

No Contact Agreements (NCA) and No Contact Orders (NCO)

Students and employees may at times have interpersonal conflicts that raise concerns for their health and safety, or that unduly disrupt the individuals' academic or employment environment. To remedy such situations, and to support the individuals involved, it may become necessary for the college to issue no contact agreements (NCAs) or no contact orders (NCOs). These arrangements are designed as protective measures to help mitigate the potential for future problematic interactions between the two individuals.

NCAs/NCOs are issued at the discretion of an appropriate college officer. If the college officer determines that reported health and safety concerns or disruptions in education or employment do not warrant the issuance of an NCA/NCO, the reporting individual should pursue other forms of conflict resolution offered through the offices of residential life, student life, human resources, the provost's office, and/or the chaplain.

A *No Contact Agreement (NCA)* is a mutual agreement between two individuals who voluntarily affirm that they will not have direct contact with each other in person or electronically, or make indirect contact through third parties, except for that which is necessary for their academic or employment pursuits. An NCA does not constitute a finding of responsibility for violating college policy, nor does it preclude the possibility of future review of any past interactions through the student or employee conduct process. Following discussion and agreement to enter into the NCA, the two individuals will receive a letter confirming the terms of the agreement. In the event that an individual declines to enter into a requested NCA, the appropriate college officer may elect to review the matter to determine whether a No Contact Order is warranted.

A *No Contact Order (NCO)* is a directive that one individual may not have direct contact with another, or make indirect contact through third parties, except for that which is necessary for the individual's academic or employment pursuits. An NCO will be issued when, upon careful review, the appropriate college officer deems there is sufficient information presented that doing so will safeguard a community member's ability to pursue their education or employment in an environment free from unwanted contact. NCOs may also be used in connection with the student conduct process, or other process determining the responsibility of a community member who is alleged to have violated a college policy, either as an interim measure during the pendency of the process, and/or an outcome associated with a finding of responsibility from the process. NCOs may be unilateral or mutual, depending on the underlying circumstances.

Any enrolled student or College employee may request an NCA/NCO with respect to an enrolled student. One may do so due to interpersonal conflicts or situations that they believe are interfering with their educational or work environment or causing them to be concerned about their health or safety. NCAs/NCOs may also be available as an interim remedy under the 2 College's Non-Discrimination

Policy or Policy on Sexual Misconduct, Relationship Violence and Stalking for students and employees who are complainants or respondents under those policies.

Situations arising between employees that do not fall under the college's Non-Discrimination Policy or Policy on Sexual Misconduct, Relationship Violence and Stalking will be handled through the college's Human Resources Office or the Provost.

The parameters of every NCA/NCO are determined on a case-by-case basis and are reviewed on an ongoing basis or upon request. An NCA/NCO prohibits contact, including, but not limited to in-person contact, or contact through electronic means or a third party, but it does not prevent individuals from being in common campus spaces or seeing one another on- or off-campus; the expectation is that the parties will keep as much distance as reasonably possible when in the same place. In certain cases, however, including but not limited to an ongoing Title IX proceeding, the College may require a respondent to leave a place where a complainant is present or otherwise restrict a respondent's activities as a separate interim measure and/or a remedy if appropriate.

Once implemented, any violation of an NCA/NCO will be vigorously pursued as an alleged violation of a college directive through the student conduct process. Violations that occur during a formal TIX investigation may be included in the investigation as well.

An NCA/ NCO remains in effect until it has been terminated, in writing, by the issuing officer or appropriate college officer following a determination that the arrangement is no longer warranted or necessary.

RESPONSIBILITIES:

An NCA/ NCO can be implemented by any of the following individuals, and/or their designees, upon consultation with appropriate personnel, including, but not limited to, the office of public safety:

- When the NCA/ NCO involves a student:

Dean of Student's Conduct Officer – Nicole.Johnson@goucher.edu

- When the NCA/ NCO involves a faculty member:

The Provost – ssibley@goucher.edu

- When the NCA/ NCO involves a staff member:

The Director of Human Resources – Maggie.elligson@goucher.edu.