



# Eastern Kentucky University

## Policy and Regulation Library

Administrative Regulation: 9.3.1ADR

Responsible Office(s): EKU Police Department

Effective: February 26, 2011

Next Review Date: December 16, 2022

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### Missing Student Policy

#### Statement

The Higher Education Opportunity Act (“HEOA”) requires universities with on-campus housing to establish policy and procedures regarding reporting, investigation, and required emergency notification when a Residential Student is deemed to be missing.

This policy is directed to all faculty and staff who share the responsibility of reporting to designated University officials when they believe that a Residential Student is Missing.

#### Entities Affected

- EKU Police Department
- Office of Housing and Residence Life
- All Students
- Faculty and Staff

#### Procedures

##### Notification to Residential Students

- Residential Students are to be informed that they may identify an individual, or individuals, to be contacted by the institution within 24 hours of the time that the student is determined missing. The Office of Housing and Residence Life will collect and maintain the confidential contact information. The Residential Student is responsible for ensuring that the contact information is up-to-date and accurate.
- 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, in addition to any designated contact, within 24 hours of the time that the Residential Student is determined to be Missing.

- C. Residential Students are to be informed that the ECU Police Department will be notified immediately when the Residential Student is determined Missing.

### **Procedures for Reporting and for Investigating Missing Students**

A. Any University employee who receives a report that a student (whether a Residential Student or not) is Missing, or has independent information that a student is Missing, must immediately report the information to the ECU Police Department.

B. **Non-Residential Student:** If the student is not a Residential Student, the ECU Police Department will conduct a preliminary investigation in order to verify the situation and to determine the circumstances which exist relating to the reported Missing student. If the ECU Police Department determines that the student should be considered Missing, it will contact and request assistance from all pertinent law enforcement agencies.

C. **Residential Student:** If the student is a Residential Student, the Office of Housing and Residence Life will immediately contact and work in conjunction with the ECU Police Department in order to verify the situation and determine the circumstances which exist relating to the reported Missing Residential Student.

1. A staff member will attempt to contact the reported Missing Residential Student via his or her telephone.
2. If the reported Missing Residential Student cannot be reached by telephone, a staff member will visit the room or housing unit of the reported Missing Residential Student in question to verify their whereabouts and/or wellness.
3. If there is no response when the staff members knock on the door of the room or housing unit or there are occupants who do not know of the reported Missing Residential Student's whereabouts, the Office of Housing and Residence Life, in conjunction with the ECU Police Department, will enter into the room or housing unit in question, by key if necessary, to perform a health and safety inspection.
4. If these steps do not provide the Office of Housing and Residence Life an opportunity to speak with the reported Missing Residential Student or to learn his or her whereabouts, the ECU Police Department will investigate further.
5. If the reported Missing Residential Student has been Missing for more than 24 hours, is under 18 years of age, and is not an emancipated individual, the Office of Housing and Residence Life will notify the Dean of Students who will contact the student's custodial parent or legal guardian within 24 hours. If the reported Missing Residential Student has been Missing for more than 24 hours

and is age 18 or over, the Office of Housing and Residence Life will notify the Dean of Students who will contact the student's confidential contact within 24 hours.

6. If these steps provide the Office of Housing and Residence Life an opportunity to speak with the reported Missing Residential Student, the Office of Housing and Residence Life shall work with the ECU Police Department to verify the student's state of health and intention to return to campus.
7. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, ECU Police Department will inform all other local law enforcement agencies with jurisdiction in the area of the student's housing within 24 hours that the student is missing.

If the ECU Police Department determines that the student, whether residential or non-residential, should be considered Missing, a missing persons report will be filed and the student will be entered into LINK/NCIC (Law Information Network of Kentucky/National Crime Information Center) in accordance with LINK/NCIC policy.

## Definitions

- **Missing:** For purposes of this policy, a Residential Student may be considered missing if he or she is overdue in reaching home, campus or another specific location past their expected arrival, additional factors lead university staff to believe he or she is missing, and a check of their residence supports that determination.
- **Non-Residential Student:** A student who does not live in On Campus Housing.
- **On Campus Housing:** A dormitory or other residential facility for students that is located on an institution's campus.
- **Residential Student:** For purposes of this policy, a student who resides in on campus housing under a housing contract or lease and is currently enrolled at the university.
- **University:** Eastern Kentucky University

## Violations of the Policy

Any person who violates this policy is subject to disciplinary action in accordance with University procedures.

## Statutory or Regulatory References

Higher Education Opportunity Act, 20 U.S.C.S. §1092; 42 U.S.C.S. § 5579

## Regulation Adoption Review and Approval

### Regulation Issued

<u>Date</u>	<u>Entity</u>	<u>Action</u>
January 26, 2011	Board of Regents	Adopted
January 7, 2011	President	Approved
January 7, 2011	Administrative Council	Approved