

Beau's Law Notification Policy

Purpose

This Policy is adopted pursuant to New York Education Law §6438-d ("Beau's Law"), which requires institutions of higher education in New York State to make publicly available their policy regarding notification of a parent, guardian, or emergency contact when a student under the age of 21 is involved in certain alcohol- or controlled-substance-related incidents.

Scope

This Policy applies to:

- All students under the age of 21 enrolled at the University; and
- Alcohol- or controlled-substance-related violations or incidents as described below, whether occurring on or off campus, when such incidents come to the attention of the University.

Covered Incidents

For purposes of this Policy, covered incidents may include, but are not limited to:

1. Violations of University rules or policies involving the use, possession, or distribution of alcohol or a controlled substance;
2. Violations of federal, state, or local law involving alcohol or controlled substances;
3. Alcohol- or controlled-substance-related hospitalizations; and
4. Alcohol- or controlled-substance-related overdoses.

Notification Policy

The University **may notify** a student's parent, guardian, or designated emergency contact of a covered incident involving a student under the age of 21 when, based on the totality of the circumstances, the University determines that such notification is appropriate and is permitted under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.

In making this determination, the University may consider factors including, but not limited to:

- The seriousness of the incident;
- Whether the incident involved medical attention, hospitalization, or overdose;
- Whether there is an articulable and significant threat to the health or safety of the student or others;
- The student's prior conduct history, if any; and

- The University's obligation to act in the best interests of student health and safety.

Nothing in this Policy requires the University to notify a parent, guardian, or emergency contact.

Relationship to Other Policies

This Policy:

- Is separate from, and does not modify, the University's Drug and Alcohol Policy, Student Code of Conduct, Student Alcohol and Drug Use Amnesty Policy, or other applicable policies;
- Does not limit the University's authority to take disciplinary or supportive actions; and
- Does not create any contractual rights or obligations.

Implementation and Oversight

The Office of the Dean of Students will oversee this policy and, in consultation with the Office of the General Counsel, make notification determinations. Questions or concerns should be directed to the Office of the Dean of Students.

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