

Procedures for No Contact Orders

The following procedures seek to clarify the implementation of No Contact Orders (NCOs) as described in [Policy 601](#) (section 5.4). NCOs may be issued based on an individual request, related to a general student conduct concern, or a report or complaint of discrimination, harassment, retaliation, or sexual misconduct when the Reporting and/or Responding Parties are students. NCOs will be put in place in order to safeguard students' learning, living, and working environment and ability to pursue their education in an environment free from unwelcome contact. An NCO does not constitute a finding of responsibility for violating university policy. NCOs may be issued whether or not there is an investigation. Requests for modifications to an NCO will be reviewed by the appropriate office.

Students requesting an NCO may contact Residence Life, Student Affairs, Sexual Assault Prevention and Advocacy, or the Equity Office.

The Student Affairs Office or Residence Life Office will issue an NCO upon review of a request or report where it is deemed there is sufficient information. The NCO will be issued to the Responding Party and may be issued to a Reporting Party or Additional Parties depending on the circumstances of the situation (*see NCO flow chart*).

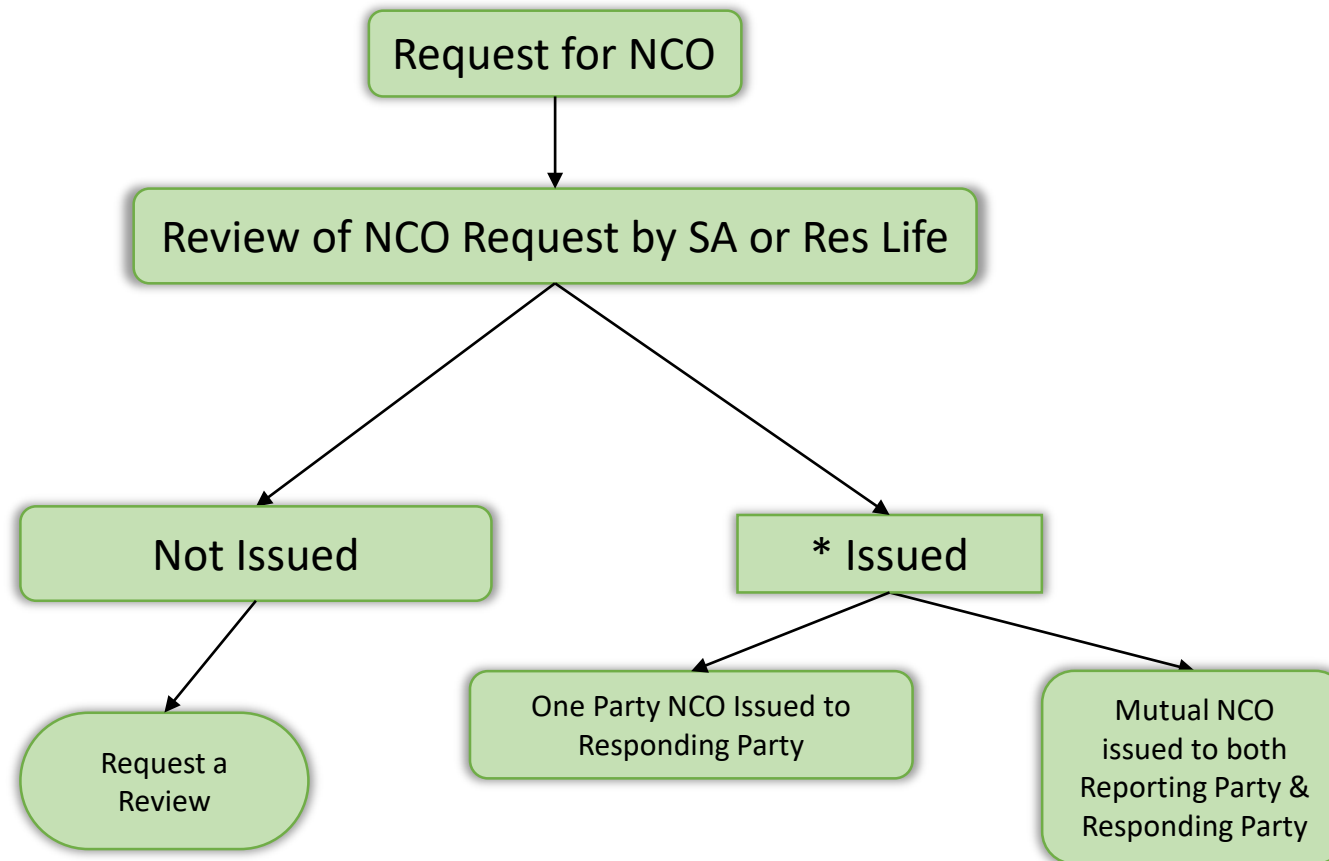
Specific questions about NCOs:

- Can an NCO be issued for safety concerns in the absence of a complaint? Yes, an NCO can be issued even if the student does not want to file a complaint or have an investigation into the incident; however, the University may need to investigate to ensure the safety of students and/or the campus.
- What is the timing for issuance of an NCO after a complaint is filed? If a safety concern exists, an NCO can be issued immediately. Determinations will be based upon case-specific circumstances. Unless there are extenuating circumstances, within three business days of receipt of the request a decision will be provided in writing to the student who requested the NCO.
- How long will the NCO remain in place? NCOs related to a complaint or investigation will remain in place throughout the investigative/student conduct process. At the completion of the investigative/student conduct process, the NCO will be reviewed for continuation or modification. All NCOs will be reviewed each semester and modified as deemed appropriate.
- Is there an appeal process for the NCO? The NCO is not a sanction and is intended to prevent future interactions that could be problematic for the involved individuals. Requests to modify an NCO may be directed in writing to the appropriate office (Student Affairs or Residence Life) which will make a final determination. Generally, both parties will be consulted before a modification is finalized.
- Who issues the NCO? The Student Affairs Office and the Residence Life Office will issue NCOs.
- How can a student request an NCO? A student may request an NCO from Student Affairs, Residence Life, Sexual Assault Prevention and Advocacy or the Equity Office by completing the NCO Request Form.

- What criteria are used to determine whether or not to issue an NCO? An NCO will be issued when information is provided to show that the NCO will help to maintain an educational environment free from unwelcome contact. Specific criteria include the determination that the NCO will assist in:
 - Diffusing a conflict,
 - Continued safety of students,
 - Preventing the reoccurrence of a conflict, or,
 - Avoiding retaliation.

- Who is copied on NCOs? Copies of NCOs will be sent to:
 - a. Reporting Party (including expectations that Reporting Party will also abide by same restrictions noted in the original NCO, if the Reporting Party does not receive a reciprocal NCO)
 - b. Student Affairs Office (when issued by Residence Life)
 - c. Residence Life Office (when issued by Student Affairs and the student lives on campus)
 - d. NDSU Chief of Police or the Chief's Designee
 - e. NDSU Equity Office for cases involving discrimination, harassment, retaliation, or sexual misconduct

No Contact Order Request With or Without an Investigation by EO



* EO/SA/RL/PD Copied

* NCOs Reviewed Each Semester