



Sen. David Koehler

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09600HB5126sam001

LRB096 16347 NHT 40081 a

1 AMENDMENT TO HOUSE BILL 5126

2 AMENDMENT NO. _____. Amend House Bill 5126 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Section
5 22-60 as follows:

6 (105 ILCS 5/22-60 new)

7 Sec. 22-60. Student services personnel; confidentiality.

8 (a) In this Section, "confidential communication" means
9 any communication made by a student who is a recipient of
10 school counseling, school psychological, or school social work
11 services, including services provided by a school counselor
12 intern working under the supervision of a school counselor, a
13 school psychologist intern working under the supervision of a
14 school psychologist, or a school social worker intern working
15 under the supervision of a school social worker. "Confidential
16 communication" includes the fact that a student is a recipient

1 of school counseling, school psychological, or school social
2 work services. "Confidential communication" does not include
3 academic or career counseling information that is available to
4 the general public.

5 (b) With the exception of information described in
6 subsection (c) of this Section, any confidential communication
7 disclosed by a student to a school counselor, school
8 psychologist, or school social worker or to a school counselor
9 intern working under the direct supervision of a school
10 counselor, a school psychologist intern working under the
11 direct supervision of a school psychologist, or a school social
12 worker intern working under the direct supervision of a school
13 social worker may be disclosed only upon the execution of a
14 written consent to the release of information that conforms
15 with the requirements of the Mental Health and Developmental
16 Disabilities Confidentiality Act and any other statute
17 governing the release of confidential information applicable
18 to the specific type of information for which disclosure is
19 sought.

20 (c) Disclosure of confidential communications is
21 permissible as follows:

22 (1) When, in the sole discretion of the school
23 counselor, school psychologist, or school social worker,
24 disclosure is necessary to prevent serious, foreseeable,
25 and imminent harm to the student who is the recipient of
26 school counseling, school psychological, or school social

1 work services or other identifiable person or persons;
2 however, in such circumstances disclosure must be made only
3 to the extent necessary to achieve the desired purpose of
4 preventing harm to the recipient or other person or
5 persons.

6 (2) When disclosure is required by law.

7 (3) When disclosure is required by currently adopted
8 standards of professional conduct and codes of ethics
9 applicable respectively to school counselors, school
10 psychologists, and school social workers.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."