

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

I. PURPOSE

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 Communication Agreements (NCAs) or No Contact Orders (NCOs). These arrangements are designed as protective measures to help mitigate the potential for future problematic interactions between an enrolled student and another enrolled student or employee.

II. SCOPE

This policy applies to all Goucher students and employees.

III. POLICY STATEMENT

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, students should pursue other forms of conflict resolution offered through the offices of residential life, student life and/or the chaplain; and faculty or staff should pursue other forms of conflict resolution offered through the offices of human resources, and/or the provost's office.

IV. DEFINITIONS

No Communication Agreement (NCA): A mutual agreement between two individuals who voluntarily affirm that they will not have direct communication 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. This applies to on-campus, college-sponsored events, and/or by electronic communication (from any location). 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.

No Contact Order (NCO): 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. Parties subject to an NCO must make a concerted effort to avoid any close proximity to the other party. 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.

However, NCO's do not ensure that parties to such Orders will not see one another on the campus. Rather, they serve to limit potential interactions between the parties. If individuals have safety concerns and feel that they need additional protection, they should contact Campus Safety at (410- 337-6111) 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.

V. PROCEDURES

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 College's Non-Discrimination Policy or Sexual Misconduct Policy 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 Sexual Misconduct Policy 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. Following discussion and agreement to enter into the NCA/NCO, 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.

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 Title IX 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.

VI. 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 Campus Safety:

When the NCA/ NCO is requested by a student: Dean of Students– deanofstudents@goucher.edu

When the NCA/ NCO is requested by a faculty member: The Provost – officeoftheprovoat@goucher.edu

When the NCA/ NCO is requested by a staff member: The Associate Vice President for Human Resources – hr@goucher.edu

VII. RESPONSIBLE OFFICES

For more information or if you have questions about this policy, please contact:

The Dean of Students – deanofstudents@goucher.edu

The Provost – officeoftheprovoat@goucher.edu

The Associate Vice President for Human Resources – hr@goucher.edu

HISTORY

Updated: September 2018; June 2024.

Appendix A

No Communication Agreement Template

Dear [Student],

As discussed, I write to inform you that the Dean of Students Office has issued a No Communication Order, whereby neither you nor **[other party]** may have any communication with each other in person or through another party, by telephone, letter, e-mail, or other electronic media, or by any other means. This applies on campus, at college-sponsored events, and/or through the use of college resources (including electronic). You may not engage in indirect communication via social media or any other means. You must also refrain from any form of harassment, retaliation, or intimidating behavior. If at any time either one of you feels the need to communicate with the other, you may do so only through me or through another designee authorized by my office.

[Other party] has received the same instructions as you find throughout this letter. If you have any questions, let me know right away. This No Communication Agreement will remain in effect until [date], unless I inform you that my office has modified or revoked it. This Agreement is not an indication of responsibility for a violation of college policy; rather, it is intended to forestall interactions that could be perceived by either party as retaliatory, intimidating, or harassing. No Communication Agreements do not, in and of themselves, become part of the recipient's permanent college record. However, it is very important that you understand and abide by the above stated conditions, since an infringement of this Agreement may result in disciplinary consequences.

If you have any questions now or in the future regarding this No Communication Agreement, please do not hesitate to get in touch with me. If you have additional questions regarding No Communication Agreements generally, please review the Goucher College No Communication Agreements and No Contact Orders found [here](#).

Sincerely,

[College administrator]

Appendix B

No Contact Order Template

Dear [Student],

As discussed, I write to inform you that the Dean of Students office has issued a No Contact Order whereby neither you nor [other party] may have any contact with each other, in person or through another party, by telephone, letter, e-mail, or other electronic media, or by any other means. This applies on campus, at college-sponsored events, and/or through the use of college resources (including electronic). You may not engage in indirect communication, including via social media or any other means. You must also refrain from any form of harassment, retaliation, or intimidating behavior. If at any time either one of you feels the need to communicate with the other, you may do so only through me or through a third party explicitly authorized by me.

Furthermore, you must make a concerted effort to avoid any close proximity to [other party], as follows:

- In areas where neither of you are required to be present, if one of you arrives first, the other must leave.
- In areas where you are both required to be present, you must both avoid being in close proximity to one another.
- In areas where their presence is required and yours is not, you may not be present.
- In areas where your presence is required and theirs is not, they may not be present.

In the case of certain community events held in large venues where significant distance can be maintained, you may both attend provided that both parties avoid close proximity to one another. Examples of such events may include large events occurring in outside areas, in large concert venues, in the college Chapel, large athletic venues, including the GIG, Gala, Commencement events, and other college-sponsored activities.

[Other party] has received the same instructions as you find throughout this letter. If you have any questions, please let me know immediately. This No Contact Order will remain in effect until **[date]**, unless I inform you that my office has modified or revoked it.

This Order is not an indication of responsibility for a violation of college policy; rather, it is intended to forestall interactions that could be perceived by either party as retaliatory, intimidating, or harassing. No Contact Orders do not, in and of themselves, become part of the recipient's permanent college record. However, it is very important that you understand and abide by the above stated conditions, since an infringement of this order may result in disciplinary consequences. This may include revising the Order such that responsibility to avoid the other party falls exclusively on the party found responsible for violating the Order.

If you have any questions now or in the future regarding this No Contact Order, please do not hesitate to get in touch with me. If you have additional questions regarding No Contact Orders generally, please see please review the Goucher College policy regarding No Communication Agreements and No Contact Orders found [here](#).

Sincerely,

[College administrator]