

NISSI **A**CADEMY

GENERAL LUNA



CHILD PROTECTION POLICY -2019-

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I. PURPOSE

It is the policy of Nissi Academy General Luna to create, promote, and maintain a respectful, safe, secure, stimulating, and supportive learning environment in order to optimize student learning, safety, and effectiveness. Nissi upholds discipline as a very essential element of an educative teaching-learning program and, therefore, considers maintenance of good discipline among students as a necessary precondition in establishing a school climate that is conducive to learning.

The school also recognizes that discipline begins at home with parents who are the first and primary educators and formators for their children. Such formation includes responsibility for social development, behavior, and discipline. Hence, partnership by the school with parents in the support of the students' social, emotional, and academic growth is very much part of the school's program.

The Child Protection Committee supports the school's use of a continuum of positive practices that strive to teach, promote, and reinforce productive behaviors while providing predictable and supportive consequences to behaviors that are identified as inappropriate. The Committee also supports the school's existing progressive approach to discipline which is incorporated in its Behavior Management Policy.

Finally, the Committee strongly supports the Department of Education's objective of promoting a zero-tolerance policy for any act of child abuse, exploitation, violence, discrimination, bullying, and other forms of peer abuse.

As part of our safeguarding policy Nissi Academy will

- promote and prioritize the safety and wellbeing of children and young people
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognize, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people
- ensure appropriate action is taken in the event of incidents/concerns of abuse and support provided to the individual/s who raise or disclose the concern
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- prevent the employment/deployment of unsuitable individuals
- ensure robust safeguarding arrangements and procedures are in operation.

The policy and procedures will be widely promoted and are mandatory for everyone involved in Nissi Academy. Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal/exclusion from the organization.

II. MONITORING

The policy will be reviewed a year after development and then every three years, or in the following circumstances:

- changes in legislation and/or government guidance
- as a result of any other significant change or event.

III. DEFINITION OF TERMS (DepEd Order No. 40, s 2012; p-2)

1. Child – refers to any person below eighteen (18) years of age or those over but 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.

2. Children in school – refers to bona fide 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.

3. Pupil, student or learner – means a child who regularly attends classes in any level of the basic education system, under the supervision and tutelage of a teacher or facilitator.

4. School personnel – means the persons, singly or collectively, working in a public or private school. They are classified as follows:

a. School Head – refers to the chief executive officer or administrator of a public or private school or learning center.

b. Other school officials – include other school officers, including teachers, who are occupying supervisory positions or positions of responsibility, and are involved in policy formulation or implementation in a school.

c. Academic personnel – includes all school personnel who are formally engaged in actual teaching service or research assignments, either on a full-time or part-time basis, as well as those who possess certain prescribed academic functions directly supportive of teaching, such as registrars, librarians, guidance counselors, researchers, and other similar persons. They may include school officials who are responsible for academic matters, and other school officials.

d. Other personnel – includes all other non-academic personnel in school, whatever may be the nature of their appointment and status of employment.

5. Child Protection – refers to programs, services, procedures and structures that are intended to prevent and respond to abuse, neglect, exploitation, discrimination, and violence.

6. Parents – refers to biological parents, stepparents, adoptive parents, and the common law spouse or partner of the parent.

7. Guardians or custodians – refers to legal guardians, foster parents, and other persons, including relatives or even non-relatives, who have physical custody of the child.

8. School visitor or guest – refers to any person who visits the school and has official business with the school, and any person who does not have any official business but is found within the premises of the school. This may include those who are within the school premises for certain reasons e.g. student teachers, catechists, service providers, suppliers, bidders, parents and guardians of other children.

9. Child abuse – refers to the maltreatment of a child, whether habitual or not, which includes the following:

- 1) psychological or physical abuse, neglect, cruelty, sexual abuse, and emotional maltreatment;
- 2) any act by deeds or words which 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 his or her growth and development or in the child's permanent incapacity or death (Sec. 3 [b], RA 7610).

10. 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 other 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 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.

11. 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 and mental health, education, 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 a 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 good and services. This includes but is not limited to illegal child labor as defined in RA 9231.

12. Violence against children committed in school – 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, assault, coercion, harassment or arbitrary deprivation of liberty. It includes, but is not limited to, the following acts:

a. Physical violence refers to acts that inflict bodily or physical harm. It includes assigning children to perform tasks which are hazardous to their physical wellbeing;

b. Sexual violence refers to acts that are sexual in nature. It includes, but is not limited to,

(1) Rape, sexual harassment, acts of lasciviousness, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body;

(2) 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

(3) 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.

c. 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. d. Other acts of violence of a physical, sexual or psychological nature that are prejudicial to the best interest of the child.

13. Bullying or Peer Abuse – refers to willful aggressive behavior that is directed towards a particular victim who may be outnumbered, younger, weak, with disability, less confident, or otherwise vulnerable. More particularly:

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 one or more of the following:

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

(2) Stalking or constantly following or pursuing a person in his or her 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 committed upon a student, which may or may not result to harm or injury, with or without the aid of a weapon. Such violence may be in form of mauling, hitting, punching, kicking, throwing things at the student, 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 liberty and freedom from 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 texting, email, instant messaging, chatting, internet, social networking websites or other platforms or formats.

14. 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 physical, sexual or psychological nature.

15. Corporal punishment – 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:

a. Blows such as, but not limited to, beating, kicking, hitting, slapping, or lashing, or 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 being declared as a “no contact zone”;

c. Pulling hair, shaking, twisting joints, cutting or piercing skin, dragging, pushing or throwing of 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
- l. Other analogous acts.

16. Positive and Non-violent Discipline of children – is a way of thinking and a holistic, constructive, and pro-active 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 long-life skills and values to students.

a. Progressive discipline – a whole-school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behavior and to build upon strategies that promote and foster positive and productive behavior. This means that when inappropriate behavior occurs, disciplinary measures are applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive.

b. Restorative discipline – a type of discipline used to respond to incidents of bullying in order to repair harm to relationships. It refers to a range of processes that are underpinned by the following concepts: (1) Misconduct is a violation of people and relationships (2) These violations create obligations and liabilities (3) Problem-solving focuses on healing and making things right

IV. PREVENTIVE MEASURES

To address child abuse, exploitation, violence, discrimination, bullying, and other acts of abuse

1. Professional leadership
2. Focus on teaching and learning
3. Purposeful teaching
4. Shared vision and goals
5. Whole-school programs
6. Collaboration and partnerships

7. Accountability
8. School-wide positive behavior support
9. Promoting cyber safety and preventing cyber bullying
10. Parenting orientation and seminars on effective parenting
11. In-service training and Fellowship meetings for school administrators, teachers and nonacademic personnel Training Topics; - Values Integration - Discipline with Dignity (Positive discipline versus corporal punishment) - Conducting positive parent-teacher conferences and family counseling - Classroom Management - Anger and Stress Management

V. PROTOCOL FOR REPORTING

Reporting acts of child abuse, exploitation, violence, discrimination, bullying, other acts of abuse, or any violation of the Behavior Management Policy.

NOTE: When any report/complaint is raised (provided the person complained of is not a member of school personnel), the complainant is immediately attended to. Assessment is made if the complainant is fully aware of the circumstances that warrant validation of his/her accusation. He/she is informed of the requirements of a formal complaint and the consequences of such.

1. Report of the student-victim

Cases involving physical injury are dealt with in accordance with the Behavior Management Policy and in accordance with the provisions of Republic Act 9344 and its Implementing Rules and Regulations. The injured student is brought directly to the school clinic. The student's class adviser and the School Head are promptly apprised. The School Nurse diagnoses the student and gives him/her the necessary first aid treatment. If additional hospital emergency treatment is necessary, the school nurse informs the parents of the injured students through the phone and seeks their permission regarding the recommended transfer to a hospital. Later, the School Nurse prepares a written medical report for the parents the school clinic's file records. The teacher or school personnel who witnessed the incident or who was first at the scene of the incident fills out an Incident Report for submission to the CPC.

When/If the victim is able, he/she is requested to write a narrative of the incident which is later attached to the Incident Report Form if the incident is later decided as a case of bullying. If he/she is unable to write a narrative by himself, the CPC will take notes as he/she interviews the victim about the incident.

2. Report of student who allegedly witnessed an act of abuse or violation of the Behavior Management Policy (among students)

The student-witness reports to his/her class adviser. The teacher-adviser must take down notes of any verbal reports and have these notes validated by the student who is the source of the verbal incident report. The teacher will later request the student to write a narrative, but only if he/she is willing and able to do so.

3. Report of teacher who witnessed an act of child abuse (among students) or violation of the Behavior Management Policy.

If the teacher witnessed or has validated an act of child abuse or violation of the Behavior Management Policy, she/he is to accomplish an Incident Report for submission to the CPC.

4. Report and referral of a student allegedly involved in any form of altercation and/or physical dispute outside the school involving persons who are not members of the school community.

When any member of the school, whether student or school personnel is reported to have been involved in a dispute outside the school with persons who are not members of the school community, an incident report may be filed and submitted to the school administrator under whose jurisdiction the involved student or personnel belongs.

5. Report and referral of a student allegedly being physically hurt, abused by his/her own parents.

When physical injury imposed upon any of our students by their own parents is validated through narratives or statements, all pertinent documents are presented to the School Head.

6. Reporting Anonymously:

Anonymous reports of any form of child abuse or violation of the Behavior Management Policy are entertained but even if the perpetrator is found guilty, (technically) no disciplinary/administrative action can be taken.

7. Reporting False Information:

If a student or school employee is found guilty of deliberately making a false accusation, he/she will be subject to disciplinary/administrative action.

* Copies of Incident Reports are submitted to the Division Office after each school year.

VI. Responding to Reports of child abuse or any violation of the Behavior Management Policy.

1. Responding to reports when both the offender and victim are students

a. The students involved in the reported case are met separately for a dialogue with the CPC. They are requested to narrate the incident orally and in writing, if willing (in the presence of a teacher/adviser). The CPC listens, takes down pertinent notes, assesses the information particularly if there is need for any of the involved parties to be protected; and then, explains the procedure that is to follow. The CPC restores the sense of safety for the victim as well as for the alleged offender.

- b. Investigation/gathering of sufficient documentation of supporting evidence commences. After this, involved parties are asked to face each other to further validate statements or gathered information; but only if they are willing to do so.
- c. If the incident is deemed as a petty conflict, or misunderstanding, unintentional and not a deliberate act of abuse, the students are met by the CPC separately or together for a dialogue (depending on the willingness of both parties). The objective of the dialogue is explained to the students and they are made to realize what had transpired and what changes in behavior are expected. They are reminded that if a similar incident occurs, they will be dealt with accordingly. An Incident Report is accomplished by the CPC. It should contain the resolutions during the dialogues and recommendations, if any.
- d. For bullying cases, an Incident Report is accomplished by the CPC in lieu of any other adult reporting the incident; initial narrative reports written by the students in the presence of his/her teacher-adviser during the investigation, if any, are attached.
- e. The School Head is apprised immediately about any and all incidents.
- f. Parents of both students are informed immediately after the incident. They are called for a special conference by the CPC on separate time schedules for formal relaying of the incident, what has been done, and to explain the process that is to follow. The parents are called back to school as soon as sufficient and validated information is collected.
- g. Depending on the appraisal of the School Head or CPC, a Disciplinary Board is gathered to deliberate and decide on the case. The result of deliberations is recommendatory in nature, for the approval of the School Head.
- h. As soon as the sanction or course of action is approved, the parents of both parties are formally informed. They are asked to sign a document certifying that they were properly informed, and that due process was undertaken. It also certifies that they accept the decision of the Disciplinary Board and that they will cooperate with the measures to be taken for intervention, prevention, and restorative justice.

2. Responding to Reports when the aggressor is a teacher/employee

For prohibited acts committed by school personnel or official against a learner such as child abuse, violence, discrimination, (refer to DepEd Order #40, s. 2012).

- a. The alleged teacher/employee accused of child abuse or violation of the Code of Discipline is informed verbally and in writing and is given 5 days to respond to the allegation.
- b. Validation is further done by seeking both verbal and written narratives from witnesses, if possible.
- c. The administrator-counsel assists the accused to be emotionally and psychologically prepared.
- e. The Disciplinary Board Meeting is scheduled and held. The accused is given an opportunity to defend himself/herself in front of the Management Committee.

- f. A decision is reached and released as soon as possible.
- g. The accused is met by his/her immediate superior for the result of the deliberation.

3. Responding to a report and referral of a student allegedly involved in any form of altercation and/or physical dispute outside the school involving persons who are not members of the school community.

Although the school is no longer directly accountable for incidents outside the school, it upholds a degree of responsibility to ensure the safety of its students and personnel. Depending on the gravity of the incident and the potential threat to the life and safety of the involved student or personnel, the CPC representative from the Barangay is notified/consulted.

After investigation and due process, appropriate disciplinary action may be imposed on the erring student or personnel if he/she is found guilty of violating the student or personnel Behavior Management Policy.

4. Responding to a report and referral of a student allegedly being physically hurt, abused by his/her own parents.

The School Head may refer the case to the Department of Social Welfare and Development (DSWD) for assessment. The Parents Assembly may also be asked to assist in the case. The DSWD shall determine the appropriate intervention. If the victim is determined to be at risk, the school Head, with the aid of the assigned Guidance Counselor/Teacher, and in coordination with the DSWD, shall immediately remove the victim, or in appropriate cases, the offender, from the place of the incident. The child's family shall be informed of any action taken.

VII. Protecting from Retaliation

Fear of retaliation is a normal feeling experienced by all individuals involved in the case: the victim, the accused, and the witness, complainant or person responsible for exposing/reporting the person guilty of abusing another or any other acts in violation of the Code of Discipline. It is the responsibility of the school authority assigned to each case to ensure the safety of all these parties.

The following measures are taken:

1. All individuals involved in the case are given stern warning that while investigation is ongoing, there is not to be any form of retaliation or any form of negative reaction from anyone. If deemed necessary, they are asked to stay away from one another.
2. If there is a potential threat of physical retaliation from the erring individual, he/she is put under preventive suspension. Parents are advised to take precautionary measures while the student is not in school.
3. While in school, the class advisers of the students of the parties involved assume responsibility over the student under their care against possible retaliation. These class advisers monitor the day-to-day activities and behavior of the students involved in the case.

4. Depending on the degree of the offense as decided by the Disciplinary Board and School Head, the individuals involved in the case go through one or more guidance and rehabilitation sessions:

- a. Guidance/rehabilitation sessions with the counselor
- b. Guidance/rehabilitation sessions with Christian Life Center mentors
- c. Guidance/rehabilitation sessions with the School Chaplain

*These sessions help reconcile differences among the involved; fear of retaliation is negated; civil, if not cordial relationships are reestablished.

*Specifically, for first-time bullying incidents, the following restorative measures are taken (depending on the gravity):

a. Peace-making between parties involved. This involves the voluntary expression of remorse, forgiveness, and restoration of reciprocal friendship; thus, re-establishing a sense of safety and trust.

b. Witnessing among peers. The student may speak before his peers about the experience and what he/she has learned from it. - When suspension is part of the sanction, the student is subject to community service within the school campus unless preventive suspension is the specific sanction.

For second time and/or repeated occurrences of bullying by the same person, Progressive Discipline is imposed.

NOTE: The school keep a record of all cases. These are held in strict confidence. Regular follow-up meetings with the CPC and Guidance Counselors are done.

VIII. SCHOOL CHILD PROTECTION COMMITTEE

Chairperson : Christine Carby
Guidance Counselor/
Teaching Staff:
Non-teaching Staff: Mary Jean Adolfo
PTA President :

Brgy. Council

The Child Protection Committee (CPC) performs the following functions:

1. Initiate information dissemination programs and organize activities or the protection of children from abuse exploitation, violence discrimination and bullying or peer abuse.

2. Develop and implement a school-based referral and monitoring system is attached.
3. Established a system for identifying students who maybe suffering from significant harm based on any physical emotional or behavior signs.
4. Identify, refer and investigate cases involving child, exploitation, violence discrimination and bullying.
5. Give assistance to parents or guardians whenever necessary in securing expert guidance counseling from the appropriate offices or institutions.
6. Coordinate closely with the women and child protection desks of the Philippine National Police (PNP) the Local Social Welfare and Development Office (LSWDO), other government agencies and Non-Government Organizations (NGO's) as may appropriate.
7. Monitor the implementation of positive measures and effective procedures in providing the necessary support for the child and for those who care for the child. And
8. Ensure that the children's right to be hears are respected and upheld in all matters and procedures affecting their welfare.