What is a No Contact Order, and How is it Different than a Protective Order?

A No Contact Order (NCO) is a written directive offered through the Title IX Office and issued either by the Title IX Office or the Office of Student Advocacy and Accountability. The purpose of the NCO is to stop all communication between two or more parties, with the goal of helping parties move forward in a helpful and successful way. NCOs are often issued when one party wishes to have no further communication with another party or when the University determines that two or more people need to have no further communication due to alleged prohibited conduct or other safety concerns. An NCO is not a finding of responsibility; it does not mean that either party is in trouble. If one party reports a violation of the NCO, the University (Student Accountability) will investigate the report and recommend some type of sanction if it determines a party violated the directive.

A Protective Order (PO) is a legal order given by the court system when a safety risk posed by one person against another person has been determined (e.g. if there is a report of domestic violence and one party has been arrested). The University cannot issue a PO, which must be sought through the court system. A PO has criminal legal consequences if it is violated.

If a student or employee has a PO against another party, the Title IX Office encourages the Complainant to notify the Marshall University Police Department since they have jurisdiction over the campus. The West Virginia Supreme Court of Appeals Website has information about Protective Orders, including links to **Personal Safety Forms** and **Domestic Violence Forms**. If you need help obtaining a PO, **Branches,** and **CONTACT** located off campus can assist.

First, No Contact Orders (NCOs) are MUTUAL and are enforced through Marshall's Office of Student Advocacy and Accountability or conduct processes. NCOs typically involve three parties; **the two with a conflict and Marshall**. An NCO is not one-sided; it is mutual. Both parties are restricted from communication, places, and interactions with one another. Even if one individual "files" an NCO, what they are ideally doing is making a request for Marshall to review and approve the need for a mutual NCO between both parties. **The NCO is not "against" the opposing party but rather "with" another party; it includes both parties and Marshall.**

Simply requesting or having an NCO request approved does not imply any judgment regarding the factual nature of the incident. Neither party is deemed responsible for any violation of the Marshall's policies. An NCO is a support measure rather than a disciplinary process; however, if an NCO is violated, the violation is handled through the appropriate discipline office.

When requests are approved, the expectation is that both individuals will refrain from approaching one another at any time, calling one another at any time, sending via email, campus, or regular mail anything to one another, contacting or communicating with one another – including through a third party – in any way at any time; entering each other's residence halls at any time; and entering each other's Greek Houses where official membership is held – at any time. It is rare that an NCO is not approved, but each approval is on a case-by-case basis.

If you are a faculty or staff member who learns from a student or colleague that there is an active NCO in place, then you are welcome to work with the party(ies) on what is best for them. There is no requirement beyond ensuring that both parties are not placed in a position where they must make contact with one another. Please know that both parties can be in the same place at the same time so long as they follow the stipulations of their order (i.e., no verbal or physical contact with each other or through other parties or mediums). The measure is always for support and is not an indication that either party is at fault. It is also not an indication that either party is accused or responsible for a violation.