

Arkansas School for the Deaf and Blind (ARDB)

Restraining and Protective Orders Policy

1. Purpose

To establish clear procedures for verifying, documenting, and enforcing court orders that restrict contact, access, or communication with students or employees on school property or during school-sponsored events, consistent with Arkansas law. This policy prioritizes the safety of students and staff while ensuring compliance with lawful court directives.

2. Scope

This policy applies to all Arkansas School for the Deaf and Blind (ARDB) property, programs, transportation, before- and after-school activities, athletics, and off-site school-sponsored events.

3. Definitions

Order of Protection (OOP): A civil court order issued under the Arkansas Domestic Abuse Act restraining an individual from contacting or approaching a protected person. Violations constitute criminal offenses under Ark. Code § 9-15-207 and may be prosecuted as Class A misdemeanors or, for repeat offenses within five years, Class D felonies.

No-Contact Order (NCO): A criminal court order issued under Ark. Code § 16-85-714 as a condition of release or pretrial supervision prohibiting a defendant from contacting a named person. Violation is a Class A misdemeanor upon conviction.

Restraining Order: A civil order entered in domestic relations or custody cases limiting contact, pickup, or access. Enforcement typically occurs through the civil court's contempt powers unless the order also carries criminal penalties.

Out-of-State, Tribal, or Military Orders: Protective orders issued outside Arkansas that must be enforced under the "Full Faith and Credit" provisions of federal law and Ark. Code § 9-15-302.

4. Legal Authority (Arkansas)

Orders of Protection: Ark. Code § 9-15-207 – Violation punishable as a Class A misdemeanor or Class D felony for repeat offenses.

No-Contact Orders: Ark. Code § 16-85-714 – Violation punishable as a Class A misdemeanor.

Full Faith & Credit Enforcement: Ark. Code § 9-15-302.

Custody and Parental Access: Arkansas Code and FERPA allow access to student records by noncustodial parents unless limited by a valid court order.

Priority of Orders: When conflicting orders exist (e.g., OOP vs. visitation), ARDB will err on the side of safety and consult legal counsel for clarification.

5. Policy Statement

ARDB will verify, document, and take action necessary to comply with any valid court order that restricts contact, access, or pickup involving a student or employee. The school will not modify or interpret the order beyond its text and will coordinate with law enforcement when appropriate. All actions will be guided by verified documentation, lawful procedures, and student and staff safety.

6. Verification Procedures

When an order is presented:

1. Obtain a certified or file-stamped copy. Accept a legible digital copy pending verification.
2. Verify essential elements: names, dates of birth, case number, issuance and expiration dates, judge's signature, and specific terms of restriction.
3. Determine the order type (OOP, NCO, or restraining).
4. Confirm validity through the issuing court clerk/Court Connect online within 24 hours.
5. Document and store a scanned copy in the restricted-access folder maintained by Administration or Legal Services.
6. Log the order in the Restricted-Contact Registry.

7. Interim Measures for Unverified or Suspected Orders

If a parent or guardian reports an order that cannot yet be verified:

1. Collect available details and request a certified copy within 48 hours.
2. Implement interim safety measures:
 - Direct student to a safe area as needed.
 - Alert front office and security for identification checks.
 - Notify the Director of Security and contact LRPD if concerns arise.
3. Attempt verification through the issuing court, checking Court Connect online, or law enforcement.
4. If not verified within 48 hours, resume standard custody/access procedures until valid documentation is received.
5. The school will not mediate disputes between parties; or take other action unless necessary to comply with a Court order or ensure student safety.

8. ARDB Responsibilities

- Take action necessary to comply with all valid court orders exactly as written on campus and at events.
- Update pickup lists, bus rosters, and visitor management systems accordingly.
- Verify the ID of all adults requesting access to students.
- Notify only staff with a legitimate need to know (e.g., front office, bus driver, principal).
- Coordinate enforcement with law enforcement and legal counsel as needed.
- Respect parental rights to student records unless limited by a court order.
- Honor out-of-state and military orders under Full Faith and Credit.
- Maintain a written response and documentation plan for all orders.

9. Parent/Guardian Responsibilities

- Provide the school with a certified/file-stamped copy of any order of protection, no-contact order, or restraining order.
- Notify the school immediately of amendments, renewals, or expirations.
- Clarify custody or visitation instructions in writing.
- Keep student pickup and emergency contact lists current.
- Report violations to law enforcement and notify ARDB promptly.

10. Staff Responsibilities

- Follow front office alerts, pickup lists, and restricted-contact guidance.
- Refrain from mediating parental or custody disputes.
- Immediately contact Administration or the Director of Security if there is any uncertainty.
- Maintain confidentiality and professionalism in all communications.

11. Response to Suspected or Actual Violations

1. Move the student or staff member to a safe and secure location.
2. Notify LRPD, the Director of Security, and school administration immediately.
3. Do not release a student to a person identified as restrained by court order.
4. Preserve evidence, including surveillance footage, written logs, or communications.
5. After safety is ensured, notify the custodial parent or guardian.
6. Complete an Incident Report and forward to the Superintendent's Office within 24 hours.

12. Confidentiality, Records, and Retention

- Orders and related documentation will be stored in restricted-access files maintained by Administration.
- Notification logs and correspondence must be documented and preserved per ARDB records policy (minimum five years).
- Access is limited to staff with legitimate safety or compliance responsibilities.

13. Training and Annual Review

- ARDB will provide annual staff training on recognizing, verifying, and responding to protective orders.
- Training will include order types, law enforcement coordination, confidentiality, and emergency protocols.
- This policy will be reviewed annually by ARDB Administration and legal counsel to ensure compliance with Arkansas statutes and best practices.

14. Conflict Resolution and Legal Consultation

When conflicting orders exist (e.g., custody versus protection), ARDB will:

1. Enforce the more restrictive provisions until clarified by the court.
2. Seek immediate guidance from legal counsel and/or law enforcement.
3. Document all actions and communications.

15. Disclaimer

This policy summarizes the procedures of the Arkansas School for the Deaf and Blind in accordance with Arkansas law and is not intended as legal advice. Court orders vary in language and scope; ARDB will enforce each order as written and will consult law enforcement or legal counsel for case-specific guidance.