| Document ID  **117** | Title  **COURT ORDERED RESTRAINING ORDER** | Effective Date  **08/16/2021** |
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| Last Date of Review  **08/16/2021** | Date of Re-Review: | Date Approved by Board of Directors:  **08/16/2021** |

1. **PURPOSE**
   1. Although NEW MILLENNIUM ACADEMY (NMA) is not responsible for implementing any court mandated restraining orders of pupils (herein referred to as “scholars”), parents/guardians, and/or employees, the school will follow this policy and the procedures stated within to ensure that all parties are thoroughly supported throughout their time on the school’s property and at school-sponsored events, programming, activities, etc.
2. **POLICY STATEMENT**
   1. NMA will implement procedures and guidelines to comply with a Restraining or Protective Order, or an order involving custody, affecting an NMA scholar, parent/guardian, and/or employee (collectively, an NMA “constituent”) when a person who is subject to such order is, to the knowledge of NMA:
      1. on school property;
      2. performing services in the context of school’s employment or education program or activity, including, but not limited to, NMA-sponsored academic, athletic, extracurricular, on-line or other activities.
   2. **DEFINITIONS**
      1. “Legal Custody” means that a parent has authority to make major decisions regarding a scholar’s welfare. In the absence of a court order to the contrary, the policy of NMA will be that the parent(s) listed on the enrollment forms submitted to NMA to enroll a pupil have equally shared Legal Custody of the scholar.
      2. “Petitioner” is a person who presents a petition to a court seeking a Restraining or Protective Order.
      3. “Physical Custody” means that a parent has the right to pick a scholar up from NMA. In the absence of a court order to the contrary, the policy of NMA will be that the parent(s) listed on the enrollment forms submitted to NMA to enroll a pupil have equally shared Physical Custody of the scholar.
      4. “Respondent” is a defendant in a proceeding in court in which a Petitioner is seeking a Restraining or Protective Order.
      5. “Restraining or Protective Order” means a court order restricting the allowable actions of a person.
   3. “Guardian” is someone appointed to make legal decisions for another person who is unable to make those decisions on their own.
3. **COMPLIANCE OFFICER DESIGNATIONS, REPORTING PROCEDURES**  
   Officer Designation  
   The designated official for oversight is:  
   Stephanie Steen  
   [stephanie.steen@nmaedu.org](mailto:stephanie.steen@nmaedu.org)   
   (763) 235 7910

The name(s), title(s) and contact information of these individuals are:

| **Name** | **Title/Relationship to the School/Role** | **Contact Information** |
| --- | --- | --- |
| Kevin Xiong | Chief Executive Officer and Executive Director | [kevin.xiong@nmaedu.org](mailto:kevin.xiong@nmaedu.org)  (763) 235 7977 |
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1. **Reporting Procedure** 
   1. Whenever a scholar, parent/guardian, or employee tells a designated officer (stated above) that there is a Restraining or Protective Order that involves another NMA constituent, the school/designated officer should:
      1. Immediately ask for a certified copy of the Restraining or Protective Order, including and of any subsequent orders of modification. In every case, the school/designated official should share the terms of a Restraining or Protective Order only with NMA staff who need to know such terms to implement the requirements of the Restraining or Protective Order to the extent NMA has any obligations thereunder.
      2. Immediately notify the Chief Executive Officer and Executive Director, Chief Academic Officer, and Chief Operating Officer.
2. **Implementation Procedure** 
   1. After the designated officer has reviewed the Restraining or Protective Order and has confirmed what NMA is required to do under such Restraining or Protective Order, the school/designated officer should:
      1. Meet with such members of NMA staff to discuss the means of implementing the Restraining or Protective Order.
      2. In instances where the designated officer cannot make this determination, the designated offer should communicate with counsel for the Petitioner and the Respondent for clarification. In addition, the designated officer may meet with the Petitioner, the Respondent, or members of their family, to determine if the parties may agree to the steps or actions to be taken by NMA to comply with the Restraining or Protective Order.
      3. The designated officer should notify the affected Petitioner and Respondent in writing of the steps that NMA will take to comply with the Restraining or Protective Order.
      4. Depending on the nature, context, extent, or language of the Restraining or Protective Order, the designated officer may consider all of the following, as appropriate:
         1. inform the respondent that the school is aware of the restraining order presented by the petitioner.
         2. meet with the parent(s)/guardian(s) of the petitioner and/or the respondent (separately or together, in the discretion of the designated officer), or with the impacted NMA constituent, and review each of the terms of the order in an effort to confirm that the meaning of each term is mutually understood, and to determine if there are any specific procedures that NMA can or should follow;
         3. identify at least 2 safety staff members that the petitioner can confide with in the case of an emergency
         4. discuss with the parent/guardian whether and how school personnel should communicate with his/her about violations of the order;
         5. discuss and implement a secure means for communicating the information developed in these conversations to key school personnel;
         6. make school personnel who have regular or frequent contact with the parent/guardian or child available to the parent, at the parent’s/guardian’s request, to discuss the terms of the restraining order and the parent’s/guardian’s and scholar’s safety needs;
         7. review the school “directory information” (Infinite Campus) with the parties and inform such parties that the “directory information” can be released without his/her prior consent as required by The Data Practices Act;
         8. develop a quarterly (or otherwise stated) meeting with the parent(s)/guardian(s) of the petitioner and/or the respondent to modify the mutually agreed upon procedure;
      5. If the respondent accidentally comes into contact with the petitioner, he or she must immediately report it to the appropriate designated officer and the state of Minnesota. It is not the school’s responsibility to enforce the court mandated restraining order.
      6. Information about other NMA scholars and parents/guardians cannot be disclosed even if they are a respondent of the restraining or protective order.
3. **LEGAL REFERENCES**

Minn. Stat. §260C.405 (Violation of an Order for Protection)

Minn. Stat. §260C.148 (Procedure; Domestic Child Abuse)