

No-Contact Order Frequently Asked Questions:

What is a No Contact Order (NCO)?

An NCO is a preventative measure that comes in the form of a written directive stating that a community member is restricted from direct, indirect, or incidental contact with another named community member(s) through verbal, physical, or electronic means or via third parties. It is understood that this does not mean that the parties who have a mutual NCO will not see each other on- or off-campus, at events, passing in academic buildings, etc. but rather, reasonable compliance is expected, and any unnecessary or intentional contact must be avoided. Further, it puts written guidelines in place to prohibit contact.

What a No Contact Order (NCO) is not:

An NCO is neither a sanction nor a conduct outcome, nor is it a disciplinary action, but rather a temporary preventative measure. It is not meant to aid in civil disagreements or arguments that can be resolved through a discussion, mediated or not. An NCO is not a mechanism to avoid an uncomfortable conversation but is reserved for instances where one has experienced a threat to their physical, emotional, or psychological safety. Community members who have interpersonal conflicts that do not raise concerns for individual health and safety will not be granted NCOs but are encouraged to pursue other forms of conflict resolution, such as a mediated conversation with a professional staff member in instances where both parties agree to engage in the mediated conversation.

Who can request a No Contact Order (NCO)?

Any community member who feels that they have been subjected to, or are a victim of any form of physical, emotional, or psychological harm, or when threats against one's safety have been made by another community member. When there are allegations, threats, or evidence of physical violence by one community member against another, community members can speak with a member of the Residential Center, Office of Student Conduct, Office of Institutional Equity, and University Police in any instance where they would like to request an NCO.

Who issues a No Contact Order (NCO)?

University administrators from the Office of Student Conduct, the Residential Center, and the Office of Institutional Equity are authorized to issue a No Contact Order (NCO), prohibiting contact between community members when there exists a reasonable concern that physical, emotional, or psychological harm may result from such contact. University Police will work directly with one of those offices when a valid request is made, and it has been determined by one of those office to issue an NCO. In certain circumstances, the University may issue an NCO to all parties to further mitigate any potential concerns that could be ongoing between the parties involved.

What is the jurisdiction of a No Contact Order (NCO)?

An NCO is applicable to enrolled Bentley students. Enrolled students are bound by expectations outlined in the Student Handbook, including but not limited to Expulsion from the University if an NCO is violated. An NCO covers direct, indirect, and incidental contact between two Bentley community members, enrolled at the time of the NCO being issued, through verbal, physical, or electronic means or via third parties. An NCO

is not applicable in a court of law. An NCO does not apply to alumni, or anyone who cannot be held accountable under the Student Handbook.

Is a Bentley-issued No Contact Order (NCO) the same as a Restraining Order issued by a police department?

No. A Bentley-issued NCO is specific only to the Bentley community; therefore, it is separate and distinct from any law enforcement-issued Restraining Order. For more information about receiving a Restraining Order, please contact Bentley University Police or your local police department.

What can I expect from the University moving forward while the No Contact Order (NCO) is in place?

The Office of Student Conduct will cross-check the class registrations and the housing assignments of all students who have a mutually issued NCO on a semesterly basis to ensure no physical overlap in class sections or within the same residential floor. A student is welcome to reach out to the Office of Student Conduct to request assistance in ascertaining if the individual whom they have an NCO with will be attending the same event, is a part of the same area of involvement on campus, etc. so they may be informed in making their own decisions; this does not mean that the other individual will be restricted from participation.

What if I am issued an NCO, but I do not agree with the allegations that have been made against me?

NCOs are mutually issued to both parties involved in the allegation: the one alleging the misconduct, and the one receiving allegations of misconduct. An allegation is not an automatic determination of responsibility, and due process will be applied to any allegations by being processed through an adjudication process (Student Conduct, Title IX, etc.) internally to Bentley. If allegations are made against you, you will always have the chance to speak with the issuing office, and receive support from that office, as well as from other areas of support on campus, including but not limited to the Counseling Center, Community Wellness & Health Promotion, the Care team, etc. A community member cannot decline receiving an NCO, and will be held to the expectations outlined in the Student Handbook.

What if the person I would like to request a No Contact Order (NCO) with is not a current Bentley community member?

A Bentley NCO is issued when a Bentley community member feels that they have been subjected to, or are a victim of any form of physical, emotional, or psychological harm, or when threats against one's safety have been made. In the instance that a person who you would like to receive a Bentley-issued No Contact Order with is outside of the Bentley community, please speak with a Bentley University Police Officer, available 24/7 by calling 781-891-2201 to discuss a campus Trespass Order. A Trespass Order is a formal document sent to the individual's permanent address from University Police with a directive to stay off all Bentley University owned and operated property, and that any violations of that Trespass Order will result in an arrest for trespassing.

What is expected of me in case of an inadvertent encounter?

In the event you see an individual whom you have a mutually issued NCO with, it is the expectation for both parties to move past or away from each other, avoiding any and all contact. It can be very upsetting to see the other person, and we encourage people to prepare for this possibility and reach out for support if it does happen. Both parties can individually choose to leave or to remain at the same shared location, with the full

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expectation that they are to avoid each other. Examples of these times include passing each other on a sidewalk or in a hallway of an academic building, unintentionally both arriving at the same social event, or seeing the other person in the same dining facility on campus.

What should I do if I feel the mutually issued No Contact Order (NCO) has been violated?

If you feel that an NCO has been violated, please reach out to the Office of Student Conduct, the Residential Center, University Police, or the Office of Institutional Equity during the University's business hours. On nights and weekends after the University has officially closed, Bentley also has a 24/7 Administrator on Duty (AOD) that can be reached by contacting University Police. If you feel you are in immediate danger, please call either 911 or University Police's emergency line at 781-891-3131. To discuss a non-emergent concern with a Confidential Employee, please reach out to the Counseling Center (781-891-2274), the Health Center (781-891-2222), Community Wellbeing and Health Promotion (781-891-2600), or Spiritual Life (781-891-2418).

What if an NCO is issued mid-semester, while I am enrolled in a class or on the same residence hall floor as the other party?

The office issuing the NCO will work with Academic Services and/or with the Residential Center in the event of an existing overlap at the time of the NCO being issued. Academic Services can work with individual students and faculty around academic accommodations, and with the possibility of switching into a different section of the same course, when applicable. The Residential Center will be able to assist one or both parties in exploring other options for living on campus.

When does a No Contact Order (NCO) end?

An NCO will be in place for 1 calendar year (12 months) from the date it was issued, unless otherwise noted, or until you receive further written notice from Bentley University. The University reserves the right to extend, modify, or rescind the NCO at any time. A student is welcome to request a change in status to an NCO through the Office of Student Conduct, the Residential Center, or the Office of Institutional Equity. Both parties involved in a mutually issued NCO will be consulted before determining whether to modify or rescind an NCO within the same 12 months of the NCO being issued.