



Association of
Title IX Administrators

No Contact Considerations, Part 2

20 Minutes to... *Trained*



YOUR FACULTY

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Strategic Risk
Management Solutions



Any advice or opinion provided during this training, either privately or to the entire group, is never to be construed as legal advice. Always consult with your legal counsel to ensure you are receiving advice that considers existing case law, any applicable state or local laws, and evolving federal guidance.

NCO CAUTIONARY CONSIDERATIONS

- NCO being used as offensive weapon
- De minimis violations
- Requested restrictions are:
 - Unreasonable
 - Unenforceable
 - Overly-restrictive
 - Punitive
 - Retaliatory

NCO ENFORCEMENT

- Who implements?
 - Title IX
 - HR
 - Student Conduct
 - Law Enforcement/Public Safety
- Who enforces?
 - Law Enforcement/Public Safety
 - Issuing office or referral to another office
- Tips for enforcement
 - Collaboration and communication
 - Managing expectations

NCO VIOLATIONS

- What happens if a party violates the NCO?
- What are the reasonable consequences given the violation?
 - Warning
 - Probation
 - Tighten terms of NCO/lengthen term of NCO
 - Suspension
 - Expulsion
 - Employment action

K-12 CONSIDERATIONS

- NCOs can be challenging when students are in the same class(es)
 - May be necessary to inform teachers to ensure enforcement
- Crossing paths in hallways, cafeterias, restrooms, media center
 - Inadvertent contact
- K-12 NCOs more commonly include:
 - Walking/parking
 - Route limitations
 - Staggered times for certain activities or use of spaces



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Questions?

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