

# LEGAL MAILBAG – APRIL 16, 2026



By Attorney Thomas B. Mooney, Neag School of Education, University of Connecticut

*The “Legal Mailbag Question of the Week” is a regular feature of the CAS Weekly NewsBlast. We invite readers to submit short, law-related questions of practical concern to school administrators. Each week, we will select a question and publish an answer. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: [legalmailbag@casciac.org](mailto:legalmailbag@casciac.org).*

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Dear Legal Mailbag:

As a middle school principal, I especially enjoy and learn from your CAS Legal Mailbag posts. A [recent post](#) included the following statement:

The exception related to Conn. Gen. Stat. § 10-154a is rarely applicable, because the prohibition against access to educational records under that statute relates only to “professional communications,” i.e., a communication made privately and in confidence by a student to a professional employee of such student’s school in the course of the latter’s employment. Moreover, the prohibition against sharing such information obtained through a professional communication applies only “when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student.”

This caught my attention, as I imagine that if, during an investigation or evaluation, we found one of my middle schoolers was drinking or using drugs, we would absolutely be obligated to inform the student's parents. So, I did what's trendy these days and I asked a generative AI platform if this exception limited my ability as principal to report such a finding to parents/guardians. To my surprise, the AI came back with, “The short answer is: **Yes, in very specific circumstances, a school employee is legally prohibited from telling a parent about a student’s drug or alcohol problem.**”

As stated in the Mailbag, the exception is very narrow. But I always want to do the right thing, and I remain uncertain. I hope that Legal Mailbag can expand on this exception and tell me when I am obligated to report such information to a parent and when such reporting might violate my student's rights.

Signed,  
*Waiting for an Answer*

Dear Waiting:

Legal Mailbag appreciates the kind words and your dedication to respecting the rights of all involved. Legal Mailbag also appreciates the opportunity to clarify or correct the statement you quoted. While made in passing, the statement you quoted was misleading at best.

Conn. Gen. Stat. § 10-154a confers a privilege on school professionals, not an obligation, and Legal Mailbag should have explained more clearly that the “prohibition” in this context referred to parents being prohibited from requiring access to such records, not a prohibition against the school professional from deciding to share such information. Explaining legal principles can be a humbling experience, and Legal Mailbag fell short in describing Conn. Gen. Stat. § 10-154a last month.

Specifically, Conn. Gen. Stat. § 10-154a defines a “professional employee” as a person holding certification from the State Department of Education or a school nurse assigned to the building, and it goes on to provide in relevant part:

(b) Any such professional employee shall not be required to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student

In addition, the statute defines “professional communication” as follows:

... a “professional communication” is any communication ***made privately and in confidence by a student to a professional employee*** of such student's school in the course of the latter's employment. (Emphasis added).

Given these provisions, the statutory privilege is clear. If a school administrator discovers that a student has been using alcohol or drugs, the statutory privilege does not apply. However, if a student confides in the school administrator (or teacher or nurse) about his or her alcohol or drug abuse or alcoholic or drug problem, that communication is privileged and is subject to the protections of the statute. However, those protections do not prohibit the professional employee from sharing the information with parents; that is a choice for the professional employee to make.

The privileged nature of the communication has two elements. First, as explained above, the professional employee may “not be required to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student.” However, whether to do so is left to the judgment of the professional employee, as reflected in the second element of the privilege. The statute concludes with the following:

(d) Any such professional employee who, in good faith, ***discloses or does not disclose***, such professional communication, shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed, and shall have the same immunity with respect to any judicial proceeding which results from such disclosure. (Emphasis added).

As Section 10-154a(d) provides, the professional employee is free to decide whether to maintain as confidential a communication from the student as to alcohol or drug abuse or a related problem, on the one hand, or to share that information with the parent, on the other. The professional employee is free to decide on either course of action without fear of liability, and Legal Mailbag regrets the imprecision in the column last month that gave rise to your excellent question.