification and reporting of child abuse and maltreatment. The coursework or training shall be obtained from an institution or provider that has been approved by the department to provide such coursework or training. The coursework or training shall include information regarding the physical and behavioral indicators of child abuse and maltreatment and the statutory reporting requirements set out in sections four hundred thirteen through four hundred twenty of the social services law, **and section eleven hundred thirty-five of this article,** including but not limited to, when and how a report must be made, what other actions the reporter is mandated or authorized to take, the legal protections afforded reporters, and the consequences for failing to report. Each employee in such titles shall provide the school administrator of the school with documentation showing that [~~he or she~~] **such school bus driver** completed the required training. In addition, each school bus driver shall provide such school or contracting person or entity with documentation showing that [~~he or she~~] **such school bus driver** completed the required training. The department shall be authorized to request such records on a periodic basis and may publish a list of any persons or schools who are not in compliance with this subdivision on its website.

§ 12. Subdivision 1 of section 3036 of the education law, as added by chapter 205 of the laws of 2014, is amended to read as follows:

1. Notwithstanding any other provision of law, the commissioner shall prescribe regulations requiring that all persons currently holding a temporary coaching license or a professional coaching certificate and persons applying for such license or certificate shall, in addition to all the other licensure or certification requirements, have completed two hours of coursework or training regarding the identification and reporting of child abuse and maltreatment. The coursework or training

shall be obtained from an institution or provider which has been approved by the department to provide such coursework or training. The coursework or training shall include information regarding the physical and behavioral indicators of child abuse and maltreatment and the statutory reporting requirements set out in sections four hundred thirteen through four hundred twenty of the social services law, **and section eleven hundred thirty-five of this chapter,** including but not limited to, when and how a report must be made, what other actions the reporter is mandated or authorized to take, the legal protections afforded reporters, and the consequences for failing to report. Each applicant shall provide the department with documentation showing that [~~he or she~~] **such reporter** has completed the required training.

§ 13. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 14. This act shall take effect on the ninetieth day after it shall have become a law.