

Jefferson Community College

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

Procedures

Notification Authority and Process

- Notification determinations are made only by **designated institutional offices**, which may include Student Affairs, Campus Safety and Security, the President's office, 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.

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:

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

Jefferson 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.

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

Jefferson Community College provides regular training to employees regarding:

1. FERPA requirements and exceptions;
2. This notification policy; and
3. Appropriate reporting and escalation procedures.

Contact Information

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

- Campus Safety and Security
- (315) 786-2222

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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:

1. rule infractions
2. violations of federal, state, or local law, or
3. controlled substance or alcohol related hospitalizations or overdoses