



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

Office of the Schools Division Superintendent

July 17, 2023

DIVISION MEMORANDUM

No. 534 s. 2023

**DIVISION IMPLEMENTATION ON THE LEARNER RIGHTS AND PROTECTION
DATA MANAGEMENT AND PROTOCOL CHARTER**

**To: Public Schools District Supervisors/ DICs
Public Elementary and Secondary School Heads
All Concerned
This Division**

1. Pursuant to DepEd Order No. 003, s. 2021, DepEd Order No. 40, s. 2012 Re The DepEd Child Protection Policy, and the DepEd Order No. 031, s. 2022 Re Child Rights Policy: Adopting the Rights-based Education Framework in the Philippine Basic Education, the field is hereby advised to implement the Learner Rights and Protection Data Management and Protocol Charter, with the following provisions, to wit:

1.1 ALL learner rights and protection related incidents and cases shall be referred to the Division Office through the Office of the Schools Division Superintendent, Attention: Christine H. Cabiassa, Division Child Protection Coordinator with alternate, Michael Mervin M. Acenas **through an Incident Report. Please refer to the attached format marked as Exhibit A.**

1.1.1 Learner rights and protection related incidents and cases include the following:

Term (DepEd Order No. 40, s. 2012)	Description (DepEd Order No. 40, s. 2012)
Child Abuse	Refers to maltreatment of a child, whether habitual or not, which includes any of the following: a) Psychological or physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment; b) Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;





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	<p>c) Unreasonable deprivation of the child's basic needs for survival, such as food and shelter; or,</p> <p>d) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his or her growth and development or in the child's permanent incapacity or death.</p>
Discrimination Against Children	<p>Refers to an act of exclusion, distinction, restriction or preference which is based on any ground such as age, ethnicity, sex, sexual orientation and gender identity, language, religion, political or other opinion, national or social origin, property, birth, being affected or infected by HIV-AIDS, being pregnant, being a child in conflict with the law, being a child with disability or other status of condition, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.</p>
Child Exploitation	<p>Refers to the use of children for someone else's advantage, gratification or profit often resulting in an unjust, cruel and harmful treatment of the child. These activities disrupt the child's normal physical or mental health, education, moral or social emotional development. It covers situations of manipulation, misuse, abuse, victimization, oppression or ill-treatment. Main forms of child exploitation are sexual exploitation and economic exploitation.</p>
Violence Against Children Committed in Schools	<p>Refers to a single act or a series of acts committed by school administrators, academic and non-academic personnel against a child, which result in or is likely to result in physical, sexual, psychological harm or suffering, or other abuses including threats of such acts, battery,</p>





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	assault, coercion, harassment or arbitrary deprivation of liberty.
Physical Violence	Refers to acts that inflict bodily or physical harm. It includes assigning children to perform tasks which are hazardous to their physical well-being.
Sexual Violence	<p>Refers to acts that are sexual in nature. Acts such as rape, sexual harassment, acts of lasciviousness, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body.</p> <p>Forcing the child to watch obscene publications and indecent sexual acts and/or to engage or be involved in the creation or distribution of such films, indecent publication or material; and,</p> <p>Acts causing or attempting to cause the child to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion, or through inducements, gifts, or favors.</p>
Psychological Violence	<p>Refers to acts or omissions causing or likely to cause mental or emotional suffering of the child, such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, deduction or threat of deduction from grade or merit as a form of punishment, and repeated verbal abuse.</p> <p>Other acts of violence of a physical, sexual or psychological in nature that are prejudicial to the best interest of the child.</p>
Bullying or Peer Abuse	Refers to willful aggressive behavior that is directed, towards a particular victim who may be out-numbered, younger, weak, with





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disability, less confident, or otherwise vulnerable.

a) Bullying- is committed when a student commits an act or a series of acts directed towards another student, or a series of single acts directed towards several students in a school setting or a place of learning, which results in physical and mental abuse, harassment, intimidation, or humiliation.

a.1) Threats to inflict a wrong upon the person, honor or property of the person or on his or her family;

a.2) Stalking or constantly following or pursuing a person in his or her daily activities, with unwanted and obsessive attention;

a.3) Taking of property;

a.4) Public humiliation, or public and malicious imputation of a crime or of a vice or defect, whether real or imaginary, or any act, omission, condition, status, or circumstance tending to cause dishonor, discredit or expose a person to contempt;

a.5) Deliberate destruction or defacement of or damage to the child's property;

a.6) Physical violence committed upon a student, which may or may not result to harm or injury, with or without the aid of weapon. Such violence may be in the form of mauling, hitting, punching, kicking, throwing things at the student, pinching, spanking, or other similar acts;

a.7) Demanding or requiring sexual or monetary favors, or exacting money or property, from pupil or a student; and,



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	a.8) Restraining the liberty and freedom of a pupil or student.
Cyber-bullying	Is any conduct defined in the preceding paragraph, as resulting in harassment, intimidation, or humiliation, through electronic means or other technology, such as but not limited to texting, email, instant messaging, chatting, internet, social networking websites or other platforms ofr formats.
Other acts of abuse by a pupil, student or learner	Refers to other serious acts of abuse committed by a pupil, student or learner upon another pupil, student or learner of the same school, not falling under the definition of 'bullying' in the preceding provisions, including but not limited to acts of a physical, sexual or psychological nature.
Corporal Punishment	<p>Refers to a kind of punishment or penalty imposed for an alleged or actual offense, which is carried out or inflicted, for the purpose of discipline, training, or control, by a teacher, school administrator, an adult, or any other child who has been given or has assumed authority or responsibility for punishment or discipline. It includes physical, humiliating or degrading punishment, including, but not limited to the following:</p> <p>a.1) Blows such as, but not limited to, beating, kicking, hitting, slapping, or lashing, of any part of a child's body, with or without the use of an instrument such as but not limited to a cane, broom, stick, whip or belt;</p> <p>a.2) Striking of a child's face or head, such being declared as a "no contact zone";</p> <p>a.3) Pulling hair, shaking, twisting joints, cutting or piercing skin, dragging, pushing or throwing of a child;</p>





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- a.4) Forcing a child to perform physically painful or damaging acts such as, but not limited to, holding a weight or weights for an extended period and kneeling on stones, salt, pebbles or other objects;
- a.5) Deprivation of a child's physical needs as a form of punishment;
- a.6) Deliberate exposure to fire, ice, water, smoke, sunlight, rain, pepper, alcohol, or forcing the child to swallow substances, dangerous chemicals, and other materials that can cause discomfort or threaten the child's health, safety and sense of security such as but not limited to bleach or insecticides, excrement or urine;
- a.7) Tying up a child;
- a.8) Confinement, imprisonment or depriving the liberty of a child;
- a.9) Verbal abuse or assaults, including intimidation or threat of bodily harm, swearing or cursing, ridiculing or denigrating the child;
- a.10) Forcing a child to wear a sign, to undress or disrobe, or to put on anything that will make a child look or feel foolish, which belittles or humiliates the child in front of others;
- a.11) Permanent confiscation of personal property of pupils, students or learners, except when such pieces of property pose a danger to the child or to others; and,
- a.12) Other analogous acts.





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1.2 After the receipt of the Incident Report, the Division Child Protection Coordinators shall then provide technical assistance to the School Child Protection Committee through a scheduled Special Child Protection Case Conference, in which the schools concerned shall prepare the following:

- 1.2.1 **Child Protection Intake Sheet** (Please refer to the attached marked as Exhibit B)
 - 1.2.2 **Special Child Protection Case Conference Attendance Sheet** (Please refer to the attached marked as Exhibit C)
 - 1.2.3 **Certificate of Appearance** (School Format)
2. Editable forms can be downloaded at <https://tinyurl.com/CPAnnex>
 3. Wide dissemination of this Memorandum is enjoined.


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





ELO/EGD/SGOD/mma/cabiasa



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CHILD PROTECTION INCIDENT REPORT
(CONFIDENTIAL)

I. INFORMATION

A. LEARNER/S AT RISK

School: _____ District: _____

Name of the Learner/s: _____

Grade Level/Section : _____

Name of Adviser/s : _____

B. COMPLAINANT

Complainant/s : _____

Relationship to the Learner/s: _____

C. PERSON COMPLAINED OF

Name : _____

Designation/Position: _____

II. DETAILS OF THE INCIDENT

Date of the Incident: _____ Time: _____

NARRATIVE OF THE INCIDENT





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Prepared By:

(NAME OF SCHOOL HEAD)
School Head/Chairperson, CPC

(NAME OF GUIDANCE)
Vice-Chairperson, CPC

(NAME OF TEACHER)
Representative of the Teachers

(NAME OF PTA REPRESENTATIVE)
Representative of the PTA

(NAME OF STUDENT)
Representative of the Pupils

(NAME OF REPRESENTATIVE)
Representative of the Community





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CHILD PROTECTION INTAKE SHEET

(Confidential)

I. INFORMATION

A. VICTIM

Name: _____
 Date of Birth: _____ Age: _____ Sex: _____
 Grade & Section: _____ Adviser: _____

Parents:

Mother: _____
 Occupation: _____
 Address and Contact Number: _____

Father: _____
 Occupation: _____
 Address and Contact Number: _____

B. COMPLAINANT

Name: _____
 Relationship to Victim: _____
 Address and Contact Number: _____

C. PERSON COMPLAINED OF

C-1 If the person complained of is a School Personnel

Name: _____
 Date of Birth: _____ Age: _____ Sex: _____
 Designation/Position: _____
 Address and Contact Number: _____





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C-2 If the person complained of is a Student

Name: _____
Date of Birth: _____ Age: _____ Sex: _____
Grade & Section: _____ Adviser: _____

Parents/ Guardian

Mother: _____
Occupation: _____
Address and Contact Number: _____

Father: _____
Occupation: _____
Address and Contact Number: _____

II. DETAILS OF THE CASE:





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III. ACTION TAKEN:

IV. RECOMMENDATIONS:

Prepared by:

Signature over Printed Name

Designation: _____

Date: _____





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SPECIAL CHILD PROTECTION CASE CONFERENCE

SCHOOL: _____ SCHOOL HEAD: _____

DISTRICT: _____ PSDS: _____

ATTENDANCE SHEET

	NAME	DESIGNATION	CONTACT NUMBER	SIGNATURE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

