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I. PURPOSE

Mapúa University is committed to prioritizing the protection of children and upholding their rights to a safe and nurturing learning environment. The school aims to prevent and address all forms of child abuse, bullying, discrimination, sexual harassment, and exploitation in compliance with DepEd Order No. 40, s. 2012, and other relevant laws. Hence, the University and its stakeholders commit to:

1. To create a safe and supportive environment where students feel valued, respected, and protected.
2. To prevent and address instances of abuse, exploitation, discrimination, and violence within the school community.
3. To provide support to students who have experienced or witnessed abuse or violence.

II. SCOPE

This policy covers all Senior High School students of Mapúa University, as well as all other members of the community, and applies only in cases of child abuse, bullying, discrimination, sexual harassment, and exploitation as defined under this Policy.

III. DEFINITIONS

Child	refers to any person below eighteen (18) years of age or those over who are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition (RA 7610). For purposes of this Department Order, the term also includes pupils or students who may be eighteen (18) years of age or older but are in school.
Children in School	refers to bona fide pupils, students, or learners who are enrolled in the basic education system, whether regular, irregular, transferee, or repeater, including those who have been temporarily out of school, who are in the school or learning centers premises or participating in school-sanctioned activities.
Pupil, Student, or Learner	means a child who regularly attends classes at any level of the basic education system under the supervision and tutelage of a teacher or facilitator.
School Personnel	refers to the persons, singly or collectively, working in a public or private school. They are classified as follows:

APPROVED
BY: Lauren R. Bolata DATE: 08-May-2024

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Merly D. Cereno
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a. School Head
b. Other School Officials
c. Academic Personnel
d. Other Personnel

Child Protection	refers to programs, services, procedures, and structures that are intended to prevent and respond to abuse, neglect, exploitation, discrimination, and violence.
Parents	refer to biological parents, step-parents, adoptive parents, and the common-law spouse or partner of the parent.
Guardian or Custodian	refers to legal guardians, foster parents, and other persons, including relatives or non-relatives, who have physical custody of the child.
School Visitors or Guests	refers to any person who visits the school and has any official business with the school and any person who does not have any official business but is found within the school premises. This may include those within the school premises for certain reasons, e.g., student teachers, catechists, service providers, suppliers, bidders, parents, and guardians of other children.
Child Abuse	refers to the maltreatment of a child, whether habitual or not, which includes any of the following: *1) psychological or physical abuse, neglect, cruelty, sexual abuse, and emotional maltreatment;* *2) any act by deeds or words that debases, degrades, or demeans the intrinsic worth and dignity of a child as a human being;* *3) unreasonable deprivation of the child's basic needs for survival, such as food and shelter; or* *4) failure to immediately give medical treatment to an injured child resulting in serious impairment of their growth and development or in the child's permanent incapacity or death (Sec. 3 [b], RA 7610).*
Discrimination against children	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 another opinion, national or social origin, property, birth, being infected or affected by Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (AIDS), being pregnant, being a child in conflict with the law, being a child with a disability or other status or 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.

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Child exploitation	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, and moral or social-emotional development. It covers situations of manipulation, misuse, abuse, victimization, oppression, or ill-treatment. There are two (2) main forms of child exploitation that are recognized: a. *Sexual exploitation – refers to the abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes but is not limited to forcing a child to participate in prostitution or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage, fraud, or through abuse of a victim's vulnerability.* b. *Economic exploitation – refers to the use of the child in work or other activities for the benefit of others. Economic exploitation involves a certain gain or profit through the production, distribution, and consumption of goods and services. This includes, but is not limited to, illegal child labor, as defined in RA 9231.*
Violence against children committed by school	refers to a single act or a series of acts administrators, committed in schools academic and non-academic personnel against a child, which results in or is likely to result in physical, sexual, psychological harm or suffering, or other abuses including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. It includes, but is not limited to, the following acts: 1. *Physical violence refers to acts that inflict bodily or physical harm. It includes assigning children to perform tasks that are hazardous to their physical well-being.* 2. *Sexual violence refers to acts that are sexual in nature. It includes, but is not limited to:* *a) rape, sexual harassment, acts of lasciviousness, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body;* *b) forcing the child to watch obscene publications and indecent shows or forcing the child to do indecent sexual acts and/or to engage or be involved in the creation or distribution of such films, indecent publication, or material; and* *c) acts causing or attempting to cause the child to engage in any sexual activity by force, threat of force, physical or other harm, or*

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threat of physical or other harm or coercion, or through inducements, gifts, or favors.

3. *Psychological violence 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.*
4. *Other acts of violence of a physical, sexual, or psychological nature that are prejudicial to the best interest of the child.*

Bullying or Peer Abuse — refers to willful, aggressive behavior that is directed towards a particular victim who may be outnumbered, younger, weak, with a disability, less confident, or otherwise vulnerable. More particularly: (Republic Act No. 10627_ Anti-Bullying Act of 2013. Pdf)

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. Such acts may consist of any one or more of the following:*
   (1) Threats to inflict a wrong upon the person, honor, or property of the person or on their family;
   (2) Stalking or constantly following or pursuing a person in their daily activities with unwanted and obsessive attention;
   (3) Taking of property;
   (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;
   (5) Deliberate destruction or defacement of, or damage to the child's property;
   (6) Physical violence committee, pinching, spanking, or other similar acts;
   (7) Demanding or requiring sexual or monetary favors, or exacting money or property, from a pupil or student; and
   (8) Restraining the liberty and freedom of a pupil or student.

b) *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,*

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texting, email, instant messaging, chatting, internet, social networking websites or other platforms or 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	refers to a kind of punishment or penalty imposed for an alleged or actual offense that 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: *a) 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;* *b) Striking of a child's face or head, such as being declared as a "no contact zone";* *c) Pulling hair, shaking, twisting joints, cutting or piercing the skin, dragging, pushing, or throwing a child;* *d) 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;* *e) Deprivation of a child's physical needs as a form of punishment;* *f) 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;* *g) Tying up a child;* *h) Confinement, imprisonment, or depriving the liberty of a child;* *i) Verbal abuse or assaults, including intimidation or threat of bodily harm, swearing or cursing, ridiculing or denigrating the child;* *j) 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;* *k) 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*

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l) Other analogous acts.

Positive and Non-Violent Discipline of Children	is a way of thinking and a holistic, constructive, and proactive approach to teaching that helps children develop appropriate thinking and behavior in the short and long term and fosters self-discipline. It is based on the fundamental principle that children are full human beings with basic human rights. Positive discipline begins with setting the long-term goals or impacts that teachers want to have on their students' adult lives and using everyday situations and challenges as opportunities to teach life-long skills and values to students.

IV. RESPONSIBILITY AND AUTHORITY

The policy outlines the roles and responsibilities of school personnel, students, parents or guardians, and other stakeholders in promoting and safeguarding the well-being of children, including the formation of the Child Protection Committee (PCP), training programs, record keeping, and coordination with relevant agencies.

The Mapúa University Child Protection Committee (CPC) is ideally composed of, but not limited to, the following:

a. School Principal
b. Program Coordinator
c. Guidance Counselor
d. Prefect of Discipline
e. HRD Representative
f. PTA's Representative
g. A representative from the SHS Student Council (when applicable)
h. A representative from the Local Council (when applicable)

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V. PROCEDURE

a. COMPLAINT AND REPORTING SYSTEM

Complaint or Reporting System. *A complaint or reporting system is hereby installed whereby complainants are encouraged to come forward with a report or complaint of incidents. It allows for informal resolution and then, if the process fails, for formal resolution.*

Who May File. *Any Senior High School student may report or file a complaint against the faculty or any personnel of the University for offenses covered by this policy.*

Report or Complaint. *The report or complaint must be in writing and subscribed under oath and must contain the following information:*

i. The name(s) and address(es) of the complainant(s)
ii. The name(s) and address (es) of the respondent(s)
iii. The substance, cause/grounds of complaint;
iv. When and where the action complained of happened; and
v. The name(s) of any witness thereto.

All pertinent papers or documents in support of the complaint must be attached wherever possible.

Procedure for the CPC:

1. Furnishing Respondents with Complaint. *The Chairman of the CPC shall immediately furnish the respondent a copy of the complaint and all its attachments and shall direct them (respondents) to file a written answer within ten (10) calendar days from receipt thereof.*

2. The Committee shall also calendar the case/complaint for a conference with the end in view of arriving at an amicable settlement. The parties shall be duly informed of the conference, which shall be held immediately after filing the answer.

3. Filing of an Answer. *Within the period provided under Section 1, the respondent shall file an answer incorporating therein all pertinent documents in support of his defense.*

4. Waiver. *If the respondent fails to file his/her written answer and pertinent documents within the period specified or fails to appear during the conference, the respondent shall be deemed to have waived his/her right to present his/her evidence, and the case shall be heard ex parte.*

5. Summary Judgment. *If, on the basis of the pleadings/evidence on record, the CPC finds that there is sufficient ground to render judgment, it shall consider the case committed for decision.*

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6. Judgment Based on Position Paper. *Whenever summary judgment is not appropriate, the committee shall direct the parties to the case to simultaneously submit their position papers and/or memoranda within ten (10) calendar days from notice, after which the case shall be deemed submitted for decision.*

7. Investigation Procedure. *Where the CPC finds that there are complicated factual issues involved that cannot be resolved through position papers and/or memoranda, it shall conduct an investigation by requiring the parties to submit affidavits. It may, if necessary, direct the parties to appear before it to answer clarificatory questions. For this purpose, it may allow the parties to submit suggested written clarificatory questions, which may be propounded to the parties concerned.*

8. Evaluation of the Case. *In evaluating a report or complaint, an attempt should be made to focus on the perspective of a person situated similarly to the accuser. The Committee should attempt to maintain confidentiality; however, a complainant should be told that complete anonymity may give way to the institution's obligation to investigate and take appropriate action. Because it is important that every effort be made to keep the incident confidential, discretion should be exercised in determining which witnesses are indeed necessary for the investigation.*

9. Resolution of the Case. *The Committee, after evaluating the evidence submitted by the parties, shall decide the case. The decision of the CPC is final and executory.*

10. Moto Propio Cases of Sexual Harassment. *In instances where cases of sexual harassment are motopropio initiated by the Administration, the CPC shall handle the case subject to the aforementioned procedures. Written Records and Privacy of Parties. - Careful written records of sexual harassment cases must be kept, but precautions should be taken to protect the privacy of all parties involved as much as possible.* The procedure provided in the University's policies on handling faculty cases shall be suppletory in character to the procedure outlined in this policy.

b. PROTECTIVE AND REMEDIAL MEASURES TO ADDRESS CHILD ABUSE, EXPLOITATION, VIOLENCE, DISCRIMINATION, BULLYING AND OTHER ACTS OF ABUSE

The University values a healthy and peaceful educational environment. All members of the school community, which includes students, parents, and guardians, and the community members should be made aware of the negative effects that bullying can have on victims and the school in general and should work towards ensuring that students can work in an environment without fear. The School will do whatever is reasonably necessary and possible within its authority to eradicate bullying in all its

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forms. The School takes a strong stance against bullying. Bullying is unacceptable in our School and will not be tolerated.

Procedure in Handling Bullying Incidents:

The School Head shall act upon a complaint of bullying or peer abuse following the procedures herein set forth:

i. Bullying - *Upon the filing of a complaint or notice by a school personnel or official of any bullying or peer abuse incident, the same shall be immediately reported to the School Head, who shall inform the parents or guardian of the victim and the offending child, in a meeting called for the purpose. The victim and the offending child shall be referred to the Child Protection Committee for counseling and other interventions. If warranted, the school head may impose The penalty of reprimand in the presence of the parents or guardians.*

   If bullying is committed for a second or subsequent time after the offending child has received counseling or other interventions, the penalty of suspension for not more than one (1) week may be imposed by the School Head if such is warranted. During the suspension period, the offending child and the parents or guardians may be required to attend further seminars and counseling. The School Head shall likewise ensure that the appropriate interventions, counseling, and other services are provided for the victim or victims of bullying.

ii. Bullying that results in serious physical injuries or death - *If the bullying or peer abuse resulted in serious physical injuries or death, whenever appropriate, the case shall be dealt with in accordance with the provisions of Republic Act 9344 and its Implementing Rules and Regulations.*

iii. Procedure - *In all cases where the imposable penalty on the offending child is suspension, exclusion, or expulsion, the following minimum requirements of due process shall be complied with:*
   (1) the child and the parents or guardians must be informed of the complaint in writing;
   (2) the child shall be given the opportunity to answer the complaint in writing, with the assistance of the parents or guardian;
   (3) the decision of the school head must be in writing, stating the facts and the reasons for the decision;
   (4) the decision of the school head may be appealed, as provided in existing rules of the Department.

Implementation of Non-punitive Measures. *Depending on the gravity of the bullying committed by any pupil, student, or learner, the school may impose other non-punitive measures in lieu of punitive measures in accordance with the principles of Positive and Non-Violent Discipline.*

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Other acts of violence or abuse. *Other serious acts of violence or abuse committed by a pupil, student, or learner upon another pupil, student, or learner of the same school shall, and whenever appropriate, be dealt with in accordance with the provisions of Republic Act 9344 and its Implementing Rules and Regulations.*

c. RULES AND PROCEDURES IN HANDLING CHILD ABUSE, EXPLOITATION, VIOLENCE AND DISCRIMINATION CASES

Prohibited Acts. *The following acts, as defined in this policy, are hereby prohibited and shall be penalized in administrative proceedings as Grave or Simple Misconduct, depending on the gravity of the act and its consequences, under existing laws, rules, and regulations:*

1. *Child abuse;*
2. *Discrimination against children;*
3. *Child Exploitation ;*
4. *Violence Against Children in School;*
5. *Corporal Punishment;*
6. *Any analogous or similar acts.*

Investigation and Reporting. *The conduct of investigation and reporting of cases of child abuse, exploitation, violence, or discrimination shall be done expeditiously, in accordance with University policies and procedures for handling administrative cases.*

A complaint for child abuse, violence, exploitation, or discrimination shall be filed with the School Principal and shall be acted upon pursuant to the University's rules of procedures on administrative cases as stated in the Faculty and Non-Teaching Manuals. The penalty shall be that which is provided by the rules of the Universityl, subject to the requirements of due process. The administrative case shall be without prejudice to any civil or criminal case that may be filed.

The University shall submit a copy of the report (Annex "A") to the Division Office after each school yea as provided under Section 21 of the DepEd Order No. 40, Series of 2012.

d. REFERRAL AND ASSESSMENT OF VICTIMS AND OFFENDERS AND OTHER CHILDREN

In all cases involving child abuse, violence, exploitation, discrimination, bullying, and other acts of abuse, the CPC shall accomplish the Intake Sheet (Annex "B"). The School Head may refer the victims and offenders in cases involving child abuse, exploitation, discrimination, bullying or peer abuse, and other acts of abuse to the LSWDO for assessment. The LSWDO shall determine the appropriate intervention.

The School Head, with the aid of the assigned Guidance Counselor/Teacher and in coordination with the LSWDO, shall immediately remove the victim, or in appropriate cases the offender, from the place

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of the incident if the victim is determined to be at risk. The child's family shall be informed of any action taken.

The School Head may also refer to the LSWDO other pupils, students, or learners who are victims of abuse at home, children at risk, children in especially difficult circumstances, children with special needs or at risk, children facing difficult situations, or those who are exhibiting signs of aggressive behavior, with a view to obtaining professional assessment, appropriate interventions and assistance from competent service providers.

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APPENDICES

1. DepEd Order No. 88 s. 2010, “2010 Revised Manual of Regulations for Private Schools in Basic Education” (DepEd Order No. 88 s. 2010. pdf)
2. DepEd Order No. 40, s. 2012, "DepEd Child Protection Policy." (Child Protection Policy.pdf)
3. DepEd Order No. 55 s. 2013, “Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 10627, entitled An Act Requiring All Elementary and Secondary Schools to Adopt Policies to Prevent and Address the Acts of Bullying in Their Institutions. This is also known as the Anti-Bullying Act of 2013.” (DO_55_s2013.pdf)
4. Republic Act No. 10627, “Anti Bullying Act of 2013” (Republic Act No. 10627_ Anti-Bullying Act of 2013. pdf)
5. Republic Act No. 11053, “Anti Hazing Act of 2018” (Republic Act No. 11053 - Anti-Hazing Act of 2018.pdf
6. Republic Act No. 11313 “Safe Space Act” (Republic Act No. 11313 - Safe Space Act.pdf)
7. Mapua University Gender Equality Policy (Mapúa University Gender Equality Policy.pdf)

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Section / Page	Rev. No.	Reason for Revision	Effective Date	By
All	00	Original issue.	July 1, 2024	TPTorres

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