

BLACK HILLS STATE UNIVERSITY
Policy and Procedures Manual

SUBJECT: Notification that a Student is Missing

NUMBER: 9:1

Office: Public Safety

Source: [SDBOR Policy 3:21](#); 34 CFR 668.46(h)

1. Purpose

This policy implements SDBOR Policy 3:21 and provides guidelines for the notification of law enforcement and appropriate persons that a Black Hills State University (University) student is missing.

2. Policy

- a. For the purpose of this policy, a student is missing when the student's whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's plans, habits or routines.
- b. Any person, including those not affiliated with the University, may report a University student as missing by filing a report with the Department of Public Safety or the Spearfish Police Department. It is not necessary to wait until the student has been missing for twenty-four (24) hours before making such a report. Reports may be made to the BHSU Public Safety Office at 605-642-6297.
- c. The University will determine whether circumstances suggest that others living, working or participating in activities at the University may be in danger, and if it determines that such a danger may exist, it will warn the campus.

3. Procedures

- a. Upon receipt of a missing student report, the University will attempt to locate the student on campus.
 - i. Initial efforts to contact students will involve telephone or other electronic communications.
 - ii. If unable to contact the students by electronic means, University personnel will attempt to contact the students at their residence on the campus or in the municipal limits of the city of Spearfish.
 - iii. If students who reside in University controlled residences do not respond to electronic contacts or to knocking on their doors, Public Safety with Residence Life staff may enter the students' rooms in order to assess the condition of the room and to look for visible personal property (wallet, keys, cell phone or clothing) that might provide clues as to whether the student has taken an extended trip or other planned absence from the residence hall. If the initial investigation is being undertaken by the Spearfish Police Department, they will either request that Public Safety or Residence Life staff enter student rooms, or they will obtain search warrants.
 - iv. University personnel may pursue such additional or other investigative activities as are reasonable under the circumstances.
- b. If the University determines that the student has been missing for a period of twenty-four (24) hours, or if it cannot locate the student and it determines that the student appears to be missing, the University will immediately notify the Spearfish Police Department that the student is missing by calling 911 unless the Spearfish Police Department was the entity that made the determination that the student is missing.
- c. When the University notifies local law enforcement agencies, it will also notify such persons that the student may have designated as an individual to be notified pursuant to this policy in the event that the student becomes missing (see section 3.d. below).

- i. In the case of unemancipated students under the age of eighteen (18), the University will notify the students' custodial parents or legal guardians.
 - d. At the time that a student is accepted as a resident in University controlled housing, the student will be given an opportunity to designate an individual to be notified pursuant to this policy in the event that the student becomes missing.
 - i. Students will be provided confidential means to designate such individuals and to update their designations
 - ii. Such contact information will be held as a confidential student record.
 - iii. Unemancipated students under the age of eighteen (18) will be informed that, in the event that they become missing, the University will notify a custodial parent or legal guardian pursuant to this policy.
 - e. Off-Campus University Sponsored Activities/Travel – In State, Out of State and International:
 - i. If a student is declared missing by the above referenced standards during any off-campus university sponsored activities or travel, the on-site lead faculty/staff advisor shall:
 - i. Notify BHSU Director of Public Safety by calling +1-605-269-1477.
 - ii. This will start a call chain to President, Provost, VP of Enrollment, Director of Marketing & Communications, and International Office (if program is abroad).
 - iii. Notify local law enforcement authorities and local U.S. Embassy (if abroad) of the situation and provide all pertinent information (student's name, date of birth, description, ID photo or passport photo, home and local address(es) and parent/guardian contact info (if the student is a minor).
 - ii. If a student is declared to be missing during a period of point-to-point travel (via air or land-based) if feasible, at least one faculty/staff member shall remain in the jurisdiction that the student was last known to be. This faculty/staff member will become local law enforcement's point of contact and University representative.

NOTE: many law enforcement agencies will not consider a person missing until 24-hours have elapsed since they were last accounted for.

- iii. If this policy is preventing local law enforcement from taking action earlier than 24 hours, the faculty/staff group's lead advisor should request the law enforcement agency to consider viewing the situation as an "attempt to locate/check the welfare" of the student in question. This approach should allow law enforcement to enter the student's information into a nation-wide or world-wide (Interpol) database.

4. Responsible Administrator

The Director of Public Safety is responsible for the annual and ad hoc review of this policy and its procedures. The University President is responsible for approval of this policy.

SOURCE: Approved by President Laurie Nichols on 10/27/2021.