

Beau's Law

Notification of Parent, Guardian, or Emergency Contact for Alcohol and Controlled Substance Violations

Policy Summary

This policy promotes student health and safety, ensures transparency regarding notification practices, and clarifies how the College exercises its discretion under the Family Educational Rights and Privacy Act and applicable New York State law.

Policy Statement

Le Moyne College respects the rights and privacy of students in accordance with the Family Educational Rights and Privacy Act (FERPA) and New York State Education Law §6438-d (Beau's Law).

As such, when a student under the age of 21 is involved in certain alcohol or controlled substance-related violations or incidents, the College may notify a student's parent(s), guardian(s), or emergency contact(s). Notification decisions are made by College administration and are guided by considerations of student health, safety, and welfare, as well as compliance with applicable federal and state laws.

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 College 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
- Alcohol or controlled substance-related medical emergencies, including:
 - Hospitalization
 - Overdose
 - Other situations presenting a serious risk to the student's health or safety

Notification Authority and Process

- Notification determinations are made only by College administration, which may include (e.g., Associate Provost for Student Development, and the Director of Community Standards) 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 circumstances.

Applicability

This policy applies to all enrolled students who are:

- Under the age of 21; and
- Involved in alcohol or controlled substance-related incidents which occur on or off campus and are addressed through College processes.

FERPA and New York State Education Law Considerations

FERPA permits institutions of higher education to disclose personally identifiable information (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), effective July 1, 2026, requires institutions to publicly display their policy for notifying a parent, guardian, or emergency contact when a student under the age of 21 is involved in certain alcohol- or controlled substance-related violations or incidents.

The College exercises its authority under FERPA and NYS Education Law in a manner that limits disclosures to information reasonably necessary to address the circumstances presented.

Student Notification

When feasible and appropriate, students will be informed that a parent, guardian, or emergency contact has been or may be notified. This notification to the student may be withheld if it 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 in accordance with applicable privacy laws. Information shared is limited to

what is necessary to address health, safety, or welfare concerns. All disclosures made pursuant to this policy are documented in accordance with FERPA requirements.

Training and Awareness

The College provides regular training to employees regarding:

- FERPA requirements and exceptions;
- This policy and its requirements; and
- Appropriate reporting and escalation procedures.