

NEW YORK STATE EDUCATION LAW BEAU'S LAW NOTIFICATION GUIDELINES

Purpose

These Guidelines are issued in accordance with New York State Education Law section 6348-d ("Beau's Law"). Beau's Law requires an institution of higher learning, such as The City University of New York (the "University" or "CUNY"), to "make publicly accessible its policy on notifying a parent, guardian or emergency contact of a violation by a student under the age of twenty-one (21) for the use or possession of alcohol or a controlled substance." **See** Beau's Law § 6348-d(1). Effective date of Beau's Law is July 1, 2026.

General Scope of Beau's Law

Beau's Law notification guidelines apply to:

- All students under the age of twenty-one (21) enrolled at any of the University's constituent schools and colleges.
- Incidents involving alcohol or controlled substances, whether occurring on campus or off campus, known to the University.

Incidents Subject to Possible Notification Under Beau's Law

Pursuant to these Guidelines, incidents involving students under the age of twenty-one (21) that are subject to possible notification ("Subject Incidents") include, but are not limited to:

- Violations of University rules or policies involving the use or possession of alcohol or controlled substances.
- Violations of federal, state, and local laws.
- Emergencies involving the use or possession of alcohol or controlled substances including, but not limited to, hospitalizations, overdoses, and other incidents which pose a serious risk to a student's health or safety.

Notification Guidelines

Neither Beau's Law nor these Guidelines require the University to notify a student's parent, guardian, or emergency contact of a Subject Incident. Rather, the University *may* provide notification on a case-by-case basis after considering the totality of the facts and circumstances of the Subject Incident and whether notification is permissible and consistent with the Family Educational Rights and Privacy Act ("FERPA").

Notification Procedure

Notifications made pursuant to these Guidelines may be made by the Campus Offices of Student Affairs, Campus Public Safety, Campus Counsel, the Office of the Senior Vice for Legal Affairs and General Counsel, or any other designated and authorized individual. If the designee determines that it is necessary to notify a student's parent, guardian, or designated emergency contact, any disclosures should include only the information needed to address the health or safety concerns presented by the Subject Incident.

Any notifications should also be made in a manner sensitive to, and with respect for, student privacy. Thus, to the extent possible, a student will be made aware of the notification, unless doing so is contrary to health and safety or would otherwise compromise an ongoing investigation. Lastly, any disclosure made pursuant to these Guidelines must be documented.

Impact On Other Policies

These Guidelines are separate from, and do not modify, any University Policy, including, but not limited to, the following: the CUNY Policy on Drugs and Alcohol; the CUNY Drug/Alcohol Amnesty Policy; the CUNY Policy on Sexual Misconduct; and the CUNY Students' Bill of Rights. Moreover, nothing in these Guidelines should be construed as a limitation on the University's authority to pursue disciplinary actions under applicable CUNY Policy or to provide interim and supportive measures as defined under CUNY Policy.