



Missing Residential Student # 2507.020

INITIAL EFFECTIVE DATE:	LAST REVISION DATE:	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT:
January 1, 2017	November 17, 2020	University Police

POLICY STATEMENT

Florida International University (FIU or the University) views the safety of the students residing in residential housing as a foremost concern. FIU and the Florida International University Police Department (FIUPD) takes the report of any missing student seriously. Reports of missing students will be investigated thoroughly using all possible resources to find the student and ensure their safety.

SCOPE

Florida International University (FIU) is governed by the Board of Trustees who derives their power and authority under Florida State Statutes. Florida Statutes §1001.64 grants the Board of Trustees the power to appoint the president of FIU. Florida Statutes §1001.65 grants the President of FIU the authority to appoint personnel as necessary for the safe and efficient operation of the university. As officials of FIU and Police Officers of the State of Florida, pursuant to Florida Statutes §1012.97, and as defined in Florida Statutes §943.10, FIUPD officers are empowered to enforce the all laws of the State of Florida, and violations of county or city ordinances.

Anyone that knows of a missing student should contact the FIUPD at the non-emergency telephone number (305) 348-2626 or (305) 348-5911 in for an emergency.

REASON FOR POLICY

As per the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (20 USC § 1092(f) any institution with on-campus student housing is required to adhere to this policy to ensure the safe and speedy return of any missing residential student. The policy ensures that cases involving missing children and adults are investigated promptly using appropriate resources.

DEFINITIONS	
TERM	DEFINITIONS



Custodial Parent	The parent who has been given legal or physical custody of a child by a court order.
Determined or Determines	Reaching an authoritative conclusion on whether the student is missing based on reasoning, observation, or an investigation into the facts surrounding the individual missing student’s case.
Emancipated	When a legal judgment before a court of law authorizes a minor to perform all acts that the minor could do if he or she were eighteen (18) years of age or older.
Missing Residential Student or Missing	A residential student is considered missing when the University Police Department determines that the student’s whereabouts are unknown for more than 24 hours or when additional circumstances (e.g., a report or suspicion that the student may be the victim of foul play) indicate that the student’s location is unknown irrespective of the lapse of time.
Residential Housing	Any residential house or facility for students that is owned or controlled by the University, or is located on property that is owned or controlled by the University, and is within the reasonably contiguous geographic area that makes up the campus and which is under the University Police Department’s jurisdiction.
Residential Student	Any student residing in residential housing under a housing contract or lease.

ROLES AND RESPONSIBILITIES

Pursuant Florida Statutes §937.021, Missing child and missing adult reports – FIUPD has a written policy that specify the procedures to be used to investigate reports of missing children and missing adults. FIUPD will work collaboratively with the Director of Residential Life, Greek Housing Director, and Director of Campus Life, among others, to ensure all investigative leads are pursued when a student is reported missing.

RELATED RESOURCES

Higher Education Opportunity Act, Pub. L. 110-315, § 488(g)
34 C.F.R. § 668.46(h)
Fla. Stat. 743.015
Fla. Stat. 937.021
Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003, Pub. L. 108-21, § 204



The Handbook for Campus Safety and Security Reporting; 2016 Edition
<https://www2.ed.gov/admins/lead/safety/handbook.pdf> -Missing student notification
policy disclosure citation 34 CFR 668.46(b)(14)

CONTACTS

Anyone wishing to report a missing student should contact the University Police Department at the non-emergency telephone number (305) 348-2626 or (305) 348-5911 for an emergency.

Questions about this policy should be directed to:

University Police Department
Florida International University
885 SW 109th Avenue
PG-5 Market Station 2nd floor
Miami, Florida 33199
Telephone: (305) 348-4779

HISTORY

Initial Effective Date: September 23, 2010

Review Dates (*review performed, no updates*): N/A

Revision Dates (*updates made to document*): September 29, 2011; November 17, 2020



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PROCEDURE STATEMENT

The procedures below are the steps to be followed in implementing the Missing Residential Student Policy.

1. Registering Emergency Contact Information:
 - a. On-Campus Greek Housing: As part of their check-in process, Greek residential students will provide their general emergency contact information on their lease agreement. If a Greek student is under the age of 18 years, he or she will provide the contact information for his or her custodial parent or guardian.
 - b. All Other Residential Housing: As part of the check-in process, all residential students will provide their general emergency contact information. If a student is under the age of 18 years, he or she will provide the contact information for his or her custodial parent or guardian. This information will be maintained on their key card.
 - c. Confidentiality of the Emergency Contact Information: All general emergency contact information will be kept confidential with access to only those with a need-to-know. The Missing Person’s Contact information will be accessible only by the FIU Police Department, and possibly other authorized University officials, in the course of an investigation of a missing residential student and will be kept separate from the general emergency contact information.
 - d. Option to Provide Missing Person Contact Information. Annually at check-in, and in addition to providing the general emergency contact information, Greek and residential students have the option to identify confidentially an individual to be contacted if the student is determined to be missing for more than 24 hours. If any Greek or residential student moves into Greek or on-campus residential housing mid-year, the student will be given the option to provide the Missing Person Contact information at that time.

2. Initial Inquiry:

If the Director of Residential Life, the Greek House Director, or Campus Life has reason to believe that a residential student may be missing, they will undertake an initial inquiry. These efforts may include, but are not limited to, checking the student's room, class schedule, friends, ID card access, locating the student's vehicle, and calling a cell phone number. They will report the matter to the University Police Department as quickly as possible based on the facts and circumstances. They will also report the matter to the Vice President of Student Affairs.

If the University Police Department receives information that a residential student is potentially missing, it will undertake an initial inquiry to determine whether the residential student is missing. The University Police Department will reach out to the Vice President of Student Affairs, the Director of Residential Life, Greek House Director, and/or Campus Life (whichever is applicable) to inform them about the fact that a residential student may be potentially missing and to coordinate efforts. The University Police Department will be responsible for making the determination whether the residential student is missing.

3. Determination that a Residential Student is Missing:

Once the University Police Department makes a determination that a residential student is missing, the following steps will be taken as soon as possible but no later than 24 hours from the determination. These steps may be done concurrently or one after the other.

- a. The University Police Department will complete a report and enter information into the National Crime Information Center (NCIC) and Florida Crime Information Center (FCIC) systems.
- b. Director of Residential Life will determine the following:
 - i. The age of the missing residential student by checking the Housing roster or the Residential Management System.
 - ii. Whether the missing residential student is emancipated by checking the key card.
- c. The Greek House Director or Campus Life will determine the following:
 - i. The age of the missing residential student by checking the Greek Housing roster.
 - ii. Whether the missing residential student is emancipated by checking the Greek Housing lease.
- d. If the missing residential student is under the age of 18 years and not emancipated, the Director of Residential Life, Greek House Director, or Campus Life will advise the University Police Department regarding this

and will provide the contact information for the custodial parent or guardian (whichever is applicable).

- e. If the missing residential student is over the age of 18 years, the Director of Residential Life, Greek House Director, or Campus Life will advise the University Police Department regarding this and will provide the emergency contact information.
- f. The University Police Department will advise the custodial parent or guardian and/or person listed as the Missing Person Contact information as applicable.
- g. The University Police Department, working closely with the Director of Residential Life, the Greek House Director, or Campus Life, (whichever is applicable) will make contact and will keep all applicable parties informed during the course of the investigation until the matter is closed.