



Policy Title: Missing Persons Reporting Requirements

Policy Number:

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Responsible Executive: Associate Vice President of Public Safety

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Responsible Office: Department of Public Safety

Missing Persons Reporting Requirements

Policy Statement

This policy is intended to delineate the responsibilities of individual Baylor University (“Baylor” or the “University”) employees and certain Baylor departments when a missing person is reported.

Reason for the Policy

The objective of this policy is to provide guidance to faculty and staff when they are notified or otherwise become aware that a Baylor community member or guest is reported as missing from any Baylor campus or Baylor sponsored domestic or international trips or programs. The procedures within this policy also ensures compliance with Clery Act requirements on students reported missing from the residence halls as promulgated in 34 CFR § 668.46 (b) (14).

Individuals/Entities Affected by this Policy

This policy applies to all Baylor University community members.

Exclusions

NONE

Related Documents and Forms

University Policies and Documents

Baylor University Policy Department Policy 09.04.02 Missing Persons

Other Documents

The Handbook for Campus Safety and Security Reporting 2016 Edition
[34 CFR § 668.46 \(b\) \(14\)](#)

1. Missing Persons Reporting Requirements

Definitions

These definitions apply to terms as they are used in this policy.

BUPD	Baylor University Police Department
BUDPS	Baylor University Department of Public Safety
Baylor Property	Buildings, grounds, and land that are owned by Baylor University or controlled by Baylor University via leases or other formal contractual arrangements to house ongoing Baylor University operations. Baylor Property includes branch campuses.
Clery Act Missing Person Notification Requirements	Requirements promulgated in 34 CFR § 668.46 (b) (14)
CL&L	Campus Living and Learning Professional Staff
Missing Child – From Texas Code of Criminal Procedure Article 63.001	<p>"Missing child" means a child whose whereabouts are unknown to the child's legal custodian, the circumstances of whose absence indicate that:</p> <p>(A) the child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized by law;</p> <p>(B) the child voluntarily left the care and control of the custodian without the custodian's consent and without intent to return;</p> <p>(C) the child was taken or retained in violation of the terms of a court order for possession of or access to the child; or</p> <p>(D) the child was taken or retained without the permission of the custodian and with the effect of depriving the custodian of possession of or access to the child unless the taking or retention of the child was prompted by the commission or attempted commission of family violence, as defined by Section 71.004, Family Code, against the child or the actor.</p>
Missing Person - From Texas Code of Criminal Procedure Article 63.001	A person 18 years of age or older whose disappearance is possibly not voluntary, and the missing adult is in imminent danger of bodily injury or death or is under a proven physical or mental disability or is senile and is subject to immediate danger.
Missing Person or Missing Child - From Texas Code of Criminal Procedure Article 63.001	<p>"Missing child" or "missing person" also includes a person of any age who is missing and:</p> <p>(A) is under proven physical or mental disability or is senile, and because of one or more of these conditions is subject to immediate danger or is a danger to others;</p> <p>(B) is in the company of another person or is in a situation the circumstances of which indicate that the missing child's or missing person's safety is in doubt; or</p> <p>(C) is unemancipated as defined by the law of this state.</p>
Residential Student	A student who lives in Baylor on-campus housing managed by Campus Living and Learning or in the housing at the New York City campus. This definition is for Clery requirements only.

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Contacts

Subject	Contact	Telephone	Office email/web site
Policy Oversight	Associate Vice President, Department of Public Safety	254-710-4619	www.baylor.edu/dps/index.php?id=866871
Clery Compliance	Clery Compliance Manager	254-710-7643	https://www.baylor.edu/risk/index.php?id=958568
Protection of Minors	Director, Youth Protection	254-710-6490	https://www.baylor.edu/risk/index.php?id=871763
Campus Living and Learning Procedures	Director for Campus Living and Learning	254-710-6978	https://www.baylor.edu/ctl/
BUPD - Procedures	Chief of Police	254-710-7646	https://www.baylor.edu/dps/index.php?id=99379
Legal Guidance	Office of General Counsel	254-710-3821	https://www.baylor.edu/ogc/

Responsibilities

Associate Vice President, Public Safety	Leads and manages the BUDPS. Branches within the BUDPS include the Police Department, Technical Security, Emergency Management, Fire Safety, Global Safety and Security, and Parking and Transportation Services.
Director of Global Safety & Security	Oversees and manages international safety and security programs for Baylor University students, faculty, and staff traveling abroad.
Clery Compliance Manager	The University representative who provides oversight of Baylor's compliance with the Clery Act.
Director, Youth Protection	The University representative responsible for the oversight of any youth program, camp, or activity involving minor participants held on University property or hosted by the University.
Director for Campus Living and Learning	Ensures Campus Living and Learning compliance with Baylor policy and Clery Act requirements for students reported missing from Campus Housing
Chief of Police	Ensures BUPD compliance with Clery Act missing person requirements, Baylor's policy on missing persons, and BUPD's missing person policy
Office of General Counsel	Manages and supervises all legal affairs for Baylor University. Assists Departments with Clery compliance.

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Principles

Students, Faculty, or Staff Reported Missing on Domestic or International Baylor Sponsored Trips

In accordance with the missing person's policy, BUDPS will respond to all reports of missing international travelers, students, faculty, and staff who are enrolled in or take part in Baylor University sponsored travel or programs.

Clery Act Compliance – Notification Requirements for Missing Students from Campus Housing

The procedures promulgated in this policy provide guidance to individuals and departments to ensure compliance with the Clery Act requirements related to a residential student who is reported missing.

Texas Missing Children or Adults

In addition to Clery requirements, BUPD will respond to and investigate all reports of missing persons from Baylor Property. BUPD will comply with all State of Texas reporting requirements for missing persons who have been reported as gone missing from Baylor Property. This includes any Baylor student, faculty, staff, contractor or visitor who went missing from Baylor Property.

Procedures

Clery Act Compliance Procedures for Missing Students from Campus Housing

A. Notification requirements to the residential student:

1. Campus Living and Learning (CL&L) will provide notice to each residential student concerning the Clery missing residential student guidelines within the Guide to Community Living. The notice will include information that the student has the option to identify an individual, other than their parent or guardian, to be contacted by the institution, no later than 24 hours after the time that the student is determined missing, in accordance with official notification procedures established by the institution.
2. The notice must advise each student who is under 18 years of age, and not an emancipated individual, that the institution is required to notify a custodial parent or guardian no later than 24 hours after the time that the student is determined to be missing in accordance with this policy.
3. The notice must advise the student that BUPD will notify the appropriate local law enforcement agency (normally the Waco Police Department) no later than 24

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hours after the time the student is determined missing in accordance with this policy.

4. The notice must advise the student that their contact information will be registered confidentially, this information will be accessible only to authorized campus officials, and it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
5. The notice must advise the student when BUPD has been notified and makes a determination a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus, BUPD will initiate the emergency contact procedures in accordance with the student's designation.

B. Baylor Notification Procedures for Missing Residential Students:

1. When a student is reported missing to the CL&L staff, they will conduct a preliminary inquiry unless the fact scenario warrants immediately contacting BUPD.
2. The CL&L preliminary inquiry will include:
 - a. a preliminary check at the room;
 - b. an attempt to contact the student by phone; and
 - c. contacting the missing student's roommates and the Community Leader
3. If there is no information gleaned from the initial inquiry, CL&L will call BUPD if the student is still missing 24 hours after the initial notification.
4. If the CL&L inquiry at any point indicates that the student is missing and there are safety concerns involved, CL&L shall immediately call BUPD. Upon notification, BUPD will contact the Associate Vice President – Department of Public Safety, who will, in turn, make the appropriate notifications to University leadership.
5. BUPD will begin an investigation.
6. If the BUPD investigation determines the missing student has been missing for more than 24 hours or at the point it is determined that the student is indeed missing and in danger, BUPD will initiate the following:
 - a. contact the individual identified by the missing student as their contact person;
 - b. if the missing student is under 18 years of age, and not an emancipated individual, BUPD will immediately contact the custodial parent or legal guardian of such student; and
 - c. Notify the law enforcement agencies with jurisdiction.
7. Other Baylor faculty and staff who receive a report of a missing residential student must immediately contact BUPD.

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- a. Unless the report indicates the student is in imminent danger, BUPD will contact CL&L and ask them to conduct their initial inquiry.

Procedures for Students, Faculty, or Staff Reported Missing on Domestic or International Baylor Sponsored Trips

When the Department of Public Safety is notified that an international traveler(s) has been reported and/or confirmed missing, the Director of Global Safety and Security will ensure that the following parties are notified as soon as possible after the time that the student(s), faculty, or staff are determined to be missing:

1. The Associate Vice President – Department of Public Safety (who will, in turn, make the appropriate notifications to University leadership)
2. The nearest United States Embassy, Consulate, or Overseas Citizen Services office
3. Host institution(s), university, or third-party provider(s)
4. The parent(s) or guardian(s) and their designated emergency contact of a student under the age of 18 and not emancipated; [9.2.5 a]
5. If 18 or older or under 18 but emancipated, the student's emergency contact [9.2.5 b]
6. If domestic, the law enforcement agency with appropriate jurisdiction

Procedures for Reports of Missing Children or Adults (Texas Code of Criminal Procedure Chapter 63. Missing Children and Missing Persons)

A. Missing Children

1. When any faculty, staff, student, or contractor is notified of a missing child from Baylor Property, they must immediately contact BUPD to report the missing child.
2. If the child is participating in a Baylor hosted or Baylor sponsored event, BUPD will immediately notify the Baylor Director of Youth Protection upon being notified of the missing child.
3. BUPD will immediately initiate an investigation and fulfill all requirements of Chapter 63 of the Texas Code of Criminal Procedure and Government Code, Chapter 411 which are addressed in the BUPD Policy 09.04.02 Missing Persons. BUPD will contact the Associate Vice President – Department of Public Safety, who will, in turn, make the appropriate notifications to University leadership.
 - a. If the child did not go missing from Baylor Property, BUPD will make the appropriate referral to the law enforcement agency with the appropriate jurisdiction.

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B. Missing Adults

1. When any adult faculty, staff, student, contractor, or visitor goes missing from Baylor Property, BUPD must be contacted immediately.
2. BUPD will initiate an investigation and fulfill all requirements of Chapter 63 of the Texas Code of Criminal Procedure and Government Code, Chapter 411 which are addressed in the BUPD Policy 09.04.02 Missing Persons. BUPD will contact the Associate Vice President – Department of Public Safety, who will, in turn, make the appropriate notifications to University leadership.
 - a. If the person did not go missing from Baylor Property, BUPD will make the appropriate referral to the law enforcement agency with the appropriate jurisdiction.
3. If an individual goes missing from a Branch Campus, the Baylor Administrator should immediately contact the local law enforcement agency with jurisdiction.
 - a. After contacting the local law enforcement agency with jurisdiction, the Branch Campus Administration will also contact BUPD for informational purposes.

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