

HOUSE No. 5151

By Mr. Kendall of Falmouth, petition of Richard E. Kendall, James E. Smith and Alfred Almeida for legislation to remove the liability of certain persons or agencies who are custodians of school records. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT TO REMOVE LIABILITY CONCERNING SCHOOL RECORDS.

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

- 1 Section 34E of chapter 785 of the Acts of 1973 is hereby
- 2 amended by adding the following paragraph:—
- 3 No person or agency whose report is contained in such
- 4 records and no person or agency who is custodian of such
- 5 records shall be liable in any civil or criminal action by reason of
- 6 such report or by reason of custody of such report.
- 7 Any privilege established by section twenty or twenty B of
- 8 chapter two hundred and thirty-three, by court decision or by
- 9 profession code relating to the exclusion of confidential
- 10 communications and the competency of witnesses, may not be
- 11 invoked in any civil action arising out of a report made pursuant
- 12 to this section.

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