

1985 Assembly Bill 100

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1985 Wisconsin Act 163

AN ACT to renumber and amend 118.126; and to create 118.126 (1) (a) to (c) and (2) of the statutes, relating to communications received by certain school staff members regarding pupil use of alcohol or other drugs.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.126 of the statutes is renumbered 118.126 (1) (intro.) and amended to read:

118.126 (1) (intro.) A school psychologist, counselor, social worker or nurse shall keep confidential information received from a ~~student~~ pupil that the ~~student~~ pupil or another ~~student~~ pupil is using or is experiencing problems resulting from the use of alcohol or other drugs; unless:

SECTION 2. 118.126 (1) (a) to (c) and (2) of the statutes are created to read:

118.126 (1) (a) The pupil using or experiencing problems resulting from the use of alcohol or other drugs consents in writing to disclosure of the information;

(b) The school psychologist, counselor, social worker or nurse has reason to believe that there is serious and imminent danger to the health, safety or life of any person and that disclosure of the information to another person will alleviate the serious and imminent danger. No more information than is required to alleviate the serious and imminent danger may be disclosed; or

(c) The information is required to be reported under s. 48.981.

(2) A school psychologist, counselor, social worker or nurse who in good faith discloses or fails to disclose information under sub. (1) is immune from civil liability for such acts or omissions. This subsection does not apply to information required to be reported under s. 48.981.