OLD DOMINION UNIVERSITY
University Policy

Policy # 4601
STALKING POLICY

Responsible Oversight Executive: Vice President for Student Engagement and Enrollment Services

Date of Current Revision or Creation: August 26, 2011

A. PURPOSE

The purpose of this policy is to prohibit stalking, outline the procedures for reporting and adjudicating stalking, and provide information on support services and resources for victims of stalking.

B. AUTHORITY

Virginia Code Section 23-9.2:3, as amended, grants authority to the Board of Visitors to establish rules and regulations for the institution. Section 6.01(a)(6) of the Board of Visitors Bylaws grants authority to the President to implement the policies and procedures of the Board relating to University operations.

C. DEFINITIONS

Cyberstalking **- T**hreatening behavior or unwanted advances directed at another using the Internet and other forms of online and computer communications. Examples of cyberstalking include use of electronic devices or software to track and/or obtain private information and to contact and/or post threatening or personal information.

Protective Order - An order issued by a judge of the circuit court, general district court , juvenile and domestic relations court or magistrate pursuant to Virginia Code §19.2-152.8. The protective order is similar to the University-issued no-contact order. A no-contact/protective order is a legal order issued by a magistrate or judge, ordering someone to physically stay away from an individual and/or avoid all contact with that individual. No-contact orders do not physically prevent anything, but they give police the power to enforce and arrest when an order is violated. Most no-contact orders expire within a certain time frame. No-contact orders can be contact-preventing orders or distance-based (e.g., has to stay 100 yards away at all times).

Stalking - Conduct, occurring on more than one occasion, that is directed at another person or persons with the intent to place, or that an individual reasonably should know the conduct places, that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that person or to that other person's family.

Examples of stalking behaviors include, but are not limited to:

- Repeatedly contacting or following another person or series of people
- Surveillance or other types of personally invasive observation
- Harassment, either by the individual or through a third party
- Conveying verbal or written threats or threats implied by conduct (or a combination thereof)

D. SCOPE

This policy applies to all employees, students, volunteers, employees of affiliated organizations and vendors or contractors. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University. Students include all persons attending classes whether enrolled or not enrolled. Affiliated organizations are separate entities that exist for the benefit of the University and include the Foundations, the Community Development Corporation, and the Alumni Association.

E. POLICY STATEMENT

Old Dominion University is committed to maintaining an environment free from all forms of intimidation. All forms of stalking violate this pursuit and will not be tolerated.

F. PROCEDURES

In all cases, any individual who feels he or she is in immediate danger should call 911. He or she may also contact the ODU Police Department (757-683-4000) or the Norfolk Police Department (757-441-5610.

Stalking may involve students, employees, or non-ODU students or employees. Reporting requirements, adjudication and disciplinary actions will depend on who is involved as the alleged victim and stalker, as follows:

1. If the alleged victim and stalker are both students, the alleged victim should report the incident to the Office of Student Conduct & Academic Integrity (OSCAI) by submitting an incident report on the office's website, http://studentaffairs.odu.edu/oscai/ir. Students may also submit a written statement to OSCAI. The incident will be adjudicated and the alleged stalker disciplined if found responsible, in accordance with Board of Visitors Policy 1530 - Student Disciplinary Policies and Procedures.

2. If the alleged victim is an employee and the alleged stalker is a student, the alleged victim should also report the incident to the Office of Student Conduct & Academic Integrity (OSCAI) by submitting an incident report on the office's website, http://studentaffairs.odu.edu/oscai/ir. Students may also submit a written statement to OSCAI at 2122 Webb Center, Norfolk, VA 23529. The incident will be adjudicated and the alleged stalker disciplined if found responsible, in accordance with Board of Visitors Policy 1530 - Student Disciplinary Policies and Procedures.

3. If the alleged victim is a student or an employee and the alleged stalker is an employee, the alleged victim should report the incident to the Office of Institutional Equity and Diversity. The Office of Institutional Equity and Diversity will notify the Office of Human Resources (if the alleged stalker is a classified or wage employee or AP faculty) or the Office of the Provost and Vice President for Academic Affairs (if the alleged stalker is a full- or part-time faculty member).

a. Allegations of stalking made against a classified or wage employee will be adjudicated and the alleged stalker disciplined if found responsible, in accordance with University Policy 6600 - Standards of Conduct for Classified Employees.
b. Allegations of stalking made against a full- or part-time faculty member will be adjudicated and the alleged stalker disciplined if found responsible, in accordance with the Board of Visitors Policy 1450 - Faculty Sanctions.
c. Allegations of stalking made against a full- or part-time faculty administrator will be adjudicated and the alleged stalker disciplined if found responsible, in accordance with the Board of Visitors Policy 1490 - Administrative and Professional Faculty and the Disruptive Behavior Policy for Faculty and Faculty Administrators.

4. If the alleged victim is a student or employee and the alleged stalker is a non-ODU student or employee, the alleged victim should contact the ODU Police Department (757-683-4000) or the Norfolk Police Department (757-441-5610).

Students, faculty, and staff may wish to obtain a protective order.

Support services and information are available for students, faculty and staff who are experiencing stalking. On-campus resources include the Women's Center (757-683-4109), Counseling Services (757-683-4401), and the ODU Police Department (757-683-4000). Off-campus resources include Response Sexual Assault Support Services of the YWCA (757-622-4300), Norfolk Police Department (757-441-5610), the Stalking Resource Center (www.ncvc.org/src), Working to Halt Online Abuse (www.haltabuse.org), and the National Center for Victims of Crime (www.ncvc.org). A victim may choose to contact any of the above services for support and information whether or not she/he chooses to report the stalking.

G. RESPONSIBLE OFFICER

Dean of Students (For Students)
Employee Relations Manager, Human Resources (For Classified/Wage Employees and AP Faculty)
Assistant Vice President for Undergraduate Studies (For Faculty)

H. RELATED INFORMATION

Virginia Code Section 18.2-60.3, as amended

Virginia Code § 19.2-152.8, as amended

Old Dominion University Board of Visitors Policy 1014 - Threat Assessment

University Policy 4600 – Sexual Misconduct Policy

University Policy 6320 – Sexual Harassment Policy

University Policy 6330 – General Harassment Policy

POLICY HISTORY
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Policy Formulation Committee (PFC) & Responsible Officer Approval to Proceed:

/s/ Donald M. Stansberry — August 10, 2011
Responsible Officer Signature — Date

/s/ K. C. Williamson — August 11, 2011
Responsible Officer Signature — Date

/s/ Judith M. Bowman — August 17, 2011
Responsible Officer Signature — Date

Policy Review Committee (PRC) Approval to Proceed:

/s/ Donna W. Meeks — November 9, 2010
Policy Review Committee (PRC), Chair Signature — Date

Executive Policy Review Committee (EPRC) Approval to Proceed:

/s/ Ellen J. Neufeldt — August 18, 2011
Responsible Oversight Executive Signature — Date

University Counsel Approval to Proceed:

James D. Wright — August 24, 2011
University Counsel — Date

Presidential Approval:

/s/ John R. Broderick — August 26, 2011
President

Policy Revision Dates: July 1, 1994; September 2, 2008; August 26, 2011

Scheduled Review Date: August 25, 2016