

Missing Student Requirements



Bill Lafferty, CCCO
Director of Federal Relations, NACCOP
Consultant, D. Stafford & Associates
Contact Email: blafferty@naccop.org

1

Missing Student Protocols



- An institution that provides any on-campus student housing facility must include a statement of policy regarding missing student notification procedures for students who reside in On-Campus Student Housing Facilities in its Annual Security Report.

© All Rights Reserved by NACCOP

2

2

Missing Student Protocols



- If you have **multiple campuses**, only those that have On-Campus Student Housing Facilities must comply with these regulations.
- If your institution has any **foreign campuses** with On-Campus Student Housing Facilities, those campuses must also comply with the *HEA* missing student notification regulations.
- Note that these regulations do not apply to students who normally live in your on-campus student housing, but who are **temporarily residing off campus** in study abroad programs.

© All Rights Reserved by NACCOP

3

3

Missing Student Protocols



- The essence of the requirement is that if a student who lives in on-campus student housing is determined to have been missing for 24 hours, you have only 24 hours after the determination in which to initiate specific notification procedures.
 - This requirement does not preclude your institution from making a determination that a student is missing before the student has been missing for a full 24 hours, or from initiating notification procedures as soon as it determines that the student is missing.
 - In other words, you must initiate HEA-related procedures if a student has been determined to be missing for 24 hours; however, you may act sooner.

© All Rights Reserved by NACOP

4

4

Required ASR Statements



- Indicate a list of titles of the persons or organizations to which students, employees, or other individuals should report that a student has been missing for 24 hours:
 - Think about developing and publishing an institutional policy to support your policy statement.

© All Rights Reserved by NACOP

5

5

Required ASR Statements



- Require that any official missing student report must be referred **immediately** to the institution's police or campus security department, or, in the absence of an institutional police or campus security department, to the local law enforcement agency that has jurisdiction in the area;
 - If your institution does not have a campus police or security department, your policy statement should require that a report of a missing student be immediately reported to the local law enforcement agency with jurisdiction
 - Provide contact information for that agency

© All Rights Reserved by NACOP

6

6

Missing Student Protocol



- The official determination that the student is missing can be made at any time by the campus police or security department (if the campus has one) or by the local law enforcement agency that has jurisdiction where the campus is located.
 - Student reports to campus security at 10am on a Monday that another student from their residence hall left campus at 9pm on Sunday and hasn't returned for their Monday 8am class.
 - The student has been missing for 11 hours.
 - After an investigation by campus security, they conclude at 11:15am that the student is missing.
 - If the missing student has identified a confidential contact, campus security has 24 hours (i.e., until 11:15 a.m. Tuesday) to notify that contact person."

© All Rights Reserved by NACCOP

7

7

Required ASR Statements



- Contain an option for each student living in an on-campus student housing facility to identify a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing, if the student is determined missing by the institutional police or campus security department, or the local law enforcement agency.
- You need to develop a system to gather this information...

© All Rights Reserved by NACCOP

8

8

Registering a Confidential Contact

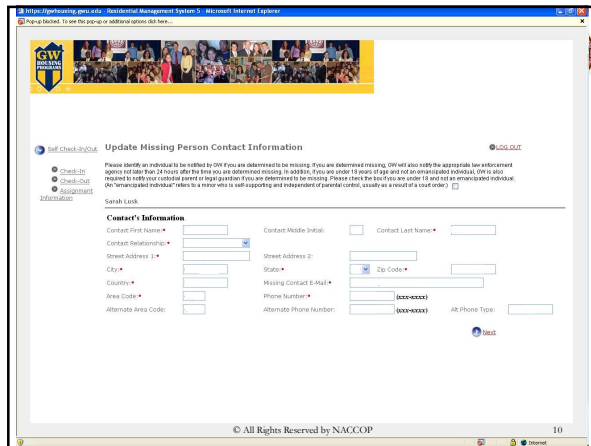


- **The contact person does not have to be associated with the institution.**
- **You must give students this option even if they have already identified a general emergency contact.** A student may identify the same individual for both purposes, but your institution may not make this assumption.
- **Offer students this option annually** regardless of whether they chose to register a contact the previous year.
- If any students **move** into on-campus student housing **mid-year**, you must give them the **option to name a contact person** as well. Include information about how to register a contact or contacts.

© All Rights Reserved by NACCOP

9

9



10

Required ASR Statements

- Advise students that their contact information will be registered confidentially, and that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
 - To protect confidentiality, general emergency contact information and missing student contact information must be kept separate, even if the student has registered the same person for both purposes.
 - Because the *HEA* requires the information to be kept confidential, student's contact information has greater privacy protections than FERPA.

© All Rights Reserved by NACCOP

11

Required ASR Statements (and procedurally, you must do it).

- The procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours include:
 - If the student has designated a contact person, notifying that contact person within 24 hours.

© All Rights Reserved by NACCOP

12

Required ASR Statements (and procedurally, you must do it).



- What if the student registers multiple contact persons:
 - If the first person contacted confirms that the student is not missing, the institution must contact each additional contact person in turn, unless the student in question is contacted by the institution or contacts the institution.

© All Rights Reserved by NACCOP

13

13

Required ASR Statements (and procedurally, you must do it).



- Advise students that if they are under 18 years of age and are not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.
 - State that if it has been determined that such a student has been missing for 24 hours, the institution will notify both the student's custodial parent or guardian and the student's contact person, if he or she has registered one.

© All Rights Reserved by NACCOP

14

14

Required ASR Statements (and procedurally, you must do it).



- Advise students that, the institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that a student is missing.
 - This statement addresses **any** missing student who lives in on-campus student housing regardless of age or status, and regardless of whether he or she registered a confidential contact person.

© All Rights Reserved by NACCOP

15

15

Missing Students Policy Statement Summary



- An institution that provides any on-campus student housing facility must include a statement of policy regarding missing student notification procedures for students who reside in On-Campus Student Housing Facilities in its Annual Security Report. This statement must—
 - i. Indicate a list of titles of the persons or organizations to which students, employees, or other individuals should report that a student has been missing for 24 hours;
 - ii. Require that any missing student report must be referred immediately to the institution's police or campus security department, or, in the absence of an institutional police or campus security department, to the local law enforcement agency that has jurisdiction in the area;
 - iii. Contain an option for each student to identify a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the institutional police or campus security department, or the local law enforcement agency;

© All Rights Reserved by NACCOP

16

16

Missing Students Policy Statement Summary



- iv. Advise students that their contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation;
- v. Advise students that if they are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student; and
- vi. Advise students that the institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

© All Rights Reserved by NACCOP

17

17

Missing Students Procedures Summary




- The procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours include—
 - i. If the student has designated a contact person, notifying that contact person within 24 hours that the student is missing;
 - ii. If the student is under 18 years of age and is not emancipated, notifying the student's custodial parent or guardian and any other designated contact person within 24 hours that the student is missing; and
 - iii. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, informing the local law enforcement agency that has jurisdiction in the area within 24 hours that the student is missing.

© All Rights Reserved by NACCOP

18

18




What Do Your Procedures Say?

What is Your Response to a Missing Student Report?

© All Rights Reserved by NACCOP

19

19




Preliminary Investigation and Report Writing – (The Five W's)

- Who? – missing student, witnesses...
- What? – what actions and events happened...
- When? – date and times...
- Where? – location, location, location!!
- Why? – what might have precipitated the event or was a contributing factor...

© All Rights Reserved by NACCOP

20

20



Sample Procedures

- The XYZ College/University Campus Security or Police in cooperation with Student Affairs staff members will implement the following investigative procedures when a missing student report is received:
 - Attempt to call the alleged missing person using the phone numbers supplied to the College/University.
 - Talk with housing staff members to determine if the missing person has been seen.
 - Have housing staff members check the assigned room and also have them talk with neighbors, friends, and roommates to see when the missing person was last seen.
 - Check the card access system log to determine when the missing person last entered the housing facility.
 - Contact College/University Dining Services to determine when the missing person last used their meal plan.

© All Rights Reserved by NACCOP

21

21

Sample Procedures



- Investigative Procedures (Continued):
 - Check the missing person's email account to determine the last time it was used.
 - Contact the missing person's faculty members to determine class attendance.
 - Consult with the Counseling Center staff and Health Center staff to see if the missing person has been seen at either location.
 - Have Housing staff key into the room for health and safety purposes.

© All Rights Reserved by NACCOP

22

22

Sample Procedures



- Investigative Procedures (Continued):
 - If the missing student is determined to be under the age of 18 and not emancipated, Public Safety or Campus Police will contact the student's parent(s) or legal guardian within 24 hours.
 - If the missing student (regardless of age) registered a confidential contact person, that person will be contacted within 24 hours by Public Safety or Campus Police.

© All Rights Reserved by NACCOP

23

23

Sample Procedures




- Regardless of whether the student has identified a contact person and regardless of their age:
 - Your procedures must note that the LLE agency with jurisdiction in the area will be notified within 24-hours that the student is missing.
- When the missing student is located verification information shall be secured, to include:
 - A description of the health of the student, and intention of returning to campus and/or classes. In addition, the student shall be encouraged to contact the confidential contact person.

© All Rights Reserved by NACCOP

24

24

Washington Adventist University (2016)




Policy Statement	Fine Amount
<p>A statement of its missing student notification procedures advising students that: (1) their contact information will be confidentially registered, that the information will only be accessible to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in the furtherance of a missing student investigation; and (2) the institution must notify the custodial parent or guardian of any student that is determined to be missing within 24 hours of that determination, if that student is under 18 years of age and is not emancipated.</p>	\$5,000

© All Rights Reserved by NACCOP

25

25

Concordia University (2018)




Policy Statement	Fine Amount
<p>A complete statement of its missing student notification procedures advising students that their contact person's information will be confidentially registered and that the information will only be accessible to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in the furtherance of a missing student investigation.</p>	\$3,500

© All Rights Reserved by NACCOP

26

26

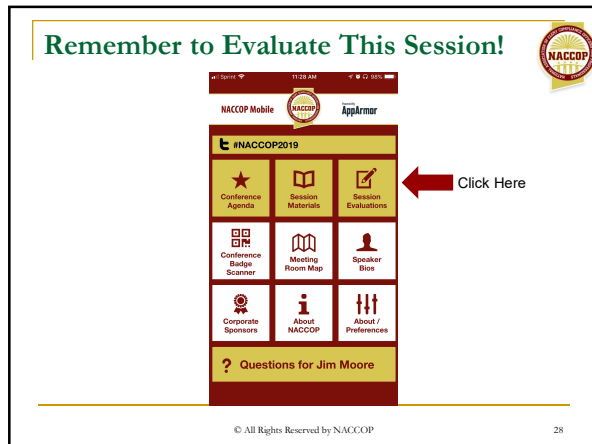


Questions?

© All Rights Reserved by NACCOP

27

27



28

CONFIDENTIAL
Guest User (161.57.100.172)