

HOUSE No. 1107

By Mr. Walsh of Agawam, petition of Michael P. Walsh relative to the disclosure of information by school guidance counselors. Education, Arts and Humanities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO DISCLOSURE OF INFORMATION BY SCHOOL GUIDANCE COUNSELORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the Massachusetts General Laws, as appearing
2 in the 1986 Official Edition, is hereby amended by adding the
3 following section: —

4 Section 135A. Any certified guidance counselor who meets
5 requirements pursuant to Chapter 71, Section 38G, who is duly
6 appointed and regularly employed for the purpose of counseling
7 in a public or private school in the Commonwealth, shall be
8 immune from disclosing in any civil or criminal court proceeding,
9 without the consent of the student counselee, any communication,
10 written or oral, by the student counselee to the counselor in his
11 professional character or the advice thereon, if the student is less
12 than (18) years of age, neither the communication nor advice
13 thereon shall be disclosed in the court proceeding without the
14 consent of the student counselee and his parent or legal guardian.

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