



DEPARTMENT OF EDUCATION
Region X-Northern Mindanao
DIVISION OF MALAYBALAY CITY

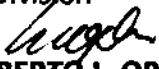


Sayre Highway, Purok 6, Casisang, City of Malaybalay

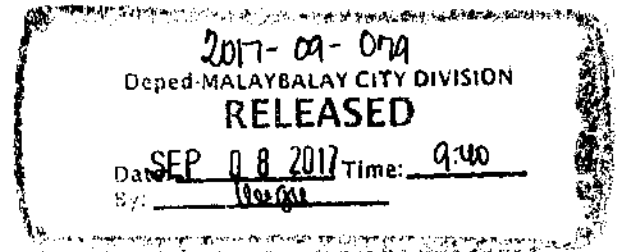
DIVISION MEMORANDUM

No. 456 s. 2017

TO: Chief Education Supervisor and Staff, CID and SGOD
Public Secondary School Heads and Designated Random Drug Testing Coordinator
All Others Concerned
This Division

FROM: 
EDILBERTO L. OPLENARIA, CESO VI
Schools Division Superintendent

DATE: September 5, 2017



RE: DIVISION CONFERENCE ON DEPED ORDER NO. 40, s. 2017 RE: GUIDELINES FOR THE CONDUCT OF RANDOM DRUG TESTING IN PUBLIC AND PRIVATE SECONDARY SCHOOLS

1. Pursuant to DepEd Order No. 40. s 2017, all Public Secondary School Drug Testing Coordinators –Designate are hereby directed to attend the Division Conference on Guidelines for the conduct of Random Drug Testing in Public and Private Schools on September 14, 2017, 8:00 A.M at the Multi – Purpose Hall, Division Office.

2. For widest dissemination and compliance.

End:

As stated

Copy furnished:

Records Unit
SGOD – Health Section

TO BE POSTED IN THE DIVISION WEBSITE



Republic of the Philippines
Department of Education

08 AUG 2017

DepEd ORDER
No. **40**, s. 2017

**GUIDELINES FOR THE CONDUCT OF RANDOM DRUG TESTING IN PUBLIC
AND PRIVATE SECONDARY SCHOOLS**

To: Undersecretaries
Assistant Secretaries
Regional Directors
Schools Division Superintendents
Division Chiefs
Public and Private Secondary School Heads
All Others Concerned

1. The Department of Education (DepEd) issues the enclosed **Guidelines for the Conduct of Random Drug Testing in Public and Private Secondary Schools**. These guidelines govern the conduct of drug testing in public and private secondary schools in SY 2017-2018 and thereafter.
2. The Guidelines follow the parameters laid down by Republic Act No. 9165 and its Implementing Rules and Regulations, as well as the Dangerous Drugs Board Regulation No. 6, Series of 2003, as amended by Dangerous Drugs Board Regulation No. 3, Series of 2009.
3. All DepEd Orders and other related issuances, rules and regulations and provisions which are inconsistent with these guidelines are hereby repealed, rescinded, or modified accordingly.
4. This policy shall take effect immediately upon its publication on www.deped.gov.ph.
5. Immediate dissemination of and strict compliance with this Order is directed.


LEONOR MAGTOLIS BRIONES
Secretary

Encl.: As stated
Reference: None
To be indicated in the Perpetual Index
under the following subjects:

DRUG EDUCATION
HEALTH EDUCATION

POLICY
SCHOOLS

SMMA/DQ Guidelines for the Conduct of Random Drug Testing
0469/May 30, 2017

GUIDELINES FOR THE CONDUCT OF RANDOM DRUG TESTING IN PUBLIC AND PRIVATE SECONDARY SCHOOLS

I. RATIONALE AND POLICY

1. Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs of 2002", declares it a policy of the State "to safeguard the integrity of its territory and the well-being of its citizenry particularly the youth, from the harmful effects of dangerous drugs on their physical and mental well-being".

2. The Department of Education is mandated to substantially contribute to the implementation of such policy through: (a) the integration in the curricula instruction on drug abuse prevention and control; (b) support for co-curricular activities for the prevention and deterrence of the use of dangerous drugs; and, (c) conduct of authorized drug testing for students of secondary schools.

3. DepEd is committed to strengthen the Department's programs on Anti-Illegal Drugs for students. Relevant bureaus and services have been directed to further enhance the anti-illegal drugs component of the curriculum. On co-curricular intervention, DepEd is intensifying its youth formation initiatives and advocacies, through the capacity building of youth formers (teachers, guidance counselors, and peer facilitators) and the provision of programs and activities for leadership development among learners. On authorized drug testing, DepEd will conduct drug testing among secondary level students.

II. SCOPE

4. This Guidelines govern the conduct of drug testing in public and private secondary schools in SY 2017-2018 and thereafter.

5. The Guidelines follow the parameters laid down by RA 9165 and its Implementing Rules and Regulations, as well as the Dangerous Drugs Board Regulation No. 6, Series of 2003, as amended by Dangerous Drugs Board Regulation No. 3, Series of 2009.

III. DEFINITION OF TERMS

6. As used in this Guidelines, the following terms shall have the following meaning:

- a) **Dangerous Drugs** include those identified and listed in RA 9165 and its annexes, subject to any reclassification, addition or removal of any drug from said list by the Dangerous Drugs Board, in accordance with Section 93 of R.A. No. 9165.
- b) **Drug Dependence** refers to a cluster of physiological, behavioral, and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and having difficulties in controlling substance-taking behavior in terms of its onset, termination, or level of use.

- c) **Authorized Drug Test** is the testing done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. It shall employ, among others, two (2) testing methods, the screening and confirmatory tests. The examination of a person's urine specimen to determine the presence of dangerous drugs shall be done by any government forensic laboratories accredited and monitored by DOH.
- d) **Laboratory** refers to a DOH-Accredited private or government facility that is capable of testing a specimen to determine the presence of dangerous drugs therein.
- e) **Screening Drug Test** is a rapid drug test performed to establish potential or presumptive positive result. It refers to the immunoassay test to eliminate a 'negative' specimen, i.e. one without the presence of dangerous drugs, from further consideration and to identify the presumptively positively specimen that requires confirmatory test.
- f) **Confirmatory Drug Test** is an analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test. It refers to the second or further analytical procedure to more accurately determine the presence of dangerous drugs in a specimen, which shall likewise be done by any government laboratory or by privately owned and operated drug testing laboratories accredited and monitored by the DOH having confirmatory test capabilities.
- g) **Random Drug Test** is a method of drug testing where the selection process results in equal probability that anyone from a population will be tested, and without any prior notice of the date and venue.
- h) **Random Selection** refers to the unbiased process of selecting students who are to undergo drug testing.
- i) **Chain of Custody** refers to procedures to account for each specimen by tracking its handling and storage from point of collection to final disposal. These procedures require that the applicant's identity is confirmed and that Custody and Control Form is used from time of collection to receipt by the laboratory. Within the laboratory, appropriate chain of custody records must account for the samples until disposal.
- j) **Drug Dependency Examination** refers to the examination conducted by an accredited physician to evaluate the extent of drug abuse of a person and to determine whether he/she is a drug dependent or not, which includes history taking, intake interview, determination of the criteria for drug dependency, mental and physical status, and the detection of dangerous drugs in body specimens through laboratory procedures.
- k) **Experimenter** is a person whose drug use began through exploration with limited exposure and no development of regular use or any related harm.

- l) **Occasional User** is a person who indulges in drug use to create or enhance experience in a social setting.
- m) **Chronic User/Drug Dependent** is a person identified for using drugs/other substances (mind-altering or not) without medical need, in an amount large enough or over a period long enough to threaten the quality of life or health and safety of the user or others.
- n) **Interventions** are therapeutic programs appropriate for high-risk individuals/students who are using dangerous drugs and who need special assistance to recognize the signs and symptoms of initial drug use and dependency. It may include corrective or rehabilitative actions that may take the form of crisis intervention, peer counseling, peer leadership programs, parent/peer groups, or psychological counseling at the individual or family level and structured rehabilitation programs. It may also include medical intervention of the afflicted student whenever necessary.
- o) **Treatment** is a medical service rendered to a patient for the effective management of physical and mental conditions arising from his/her drug use.
- p) **Rehabilitation** is a dynamic process including aftercare and follow up treatment directed towards the physical, emotional, psychological, vocational, social and spiritual change of a drug dependent to enable him/her to live without dangerous drugs, enjoy the fullest life compatible with his capabilities and potentials and render him/her able to become a law abiding and productive member of the community.
- q) **Drug Counselor** is a person trained in the techniques of guidance counseling particularly dealing with cases of drug dependency.
- r) **Center** is any of the treatment and rehabilitation centers which undertake treatment, aftercare and follow up treatment of drug dependents. It includes institutions, agencies and the like whose purposes are: the development of skills, arts and technical know-how, counseling and/or inculcating civic, social and moral values to drug dependent patients, with the aim of weaning them away from dangerous drugs and keeping them drug-free, adapted to their families and peers and readjusted into the community as law abiding, useful and productive citizens.
- s) **Drug Testing Coordinator** is the point person in the school tasked with handling random drug testing.
- t) **Selection Board** is the board constituted at the level of the school composed of the Drug Testing Coordinator as chairperson, and one representative each from the students, faculty and parents as members. The authorized governing body duly recognized by their respective constituents shall choose the representatives from these stakeholders based on a set of selection criteria formulated for this purpose. In the absence of a parents' association, the School Head may appoint any parent who shall be a member of the Selection Board.

- u) **Parents** for purposes of this Guidelines include court appointed guardians.

IV. GUIDING PRINCIPLES IN THE CONDUCT OF RANDOM DRUG TESTING IN PUBLIC AND PRIVATE SECONDARY SCHOOLS

7. Government recognizes the primary responsibility of the family, particularly the parents for the education and awareness of its members of the ill effects of dangerous drugs.

8. Parental involvement shall be maximized in the implementation of drug education, random drug testing, treatment and rehabilitation of drug users and dependents.

9. The school, with the assistance of Local Government Units (LGUs) and other agencies where the school is located, has the obligation to employ every reasonable means to provide a healthy and drug-free environment to its populace.

10. Cognizant of the right of the students to continue and complete their studies, the government and the schools shall give emphasis to the implementation of measures aimed at guidance and counseling together with the treatment and rehabilitation of any student found to have used or to be dependent on dangerous drugs.

11. The implementation of drug abuse prevention and education programs in schools shall be intensified as an integral part of the over-all demand reduction efforts of the government.

12. The random drug testing shall be implemented as a collaborative undertaking of the government, the schools, the students and their parents. The whole process shall not in any manner be utilized to harass the students.

13. Random drug testing shall be implemented primarily for prevention and rehabilitation.

14. The drug-testing program shall guarantee and respect the personal privacy and dignity of the student.

15. The drug test results shall be treated with utmost confidentiality.

16. The test results shall not be used in any criminal proceedings.

17. Random drug testing for students is considered by the government as entirely a "health" issue and aims to provide appropriate interventions to those who will be tested positive for dangerous drug use, which will help the student stop further use and/or abuse of the substance.

V. PURPOSES OF THE CONDUCT OF RANDOM DRUG TESTING IN PUBLIC AND PRIVATE SECONDARY SCHOOLS

18. The random drug testing in public and secondary schools shall be conducted with the following purposes:

- a. To determine the prevalence of drug users among the students;
- b. To assess the effectivity of school-based and community based prevention programs;
- c. To deter the use of illegal drugs;
- d. To facilitate the rehabilitation of drug users and dependents; and,
- e. To strengthen the collaboration efforts of identified agencies against the use of illegal drugs and in the rehabilitation of drug users and dependents.

VI. CONDUCT OF THE RANDOM DRUG TESTING IN PUBLIC SECONDARY SCHOOLS

A. Coverage of the Students to be Tested

19. The number and location of students to be tested shall be based on a Stratified Cluster Sampling of Junior and Senior High School students, with the sampling population yielding a statistical 95% confidence level for the whole student population in public Junior and Senior High Schools.

B. General Preparations

20. The Central, Regional and Division Offices shall undertake measures to inform all public secondary schools of this Guidelines.

21. A Committee shall be created at the Central Office to supervise the overall implementation of the random drug testing in public and private secondary schools.

22. The Committee, through School Health Division of the Bureau of Learner Services, shall organize Random Drug Testing Teams (RDT Teams) from participants in the Orientation-Training on the Drug Testing Program under DepEd Memorandum No. 17, s. 2017 to coordinate and work with the School Selection Board on the actual drug testing and after-testing interventions.

23. While only sample schools will conduct the actual drug testing, all secondary schools will make necessary prior preparations with the assumption that they will be included in the sample schools.

24. The school level general preparations include:

- a. Familiarization with this Guidelines
- b. Making the required notification
- c. Coordination with the RDT Team assigned to the school
- d. Designation of the School Drug Testing Coordinator

- e. Constitution and orientation of the School Selection Board
- f. Other preparations deemed necessary or as directed by the Committee

C. Notification

25. At a regular or special general assembly and/or parent-teachers conference, every secondary school administration shall explain the key provisions and procedures under this Guidelines to the school community.

26. All secondary students and their parents shall be notified in writing on the process and manner by which the random drug testing shall be conducted. The Committee shall provide a sample notice for the guidance of school administrators.

27. Failure by the parents and/or students to return the acknowledgment receipt of the notice shall not be a bar to the conduct of the drug testing and of the said students' inclusion in the sample.

D. Selection of Samples

28. The Committee shall supervise the identification of the sample secondary schools based on its approved sampling design. The Committee shall safeguard the confidentiality of the selected schools in keeping with the required randomness as to time and place of testing.

29. The Committee, through the appropriate channel, shall inform the concerned head teacher of the selection of his or her secondary school in the coverage of the drug testing within five days from the designated date of the drug testing.

30. Upon such notice, the head teacher shall direct the Drug Testing Coordinator to immediately convene the School Selection Board and undertake the necessary preparations, including the coordination with the assigned RDT Team.

31. On the day of the testing, the Selection Board and the RDT Team shall conduct the random selection of the required number of students to be tested in the school. The random selection shall be through a lottery, which may be computerized, or through any equivalent manner as may be directed by the Committee.

32. The Selection Board and the RDT Team shall ensure the confidentiality and integrity of the random selection process.

E. Procedure for the Collection of Urine Samples and Testing for Drugs

33. The collection of urine samples and the testing for drugs shall strictly follow the guidelines and protocols required by the Department of Health (DOH).

34. Before proceeding with the specimen collection, the students selected to undergo the drug testing shall be given an orientation on the process of drug testing, their rights, and the implications of the drug testing.

35. The students shall be requested to accomplish a drug testing form to be provided by the RDT Team. The form shall include information on any prescription medicines, vitamins, and food supplements that they have ingested within the past five (5) days.

36. Students who are already ready to give their urine sample shall approach the specimen collectors' table and select the specimen bottle that he or she will use.

37. To safeguard the integrity of the urine sample, the student will be accompanied by a specimen collector of the same gender to the private collection area, where the student will be asked to thoroughly wash and dry his or her hands, empty pockets and remove outer garments (jackets, etc.).

38. The collection of urine shall then be conducted. The student shall submit the urine sample to the specimen collector who shall examine, in the presence of the student, whether the urine collected can be accepted for testing.

39. If the urine sample is accepted, the student shall affix his or her signature and the date and time of the collection to the sealing tape. The specimen collector shall then seal the specimen bottle in the presence of the student.

40. The specimen collector and the student shall affix the final signatures on the drug testing form to attest to the regularity of the procedures done.

41. All the collected specimen shall be consolidated, packed and transferred to the custody of DOH for the testing procedures, following the protocols of DOH for proper storage, handling and transport.

42. All the necessary documentation shall be submitted to the relevant offices as identified by the Committee.

F. Drug Test Results

43. All specimen submitted to DOH shall have a corresponding laboratory result issued within 15 days.

44. A positive screening result shall be subjected to confirmatory analysis. The final report shall be based on the confirmatory results.

45. Screening laboratory results shall bear the signatures of the Analyst and the Head of the Laboratory. Confirmatory laboratory results shall bear the signatures of the Analyst, Chief Chemist and Head of the Laboratory.

46. The names per school of all who tested negative will be summarized in a result form, while the laboratory results for specimens testing positive in the confirmatory test shall be in individual result forms.

47. The results shall be placed in a sealed envelope and marked as confidential, and submitted for transmission to the Office of the Secretary, Department of Education.

G. Action on Drug Test Results

48. The Office of the Secretary, in coordination with the Committee, shall transmit the results to the relevant school Drug Testing Coordinator. The Drug Testing Coordinator shall then inform the parents and students of the results, and how the information is regarded with utmost secrecy and confidentiality.

49. For students who tested positive, the concerned Drug Testing Coordinator shall set a conference with the student and parents and a DOH-accredited physician to discuss issues of drug use and possible dependency. The Drug Testing Coordinator, Drug Counselor and employees of DOH-accredited facilities, and testing laboratories shall not reveal the names of the students or test results to any other persons except to the student concerned or his/her parents.

50. After the conference, the Drug Testing Coordinator shall refer the student and his/her parent to a government-owned DOH-accredited facility or DOH-accredited government physician to determine the student's dependency level, at which the following shall be undertaken:

- a. Drug dependency level of the student shall be evaluated;
- b. Cross reference of information shall be validated from the parent and RDT Coordinator;
- c. Treatment planning for the student shall be discussed and presented to the student and parent; and,
- d. Options for treatment should be presented to the parent and student.

51. If a student is found to be a drug dependent, the school authority shall refer him or her to the Department of Social Welfare and Development (DSWD) or a local social worker for counseling and other interventions. The parent and the student may also choose to enroll the student in a private rehabilitation center or program or opt to avail of the rehabilitation services of the government through a DOH-accredited facility. If the parent and student would opt for private services, appropriate referrals will be done, taking note of the progress of treatment on a regular basis. Trained guidance counselors can also be utilized.

52. The student shall then undergo the prescribed intervention program under the supervision of the DOH-accredited facility or physician, or private practitioners, or social worker, in consultation with the parent. Such process of observation and counseling shall be done in coordination with the Drug Counselor of the school.

53. If the student shows no signs of improvement or recovery, or fails the drug test the second time, the DOH-accredited facility or physician may make a recommendation to the student, parent, and Drug Testing Coordinator to have the student referred to a DOH-accredited facility suited to the student's level of dependency. If another drug testing is conducted for another period on the same student population, and the student is found positive the second time, the school shall proceed in accordance with Section 61, R.A. 9165.

54. If the parents refuse to act, the Department shall proceed in accordance with Sec. 61 of RA 9165 (Compulsory Confinement of a Drug Dependent Who Refuses to Apply Under the Voluntary Submission Program).

55. Positive confirmatory drug test result under this Regulation shall not be a ground for expulsion or any disciplinary action against the student and should not be reflected in any and all academic records. Under no circumstances shall the results be used to incriminate any student for further legal action which may result to administrative/civil/criminal liabilities.

56. Likewise, consistent with the requirements of confidentiality, the results of drug tests conducted shall not be used as evidence in any court or tribunal, where the subject student stands to be accused of any crime or felony, and for any other purpose.

H. Training of Guidance Counselors

57. The Department, in coordination with other concerned agencies, shall formulate and conduct training programs for guidance counselors for the purpose of enhancing their skills in handling drug abuse prevention programs and handling drug dependency cases. The school guidance counselors and other qualified medical personnel shall be encouraged to undergo DOH accreditation.

I. Enforcement of Compliance

58. Students of public secondary schools who refuse to undergo random drug testing shall be reported to the Committee for appropriate action.

59. At no time shall refusal to undergo testing give rise to a presumption of drug use or dependency; provided, that the school may implement interventions on such refusal other than the offense of drug use or dependency. Interventions should be consistent with the provisions of this Guidelines.

VII. COMMITTEE TO SUPERVISE THE CONDUCT OF RANDOM DRUG TESTING IN PUBLIC SECONDARY SCHOOLS FOR SY 2017-2018

60. The Department of Education shall conduct drug testing for secondary students in public schools for SY 2017-2018.

61. A Committee is hereby created to supervise the overall implementation of the random drug testing in public secondary schools for SY 2017-2018, to be called the "Committee for the 2017-2018 Random Drug Testing for Secondary Students", referred to herein as "Committee".

62. The following are designated as members of the Committee:

Undersecretary Alberto T. Muyot
Assistant Secretary Nepomuceno A. Malaluan
Undersecretary Alain Del B. Pascua

63. The Committee shall immediately convene upon issuance of this Memorandum and shall regularly report its work to the Secretary of the Department.

64. The Committee is authorized to issue necessary supplemental implementing guidelines and other instruments to fully implement the drug testing and related activities, subject to the approval by the Secretary.

65. The Committee shall be assisted in its work by the Bureau of Learner Support Services, particularly the School Health Division, and by a Secretariat that the Committee shall organize subject to the approval of the Secretary of the Department.

66. The Regional, Division and School level participants of the Orientation-Training on the Drug Testing Program under DepEd Memorandum No. 17, s. 2017, shall also assist and coordinate with the Committee on the implementation of the random drug testing.

67. The Office of the Secretary shall allocate adequate funds for the operations of the Committee and the implementation of the random drug testing in public secondary schools for SY 2017-2018, subject to availability of funds and the usual accounting and auditing laws, rules, and regulations.

68. Upon completion of the drug testing for public secondary students for SY 2017 - 2018, the Committee shall submit a Final Report to the Secretary, embodying the aggregate results of the drug testing, updates on the post-drug-testing activities and interventions, and recommendations on the Department's drug abuse prevention program. The term of the Committee members designated herein shall end upon the submission of the Final Report.

69. The Secretary shall appoint new members of the Committee as needed for any subsequent drug testing for secondary students.

VIII. CONDUCT OF THE RANDOM DRUG TESTING IN PRIVATE SECONDARY SCHOOLS

70. Private Junior and Senior High Schools shall undergo drug testing in their respective schools no later than SY 2018-2019 covering a sample size and selection methodology that will yield a statistical 95% confidence level for their respective student populations. The process for the drug testing shall be aligned to this Guidelines.

71. Private Junior and Senior High Schools may get in touch with the Committee for any clarifications and coordination or other concerns.

72. Private Junior and Senior High Schools shall submit a report of their drug testing results to the Office of the Secretary, Department of education.

73. Schools that refuse to implement the random drug testing program shall be reported to the Philippine Drug Enforcement Agency (PDEA) and the Dangerous Drugs Board (DDB) for appropriate action.

IX. SUBSEQUENT DRUG TESTING

74. The timing of any subsequent drug testing for secondary students shall be determined by the Secretary of the Department of Education.

X. USE OF AGGREGATE RESULTS FOR PREVENTION PROGRAMS

75. The aggregate results of the random drug testing, which shall not include the identities of the students tested, shall be used to establish a baseline for prevalence of drug use in public and private secondary schools and evaluate and improve the efficacy and effectiveness of drug abuse prevention programs.

XI. INTERVENTION/DIVERSION PROGRAMS

76. For Children found in Conflict with the Law and Children-at-Risk, reference should be made to DepEd Order No. 18, s. 2015, otherwise known as the "DepEd Guidelines and Procedures on the Management of Children at Risk (CAR) and Children in Conflict with the Law (CICL).

XII. MONITORING AND EVALUATION

77. The Office of the Secretary, the Committee, and the Bureau of Learner Support Services through the School Health Division shall have the responsibility of monitoring and evaluating the conduct of authorized drug testing as contained in this Guidelines. The Committee may issue further directives on the submission of reports.

XIII. FINAL PROVISIONS

78. *Separability Clause.* If any provision of this Policy is held to be invalid, the other provisions shall not be affected thereby.

79. *Repealing Clause.* All memoranda, orders, instructions, and circulars inconsistent with this Policy shall be deemed accordingly repealed.

80. *Effectivity.* This policy shall take effect immediately upon its publication on www.deped.gov.ph.

APPROVED _____ at Pasig City, Metro Manila.

LEONOR MAGTOLIS BRIONES
Secretary