



Republic of the Philippines  
**Department of Education**  
REGION X – NORTHERN MINDANAO  
**SCHOOLS DIVISION OF MISAMIS ORIENTAL**

**Office of the Schools Division Superintendent**

November 8, 2023

**DIVISION MEMORANDUM**

No. 003, s. 2023

**DRUG-FREE WORKPLACE POLICY AND CONDUCT OF GENERAL  
RANDOM DRUG TESTING AMONG OFFICIALS, EMPLOYEES, AND  
TEACHING AND NON-TEACHING PERSONNEL OF THE SCHOOLS  
DIVISION OF MISAMIS ORIENTAL**

To: All Division Office Personnel  
Public Schools District Supervisors/Districts In charge  
School Heads  
Teachers and Non-Teaching Staff  
District Nurses  
All Others Concerned

1. As part of the ongoing commitment to the health and safety of our school community, this office is reinforcing our efforts to promote the maintenance of a safe and healthy work environment across all DepED – Division of Misamis Oriental workplaces and schools, free from the use of dangerous drugs, to safeguard the health, safety, and welfare of its employees, and to reduce health and safety risks to our learners, teaching and non-teaching staff and the communities we are part of.
2. Aligned to DepED Order 37 s. 2017 – DEPARTMENT OF EDUCATION DRUG-FREE WORKPLACE POLICY, under RA 9165 (Comprehensive Dangerous Drugs Act of 2002), this office announces the DRUG TESTING PROGRAM and the guidelines on the conduct of authorized drug tests for officials and employees, including the teaching and non-teaching personnel of the Schools Division of Misamis Oriental.
3. Substance abuse, particularly drug abuse, poses significant risks not only to individuals but also to the overall productivity and well-being of the organization. To address this issue, the division has implemented a Drug-Free Workplace Policy to promote a drug-free environment, protect the health and



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safety of its employees, and ensure the efficient functioning of educational institutions.

4. Educational institutions have a responsibility to provide a safe and secure learning environment for students. Substance abuse among employees can compromise this environment, leading to potential risks such as impaired judgment, accidents, and inadequate supervision. Individuals struggling with drug addiction may experience increased absenteeism, decreased concentration, impaired decision-making, and reduced work output. By maintaining a drug-free workplace, the division safeguards the welfare of students and ensures their educational experience is free from unnecessary risks.

5. The Schools Division of Misamis Oriental is committed to upholding all applicable laws - RA 9165 (Comprehensive Dangerous Drugs Act of 2002) and RA 7624 (An Act Integrating Drug Prevention and Control in the Intermediate and Secondary Curricula) as well as regulations related to drug control and prevention such as DepED issued DECS memo no 388, s. 1995 institutionalizing the National Drug Education Program (NDEP) in schools. As such The Schools Division is committed to strengthening the Department's programs on Anti - Illegal Drugs, focusing on three core pillars: (1) Curriculum and Instruction; (2) Co-curricular initiatives; and (3) Preventive drug education and drug testing in the workplace and schools.

6. The Human Resource and Personnel Division, and the School Health and Nutrition Section, in close coordination with the Office of the Schools Division Superintendent and Drug-Free Workplace Committee, shall oversee the random identification and scheduling of officials and employees for the conduct of the drug testing.

7. The Drug-Free Workplace Committee or its designated representatives will notify the selected officers or employees to go to a specified venue on a particular day and time, for the collection of the urine specimen for drug testing

8. Trained and certified DepEd personnel in specimen collection and drug testing orientation shall assist in the filling-up of appropriate forms, orientation of the official or employee, the collection of urine specimens, and the submission of the specimen to the Department of Health or its designated accredited laboratory, following prescribed procedures and protocols.







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9. The Drug testing of the urine samples shall consist of the screening test for Methamphetamine (METH) and Tetrahydrocannabinol (THC). If the test turns positive, a confirmatory test can be carried out using the same urine sample, which shall continue to be kept to challenge the result.
10. A positive drug test result from the confirmatory test shall immediately be made known to the Superintendent, or to the person designated by the Superintendent, who shall then notify the concerned official or employee, or person under contract of service or job order. The said official, employee, or person under contract of service poor job order shall have fifteen (15) days from receipt of notice to challenge the result of the confirmatory test.
11. The challenge test shall be conducted, using the same specimen, by a government drug testing laboratory or by a drug testing laboratory duly authorized and accredited by the DOH. A positive drug test resulting from the challenge test is deemed final. Failure to file a challenge within the prescribed period shall likewise make the positive drug test result from the confirmatory test final, and the Division Office shall then take the appropriate action.
12. When the person testing positive from the confirmatory testing is under a contract of service or job order, this shall be deemed as valid grounds for the pre-termination of the contract and he/she shall be deemed to have breached his/her contractual obligation, unless the affirmative result is negated by a challenge test. In the case of pre-termination, the person concerned will not be entitled to the recovery of any payment for the remaining period of the unexpired portion of the contract.
13. When the person testing positive from the confirmatory test is an official or employee of the Schools Division of Misamis Oriental, the drug test result shall be attached to the 201 files of the official or employee. All drug test results and records must strictly be held confidential.
14. A DepED official or employee confirmed positive for the use of dangerous drugs shall undergo a Drug Dependency Examination conducted by the DOH or by a medical practitioner accredited by the DOH to conduct such examination.

Based on the findings, interventions shall be prescribed as follows:

- a. Experimenter - Outpatient, guidance counseling for six (6) months.







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b. Occasional User- Outpatient, guidance counseling, and regular monthly drug testing for six (6) months which shall be at the personal expense of the official or employee concerned.

c. Chronic User/Drug Dependent- Mandatory continuous treatment and rehabilitation for a minimum period of six (6) months in a government rehabilitation center, a DOH-accredited private rehabilitation center, or through a community rehabilitation program sanctioned under the rules of the Dangerous Drug Board.

15. An official or employee found to be an Experimenter shall shoulder the expenses of his/her guidance counseling. The same rule shall also apply to an official or employee found to be an Occasional User, who shall undergo guidance counseling and regular monthly drug testing. Time spent for counseling and regular monthly drug testing, if done during office hours, shall be charged against the official's or employee's leave credits. For this purpose, the official or employee's leave credits shall be utilized and when exhausted, vacation leave credits may be utilized for the purpose. If all leave credits are used, the absence shall be on leave without pay. As proof of successful completion of the intervention program, employees assessed as an Experimenter or Occasional User shall secure a certification of completion issued by his/her attending guidance counselor/service provider.

16. Any official or employee found to be a Chronic User/Drug Dependent and who will undergo a mandatory rehabilitation program for a minimum period of six months shall be considered sick leave for the entire period of his/her rehabilitation. When the concerned public official's or employee's sick leave is exhausted, his/her vacation leave credits may be utilized for the purpose. If all leave credits are used, his/her absence shall be on leave without pay.

17. The employee shall undertake the processing of his admission to a rehabilitation center by the provision of R.A 9165 and existing rules of the Dangerous Drug Board. The official or employee concerned shall shoulder the expenses of his/her rehabilitation, which shall commence within fifteen (15) days from receipt of Drug Dependency Examination results, to give way to the processing of the necessary clearances.

18. The official or employee concerned shall secure a certificate of completion of his/her rehabilitation program and clearance from his/her attending physician that he/she has been successfully rehabilitated and is





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now fit to return to work. Said official or employee shall not be allowed to report back to work without first submitting said certification and clearance to his/her agency.

19. When the employee who tested positive for drug use is a teacher, he/she shall be restricted from handling classes or activities involving close contact with students while undergoing counseling or rehabilitation until the necessary clearances are submitted. An evaluation was made that the said teacher does not pose any danger to the students. To ensure the continuous conduct of classes/activities, a substitute teacher may be hired/assigned.

20. Further guidelines may be promulgated on the evaluation of whether teachers no longer pose any danger to students and are fit to return to the classroom. In the meantime, teachers may be assigned to the Division or Regional Offices where they shall not pose any threat to the safety of students.

  
**EDILBERTO L. OPLENARIA, EdD, CESO V**  
Schools Division Superintendent

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