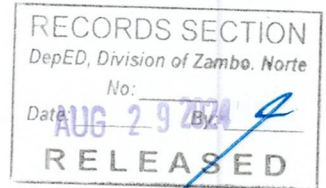




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Department of Education
REGION IX

SCHOOLS DIVISION OF ZAMBOANGA DEL NORTE

Office of the Schools Division Superintendent



August 28, 2024

Memorandum Order
No. 458, s. 2024

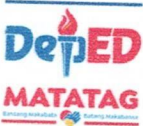
**POLICY GUIDELINES IN THE SELECTION AND RECRUITMENT OF PERSONS
WITH DISABILITIES AND OTHER SPECIAL NEEDS IN THE SCHOOLS DIVISION
OF ZAMBOANGA DEL NORTE**

To: **Assistant Schools Division Superintendents
Public Schools District Supervisors/District In-Charge
Elementary and Secondary School Heads
All Teacher Applicants
All Others Concerned
This Division**

1. The field is hereby informed of the attached approved **“Guidelines in the Selection Recruitment of Persons with Disabilities and Other Special Needs in the Schools Division of Zamboanga del Norte.”**
2. These guidelines apply to all recruitment and selection processes for teaching and non-teaching positions within the division.
3. This is in compliance with and adherence to the national and local laws, including Republic Act No. 7277 (Magna Carta for Persons with Disability) and other relevant legislation.
4. The primary aim of these guidelines is to promote equal opportunities in employment for persons with disabilities and other special needs.
5. Immediate and widest dissemination of this Memorandum is desired.

ROY C. TUBALLA EMD, JD, CESO V
Schools Division Superintendent

HRMPSBSEC/memopwdeoop/2024



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Guidelines in the Selection and Recruitment of Persons with Disabilities and Other Special Needs in the Schools Division of Zamboanga del Norte

I. RATIONALE

Establishing guidelines for the recruitment and selection of persons with disabilities in accordance with Magna Carta for Disabled Persons (**Republic Act 7277**), constitutes a legal obligation while concurrently fostering principles of impartiality, inclusivity, and rightful access to employment opportunities. These guidelines serve to prioritize the evaluation of individuals with disabilities on the basis of their qualifications and competencies, thereby augmenting societal equity and diversity.

II. OBJECTIVE

Ensure equal work opportunities suitable for employment for persons with disability under employment equal opportunity principle (EOOP).

The HRMPSB shall adhere to the subsequent guidelines:

1. Conduct screening (interviews and other forms of assessment) with focus on highlighting abilities, accomplishments, and individual traits.
2. Carry out the screening in the same manner as with any other candidate, demonstrating courtesy and impartiality.
3. Concentrate on determining HOW the person can effectively carry out the job, if it becomes evident that an individual's disability might affect job performance,



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III. RESPONSIBILITY

Human Resource Merit Promotion and Selection Board (HRMPSB) for Level 1 and 2 Positions.

IV. COMPREHENSIVE GUIDELINES

A. **Definition of Terms:** *For the purpose of these guidelines the terms are defined as follows (RA 7277-Title 2- Chapter 1, Section 4)*

- a) **Disabled Persons** are those suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being;
- b) **Impairment** is any loss, diminution or aberration of psychological, physiological, or anatomical structure of function;
- c) **Disability shall mean** 1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; 2) a record of such an impairment; or 3) being regarded as having such an impairment.
- d) **Handicap** refers to a disadvantage for a given individual resulting from an impairment or a disability, that limits or prevents the functions or activity, that is considered normal given the age and sex of the individual;
- e) **Rehabilitation** is an integrated approach to physical, social, cultural, spiritual, educational and vocational measures that create conditions for the individual to attain the highest possible level of functional ability;
- f) **Social Barriers** refer to the characteristics of institutions, whether legal, economic, cultural, recreational or other, any human group, community, or society which limit the fullest possible participation of disabled persons in



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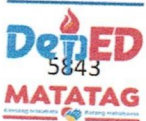
the life of the group. Social barriers include negative attitudes which tends to single out and exclude disabled persons and which distort roles and inter-personal relationships;

g) Auxiliary Aids and Services include:

- 1) **qualified interpreters** or other effective methods of delivering materials to individuals with hearing impairments;
- 2) **qualified readers, taped tests, or other effective methods of delivering materials to individuals with visual impairments;**
- 3) **acquisition or modification of equipment or devices;** and
- 4) other similar services and actions or all types of aids and services that facilitate the learning process of people with mental disability.

h) Reasonable Accommodation include:

- 1) improvement of existing facilities used by employees in order to render these readily accessible to and usable by disabled persons; and
 - 2) modification of work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustments or modifications of examinations, training materials or company policies, rules and regulations, the provisions of auxiliary aids and services, and other similar accommodations for disabled persons;
- i) **Sheltered Employment** refers to the provision of productive work for disabled persons through workshop providing special facilities, income-producing projects or homework schemes with a view giving them the opportunity to earn a living thus enabling them to acquire a working capacity required in open industry;



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- j) **Auxiliary Social Services** are the supportive activities in the delivery of social services to the marginalized sectors of society;
- k) **Marginalized Disabled Persons** refer to disabled persons who lack access to rehabilitative services and opportunities to be able to participate fully in socioeconomic activities and who have no means of livelihood or whose incomes fall below poverty threshold;
- l) **Qualified Individual with a Disability** shall mean an individual with a disability who, with or without reasonable accommodations, can perform the essential functions of the employment position that such individual holds or desires. However, consideration shall be given to the employer's judgement as to what functions of a job are essential, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job;

B. Disability Categories (RA 7277)

1. Physically Disabled:

- Hearing impaired
- Visually impaired
- Orthopedically disabled
- Other physical disabilities (cleft palate, harelip which affects their speech)

2. Mentally Disabled:

- Improved mental patients
- Mentally retarded
- Autistic
- Attention deficit disorder
- Attention deficit hyperactive disorder

3. Other Special Needs (RA 11215)

- Cancer Survivors
- Cancer Patients



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- Psychosocial Disability
- Disability caused by chronic illness
- Learning Disability
- Communication Disability

C. Equal Opportunity for Employment. – No disabled persons shall be denied access to opportunities for suitable employment. A qualified disabled employee shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as a qualified able-bodied person.

Five percent (5%) of all casual, emergency and contractual positions in the Department of Social Welfare and Development; Health; **Education, Culture and Sports**; and other government agencies, offices or corporations engaged in social development **shall be reserved for disabled persons.** (RA 7277-Title 2- Chapter 1, Section 5)

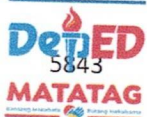
D. Sheltered Employment. – If suitable employment for disabled persons cannot be found through open employment as provided in the immediately preceding Section, the State shall endeavor to provide it by means of sheltered employment. In the placement of disabled persons in sheltered employment, it shall accord due regard to the individual qualities, vocational goals and inclinations to ensure a good working atmosphere and efficient production. (RA 7277-Title 2- Chapter 1, Section 6)

E. Prohibition On Discrimination Against Disabled Persons

(RA 7277-Title 2- Chapter 1, Section 32)

Discrimination on Employment

Discrimination on Employment. – No entity, whether public or private, shall discriminate against a qualified disabled person **by reason of disability in regard to job application procedures, the hiring, promotion, or discharge of employees**, employee compensation, job training, and other terms, conditions, and privileges of employment. The following constitute acts of discrimination.



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- a) Limiting, segregating or classifying a disabled job applicant in such a manner that adversely affects his work opportunities;
- b) Using qualification standards, employment tests or other selection criteria that screen out or tend to screen out a disabled person unless such standards, tests or other selection criteria are shown to be job-related for the position in question and are consistent with business necessity;
- c) Utilizing standards, criteria, or methods of administration that:
 - 1) have the effect of discrimination on the basis of disability; or
 - 2) perpetuate the discrimination of others who are subject to common administrative control;
- d) Providing less compensation, such as salary, wage or other forms of remuneration and fringe benefits, to a qualified disabled employee, by reason of his disability, than the amount to which a non-disabled person performing the same work is entitled;
- e) Favoring a non-disabled employee over a qualified disabled employee with respect to promotion, training opportunities, study and scholarship grants, solely on account of the latter's disability;
- f) Re-assigning or transferring a disabled employee to a job or position he cannot perform by reason of his disability.
- g) Dismissing or terminating the services of a disabled employee by reason of his disability unless the employer can prove that he impairs the satisfactory performance of the work involved to the prejudice of the business entities; Provided, however, That the employer first sought provide reasonable accommodations for disabled persons;



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h) Failing to select or administer in the effective manner employment tests which accurately reflect the skills, aptitude or other factor of the disabled applicant or employee that such test purports to measure, rather than the impaired sensory, manual or speaking skills of such applicant or employee, if any; and

(i) Excluding disabled persons from membership in labor unions or similar organizations.

F. Supportive Environment for Persons with Cancer and Cancer Survivors

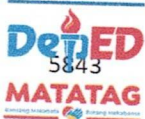
Persons with Disabilities. - Cancer patients, persons living with cancer and cancer survivors are considered as persons with disabilities (PWDs) in accordance with Republic Act No. 7277, as amended, otherwise known as the "Magna Carta for Disabled Persons". (RA 11512, Art. VII, Section 25)

Rights and Privileges. - The cancer patients, persons living with cancer and cancer survivors are accorded the same rights and privileges as PWDs and the DSWD shall ensure that their social welfare and benefits provided under Republic Act No. 7277, as amended, are granted to them. Further, the DOLE shall adopt programs which promote work and employment opportunities for able persons with cancer and cancer survivors. 1

Nondiscrimination. - The appropriate government agencies shall ensure that people living with cancer and cancer survivors are free from any form of discrimination in school, workplace and community. (RA 11512, ARTICLE VII, Sections 26 & 27)

G. Employment Entrance Examination. - Upon an offer of employment, a disabled applicant may be subjected to medical examination, on the following occasions: (RA 7277-Title 2- Chapter 1, Section 33)

a) all entering employees are subjected to such an examination regardless of disability;



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b) information obtained during the medical condition or history of the applicant is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record, Provided, however, That:

- 1) supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employees and necessary accommodations;
- 2) first aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment;
- 3) government officials investigating compliance with this Act shall be provided relevant information on request; and
- 4) the results of such examination are used only in accordance with RA 7277 Act.

H. Intake Interview and Assessment

H.1 If the Person being interviewed is Deaf /Hearing Impaired:

- a. Invite the individual to select a seating arrangement that ensures his/her comfort.
- b. Direct the speech towards the applicant, particularly if they rely on lip-reading. Maintain a natural speaking pace, face the applicant, and avoid obstructing your mouth with your hands. Maintain expressive communication as the interviewee relies on facial expressions, gestures, and eye contact.



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- c. In the event that the applicant requires an **interpreter and assistance**, the presence of Special Education (SPED) teachers may be requested. If communication difficulties arise, preferring written responses on paper is advisable.
- d. Speaking loudly is discouraged, as it may inconvenience the applicant who is deaf and unable to hear loud voices.

H.2 If the Person Being Interviewed is Blind or Visually Impaired:

- a. Always acknowledge the presence of HRMPSB members and any accompanying individuals from the Board. Provide a verbal description of the interview environment; for instance, say, "You have a table in front of you, and there's a seat to your right."
- b. Guarantee that the venue maintains suitable conditions for ventilation, lighting, and physical layout conducive to the interview process.
- c. Offer assistance in completing forms. Most individuals with visual impairments can independently complete forms and sign their names if the appropriate spaces are clearly indicated to them.

H.3 Interviewee Has Speech-Related Disabilities or Other physical disabilities (cleft palate, harelip which affects their speech):

- a. Construct questions in a manner that allows for brief and concise responses.
- b. Never pretend to understand comprehension if faced with difficulty. Instead, reiterate what you comprehend, relying on the interviewee's reactions to facilitate mutual understanding.



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c. Maintain a standard tone of voice when communicating. It's important to note that the majority of individuals with speech impairments can hear and comprehend without any difficulty.

H.4 Persons Being Interviewed is Utilizing a Wheelchair, Cane, or Crutches/ Orthopedically disabled

- a. Prior to the screening process, perform a thorough check to confirm that the interview location is wheelchair-accessible.
- b. While scheduling interviews and assessment, remain cognizant that candidates may require transportation arrangements due to their mobility aids.
- c. When providing directions, take into consideration accessible travel routes, available parking spaces that accommodate mobility aids, as well as potential physical obstacles like stairs, curbs, or steep inclines that could hinder or delay individuals using wheelchairs, canes, or crutches.
- d. Ensure that a wheelchair is consistently accessible and handle it with care, recognizing that it is an extension of the individual's personal space. Avoid leaning against it.
- e. Permit individuals using canes or crutches to retain them within easy reach, and authorize the presence of a guide or usher to accompany the applicant as needed.

IV. **Translators/Interpreters:** All personnel involved in the process of recruitment of applicants with special needs shall have adequate and appropriate educational background and training and qualities specified as follows:



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- Bachelor of Elementary Education specializing in special education
- Bachelor of Science in Elementary Education or Secondary Education , major in Special Education
- Bachelor of Science in Elementary Education or Secondary Education plus 18 units in special education in the graduate level
- Bachelor of Science in Elementary Education or Secondary Education plus 16 units in special education with 4 years of very satisfactory rating
- Bachelor of Science in Elementary Education or Secondary Education plus 14 units in special education with 4 years of very satisfactory rating
- Bachelor of Science in Elementary Education or Secondary Education plus 12 units in special education with 6 years of very satisfactory rating
- Master of Arts with 18 units in special education or any related field

In the absence of qualified teachers in the division, equivalent training in handling applicants with special needs shall be considered.

V. Data Storage and Back-up Plan with Data Privacy Integration

The Personnel Unit and HRMSPB Secretariat in coordination with the Division ICT (Information and Communication Technology) Officer created a three-layer data storage and back-up plan.

Data Storage Process

Original data, documents, and files (i.e., IER, CAR, BI Forms, Application Forms etc.) are created through Microsoft 365 and synchronized to Microsoft One Drive.

Microsoft One Drive is also synchronized to the main PC and Division Server for physical Backup.



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HRMPSB Secretariat creates backup of the data through flash drive or hard drive.

Integration of Data Privacy Act

All Data stored for ranking and selection purposes are subject to the principles of Transparency, Legitimate Purpose and Proportionality as stated in the Philippine Data Privacy Act of 2012.

The processing of personal data shall be allowed subject to adherence to the principles of transparency, legitimate purpose, and proportionality.

VI. References

Republic Act 7277
Memorandum Dm-OUHROD-2023-0922
DepEd Order No. 7, s. 2023
RA 11512
Philippine Data Privacy Act of 2012

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Translators Profile

| | |
|---|-----------------------------|
| Picture 2x2` | Name _____ |
| | Address _____ |
| | Contact Number _____ |
| <u>Personal Profile :</u> | |
| <u>Skills and Trainings:</u> | |
| <u>Employment History:</u> | |
| <u>Education:</u> | |
| <u>References:</u> | |
| <i>Use separate sheet if necessary / Please attached Certificates or MOVs</i> | |
| <i>Form No. 001-Translator's/ Interpreter's Profile</i> | |



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