



Tanggapan ng Kalihim
Office of the Secretary

FEB 24 2009

DepED ORDER
No. 17, s. 2009

CLARIFICATORY GUIDELINES FOR THE CONDUCT OF RANDOM DRUG TESTING
(RDT) IN SECONDARY SCHOOLS

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services/Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents
Head, Public Secondary Schools

1. To further clarify the General Guidelines for the conduct of random drug testing for secondary and tertiary students (Board Regulation No. 6, s. 2003), the Dangerous Drugs Board has issued the enclosed "Clarificatory Guidelines for the Conduct of RDT for Students".
2. Some of its salient features that have to be given utmost importance are as follows:
 - a. All students and their parents shall be notified in writing on the procedures and manner by which the RDT shall be conducted.
 - *The written notification form should be replicated and distributed to the students and parents.*
 - b. The Drug Testing Coordinator (Principal) shall create a Selection Board composed of the Drug Testing Coordinator as chairperson, one representative each from the students, faculty and parents as members. The Selection Board shall ensure the **confidentiality** and **integrity** of the selection process.
 - c. The results of the test shall be strictly confidential. Any person who violates the rules of confidentiality of the results and selection shall be liable under Section 72 of RA No. 9165.
 - d. Positive test results shall be revealed by the Drug Testing Coordinator to the student and his/her parents only.
3. Regional directors and schools division superintendents shall ensure the efficient implementation of the random drug testing and to initiate a massive information campaign on its purposes, methods and procedures to the school populace and parents.
4. Immediate dissemination of and compliance with this Order is directed.


JESLI A. LAPUS
Secretary

Encl.:

As stated

Reference:

DepED Order: No. 7, s. 2009

Allotment: 1- -(D.O. 50-97)

To be indicated in the Perpetual Index
under the following subjects:

DRUG EDUCATION
STUDENTS
SCHOOLS

Maricar/DO-Conduct of RDT
02-05-09

CLARIFICATORY GUIDELINES FOR THE CONDUCT OF RANDOM DRUG TESTING FOR STUDENT

In an effort to further explain the intentions of Dangerous Drugs Board Regulation No 6, 2003 also known as the "General Guidelines for the Conduct of Random Drug Testing for Secondary and Tertiary Students", and to elucidate the provision on "Enforcement and Compliance", these guidelines are promulgated.

In consonance with the provisions of Section 36 of the Republic Act 9165 and the above-mentioned DDB Regulation, the following shall be strictly observed in the conduct of random drug testing for students;

Elaboration of the Guiding Principles under Board Regulation No 6, 2003

The following statements shall guide implementers in the conduct of drug testing activity;

- 1. Random drug testing for students is considered by the government as entirely a "health" issue and aims to provide services, to those who will be tested positive for dangerous drug use, that will help the student stop further use and abuse of the substance.*
- 2. Random drug testing is implemented primarily for prevention, data gathering and provision of needed rehabilitative services which include, but not limited to, counselling, family therapies, attendance to support groups and out-patient services.*
- 3. The drug testing program and results of testing shall guarantee the personal privacy and dignity of the students and shall not be used in any criminal proceedings*
- 4. Proper information shall be disseminated by supervising agencies prior to the conduct of the drug testing activities to allow students to appreciate intentions of the activity. This includes a written notification to parents as provided for by the DDB Regulation.*
- 5. Random selection of samples and treatment of results, as stipulated in the DDB Regulation shall be strictly enforced and observed by the implementing agencies.*
- 6. Pursuant to the guiding principles enumerated under the Regulation, records of students who are randomly selected for the activity shall be treated with utmost confidentiality.*
- 7. Under no circumstances shall this activity be used to incriminate any student for further legal action which may result in having administrative/criminal records and/or incarceration.*
- 8. Implementors shall explain the objectives of the program to the student and if available, his/her parents, assuring and allaying fears of the activity.*

Objectives of the Activity

- To determine prevalence of drug users among students
- To assess the effectivity of school-based and community-based prevention programs
- To deter the use of illegal drugs
- To facilitate rehabilitation of drug users and dependents

- To strengthen collaboration efforts of identified agencies against the use of illegal drugs and in the rehabilitation of drug users and dependents

Procedures in the Conduct Of Drug Testing

1. Notification

- a. The Supervising Agency through an appropriate order that includes these guidelines on random drug testing, shall inform all schools under its supervision about the government's action against illegal drugs.

The schools administration shall be required to explain these provision and their procedures to the school community and when applicable, include these in the schools handbook or listing of procedures.

-Special lectures can be done in schools to explain that addiction is a health issue and drug testing is a screening tool that ultimately aims to provide treatment and not incarceration. This may also include information on Court rulings regarding the constitutionality of drug testing.

- b. All students and their parents shall be notified in writing on the process and manner by which the random drug testing shall be conducted. Such notification may be sent at anytime during the school term. Failure to return the acknowledgement receipt shall not be a bar to the conduct of drug testing.

2. Samples

- a. The Supervising Agency shall inform randomly selected schools on their inclusion in the random, drug testing program.

-all schools will be visited on random dates

- b. The whole student population of the school selected shall be included in the random sampling.

-At least 10 students will be randomly selected per school

- c. The number of samples should yield a statistical 95% confidence level for the whole student population.

3. Selection of Samples

- a. The Drug Testing Coordinator shall convene the Selection Board, defined in the Board Regulation, within five days from the receipt of notice from the Supervising Agency stating that all schools are included in the program.
- b. On the Day of the testing, the Selection Board shall conduct the random selection of those to be tested.

- *A master list of all students enrolled from 1st Year to 4th Year shall be provided by the school*
- *The Students shall be numbered chronologically from 1 to the nth population size regardless of year level, section, sex and age*
- c. The Selection Board shall ensure the confidentiality and integrity of the selection process.
- d. The selection process shall be random through a lottery, which may be computerized, or in any other manner that shall be agreed upon by the Board.
- e. The random selection of students and the drug testing shall be done on the same day.
 - *Matching of randomly picked numbers/students to the master list shall be done*
- f. Prior to testing, the selected students shall be asked to reveal the prescription medicines, vitamins, food supplements that they had ingested within the past five (5) days. The Drug Testing Coordinators shall keep the listing and utilize this in the evaluation of the confirmatory drug test.
 - *The students will be pooled in a holding area and will be briefed on the conduct of the activity*
 - *The students will be requested to fill up the chain of custody forms prior to specimen collection*
- g. The laboratory shall follow the DOH prescribed guidelines in the collection of urine specimens. Universal precautions shall be observed at all times. DOH Prescribed guidelines shall be posted in strategic places/visible areas of the school.
 - *Teams (consisting of an analyst, female specimen collector, a male specimen collector and a Dep Ed/CHED coordinator per team) will be deployed per region.*
 - *The teams will conduct the random selection of students, debriefing and orientation on the procedures and actual specimen collection following protocols approved by the DOH Manual of Operations.*
- h. The monitor assigned to ensure the integrity of the collection process should be of the same sex as the student.
- i. The drug testing shall be done in the school and conducted by a duly accredited drug-testing laboratory. The school, through its respective health personnel, shall assist the Drug Testing Laboratory in the conduct of the drug testing.
 - *A drop-type, two-metabolite, drug-testing kits procured by the DOH will be used to test for two metabolites (Methamphetamine-shabu and tetrahydrocannabinol-marijuana). Results and*

demographics will be recorded in triplicate using the approved Chain and Custody Form prescribed by the DOH.

- *Specimen analysis will be done in an accredited DOH Laboratory (usually a hospital laboratory) at the end of each day.*

- j. The Drug Testing Coordinator shall ensure the confidentiality and integrity of the random drug testing to the students, teachers, administration and personnel of the school. It is strongly recommended that the drug testing for students, the teachers, administration and personnel to be done simultaneously.

4. Treatment of Random Drug Test Results

- a. The results of the test shall be strictly confidential. No school shall publish or post results whether positive or negative.

-Results for students will not be included in the Integrated Drug Testing Operations Management Information Systems which houses the database for all drug testing activities. This will ensure utmost confidentiality and special care for student findings

- b. Any person who violates the rules of confidentiality of the results and selection shall be liable under Section 72 of RA 9165 and such other appropriate laws.
- c. The laboratory shall place the drug test result in a sealed envelope and deliver the same via personal service to the Drug Testing Coordinator. The Drug Test Coordinator shall then inform all the students tested individually of the test result.
- d. In case the test results are positive, The Drug Testing Coordinator shall inform both the student and parents concerned that a confirmatory test shall be conducted. The student shall be told to inform his/her parents of the scheduled conference with the Drug Testing Coordinator. The student shall be advised to refrain from revealing the test results to other persons.
- e. During the scheduled conference, the Drug Testing Coordinators shall relay to the parents full information on the process that shall be undertaken for the confirmatory test. In the event that the parents do not appear on the scheduled conference, the students shall be informed of the schedule of the confirmatory test.
- f. The confirmatory drug test shall be conducted in the same manner as the initial drug test.
- g. The results of the confirmatory drug test shall be transmitted by the laboratory in a sealed envelope and to the Drug Testing Coordinator.
- h. The Drug Testing Coordinator shall inform both the parents and the student of the result of the test.

- i. The Drug Testing Coordinator shall not delegate such task of informing the student and parent to any other person, nor shall the Drug Testing Coordinator reveal the results of the test to any person other than the student and parent.
- j. First time positive confirmatory drug test result shall not be a ground for expulsion or any disciplinary action against the student.
- k. The Drug Testing Coordinator shall refer the student and his/her parent to government owned DOH-accredited facility or DOH-accredited government physician to determine the student's dependency level.
- l. The student may opt for a private DOH-accredited facility or physician for this initial determination provided it is at his/her own expense.
- m. In the event that it is determined that the student is a drug dependent, the school may impose the appropriate sanctions against the student as provided for in the school's Student Handbook and the Manual of Regulations for Private Schools, provided that in the case of public secondary schools, if the student is later on found to have been rehabilitated, the student shall then be allowed to re-enroll.
 - *Positive results nor drug dependency shall in no way cause the expulsion of the student nor shall it be used to advance any administrative, criminal and legal action against the student.*
- n. The student shall then undergo three (3) months observation and counseling period under the supervision of DOH-accredited facility or physician in consultation with the parent. Such process of observation and counseling shall be done in coordination with the Drug Counselor of the school.
 - *Trained DepEd/CHED counselors can also provide necessary interventions (counseling, Family Therapies and attendance to support groups)*
- o. At the end of the three months, it is hoped that with the counseling done, the student will be properly rehabilitated.

If student show no signs of improvement, 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 the DOH-accredited facility suited to the student's level of dependency. If another drug testing is conducted for another period on the same population, and the student is found positive, the second time, the school shall proceed in accordance with Section 61, R.A. 9165.

The parent and the student may 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 parents refuse to act, the school shall proceed in accordance to Section 61 of R.A. 9165 without prejudice to the provision of Section 73, RA 9165.

REPORTORIAL REQUIREMENTS OF RANDOM DRUG TESTING RESULTS

1. The Drug Testing Coordinator, Drug Counselor and employees of DOH-accredited facilities, 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.
2. The aggregate test results from each school which shall not include the identifies of the students tested, shall be submitted by the School Head to the Division Superintendent of DepEd for secondary schools, the Regional Director of CHED for tertiary schools and Training Institution administrator for TESDA for consolidation for the purpose of evaluating the efficacy and effectiveness of drug abuse prevention programs
 - Names of secondary and tertiary level learning institutions shall be held in strict confidentiality regardless of the results of testing
 - Similarly, names of those who participated in the activity shall be held with utmost security to avoid breach in confidentiality

Enforcement and Compliance

Students who refuse to undergo random drug testing shall be dealt with in accordance with the rules and regulations of the school as provided for in the school's Student Handbook and the Manual for Regulations which shall conform with guiding principles and provisions of the DDB Board Regulation No 6, 2003.

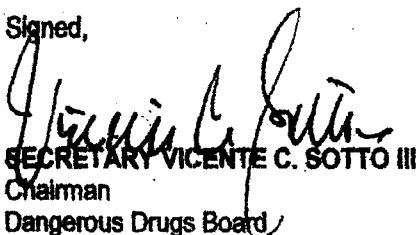
Refusal to undergo testing shall, at no time, give rise to presumptions of drug use or dependency; provided further that the school may impose sanctions on such refusal other than the offense of drug use or dependency in harmony with the above-mentioned Regulation

Schools that refuse to implement the random drug testing program shall be liable under section 32 of RA 9165 without prejudice to other administrative sanctions imposed by the Supervising agencies.

This document is issued for immediate implementation and strict compliance.

Issued this 19th day of January in the year of Our Lord, 2009 at the Philippine Drug Enforcement/Dangerous Drugs Board Building, NIA Road, Quezon City.

Signed,


SECRETARY VICENTE C. SOTTO III
Chairman
Dangerous Drugs Board