

# Stalking Policy

## ROWAN UNIVERSITY POLICY

**Title:** *Stalking Policy*

**Subject:** *Student Life*

**Policy No:** *SL: 2016:13*

**Applies:** *University-Wide*

**Issuing Authority:** *President*

**Responsible Officer:** *Vice President of Student Life/Dean of Students*

**Adopted:** *08/10/2016*

**Last Revision:** *08/01/2020*

**Last Reviewed:** *08/01/2020*

### I. PURPOSE

The purpose of this policy is to provide a learning atmosphere which is free of harassment or interference; stalking behavior will not be tolerated at Rowan University.

### II. ACCOUNTABILITY

Under the direction of the President, the Vice President of Student Life/Dean of Students shall implement and ensure compliance with this policy.

### III. APPLICABILITY

This policy applies to all Rowan University faculty, staff, students, and visitors to all Rowan University campuses.

### IV. REFERENCES

1. [Rowan University Policy - Student Code of Conduct](#)
  - a. [Rowan University Student Sexual Misconduct & Harassment Policy](#)
  - b. [The New Jersey Code Of Criminal Justice, Section 2C:12-10 - Definitions; stalking designated a crime; degrees.](#)

### V. POLICY

1. The purpose of this policy is to provide a learning atmosphere which is free of harassment or interference. The university is committed to providing an environment in which visitors to, and members of the campus community are provided with an atmosphere that enhances academic learning and considers the welfare of the community with the highest regard. Stalking behavior will not be tolerated at Rowan University.
2. Incidents occurring on and/or off campus are subject to the University discipline process when such actions affect the learning environment or operations of the University.
3. **Jurisdiction**
  - a. Title 2C of the New Jersey Criminal Code prohibits stalking. N.J.S.A. 2C:12-10 provides as follows:
  - b. Stalking as used in this act:
    - i. "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written

threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person.

- ii. "Repeatedly" means on two or more occasions.
- iii. "Emotional distress" means significant mental suffering or distress.
- iv. "Cause a reasonable person to fear" means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.
- v. A person is guilty of stalking, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.
- c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.
- d. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.
- e. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state or the United States.
- f. This act shall not apply to conduct which occurs during organized group picketing.

#### 4. Reporting Procedures

- a. The University will take protective measures and reasonable steps to remedy the discriminatory effects on the victim(s) and others.
- b. Services that can be provided, if requested and reasonably available, may include but are not limited to: safety plan development, no contact directives, interim suspension from campus or residence privileges, modification of living arrangements, change of on-campus student housing assignment, exam (paper or assignment) rescheduling, taking an incomplete grade in a class, transferring of class sections, alternative course completion options, changing transportation and working situations, assistance with the University disciplinary process, referrals to on-campus resources or reporting to police. If you are a victim of stalking, you can contact the following offices on campus for assistance:
  - i. Residential Learning and University Housing
  - ii. Wellness Center at Winans
  - iii. Office of Community Standards (If victim would like to seek redress through the University disciplinary process)
- c. Services are available regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement.

#### 5. Sanctions

- a. The University will not tolerate stalking behavior. The sanction for students found responsible for a stalking offense under this policy may range from disciplinary probation to expulsion from the University as well as other sanctions deemed appropriate through the student disciplinary system.
- b. Allegations will be investigated by the appropriate office and adjudication will follow established university procedures.