



## **No Communications Orders and No Contact Orders Frequently Asked Questions**

*Last updated September 2019*

The following Frequently Asked Questions (FAQs) provide information regarding No Communication and No Contact Orders. Questions 1-16 describe No Communication Orders and mutual No Contact Orders; question 17 describes “skewed” No Contact Orders, which, as described below, are imposed in the disciplinary context and which differ in substantive ways from mutual No Contact Orders.

### **1. What is a No Communication Order?**

On occasion, one member of the Princeton University community may seek to have no communication with another member of the community. Princeton has a long-standing practice, which is an accepted best practice among higher education institutions, of providing two-way No Communication Orders to individuals who request them for a period of time. They help to ensure an environment in which individuals can focus on and pursue their education and/or work.

See attached for a sample No Communication Order.

### **2. What is a mutual No Contact Order?**

On occasion, one member of the Princeton University community may seek to avoid being in the same location as another member of the community. Princeton has a long-standing practice, which is an accepted best practice among higher education institutions, of providing mutual No Contact Orders to community members who request them for a limited period of time. They help to ensure an environment in which individuals can focus on and pursue their education and/or work.

However, No Contact Orders 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 (for example, through a temporary restraining order), they should contact the Department of Public Safety at 609-258-1000.

See attached for a sample mutual No Contact Order.

### **3. What is the purpose of No Communication Orders and mutual No Contact Orders?**

They are intended to forestall future interactions that could be problematic for the individuals, and to protect both of the individuals.

**4. Do No Communication Orders and No Contact Orders prevent the other party from talking about me to others and/or on social media?**

While No Communication Orders and No Contact Orders prevent parties from engaging in direct or indirect communication with one another, and from engaging in harassing, retaliatory, or intimidating behavior, such Orders do not bar individuals from talking about the other party and/or situations involving the other party.

**5. Who can request a No Communication Order or a mutual No Contact Order, and for what reasons?**

An enrolled student or University employee may request such an Order with respect to another enrolled student or University employee, and the request will then be reviewed by appropriate University administrator(s). One may do so due to interpersonal conflicts or situations that they believe are interfering with their educational or work environment.

**6. How do I get a No Communication or mutual No Contact Order?**

If you are interested in obtaining a No Communication or mutual No Contact Order, please contact the following:

- Director of Student Life (undergraduate students)
- Assistant Deans of the Graduate School Lily Secora/Nicole Barkley or Assistant Director of Residential Life Kevin Fleming (graduate students)
- Assistant Dean of the Faculty Alice Seneres (postdocs)
- Deputy Dean of Faculty Toni Turano (faculty)
- Human Resources manager (staff)
- Director of Gender Equity and Title IX Administration Regan Crotty (all)

Upon meeting with this administrator, you should share any specific location concerns you may have (for example, if you and the other party are in the same club or activity, or if you are in the same dormitory), so that the request can be reviewed and the Order can be tailored to the specific situation.

**7. Might an individual request one of these Orders when it is not necessary or appropriate?**

We trust that these requests are made in good faith, and our history has not shown an abuse of such Orders.

**8. Are No Communication Orders and mutual No Contact Orders punitive?**

No. These Orders are not part of the University disciplinary process, and they do not constitute a finding of, or charge of, any violation of University policy. Nor are they intended to be punitive

in any way. Rather, they are intended to forestall future interactions that could be problematic for the individuals, thereby protecting both individuals.

**9. But if a mutual No Contact Order prohibits me from accessing certain University spaces at certain times, isn't that a form of punishment?**

We recognize that a mutual No Contact Order does place some restrictions on each individual's movement around campus, but we work with both individuals to ensure that this does not unduly interfere with their educational and/or working experiences.

**10. In terms of No Contact Orders, if both individuals regularly access the same physical place(s), how will it be determined which individual has priority to access that space?**

The University administrator issuing the Order will make this assessment on a case by case basis, taking into account the reason access is needed (academic, social, etc.), how often access is needed, etc.

**11. What happens if circumstances change, and the mutual No Contact Order in place seems to unfairly burden one individual?**

If circumstances change, the University administrator issuing the mutual No Contact Order may revisit the Order. If adjustments are deemed necessary, both parties to the Order will be consulted.

**12. How long will these Orders be kept in place? What if I want to extend an Order?**

No Communication Orders will typically be kept in place for twelve months, but may be modified and/or extended as the University administrator issuing the Order deems necessary.

Mutual No Contact Orders will typically be issued for three months, but may be modified and/or extended as the University administrator issuing the order deems necessary.

If the requesting party wishes to request an extension of a No Communication or mutual No Contact Order, they should contact the University administrator who initially issued the Order (see FAQ number 6 for additional information) at least two weeks in advance of the date on which the Order is set to expire. The administrator(s) will review the request and may seek to speak with both parties (separately) as part of their review.

**13. What if I believe that the other party has violated the No Communication or mutual No Contact Order?**

If you believe that the other party has violated the No Communication or No Contact Order, you should contact the University administrator who issued the Order. They will review the matter and, if it is determined that the other party violated the Order, appropriate discipline will be issued.

In making such determinations, the disciplinary body will consider the context of the interaction, whether the other party reasonably ought to have known that the first party was present, the level of proximity, the venue, etc. Some examples of behavior that, depending on the circumstances, may be considered to be a violation of a No Contact Order include:

- Studying in the same section/floor of the library as the other party;
- Standing next to the other party in line at a food server;
- Exercising in the same room as the other party at Stephens Fitness Center (e.g., cardio room);
- Sitting within the same few rows as the other party on the campus shuttle.

In contrast, in the case of certain community events held in large venues where significant distance can be maintained, both parties to a No Contact Order typically may 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 University Chapel, or in large athletic venues, including the USG Concert held during Lawn Parties in the Quadrangle Club lawn, Commencement events, and activities in Reunions tents.

**14. For students, what is the penalty for violating a No Communication or mutual No Contact Order?**

As for any violation of University policy, penalties will depend upon the nature and severity of the violation (see [Rights, Rules, Responsibilities Section 1.1.7](#)). However, first-time violations of No Communication Orders or mutual No Contact Orders typically would not result in separation (suspension or expulsion) unless the violation was egregious or there was a history of prior violations that warranted such action.

**15. For employees, how do workplace No Contact Orders or No Communication Orders relate to National Labor Relations Act (NLRA) requirements?**

Workplace No Contact or No Communication Orders are not intended to discourage or prohibit concerted activity under Section 7 of the NLRA. If you have any questions in that regard, please contact Bridget Walsh, Senior Labor Relations Manager, Office of Human Resources.

**16. What if I am still unsure whether or not to get a No Communication or mutual No Contact Order?**

Consider consulting with a confidential resource (such as the SHARE office, Counseling and Psychological Services, or the Office of Religious Life) who can assist you in weighing your options and choosing the services and resources that are right for you.

**17. What is a “skewed” No Contact Order?**

In matters in which members of the University community have been found responsible through a formal disciplinary process for sexual misconduct or for violating a previous No Contact

Order, a “skewed” No Contact Order may be issued (or an existing mutual No Contact Order may be modified). Under a “skewed” No Contact Order, in places in which neither party’s presence is required, the responsibility to avoid the other party (the Complainant or the victimized party) falls exclusively on the party found responsible for violating the Sex Discrimination and Sexual Misconduct policy or the prior No Contact Order; in places where both parties’ presence is required, both parties must avoid being in close proximity to one another. Prior to issuing a “skewed” No Contact Order, the Complainant or victimized party will be consulted.

“Skewed” No Contact Orders differ in substantive ways from mutual No Contact Orders, including: “skewed” No Contact Orders are disciplinary in nature; they are only issued by a disciplinary body when an individual has been found responsible for violating the Sex Discrimination and Sexual Misconduct policy or a prior No Contact Order and they cannot be requested by a member of the University community; they can only be modified by the appropriate appellate body; and the duration of the “skewed” No Contact Order is determined by the disciplinary body issuing the Order.

## Sample No Communication Order

Dear [individual],

As discussed, I write to inform you that the [Office of the Dean of Undergraduate Students] 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 and in the local vicinity, at University-sponsored events, and/or through the use of University 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 administrator 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 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 University policy; rather, it is intended to forestall interactions that could be perceived by either party as retaliatory, intimidating, or harassing. No Communication Orders do not, in and of themselves, become part of the recipient's permanent University 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.

If you have any questions now or in the future regarding this No Communication Order, please do not hesitate to get in touch with me. If you have additional questions regarding No Communication Orders generally, please see <https://sexualmisconduct.princeton.edu/faqs/no-contact-communication-orders>.

Sincerely,  
[University administrator]

## Sample mutual No Contact Order

Dear [individual],

As discussed, I write to inform you that the [Office of the Dean of Undergraduate Students] 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 and in the local vicinity, at University-sponsored events, and/or through the use of University 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 is 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 University Chapel, or in large athletic venues, including the USG Concert held during Lawn Parties in the Quadrangle Club lawn, Commencement events, and activities in Reunions tents.

[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 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 University 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 University 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 <https://sexualmisconduct.princeton.edu/faqs/no-contact-communication-orders>.

Sincerely,

[University administrator]