

SENATE BILL No. 128

By Committee on Education

2-3

AN ACT concerning schools; relating to communications between pupils and school counselors or psychologists.

Be it enacted by the Legislature of the State of Kansas:

Section 1. Except as provided by this section and K.S.A. 38-1522, and amendments thereto, a person employed as a counselor or school psychologist by a school district shall not disclose to any other person, or be examined concerning any information or communication given to the counselor or school psychologist in the counselor's or school psychologist's official capacity by a pupil unless:

(1) This privilege is waived in writing by the pupil;

(2) the information or communication was made to the counselor or school psychologist for the express purpose of being communicated or of being made public; or

(3) the counselor or school psychologist has reason to suspect, as a result of that information or communication, that the pupil or some other persons have been subjected to child abuse or that the pupil's physical or mental health or the physical or mental health of other persons may be in jeopardy.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.