

# FAYETTEVILLE STATE UNIVERSITY

## MISSING RESIDENTIAL STUDENT NOTIFICATION

<b>Authority:</b>	Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor.
<b>Category:</b>	Students
<b>Applies to:</b>	•Administrators      •Faculty      •Staff      •Students
<b>History:</b>	Approved – August 26, 2010 First Issued – August 27, 2010
<b>Related Policies:</b>	<i>Higher Education Opportunity Act</i> [20 U.S.C.S. § 1092; 42 U.S.C.S. § 5579] <i>U.S. Department of Education Regulation</i> [34 CFR 668.46]
<b>Contact for Info:</b>	Department of Residence Life (910) 672-1884 Dean of Students (910) 672-1201 Department of Police and Public Safety (910) 672-1559

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### I. PURPOSE

The purpose of this policy is to provide personnel and students of Fayetteville State University (the “University”) with guidelines governing notification procedures for missing students who reside in University owned or leased housing, in accordance with the requirements of the *Higher Education Opportunity Act*.

### II. DEFINITIONS

- **Residential Student:** For the purpose of this policy, a student who resides in University owned or leased housing under a housing contract and is currently enrolled at the University.
- **Missing Student:** For purposes of this policy, a student is determined to be missing when the University Police Department or another law enforcement agency determines that the student has been missing more than 24 hours, without any known reason, that the reported information is credible, and that circumstances warrant declaring the person missing.
- **Emancipated Individual:** For purposes of this policy, a minor who has been granted the status of adulthood by a court order or other formal arrangement, a

minor who is married or a minor who is serving in the armed forces of the United States.

### **III. RESIDENTIAL STUDENT CONTACT INFORMATION**

Residential Students shall have the option to confidentially identify an individual, and that individual's telephone number(s), to be contacted by the University not later than 24 hours after the time that the student is determined missing. The Department of Residence Life shall collect and maintain such confidential contact information. Residential Students shall be responsible for ensuring that the contact information is up-to-date and accurate. The confidential information shall be accessible only to authorized campus officials, and shall not be disclosed to anyone other than law enforcement personnel in furtherance of a missing person investigation.

Residential Students shall be given the opportunity to provide such confidential contact information at the beginning of each academic year or prior to moving into University owned or leased housing.

Residential Students, who are under 18 years of age and not emancipated individuals, are to be informed that the University is required to notify a custodial parent or guardian of Residential Students, who are under 18 years of age and not emancipated individuals, not later than 24 hours after the time the University Police Department determines the Residential Student to be missing.

### **IV. REPORTING AND INVESTIGATION**

Any University employee who receives information that a residential student is missing, or has independent knowledge that a residential student is missing, must immediately report the information or evidence to the Department of Residence Life. The Department of Residence Life shall notify the University's Police Department not later than 24 hours after the time a Residential Student is reported missing, unless the University's Police Department was the entity that made the determination that the student is missing. If the University Police Department is initially contacted, the University Police Department shall notify the Director of the Department of Residence Life, whose staff will determine whether the student is a Residential Student.

If the student is not a Residential Student, the University Police Department will contact the relevant outside law enforcement agencies.

#### **A. Department of Residence Life Responsibilities**

If the student is a Residential Student, the Resident Hall Director shall conduct a prompt preliminary investigation in order to verify the issues surrounding allegations that a Residential Student is missing and to determine the circumstances which exist relating to the reported missing Residential Student. The investigative process shall be as follows:

1. A Residence Hall Director will attempt to contact the Residential Student via his or her telephone, email and/or by other methods of communication.
2. If the Residential Student cannot be reached, a Residence Hall Director and one other Residence Life staff member (the “staff members”) shall visit the room of the Residential Student in question to verify the Residential Student’s whereabouts and/or wellness.
3. If the Residential Student is not in the Residential Student’s room, but it is occupied, the staff members will attempt to gain information on the Residential Student’s whereabouts and/or wellness by questioning the occupants and/or roommates
4. If there is no response when the staff members knock on the door of the room or there are occupants who do not know of the Residential Student’s whereabouts, the staff members will enter into the room in question, by key if necessary, to perform a health and safety inspection. The staff members will take note of the condition of the room and look for visible personal property which might provide clues as to whether the Residential Student has taken an extended trip or leave from the residence hall.
5. If the Residential Student is not found in the room, the staff members will attempt to gain information on the Residential Student’s whereabouts from members of the residence hall or friends. The staff members will also attempt to acquire additional telephone numbers for the student in an attempt to initiate contact.
6. The Residence Hall Director shall review the Residential Student’s class schedule and contact appropriate faculty to determine the student’s whereabouts.
7. At any step in the process, staff members will immediately report any suspicious findings to the University Police Department.
8. If these steps do not provide staff members with an opportunity to speak with the Residential Student or to learn the Residential Student’s whereabouts, the Residence Hall Director must complete an official missing persons report and **immediately** notify the University Police Department who will be responsible for further investigation.
9. If these steps provide the staff with an opportunity to speak with the missing Residential Student, verification of the student’s state of health and intention of returning to campus must be obtained. If needed, a referral will be made to the University’s Center for Personal Development.

The University Police Department must be notified that the reported missing Residential Student has been found.

**B. Responsibilities of the Dean of Students**

Once the University Police Department has been notified, the Residence Hall Director will notify the Dean of Students. Not later than 24 hours of a determination by the University Police Department that a student is missing and has not returned to campus, the Dean of Students shall contact the student's parents if the student is under age eighteen and not emancipated. Regardless of age, not later than 24 hours of a determination that a Residential Student is missing, the Dean of Students will notify the student's designated confidential contact.

Nothing in this policy is intended to preclude the University Police Department from determining that a student is missing before the student has been missing for a full 24 hours or the Dean of Students from initiating notification procedures as soon as the Dean is notified that a student may be missing.