No Contact Considerations, Part 1

20 Minutes to... Trained
YOUR FACULTY

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WHAT IS A NO CONTACT ORDER?

No-Contact Order (NCO) or No-Contact Directive (NCD)

- An administrative directive, non-punitive
  - In response to an alleged policy violation OR for specific safety purposes
- Involves two or more individuals
  - May impose restrictions on proximity, contact, presence, space, etc.
  - Minimizes conflict between individuals
- Issued by request or due to emergency
- Mutual or unilateral
- A supportive measure, not a sanction
NCO STRATEGY

- Helpful for individuals unsure about formal process
- Provides sense of personal security or safe space
  - Limits contact with them, not about them
- Specific restrictions
  - Start with least invasive, adjust as needed
  - Contact and proximity
    - “First controlled space”
- Unilaterally or reciprocal
- In combination with other support measures
NCO CONSIDERATIONS

▪ Does the situation call for an NCO?
  ▪ What’s the rationale?
  ▪ Not threshold-free

▪ Temporary or ongoing?

▪ Challenges to NCO
  ▪ Do not necessarily need a specific allegation
  ▪ Rational basis
  ▪ Rooted in good faith
  ▪ Criterion-driven
NCO CONSIDERATIONS (CONT.)

- Specific terms
  - What can you enforce?
  - What do the individuals want or need?
  - What are the sources of conflict?
  - What is reasonable under the circumstances?

- Off-campus considerations

- Avoid one-size fits all

- Fine tuning over time

- Social media and cyberspace
  - First Amendment concerns
DENYING AN NCO REQUEST

- The request does not meet the threshold for NCO
  - Lack of risk/harm/safety concern/conflict
  - Being threatened vs. feeling threatened
- An extension not needed
- NCO no longer needed
Questions?

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