

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Education(SC-Ed)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR_RCP_pt01a
- 05hrAC-EdR_RCP_pt01b
- 05hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

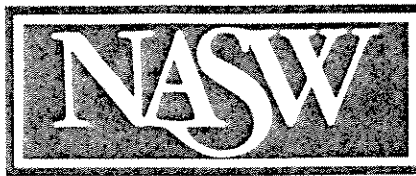
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➤ Miscellaneous ... Misc

➤ 97hr_SC-Ed_Misc_pt31

➤ Record of Comm. Proceedings ... RCP

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The Wisconsin Chapter of the National Association of Social Workers (NASW WI) is registering in opposition to SB 103. Our main reasons for opposing this bill are:

1) This bill violates the NASW Code of Ethics regarding confidentiality.

Our Code of Ethics, in part, already specifies that confidentiality does not apply when "disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identifiable person." Adding the fourth exception to confidentiality to include a "student's possession of alcohol, a controlled substance or controlled substance analog," would certainly violate a social worker's ethical parameters.

2. Adding a fourth exception to confidentiality could effectively jeopardize any chance of a therapeutic alliance from every forming between a student and counselor.

Prior to beginning the counseling process with a student, social workers will cover the exceptions to confidentiality. Students are very concerned that what they will discuss will be shared with his/her parents, teachers or school administrators. If students know that any discussion regarding the possession of alcohol or other drugs could be shared with other school personnel or parents, they will most likely, not discuss any past or present use of alcohol or other drugs. This exception will isolate the students most in need of assistance.

3. School Boards, under this exception, could mandate their school employees to report any possession of alcohol or drugs.

While this proposed bill states that the school employee "may disclose information," what is to stop the district from mandating reporting? Again, if this would occur, you would effectively stop students from discussing this subject with any adult they may otherwise trust in their school.

4. This proposed bill is unnecessarily broad.

Given that DPI recommends that everyone in a district have some training in AODA, almost anyone in the school district would fall under this proposed ruling. Again, if students are aware that discussion of possession could be reported by just about anyone in the district, they will effectively not trust anyone in the district, driving any serious discussion outside of school parameters.

5. What would stop a student from falsely charging another student with possession?

While we would like to think that students would not falsely accuse one another, we know that adolescents are not always mature. Under this statute, students could be wreaking havoc on another student's reputation.



Scott Walker

Wauwatosa's Representative in the Wisconsin State Assembly

TESTIMONY ON SENATE BILL 103 REPRESENTATIVE SCOTT WALKER APRIL 23, 1997

Thank you for the opportunity to offer testimony on this important piece of legislation. I apologize that I am unable to attend the meeting in person today, but hope that my written comments will add to the testimony of Senator Peggy Rosenzweig.

As noted by Senator Rosenzweig, we drafted this legislation (Senate Bill 103) after a specific incident at Wauwatosa East High School. Specifically, a high school counselor was notified by a concerned friend of a student that the student was in possession of LSD. Upon finding the report to be true, however, the counselor did **not** inform the student's parents because of the current state law requiring that such information remain confidential. The parents later found out about the incident, but **not** from school officials.

The parents we spoke to after this incident were shocked to learn of the impact of current state law. In our further discussions with parents, community support group members and other concerned citizens, it became apparent that the vast majority of people in Wauwatosa felt that a student's possession of LSD places that student in serious and imminent danger, but the counselor felt bound by the current state law.

With this in mind, we have drafted a fourth exception to the confidentiality requirement that specifies that a school employee may disclose information to a student's parents if they have reason to believe the student possesses drugs or alcohol. Without this change, parents who have taken aggressive steps to look for the warning signs of drug and alcohol use by their children may find that the most difficult place to keep track of their kids is in school.

