



FERPA & New York State Education Law §6438-d (Beau's law)

Effective Date: July 1, 2026

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

SUNY Niagara will make a reasonable and good-faith effort to notify a parent, guardian, or designated emergency contact, as recorded in the College's official records, as soon as practicable following the determination that notification is appropriate. SUNY Niagara is committed to protecting student health and safety while respecting student privacy.

In accordance with **FERPA and New York State Education Law §6438-d (Beau's law)**, SUNY Niagara 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 at the College's discretion and are not required in every instance. Factors considered may include the nature, severity, and recurrence of the conduct, as well as the health and safety of the student and campus community.

Purpose

Effective July 1, 2026, and in accordance with **FERPA and New York State Education Law §6438-d**, this policy establishes the framework under which SUNY Niagara 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 SUNY Niagara exercises its discretion under FERPA and applicable New York State law.

Scope

This policy applies to:

- All students enrolled at SUNY Niagara who are under the age of 21; and
- Involved in alcohol and controlled substance-related incidents, whether occurring on or off campus, which are addressed through institutional processes.

Policy Statement

SUNY Niagara maintains a policy regarding the notification of a student's parent(s), guardian(s), or emergency contact(s) when a student under the age of 21 is involved in certain alcohol- or controlled substance-related violations or 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.

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:
 - Hospitalization;
 - Overdose; or
 - Other situations presenting a serious risk to the student's health or safety.

Notification Authority and Process

- Notification determinations are made only by **designated college officials**, defined as:
 - Director of Student Housing;

- Vice President or Assistant Vice President of Student Services;
- Director/Chief of Campus Public Safety;
- Director of Health & Wellness Center;
- Coordinator Student Conduct & Campus Community Standards;
- Assistant Vice President of Human Resources
- Individual faculty or staff members **do not** contact parents, guardians, or emergency contacts unless specifically authorized.
- Notification will occur as soon as practicable following the determination.

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) 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 above mentioned incidents.

SUNY Niagara 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.

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.

Training and Awareness

SUNY Niagara provides regular training to employees regarding:

- FERPA requirements and exceptions;
- This notification policy, and

- Appropriate reporting and escalation procedures.

Questions

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

- **John Lindahl, Coordinator Student Conduct & Campus Community Standards**
- **jlindahl@niagaracc.suny.edu**
- **716-731-8850**