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Policy Name: Beau's Law (NYS Education Law §6438-d)
(Notification of Parent, Guardian, or Emergency Contact for
Alcohol and Controlled Substance Violations)

Policy Number: TBD

Functional Area(s) Responsible: *Primary* - Academic & Student Affairs
Secondary - Enrollment Management and Finance and Administration

Owner(s) of Policy: Student Affairs

Offices Impacted: Center for Student Well-Being, Association Housing, Campus Police, Student Affairs, Student Records

Most Recent BOT Approval Date: TBD

Most Recent Review Date: May 2026

Most Recent Review/Revision Type: ☐ none ☐ minor/non-substantive ☒ substantive/extensive

Policy Statement:

Finger Lakes Community College is committed to protecting student health and safety while respecting student privacy.

In accordance with **FERPA** (*Family Educational Rights and Privacy Act*) and **New York State Education Law §6438-d (Beau's law)**, Finger Lakes Community College maintains the following policy regarding when a parent, guardian, or designated emergency contact **may be notified** if a student **under the age of 21** is involved in certain alcohol- or controlled substance-related incidents.

Notification decisions are made by authorized institutional offices and are guided by considerations of student health, safety, and welfare, as well as compliance with applicable federal and state laws.

Reason(s) for Policy:

Effective July 1, 2026, and in accordance **with FERPA and New York State Education Law §6438-d**, this policy establishes the framework under which Finger Lakes Community College may notify a student's parent(s), guardian(s), or designated emergency contact(s) when a student under the age of 21 is involved in certain alcohol- or controlled substance-related violations or incidents.

The purpose of this policy is to:

- Promote student health and safety;
- Ensure transparency regarding notification practices; and
- Clarify how Finger Lakes Community College exercises its discretion under FERPA and applicable New York State law.

Applicability of Policy:

This policy applies to:

- All students enrolled at Finger Lakes Community College who are under the age of 21; and

- Involved in alcohol and/or controlled substance-related incidents, whether occurring on or off campus, which are addressed through institutional processes.

Incidents Subject to Notification: A parent, guardian, or emergency contact **may be notified** when a student under the age of 21 is involved in one or more of the following, including but not limited to:

- Violations of institutional rules or policies related to the use or possession of alcohol or a controlled substance;
- Violations of federal, state, or local laws involving alcohol or controlled substances; and
- Alcohol or controlled substance-related medical emergencies, including:
 - o Hospitalization;
 - o Overdose; or
 - o Other situations presenting a serious risk to the student's health or safety.

Definitions:

FERPA and New York State Education Law Considerations - FERPA permits institutions of higher education to disclose PII (*Personally Identifiable Information*) without consent *if* there is an articulable and significant threat to the health or safety of the student or others, and the disclosure is to parties who need to know to respond.

New York State Education Law §6438-d (Beau's Law) requires transparency in NYS institutions of higher education on its policies involving notice to a parent, guardian, or emergency contact when a student under the age of 21 is involved in one or more of the following, including but not limited to:

- Violations of institutional rules or policies related to the use or possession of alcohol or a controlled substance;
- Violations of federal, state, or local laws involving alcohol or controlled substances; and
- Alcohol or controlled substance-related medical emergencies, including:
 - o Hospitalization;
 - o Overdose; or
 - o Other situations presenting a serious risk to the student's health or safety.

Finger Lakes Community College exercises its authority under FERPA and New York State Education Law in a manner that limits disclosures to information reasonably necessary to address the circumstances presented.

Related Documents:

FLCC Policy C-6, Compliance with and Annual Notification of Student Rights under the Family Educational Rights & Privacy Act

FLCC Policy I-7, Drug & Alcohol Use

FLCC Policy – Medical Emergencies Response on Campus

FLCC Policy – Student Code of Conduct

FLCC Policy – Title IX Grievance Policy

FLCC Policy B-15, Records Retention Requirements

Procedures:

Notification Authority and Process

- Notification determinations are made only by designated institutional offices, which may include Student Affairs, the Center for Student Well-Being, Association Housing, Campus Police, or other authorized officials.
- Individual faculty or staff members do not contact parents, guardians, or emergency contacts unless specifically authorized.
- Notifications are made on a case-by-case basis, considering the totality of the circumstances.

Student Notification

When feasible and appropriate, students will be informed that a parent, guardian, or emergency contact has been or may be notified, unless such notification would compromise health or safety or interfere with

an ongoing investigation.

Confidentiality and Privacy

All notifications under this policy are handled with sensitivity and respect for student privacy. Information shared is limited to what is necessary to address health, safety, or welfare concerns. All disclosures made pursuant to this policy are documented by the designated institutional offices and adhere to the College's Records Retention Requirements.

Training and Awareness

Finger Lakes Community College provides regular training to employees regarding:

- FERPA requirements and exceptions;
- Beau's Law notification policy (*beginning July 2026*); and
- Appropriate reporting and escalation procedures.

Questions

Questions regarding this policy or its implementation should be directed to:

- **The Center for Student Well-Being or Student Affairs**
- wellbeing@flcc.edu or studentaffairs@flcc.edu
- **585-785-1211**

FERPA and New York State Education Law Considerations

FERPA permits institutions of higher education to disclose PII without consent *if* there is an articulable and significant threat to the health or safety of the student or others, and the disclosure is to parties who need to know to respond.

New York State Education Law §6438-d (Beau's Law) "Consistent with FERPA's above health and safety exception, this law requires institutions to publicly display their policy for contacting a student's parent(s), guardian(s), or emergency contact(s) of a violation by a student under the age of 21 for the use or possession of alcohol or a controlled substance.

Violations include but are not limited to:

- College policy violations
- Violations of federal, state, or local law, or
- Controlled substance or alcohol related hospitalizations or overdoses

Forms/Online Processes:

[Report A Concern](#) – FLCC's reporting webpage

Appendix:

None