

158.156 Reporting of commission of felony KRS Chapter 508 offense against a student -- Investigation -- Immunity from liability for reporting -- Privileges no bar to reporting.

- (1) Any employee of a school or a local board of education who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the principal of the school attended by the victim. The principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The principal shall file with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report a written report containing:
 - (a) The names and addresses of the student and his or her parents, legal guardians, or other persons exercising custodial control or supervision;
 - (b) The student's age;
 - (c) The nature and extent of the violation;
 - (d) The name and address of the student allegedly responsible for the violation; and
 - (e) Any other information that the principal making the report believes may be helpful in the furtherance of the purpose of this section.
- (2) An agency receiving a report under subsection (1) of this section shall investigate the matter referred to it. The school board and school personnel shall participate in the investigation at the request of the agency.
- (3) Anyone acting upon reasonable cause in the making of a report required under this section in good faith shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report or action.
- (4) Neither the husband-wife nor any professional-client/patient privilege, except the attorney-client and clergy-penitent privilege, shall be a ground for refusing to report under this section or for excluding evidence regarding student harassment in any judicial proceedings resulting from a report pursuant to this section. This subsection shall also apply in any criminal proceeding in District or Circuit Court regarding student harassment.

Effective: July 15, 2008

History: Created 2008 Ky. Acts ch. 125, sec. 1, effective July 15, 2008.