

	Department of Education Region III DIVISION OF CITY SCHOOLS Angeles City Jesus Street, Pulungbulu, Angeles City		Document Code: SDO-QF-OSDS-SDS-003 Revision: 00 Effectivity date: 10/31/2018
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DIVISION MEMORANDUM


No. 509, s. 2018

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 By 
 DepED Angeles City
 Division of City Schools

REITERATING GUIDELINES ON PRIVATE PRACTICE OF PROFESSION

To: Heads of Public Elementary and Secondary Schools

1. Please be informed of the attached Regional Memorandum No. 180, s. 2018 entitled "Reiterating Guidelines on Private Practice of Profession, for information and guidance.
2. Your attention is invited to paragraph 2, 2.1, 2.2, & 2.3 for the documents which must be submitted to the Office of the Assistant Regional Director for approval before teaching in any public and private higher education.
3. Dissemination of this Memorandum to all concerned is desired.


MARIA CELINA L. VEGA, CESE
 OIC-Assistant Schools Division Superintendent
 Officer-in-Charge

lv//chief/sgod

"SMILES BRIGHT, SERVES RIGHT"

REITERATING GUIDELINES ON PRIVATE PRACTICE OF PROFESSION

1. Relative to private practice of profession or employment in school, college, or university and other entities by teaching, teaching-related and non-teaching personnel within the region, this Office streamlines the activities, even though private in nature, which might adversely affect the performance of duties of its personnel as public servants.
2. As per Republic Act 6713 otherwise known as Code of Conduct and Ethical Standards for Public Officials and Employees "and its implementing rules and regulations, engagement in the private practice of profession by public officials and employees is a ground for administrative disciplinary action, unless authorized by the law or regulation, provided that such practice will not conflict or tend to conflict with official function.
3. Section 12 of Rule XVIII of the Revised Civil Service Commission (CSC) Rules requires government employees to obtain a permit from the head of the Department, to wit:

"Sec. 12. No officer or employee shall engage directly in any private business, vocation, or profession or be connected with any commercial, credit, agricultural, or industrial undertaking without a written permission from the head of Department: Provided, that this prohibition will be absolute in the case of those officers and employees whose duties and responsibilities require that their entire time be at the disposal of the Government: Provided, further, that if an employee is granted permission to engage in outside activities, the time so devoted outside of office hours should be fixed by the chief of the agency to the end that it will not impair in any way the efficiency of the officer or employee: And provided, finally, That no permission is necessary in the case of investments, made by an officer or employee, which do not involve any real or apparent conflict between his private interests and public duties, or in any way influence him in the discharge of his duties, and he shall not take part in the management of the enterprise or become an officer or member of the board of directors",
4. Further, Section 18, Rule XIII of CSC Memorandum Circular (MC) No. 15, s. 1999 provides that:

"SEC. 18. Unless otherwise provided by law, no officer or employee shall engage directly or indirectly in any private business or profession without a written permission from the head of agency. Provided that this prohibition will be absolute in the case of those officers and employees whose duties and

responsibilities required that their entire time be at the disposal of the government; Provided further, that if an employee is granted permission to engage in outside activities, the time devoted outside of office hours should be fixed by the head of the agency so that it will not impair in any way the efficiency of the officer or employee nor pose a conflict or tend to conflict with the official functions."

5. Pursuant to CSC Memorandum Circular No. 5 s. 1966 and other CSC Circulars, R.A. 6713 and R.A. 3019, all teaching, teaching-related and non-teaching personnel are enjoined to adhere to the following provisions:

On Teaching Job

- 5.1 There shall be absolutely **NO TEACHING** by government officials and employees during office hours (6 hours actual teaching and additional 2 hours to complete the 8 hours required) even if the time spent is covered by corresponding vacation leave.
- 5.2 Permission to teach maybe granted only for subjects or courses which are related to the particular field of work of the official or employee concerned or for special fields or subjects where there is a dearth of qualified teachers.
- 5.3 If permission is to be granted, teaching load shall be limited to twelve (12) hours a week, and in no case shall a government officer or employee be allowed to teach more than three (3) hours a day on regular working days (Monday to Friday).
- 5.4 No official or employee shall be allowed to teach in any school or institution over which he/she directly or indirectly exercise jurisdiction, control, supervision, or influence by reason of his office or position in the government in contemplation of the Anti-Graft and Corrupt Practice and the prohibited Acts under the Code of Ethics.
- 5.5 Officials and employees applying for permission to teach must be physically fit in order not to prejudice the performance of their duties, and for this purpose, they shall submit with their application a record of their physical and medical examination showing such fitness, duly certified by a government physician.
- 5.6 Pursuant to part E of DepEd Order No. 5, s. 2008, the Schools Division Superintendents are the approving authorities on requests for permission to teach or practice of profession by school personnel and Division Office personnel while the Regional Director is the approving authority on requests for permission to teach or practice of profession by Regional Office personnel.
- 5.7 Request for teachers for permission to teach or practice of profession shall be accompanied by a statement of his/her official loads with schedule, signed by the school heads.

- 5.8 To ensure compliance to load limitation, the applicant shall submit a certification from the authorized official of the private school or entity, where the profession is to be practiced, as to his/her loads with corresponding number of units and the schedule, addressed to the concerned Schools Division Superintendent/Regional Director.
- 5.9 The permission shall be good for one school year except for college/graduate teaching which shall be on a semestral basis.
- 5.10 Permission to teach maybe withdrawn or revoked at any time whenever the exigencies of the service so requires, or if the herein conditions prescribed has been violated. This is without prejudice to administrative disciplinary action for violation hereof and in case of misrepresentations on the part of the applicant.

On Other Jobs/Related Activities

- 5.11 No public official or employee shall hold in any school, college, or university any position or assignment involving management or administrative duties and or responsibilities.
- 5.12 No public official or employee shall have any academic engagement including but not limited to attending faculty meeting, serving as research panel member etc. in any private school, college or university where he or she has a part-time employment during his or her official hours.
- 5.13 School, college, or university engaging in the service of a public official or employee after official time shall observe the limitation. The certification on load shall be deemed an official action of the school concerned unless proven otherwise. As such, any untruthful certification on load or any entry thereof shall be acted upon accordingly.

6. Violation of the policy of seeking **written permission** before pursuing private business, vocation or profession carries with it serious consequences, since this may be considered either as a light offense or a less grave offense. Based on the Revised Rules of Procedure of the Department of Education in Administrative Cases as contained in DepEd Order No. 49, s. 2006, light offenses have the following corresponding penalties: 1st offense – Reprimand; 2nd offense – Suspension of one (1) to thirty (3) days; 3rd offense – Dismissal. Less grave offenses, on the other hand, have the following consequences; 1st offense – Suspension for one (1) month and one (1) day to six (6) months; 2nd offense – Dismissal.

7. All employees concerned who are currently rendering part-time work or are engaged in private business or vocation are advised to start processing the documentary requirements for the approval of the head of the department. Employees who will not abide by this directive shall be dealt with accordingly.

- 7.1 Letter of request to pursue private business, vocation or profession addressed to the Superintendent/Regional Director and duly endorsed by the Principal or the official next in rank;
- 7.2 Copy of the requesting employee's class or work schedule certified by the Principal or the official next in rank;
- 7.3 Certification from the authorized official of the private school or entity where the profession is to be practiced, as to his/her loads with corresponding number of units and the schedule; and
- 7.4 Medical certificate attesting to the requesting employee's fitness, duly certified by a government physician.

8. Henceforth, those who would like to seek permission to pursue private business, vocation or profession must submit the above-stated documents to their Division/Regional Office **at least fifteen (15) calendar days** before engaging in such activities. **Be reminded that without written permission from the head of the department, no one is allowed to pursue part-time work.**

9. Functional Division Chiefs, and School Principals/Officers-in-Charge are directed to formulate and enforce their own rules and procedures to ensure that no employee is violating this policy, provided that such rules and procedures are not in conflict with existing laws and regulations. Further, every semester/trimester, Division Chiefs and School Principals/Officers-in-Charge are to submit a list of DepEd employees who are engaging in part-time activities to the approving authorities.

PPRDO2/pprd05

References:

Republic Act 6713
Revised Civil Service Commission (CSC) Rules
CSC Memorandum Circular No. 5, s. 1996
CSC Memorandum Circular (MC) No. 15, s. 1999
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R.A. 3019
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