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Republic of the Philippines
Department of Education
MIMAROPA REGION
SCHOOLS DIVISION OF MARINDUQUE

Office of the Schools Division Superintended

DIVISION MEMORANDUM

TO: Asst. Schools Division Superintendent
Chief Education Supervisors-CID and SGOD
Public Schools District Supervisors
Public Elementary and Secondary School Heads
School Child Protection Committees
All Others Concerned

FROM: **LYNN G. MENDOZA, EdD** [Signature]
OIC, Schools Division Superintendent

SUBJECT: **SUPPLEMENTAL GUIDELINES FOR THE IMPLEMENTATION OF
DEPED ORDER NO. 40 S. 2012, OR THE DEPED CHILD
PROTECTION POLICY**

DATE: November 11, 2024

1. With reference to Memorandum DM-OUOPS-2024-05-07998 dated September 26, 2024 titled "Supplemental Guidelines for the Implementation of DepEd Order No. 40 s. 2012, or the DepEd Child Protection Policy" from Atty. Revsee A. Escobedo, Undersecretary for Operations, this office informs the establishment of Division Child Protection Committee (DCPC) to ensure the implementation and management of learner rights and protection concern at the division level with the following members:

| Composition | Name and Position |
|------------------|--|
| Chairperson | MA. CECILIA S. MANAY Chief Education Supervisor School Governance and Operations Division |
| Vice Chairperson | MAITA M. LAZARES Education Program Supervisor School Governance and Operations Division |
| Secretariat | JOSEFINA P. BRUAL Project Development Officer I Child Protection Specialist Learner Rights and Protection Focal Person |

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Malusak, Boac, Marinduque

Email: marinduque@deped.gov.ph

•Tel. No.: (042) 754-0247 •Fax No.: (042) 332-1611

Facebook Page: DepEd Tayo Marinduque

| | |
|---------|--|
| | <p>GLAIZA T. PALATINO Project Development Officer I Child Protection Specialist</p> |
| Members | <p>MA. CONCORDIA M. EBORA Nurse II School Health and Nutrition Unit</p> <p>JOURNEY T. PEDERNAL Division Federation of Supreme Secondary Learner Government (<i>Ex-Officio member</i>)</p> <p>XYLLANA YANICEL P. BIÑAS Division Federation of Supreme Elementary Learner Government (<i>Ex-Officio member</i>)</p> <p>JENNIFER E. MONTE Education Program Supervisor Edukasyon sa Pagkakatao and Guidance</p> |

2. Attached is the Memorandum and annexes for more details. Safeguarding protocols during curricular and co-curricular programs and technology and social media for learners and DepEd personnel are also included.

3. For more information, you may contact the Project Development Officers I (PDO I) Josefina P. Brual (0906-602-0672) and Glaiza T. Palatino (0977-763-3682).

4. Immediate dissemination of and compliance with this Memorandum are desired.

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Republika ng Pilipinas
Department of Education

OFFICE OF THE UNDERSECRETARY FOR OPERATIONS

MEMORANDUM
DM-OUOPS-2024-05-07998

TO : **ALL REGIONAL DIRECTORS**
ALL SCHOOLS DIVISION SUPERINTENDENTS
ALL SCHOOL HEADS
ALL OTHERS CONCERNED

FROM : 
ATTY. REVSEE A. ESCOBEDO
Undersecretary for Operations 

SUBJECT : **SUPPLEMENTAL GUIDELINES FOR THE IMPLEMENTATION OF DEPED ORDER NO. 40, S. 2012, OR THE DEPED CHILD PROTECTION POLICY**

DATE : September 26, 2024

1. DepEd Order (D.O.) No. 40, series of 2012, or the “DepEd Child Protection Policy,” reiterates the zero-tolerance policy of the Department of Education (DepEd) for any act of child abuse, exploitation, neglect, violence, discrimination, bullying, and other forms of abuse based on the 1987 Constitution, the Convention on the Rights of the Child, Republic Act (R.A.) No. 7610 or the “Special Protection of Children Against Abuse, Exploitation and Discrimination Act,” Executive Order No. 209 (1987) or the “Family Code of the Philippines,” Presidential Decree No. 603 or the “The Child and Youth Welfare Code,” and “Republic Act 10627, otherwise known as the “Anti-Bullying Act of 2013”, among other relevant laws.

2. Violence against children adversely affects the learning process and well-being of children, both in school and at home, whether learning is face-to-face, online, or at home. As such, it is envisioned that the DepEd Child Protection Policy, taken together with this DepEd Memorandum as well as other relevant DepEd policies,¹ shall heighten the awareness and sensitivity of teaching and non-teaching personnel, community Alternative Learning System (ALS) implementors, parents, guardians and caregivers in home-based or distance learning and homeschooling, government agencies, local government units (LGUs), community leaders, children themselves and other stakeholders towards the devastating impact of violence in schools, community learning centers and at home, and strengthen their commitment to take action to promote positive social norms and implement mechanisms for ensuring that schools, community learning centers and homes are

¹ D. O. No. 55, s. 2013, “Implementing Rules and Regulations (IRR) of Republic Act (R.A.) No. 10627 otherwise known as the Anti-Bullying Act of 2013” [“Anti-Bullying Policy”], dated December 23, 2013; D.O. No. 18, 2. 2015, “DepEd Guidelines and Procedures on the Management of Children-At-Risk (CAR) and Children in Conflict with the Law (CICL)”, dated May 18, 2015; D.O. No. 57, s. 2017, “Policy on the Protection of Children in Armed Conflict”, dated November 21, 2017, among others.



Room 101, Rizal Building, DepEd Complex, Meralco Avenue, Pasig City 1600
Telephone Nos.: (02) 8633-5313; (02) 8631-8492
Email Address: oure@deped.gov.ph | Website: www.deped.gov.ph

| Doc. Ref. Code | DM-OUOPS | Rev | 01 |
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| Effectivity | 03.23.23 | Page | 1 of 12 |



safe and nurturing spaces for learning.

3. With various Learning Delivery Modes (LDMs), there are online risks to children including online sexual abuse and exploitation of children (OSAEC), exposure of children to unsafe and inappropriate content and behavior online, or to predators such as stalkers and scammers, and violations of the privacy of children, or prohibited harnessing of their personal information, among others.

4. This DepEd Memorandum is intended to highlight and expound the roles and responsibilities of various offices and personnel of DepEd, especially school heads, Child Protection Committees in schools and community learning centers, teachers and guidance counselors, other non-teaching personnel, community ALS implementors, parents, guardians, learners' peers and learners themselves in preventing, detecting, reporting and addressing child abuse, online sexual abuse and exploitation, neglect, violence, discrimination, and other forms of abuse.

5. This DepEd Memorandum also strengthens the responsive mechanisms of the Child Protection Policy, especially the referral system, and emphasizes the importance of DepEd linking with multi-disciplinary and collaborative child protection systems in Local Government Units and communities, including the Local Councils for the Protection of Children (LCPCs), as well as maintaining partnerships with other agencies, civil society organizations (CSOs), and private entities working for the protection of children.

6. This DepEd Memorandum is issued primarily to set clarifications to the DepEd Child Protection Policy in addressing the context of online safety, reiterate the referral system in consideration of the different learning modalities, emphasize the provision of intervention programs for learner-victims, and set in place the Learner Rights and Protection Office in the child protection system of the Department.

7. For more information, please contact the **Learner Rights and Protection Office**, 3rd Floor, Mabini Building, Department of Education Central Office, DepEd Complex, Meralco Avenue, Pasig City, through email at lrpo@deped.gov.ph or at the telephone number (02) 8632-1372.

8. Immediate dissemination of this Memorandum is desired.

Supplemental and Expanded Guidelines on the Implementation of DepEd Order No. 40, s. 2012, or the DepEd Child Protection Policy

I. INTRODUCTION

Pursuant to the 1987 Constitution, the State “shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all.” (Article XV, Section 3 [2]) The State shall also defend the “right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development” (Article XV, Section 3 [2]).

The Constitution further provides that all educational institutions shall “inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency.” (Article XIV, Section 3 [2])

As the State is mandated to uphold the right to quality and accessible education in a safe and nurturing environment for the learners, the DepEd recognizes its obligation to provide and foster safe and gender-sensitive learning environments, which promote inclusivity, positive discipline, and learner-centered teaching as well as protect and improve children’s physical, mental and socio-emotional well-being. Towards this end, the DepEd, in collaboration with its partners and stakeholders, shall ensure that all schools are conducive to the education of learners.

Finally, DepEd recognizes the participatory rights of the learners, with consideration of their evolving capacities and maturity, in the formulation and implementation of policies, and in all proceedings affecting them, whether they be victims or aggressors, either directly, or through a representative.

Accordingly, the DepEd reiterates a zero-tolerance policy for any act of child abuse, exploitation, neglect, violence, discrimination, and other forms of abuse, and hereby supplements DepEd Order No. 40, s. 2012, or the “DepEd Child Protection Policy” by providing clarifications and expansion of the Child Protection Committees.

II. SCOPE AND COVERAGE

This DepEd Memorandum supplements the implementation of DepEd Order No. 40, s. 2012, or the “DepEd Child Protection Policy” by providing clarifications to reiterate the procedures in the management and referral of incidents. This DepEd Memorandum expands the prohibited acts as well as the membership, duties, and responsibilities of the Child Protection Committees in schools.



Further, DepEd Order No. 40, s. 2012 and this DepEd Memorandum shall apply to all public and private schools and community learning centers, in all their school-sponsored, school-related, and off-campus activities, functions, or programs.

III. DEFINITION OF TERMS

- A. **“Child”** – refers to any person below eighteen (18) years of age or those over but are unable to fully take care of themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition (Sec. 3[a], RA 7610).

For purposes of implementing DepEd Order No. 40, s. 2012, the term also includes persons who may be above eighteen provided that they are enrolled in a basic education institution. Accordingly, “learner” may be interchangeably used with this term.

- B. **“Child marriage”** – refers to any marriage entered into where one or both parties are children, and solemnized in civil or church proceedings, or in any recognized traditional, cultural, or customary manner. It shall include informal union or cohabitation outside wedlock between an adult and a child, or between children (Sec. 3[b], RA 11596).
- C. **“Child Protection Specialists”** – refers to any DepEd personnel who has successfully completed the Child Protection Specialization Course.
- D. **“Child Sexual Abuse or Exploitation Materials”** – refers to any representation, whether offline, or by, through or with the use of ICT, by means of visual, video, audio, written, or any combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of a child engaged or involved in real or simulated sexual activities, or depicting acts of sexual abuse or exploitation of a child as a sexual object. It shall also include materials that focus on the genitalia or other private body parts of a child (Sec. 3[c], RA 11930).
- E. **“Grooming”** – refers to predatory conduct, act, or pattern of acts, of establishing a relationship of trust, or emotional connection by another, with a learner, and/or the family, guardian, and/or caregivers, whether in person or via electronic and other similar devices, for the purpose of perpetrating sexual abuse or exploitation or the production of any form of CSAEM (Sec. 3[i], RA 11930).
- F. **“Information and communications technology (ICT)”** – refers to the totality of electronic means to access, create, collect, store, process, receive, transmit, present and disseminate information.

- G. “Learner”** – refers to a child who attends classes in any level of the basic education system, under the supervision and tutelage of a teacher, learning facilitator, community ALS implementor, learning support aide, parents, guardian or other caregiver.
- H. “Learner Protection”** – refers to programs, services, procedures and structures that are intended to prevent, detect and respond to child abuse, exploitation, neglect, violence, discrimination, bullying, and other forms of abuse.
- I. “Learner Rights and Protection Office”** – refers to the office under the supervision of the Undersecretary for Operations (OUOps) pursuant to DepEd Order No. 1, s. 2023, which was created by virtue of DepEd Order No. 3, s. 2021 to establish a mechanism to fully operationalize, implement, and coordinate programs, projects, and activities pertaining to learner rights and protection.
- J. “Online Sexual Abuse or Exploitation of Children”** – refers to the use of ICT as a means to abuse and/or exploit children sexually, which includes cases in which offline child abuse and/or exploitation is combined with an online component. This can also include, but is not limited to, the production, dissemination, and possession of CSAEM; online grooming of children for sexual purposes; sexual extortion of children; sharing image-based sexual abuse; commercial sexual exploitation of children; exploitation of children through online prostitution; and live-streaming of sexual abuse, with or without the consent of the victim: Provided, That OSAEC may be used interchangeably with online child sexual exploitation or abuse (OCSEA) (Sec. 3[t], RA 11930).

IV. CLARIFICATION ON PROHIBITED ACTS

In view of the promulgation of Republic Act (RA) Nos. 11596² and 11930³, child marriage and OSAEC shall also be considered prohibited acts in relation to Section 15 of DepEd Order No. 40, s. 2012.

Further, DepEd shall join in preventing and reporting child marriage and OSAEC. Hence, awareness-raising and capacity-building activities, including procedures on reporting, shall form part of the preventive and responsive mechanisms of the Department.

² An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof.

³ Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act.

In relation to “Bullying or Peer Abuse” defined under Section 3(M) of DepEd Order No. 40, s. 2012, the said provision shall be disregarded in light of its express repeal by DepEd Order No. 55, s. 2013 or the “Implementing Rules and Regulations of Republic Act No. 10627 otherwise known as the Anti-Bullying Act of 2013”.

V. PREVENTIVE MECHANISMS

A. Establishment of the Child Protection Committee at the Regional Level

All Regional Offices shall establish a Child Protection Committee (Regional Child Protection Committee) to act as a multi-disciplinary team in the management of learner rights and protection concerns at the Regional level. The Regional Child Protection Committee (RCPC) shall have the following members:

1. Assistant Regional Director- Chairperson;
2. Regional Focal Person for Learner Rights and Protection- Vice Chairperson;
3. Chief of the Education Support Services Division- Member;
4. Representative of the School Health and Nutrition Unit- Member; and
5. Registered Guidance Counselor employed by the Regional Office or the Education Program Specialist for *Edukasyon sa Pagpapakatao*.

The RCPC shall convene when there are severe and complex incidents that requires the immediate attention of the Regional Director and the Central Office. The RCPC shall also be involved in the planning of preventive mechanisms, such as awareness-raising and capacity-building activities.

B. Duties and Responsibilities of the Regional Child Protection Committee

The Regional Child Protection Committee shall have the following functions:

1. Monitor learner rights and protection incidents in the Schools Division Offices and provide technical assistance relative to the referral of cases to partner agencies and other related services needed by the learner.
2. Recommend interventions for the well-being and development of learners;
3. Spearhead the conduct of capacity-building activities at the Regional level;
4. Strengthen inter- agency partnership and collaboration;
5. Provide timely and appropriate technical assistance to Schools Division Offices in the prevention, recognition, recording, reporting, and referral of learner rights and protection incidents;
6. Allocate funds for regional-level capability building, advocacy

programs, and other related activities from Regional Maintenance and Other Operating Expenses Fund and downloaded Program Support Fund; and

7. Perform such other functions, as may be assigned by the Secretary.

C. Establishment of the Child Protection Committee at the Division Level

All Schools Division Offices shall establish a Child Protection Committee (Division Child Protection Committee) to act as a multi-disciplinary team in the management of learner rights and protection concerns at the Division level. The Division Child Protection Committee (RCPC) shall have the following members:

1. Chief of the School Governance and Operations Division – Chairperson;
2. Education Program Specialist of the School Governance and Operations Division - Vice Chairperson;
3. Division Focal Person for Learner Rights and Protection- Secretariat;
4. Representative of the School Health and Nutrition Unit- Member;
5. Division Federation of the School Supreme Elementary/Secondary Learner Government- Member; and
6. Registered Guidance Counselor employed by the Schools Division Office or the Education Program Specialist for *Edukasyon sa Pagpapakatao* and Guidance.

The DCPC shall convene when there are severe and complex incidents that requires immediate attention of the Schools Division Superintendent and the Regional Director. The DCPC shall also be involved in the planning of preventive mechanisms, such as awareness-raising and capacity-building activities.

D. Duties and Responsibilities of the Division Child Protection Committee Level

The Division Child Protection Committee shall have the following functions:

1. Monitor learner rights and protection incidents in the school and provide technical assistance relative to the referral of cases to partner agencies and other related services needed by the learner;
2. Provide immediate and appropriate technical assistance to the Child Protection Committees in schools in handling learner disclosures/complaints;
3. Allocate funds for school-level capability building, advocacy programs, and other related activities from the Maintenance and Other Operating

Expenses Fund of the Division and downloaded Program Support Funds from the Central Office;

4. Strengthen inter- agency partnerships and collaboration; and
5. Perform such other functions, as may be assigned by the Secretary or the Regional Director.

E. Clarifications on the Membership of the Child Protection Committees in Schools

When the school is dealing with an incident of sexual abuse or exploitation, and suicide or death due to abuse or violence, only the School Head/Administrator, School Learner Rights and Protection Focal Person, and the Registered Guidance Counselor/Designate shall be allowed to handle the incident due to the sensitive nature of the matter.

F. Duties and Responsibilities of the Child Protection Specialists

Child Protection Specialists (CPSs) shall have the following functions:

1. Provide technical assistance to their Schools Division Offices and schools in managing learner rights and protection concerns;
2. Assist in the referral of Learner Rights and Protection Incidents to other government or non-government agencies for appropriate interventions or further case management;
3. Build a network and liaise with these organizations, whether government or non-government, to help Child Protection Committees in schools in referring concerns to the appropriate organization. These organizations include, but are not limited to, the Barangay Councils for Children Protection (BCCPs), Women and Children's Protection Desks (WCPDs), Local/City/Municipal Social Welfare and Development Offices (LSWDOs/CSWDOs/MSWDOs), Child Protection Units (CPUs) in hospitals, the Department of Social Welfare and Development (DSWD) and child-focused non-government organizations;
4. Create a clear directory of the partner organizations where services and various forms of assistance may be available for learner-victims. The directory shall be regularly updated and made readily available to all schools at all times; and
5. Provide timely technical assistance to schools in handling learner rights and protection concerns such as, but not limited to, child abuse, discrimination, exploitation, violence, and other similar acts.

G. Safeguarding Measures for Learners during the Conduct of Curricular and Co-Curricular Programs and Activities Inside or Outside the School Premises

All schools and the organizer of the curricular or co-curricular program or activity shall implement the following safeguarding measures:

- i. Intensify and promote learner participation;
- ii. Set up Learner Rights and Protection Desks capable to recognize, record, report, and refer incidents;
- iii. Formulate safeguarding protocol for all participants (Template for Safeguarding Protocol is attached as Annex “A” of this DepEd Memorandum); and
- iv. Discuss the safeguarding protocol during the preliminary activities of every program.

H. Online Protection

In relation to DepEd Order No. 40, s. 2012, Section 3(K), this DepEd Memorandum clarifies that Child Exploitation may be committed online. Further, with the enactment of RA 11930 and its Implementing Rules and Regulations, Online Sexual Abuse or Exploitation of Children committed against learners should be detected, reported, and acted upon.

It is also acknowledged by the Department that there are emerging issues on online protection such as the appearance of learners in the social media accounts of DepEd personnel.

To protect learners from any form of online exploitation, all DepEd offices and personnel should observe the Safeguarding Guidelines in the Use of Information and Communications Technology and Social Media for Learners and DepEd Personnel. (The Safeguarding Guidelines in the Use of Information and Communications Technology and Social Media for Learners and DepEd Personnel is attached as Annex “B” of this DepEd Memorandum).

I. Capacity Building of Schools Officials, Personnel, Parents/Guardians, Learners, Division, and Regional Focal Persons

1. All public and private basic education schools, as well as community learning centers, shall formulate preventive programs, projects, and activities to capacitate learners, teaching and non-teaching personnel, parents, guardians, and caregivers, to uphold learner protection and manage child abuse, exploitation, neglect, violence, discrimination, bullying and peer violence, and other forms of abuse.

Capacity-building activities shall include, but not be limited to, the conduct of sessions, trainings, seminars and workshops on positive peer relationships, positive and non-violent discipline in classroom management, enhancement of social and emotional competence, anger and stress management, gender sensitivity, as well as prevention,

recognition, recording, reporting, and referral to appropriate agencies and authorities of child abuse, exploitation, neglect, violence, discrimination, bullying, and peer violence, and other forms of abuse.

Capacity-building activities shall also cover the enhancement of pedagogy and andragogy skills in integrating and teaching children's rights, including child protection, and the development of instructional materials and other social behavior change materials.

2. Recognizing the need for awareness-raising and capacity-building of school/learning center officials, personnel, parents, guardians, and learners on matters pertaining to learner online protection, capacity-building activities shall include orientations and trainings on Child Online Safeguarding, Online Sexual Abuse and Exploitation of Children, and similar topics.

VI. RESPONSIVE MECHANISMS

A. Reporting to the Learners TeleSafe Contact Center Helpline

The Learners TeleSafe Contact Center Helpline shall have the following duties and responsibilities:

1. The Learners TeleSafe Contact Center Helpline under the Learner Rights and Protection Office shall be the central repository of data on incidents of abuse, violence, exploitation, discrimination, and other forms of abuse.
2. The Learners TeleSafe Contact Center Helpline shall receive reports on incidents from the school, as endorsed and reviewed by the Regional and Schools Division Offices.
3. The Learners TeleSafe Contact Center Helpline shall likewise review and endorse reports of incidents from learners, parents or guardians, and concerned citizens. The reports received by the Learners TeleSafe Contact Center Helpline shall then be acted upon by the field offices as provided under DepEd Order No. 40, s. 2012.

B. Risk Assessment

The Child Protection Committees in schools, through the registered guidance counselors/designates and the school heads, shall accomplish the Initial Risk Assessment Form, in addition to the Intake Sheet, when there is a probable incident of abuse, violence, exploitation,

discrimination, and other forms of abuse. The Initial Risk Assessment Form is attached to this DepEd Memorandum as Annex "C".

The Child Protection Committees in schools shall then refer the learner-victim to the Local Social Welfare and Development Office for proper assessment and intervention.

C. Reporting and Referral

1. All incidents of child abuse, violence, exploitation, discrimination, and other forms of abuse, whether raised to the school or based on Risk Assessment, should be reported to the Schools Division Offices, Regional Offices, and the Central Office, particularly to the Learner Rights and Protection Office.
2. If the incident happened at home and the perpetrators are not the personnel of a school, the matter should be referred to the Local Social Welfare and Development Office through the Municipal/City Social Welfare and Development Office, and the Philippine National Police through the Women and Children Protection Desk.
3. If the incident requires intervention beyond the capacity of the school, the incident may also be referred to the appropriate agency.
4. The procedure of reporting and referral is attached to the DepEd Memorandum as Annex "D".

D. Enhanced Intake Sheet

In handling all incidents of abuse, violence, exploitation, discrimination, and other forms of abuse, all schools shall utilize the enhanced Intake Sheet, which is attached to this DepEd Memorandum as Annex "E".

Further, the Intake Sheet should be kept confidential. Only the Registered Guidance Counselors/Designates may keep the Intake Sheet unless otherwise required by laws, rules, and other issuances. In handling incidents, the School Head, the Division and Region Focal Persons for Learner Rights and Protection, as well as the Central Office may check the contents of the Intake Sheet for purposes of providing interventions to the learner-victim.

It is further clarified by this Memorandum that the Intake Sheets should be filled in by the Child Protection Committees in schools, through the Registered Guidance Counselors or Designates, and signed by the School Head.

VII. EFFECTIVITY

This Memorandum shall take effect immediately upon its approval. All other orders, issuances, rules, and regulations that are inconsistent with the provisions of these guidelines are repealed and rescinded accordingly.

VIII. REFERENCES

RA 7610 (*An Act Providing for Stronger Deterrence and Special Protection Against Exploitation and Discrimination, and for Other Purposes*)

RA 11930 (*An Act Punishing Online Sexual Abuse or Exploitation of Children, Penalizing the Production, Distribution, Possession and Access of Child Sexual Abuse or Exploitation Materials, Amending Republic Act No. 9160, Otherwise known as the "Anti-Money Laundering Act of 2001", as Amended and Repealing Republic Act No. 9775, Otherwise Known as the "Anti-Child Pornography Act of 2009"*)

DepEd Order No. 40, s. 2012 (*DepEd Child Protection Policy*)

ANNEX A

SAFEGUARDING PROTOCOLS DURING CURRICULAR AND CO-CURRICULAR PROGRAMS

All curricular and co-curricular programs and activities, whether conducted inside or outside the school, shall have the following guidelines as the minimum protocols (template) to prevent abuse, violence, exploitation, discrimination, and other forms of abuse:

Safeguarding Guidelines for the Learners

The Department of Education (DepEd) is committed to the promotion of the best interest of the child in all decisions and actions involving children in accordance with DepEd Order No. 40, s. 2012 or the "DepEd Child Protection Policy" and other relevant issuances. DepEd is mandated to provide special protection to learners. Thus, all trips, activities, and events arranged by DepEd should be guided by well-crafted safeguarding guidelines in order to minimize risk, guarantee safe space, and ensure positive event or activity experience for all participants, organizers, and others who are involved in the event or activity. Further, through the safeguarding guidelines, appropriate preventive, protective, and remedial measures will be properly implemented.

Based on the foregoing, the following safeguarding guidelines shall be put in place before, during, and after the conduct of this activity in all identified venues and/or billeting centers.

I. Safe Interactions Before, During, and After the Activity

- A. Everyone shall ensure that respectful, non-violent, and non-sexualized interactions are done during the Event / Activity. This applies to:
1. adult participants to learner participants;
 2. adult participants to fellow adult participants;
 3. learner participants to fellow learner participants; and
 4. learner participants to adult participants.

The use of foul and vulgar language is prohibited.

B. Adult participants are highly required to observe the following:

1. They are highly discouraged from sending a social media friend request or message to any child participant before, during, or after the activity.
2. They should obtain informed consent from the child's parent or legal guardian or teacher before photographing or filming a child. The activity staff or the activity photographer/videographer must explain how the photograph or film will be used.

3. They must adhere to the two-adult rule: Two or more adults are required to supervise all activities where children are involved and present.
 4. They should not spend time alone with a learner (one-on-one) or with learners away from others.
 5. They should not share a room with one learner.
 6. They should not engage in any form of inappropriate touching of learners.
 7. They should not make sexually suggestive comments to a learner, even in fun.
 8. They should not allow allegations made by a learner to go unchallenged, unrecorded, or not acted upon.
 9. They should maintain a safe and appropriate distance from learners and young people.
 10. They should ensure appropriate company with a learner or young person while in a car or other vehicle.
 11. They should request written parental or official consent if activity organizers or partners are required to transport learners or young people.
- C. As to the learner participants, the following shall be strictly observed;
1. If they receive a friend request or social media message from an adult participant who attended the activity, they are not obliged to accept or respond. They should tell their parents/guardians and/or their teacher about it.
 2. They should always wear the activity identification cards.
 3. They should use proper language when talking with other learners and adult participants.
 4. They should never talk to other learners and adult participants privately and in secluded areas.
 5. They are prohibited from bringing to the activity premises pornographic materials and dangerous chemicals and substances.

II. Activity's Presenters or Resource Persons

- A. Presenters or Resource Persons shall ensure that the visuals, words, and content presented in the Activity are age and developmentally appropriate, and follow the principles of non-discrimination, gender sensitivity, and inclusivity.
- B. Presenters will have to acknowledge the diversity of the activity participants and be sensitive about this.
- C. If a certain topic discusses violence or any potentially distressing content, a trigger warning shall be placed at the start of the presentation.
- D. Presenters shall also pay special attention to their language, ensuring that this is safe for learner participants.

III. Reporting Safeguarding Concerns during the Activity

- A. If a participant wishes to report a learner protection concern while the activity is ongoing, he or she may approach the Learner Rights and Protection (LRP) Desk.
- B. If a learner participant experiences distress or any protection concern during the Event/Activity, he/she may approach designated guidance counselors/designates or psychological first aid (PFA) providers present in the activity.

For any safeguarding concerns, please contact the Learner Rights and Protection Office – Learners Telesafe Contact Center Helpline at +639451759777 or at (02) 8632-1372. You may also approach any member of the activity's designated LRP Desk or Technical Working Group.

ANNEX B

SAFEGUARDING GUIDELINES IN THE USE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY AND SOCIAL MEDIA FOR LEARNERS AND DEPED PERSONNEL

I. Personal information of Learners

If a personal information of learners would be processed or used in the school or community learning center's official social media page, or by the school personnel, the social media manager or the school personnel concerned, with the authority from the school or community learning center head, or the school or community learning center head himself or herself shall:

- a. Secure first the written consent of the learner and his or her parent, guardian, or caregiver. For this purpose, the written consent may be obtained through electronic signatures; and
- b. The written consent must be attained prior to the processing of the personal information with the declaration of the purpose for which the same would be used. The written consent must indicate that the learner and his or her parent or guardian are aware of the time, place, and manner of the use of the personal information.

II. Sensitive Personal Information of Learners

As a general rule, sensitive personal information of learners shall not be processed or used by the social media manager and the school personnel, except with the authority of the school or community learning center head, and only in the following cases:

- a. The learners with his parents, guardians, or caregivers have given their written consent, specific to the purpose disclosed to him or her before the processing; and
- b. The processing of the same is provided for under existing laws, rules, and regulations, such as those stated under the Data Privacy Act.

At all times, sensitive personal information of learners should be handled with utmost care and shall be kept confidential.

III. Handling of Reports Received by the School Social Media Page

In the event that the official social media page of the school receives reports related to an alleged violation of the DepEd Child Protection Policy, or other relevant laws, rules, and regulations, the social media manager shall inform the Child Protection Committee of the school. The Child Protection Committee of the school shall act upon the report following the procedures stated under DepEd Order No. 40, s. 2012.

IV. Group Chats

As a general rule, group chats may not be used for communications regarding school matters between school personnel and learners. However, group chats may be used for communication if the following requirements are met:

- a. If there are no other practicable means for teachers to communicate with learners;
- b. The communication is regarding school matters; and
- c. The parents consented to the making of the group chat.

V. Private Communications with Learners

As a general rule, online private communications between school personnel and the learners are not allowed, except in the following cases:

- a. With the consent of the learner, and of his parents, guardian, or caregiver, strictly on school or academic-related matters; and
- b. When the DepEd personnel receives complaints from learners related to the alleged violation of child protection policy and other relevant laws, rules and regulations.

School personnel are prohibited from conducting direct-private communications with learners through phone calls, SMS, e-mail, and social media accounts to mutually protect the learners and school personnel from a possible child abuse or exploitation incident or false accusation thereof.

VI. Use of Video Conferencing Platforms

- a. Regardless of the video conferencing platform to be used, teachers shall ensure that the privacy and safety features of the video conferencing platform are enabled. When needed, teachers are encouraged to seek the assistance of the Information Technology Personnel of the school.
- b. Teachers shall ensure that the video conference meeting details are confidential and are only known to learners and their parents or guardians.
- c. Teachers may be required to open the learners' webcams during online classes. In line with this, teachers may encourage learners to use virtual backgrounds during the online class.¹
- d. Teachers and learners, including their immediate environment, shall ensure that their webcam feed shows appropriate and safe video and audio streams.
- e. Teachers shall not leave the learners on their own after the online synchronous class to ensure that there is continuous supervision while online.
- f. Before the online class may be recorded, teachers must first secure the consent of the learners. The recording shall only be used for academic purposes.
- g. Learners are prohibited from recording the online class without the consent of the teachers and his/her classmates.

¹ NPC Bulletin No. 16. Bullet No.5 under Dos for teachers. Privacy Dos and Don'ts for Online Learning in Public K-12 Classes.

VII. Behavior in Social Media and Video Conferencing Platforms

Learners, teachers, non-teaching personnel, parents, and guardians should be mindful of the following prohibited behaviors on the official social media page of the school and video conferencing platforms:

- a. Using obscene, profane, or vulgar language or any derogatory language regarding race, gender, religion, sexual orientation, citizenship, socio-economic status or ability;
- b. Making sexually explicit, suggestive, humiliating, or degrading comments;
- c. Exhibiting harassing, intimidating, or bullying behavior;
- d. Doing any form of verbal, sexual, or mental abuse;
- e. Posting/Presenting any material inappropriate for children; and
- f. Posting/Presenting any material promoting alcohol or illegal drugs.

ANNEX C
INITIAL RISK ASSESSMENT FORM

Note: This tool shall be used by the Registered Guidance Counselor/ Guidance Designate of the school.

Use the following questions to complete the matrix below:

- **IDENTIFY-** What are the activities in school and at home which present a risk to children?
- **RISK-** What could go wrong?
- **PROBABILITY-** What is the likelihood of something going wrong?
- **IMPACT-** What would be the consequences to the child?
- **ACTION-** Identify ways to reduce these risks, and resources required to reduce the risks.

Name of Learner-Victim:

Context:

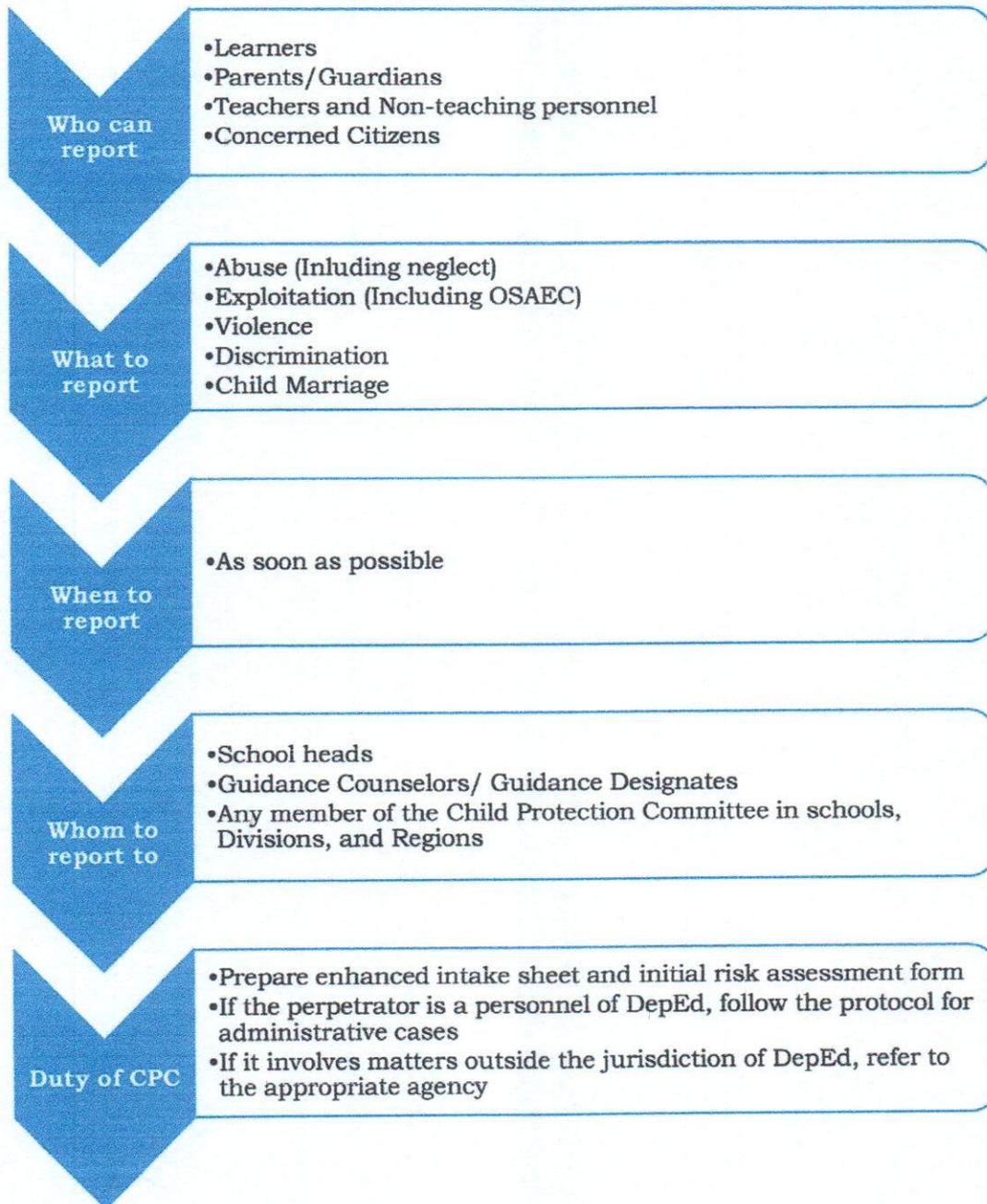
| Identified Risk to Child | Analysis of Risk Factors | Probability | | | Impact | Action(s) to be Taken | By Whom | By When |
|--------------------------|--------------------------|-------------|--------|-----|--------|-----------------------|---------|---------|
| | | High | Medium | Low | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Prepared by:

SIGNATURE OVER PRINTED NAME OF THE REGISTERED GUIDANCE COUNSELOR/ GUIDANCE DESIGNATE

ANNEX D

REPORTING AND REFERRAL PROCEDURE



**STRICTLY
CONFIDENTIAL**

**ANNEX E
ENHANCED INTAKE SHEET**

Note: This intake sheet should be handled with utmost confidentiality to protect the sensitive personal information of the learner. As much as practicable, this incident should only be kept by the Guidance Counselor/Designate and may not be forwarded to uninterested parties, unless required by laws, rules, and regulations.

I. IDENTIFYING INFORMATION

A. Learner-Victim:

Name: _____ Age: _____ Sex: _____

Date of Birth: _____ Grade Level and Section: _____

Name of Adviser: _____

Adviser's observations on the learner-victim before the incident:

(May be responsive to the following: How was the school performance of the learner before the incident? How does the learner interact with his/her peers before the incident? Does the learner have health (physical or mental) concerns before the incident?)

Adviser's observations on the learner-victim after the incident:

(May be responsive to the following: How was the school performance of the learner after the incident? How does the learner interact with his/her peers after the incident? Does the learner have health (physical or mental) concerns after the incident?)

B. Parents and Guardian:

Name of the mother: _____ Age: _____

Occupation: _____ Contact No.: _____

Address: _____

Name of the father: _____ Age: _____

Occupation: _____ Contact No.: _____

Address: _____

If applicable:

Name of the guardian: _____ Age: _____

Occupation: _____ Contact No.: _____

Address: _____

C. Complainant:

Name: _____ Age: _____

Relation to the learner-victim: _____ Contact No.: _____

Address: _____

II. ALLEGED OFFENDER:

A. If the alleged offender is a School Personnel

Name: _____ Age: _____ Sex: _____

Date of Birth: _____ Contact No.: _____

Address: _____

Relationship to the learner-victim: _____

B. If the alleged offender is neither school personnel nor a student

Name: _____ Age: _____ Sex: _____

Date of Birth: _____ Contact No.: _____

Address: _____

Relationship to the learner-victim: _____

III. DETAILS OF THE INCIDENT:

Date of the incident (estimation is acceptable): _____

- 1.
- 2.
- 3.
- 4.
- 5.

IV. INITIAL ACTIONS TAKEN:

- 1.
- 2.
- 3.

V. RECOMMENDATIONS/ NEXT STEPS:

Referral: () YES () NO

Referral to: _____

Reason for referral: _____

Other recommendations/next steps:

- 1.
- 2.

**STRICTLY
CONFIDENTIAL**

| | |
|----|--|
| 3. | |
| 4. | |
| 5. | |

Date of Intake: _____

Prepared by:

Reviewed by:

(GUIDANCE COUNSELOR/ DESIGNATE)

(SCHOOL HEAD)



Republic of the Philippines
Department of Education
 MIMAROPA Region
 SCHOOLS DIVISION OF MARINDUQUE

Office of the Schools Division Superintendent

RECOMMENDATION AND APPROVAL SHEET

Division Order _____ Division Advisory _____
 Circular Letter _____ Bulletin _____
 Unnumbered Division Memo/Letter _____ Other Publications (Pls. Specify) _____

Subject or Title : **SUPPLEMENTAL GUIDELINES FOR THE IMPLEMENTATION OF
 DEPED ORDER NO. 40 S. 2012, OR THE DEPED CHILD PROTECTION POLICY**

Prepared by : Josefina P. Bragil, PDO I-SGOD
 Endorsed by : MA. CECILIA MANAY, CES-SGOD

| <u>DIVISION/UNIT</u> | <u>COMMENT</u> | <u>INITIAL/SIGNATURE</u> |
|--|----------------|--------------------------|
| Office of the Schools Division Superintendent | | |
| Administrative Service Unit _____ | | |
| Legal Unit _____ | | |
| Finance Service Unit | | |
| Budget Officer _____ | | |
| Division Accountant _____ | | |
| Curriculum Implementation Division _____ | ok | <i>[Signature]</i> |
| School Governance and Operations Division _____ | u- | <i>[Signature]</i> |

Recommending Approval:
[Signature]
MABEL F. MUSA, PhD
 Assistant Schools Division Superintendent

APPROVED:
[Signature]
LYNN G. MENDOZA, EdD
 OIC, Schools Division Superintendent

*DepEd Marinduque: Heart of the Philippines.
 Lead to Excel. Excel to Lead."*



Malusak, Boac, Marinduque
 Email: marinduque@deped.gov.ph
 •Tel. No.: (042) 754-0247 •Fax No.: (042) 332-1611
 Facebook Page: DepEd Tayo Marinduque