Republic of the Philippine
HOUSE OF THE REPRESENTATIVE
Quezon City

13th Congress
First Regular Session

HOUSE BILL NO. 780



Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

Mr. Art A Borjal, in his column "Jaywalker" publish on the October 05, 1998 issue of the Philippine Star, states:

"For quite some time now, there have been reports of graft and corruption in the public school system. This disturbing reports should have prodded the bigwigs of the Depatrment of Education, Culture and Sports to lift their heads from the hole, get down to brass tacks, and investigate carefully whether or not there is fire behind the smoke. L Surprisingly, this has not happened.

"There are legitimate concerns over the drift of the public school system into an unholy land of grafters. Honest-to goodness DECS officials themselves have expressed worry, for instance, over the illegal contributions being exacted by teachers and other school officials form students and parents, despite stern and repeated warning by the DECS. This contribution range from monetary, or their equivalent in material things, to forced labor in the guise of bayanihan.

"Let me cite one example. Despite existing DECS prohibitions, some teachers and school officials are engage in brisk sales of school uniforms to a cowed clientele. In certain cases, offices of school officials have been transformed into sales counters for uniforms. Guess how much are the commissions given by the tailoring shops and seamstresses to their sales agents?

"Some public school public teachers, under the baton of their principals and supervisors, are engaged in systematic and barefaced fund-raising activities that victimized both parents and pupils. In the Province of Eastern Samar, for instance, parents complain of marathon fund-raising activities, "coronation-nights", and other assorted "nights". Almost always, it is the pupils land their parents who are forced to spend the big brunt of the expenses for these fund-raising gimmicks.

"There are also the so-called popularity contests were winners are chosen on the basis of number of tickets which the pupils land parents are able to sell. Here, innocent pre-schoolers are the big victims. What happened to the fund-raised from ticket sales has always been baffling mystery.

These fund-raising activities are a reflection on the failure of government to provide the needs of public schools. On the other hand, school projects are also being used by teachers in their bid for promotion. School projects and other "achievements" are a big factor in the promotion derby. And the pupils and their parents play an important role in this schemes without knowing it."

In the light of the afore-quoted expose, the author deem it proper to introduce the attached bill which seeks to regulate the sale of tickets and collection of contributions and/or solicitation in any form from teachers and students in elementary and secondary public schools, and/or any similar fund-raising activity.

Inspite of Republic Act No. 4206, as amended by R.A No. 4725, prohibiting the collection of contribution from school children of public primary and intermediate schools, fund-raising activities go on the whole year round. The intermediate need of fund is the recourse of teachers to solicit money and/or in kind from parents of students for necessary projects of the school, such as repair of leaking roofs, repair of desks and other similar facilities of the school. The teachers knowing the prohibition can not be faulted because they are undertaking a project necessary for the improvement of the school. If the government can not even provide adequate funds for additional rooms and teachers, more so with providing funds for school minor maintenance expenses.

Under the proposed bill, fund-raising activities shall, instead of the teachers, be undertaken by the Parent-Teachers Association (PTA).

Hence, approval of the attached measure is earnestly requested.

HARLIN CAST. ABAYON

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AN ACT
REGULATING THE SALE OF TICKETS AND COLLECTION OF CONTRIBUTIONS FROM TEACHERS AND STUDENTS, SOLITATION IN ANY FORM, AND/OR ANY SIMILAR FUND-RAISING ACTIVITY, IN ELEMENTARY AND SECONDARY PUBLIC SCHOOLS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREFOR, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. The sales of the tickets and collection of contributions and/or solicitation in any form by any person or persons, whether voluntary or otherwise, from teachers and students in public elementary and secondary schools at any time of the school year are prohibited: *Provided,* That this prohibition shall not cover voluntary fees in the Red Cross, Girl Scouts of the Philippines and Boys Scouts of the Philippines, membership fees and annual dues of members of Parents-Teachers Association (PTA), as well as voluntary contribution for projects of the PTA for the benefits of the school and project of the students organizations: *Provided, further,* That the officers of Parents-Teachers Association, other than teachers, will undertake the collection of membership fees, annual dues and voluntary

contributions for the founding of special projects for the improvement of the school from parents.

SECTION 2. The Parents-Teachers Association (PTA), as one of its fund raising activity, shall organize and manage a multi-purpose cooperative in the school, in accordance with the provision of Republic Act No. 6938, otherwise known as the Cooperative Code of the Philippines.

SECTION 3. The practice of asking or requiring teachers, school officials and students to go around and solicit donations of any form other than those mentioned in Section 1 hereof likewise prohibited.

SECTION 4. Any person who violates the provisions of this Act shall be punished by a fine of not less than Three Thousand Pesos (P3,000.00) nor more than Six Thousand Pesos (P6,000.00) or imprisonment not less than three (3) months nor more than six (6) months, or both. If the offender is the public official, an additional penalty of suspension for three (3) months shall be imposed.

SECTION 5. Any ordinary taxpayer may file a case against any person who violates Section one of this Acts.

SECTION 6. The Secretary of Education Culture and Sports shall issue the necessary guidelines to implement the provision of this Acts.

SECTION 7. All laws, decrees, executive orders, and other issuances inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 8. This Act shall take effect upon its approval.

Approved,