Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

HB NO. 1416

Introduced by **Rep. Roseller L. Barinaga**

EXPLANATORY NOTE

Republic Act No. 4670, otherwise known as the Magna Carta for Public School Teachers, declares a policy that promote and improve the social and economic status of public school teachers, their living and working conditions, terms of employment and career prospects. However, it seems that lethargy bordering on official neglect has beset the implementation of said statute thus setting at naught whatever lofty aims the legislature has in ordaining it.

Hence, twenty-six years after the enactment of the Magna Carta for Public School Teachers, with most of its provisions still unenforced, it behooves upon the legislature to take steps to ensure that good laws are not only passed; they are carried out to the letter as well.

This amendatory bill, therefore, seeks the full implementation of the Magna Carta for Public School Teachers. In unequivocal terms, it mandates that the Department of Education (Dep. Ed.) carry into effect the provisions of Republic Act No. 4670 under pain of strict enforcement of the sanctions upon responsible officials in case of neglect or omission to perform said duty. The Secretary of Education is further directed to submit to the President and the Congress a periodic report detailing compliance with the aforesaid mandate. Finally, in appropriate cases, government agencies are enjoined to extend utmost support and cooperation to the Department.

Even on the assumption that public school teachers shall henceforth be enjoying the effects of the beneficent provisions of the Magna Carta, this bill goes a step further by providing additional benefits and privileges in the form of more liberal study leaves, and more comprehensive special hardship allowances. It is hoped that these additional benefits and privileges will make certain that public school teachers will receive their due and be placed on a plane befitting their roles as educators of our youth.

In view of the foregoing, passage of this bill is earnestly requested.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

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AN ACT

PROVIDING FOR ADDITIONAL BENEFITS AND PRIVILEGES TO PUBLIC SCHOOL TEACHERS AMENDING FOR THESE PURPOSES REPUBLIC ACT NUMBER FORTY-SIX HUNDRED SEVENTY (R.A. NO. 4670), OTHERWISE KNOWN AS THE MAGNA CARTA FOR PUBLIC SCHOOL TEACHERS, AND FOR OTHER PURPOSES

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

SECTION 1. Section 19 of Republic Act No. 4670, otherwise known as the Magna Carta for Public School Teachers, is hereby amended to read as follows:

"SEC. 19. *Special Hardship Allowances.* - In areas WHERE [in which] teachers are exposed to hardship, PERIL [such as difficulty in commuting to the place of work] or other hazards peculiar to the place of employment, WHETHER OF A PERMANENT AND RECURRENT NATURE OR OTHERWISE, INCLUDING BUT NOT LIMITED TO EXPOSURE TO DIFFICULTIES, RISKS OR DANGERS DUE TO THE INACCESSIBILITY OR DISTANT LOCATION OF THE PLACE OF WORK, OR ARISING FROM NATURAL CALAMITIES OR EFFECTS THEREOF, OR CAUSED BY HOSTILITIES BETWEEN OR AMONG ARMED ELEMENTS, as determined by the Secretary of Education AFTER DUE CONSULTATION WITH THE APPROPRIATE GOVERNMENT AGENCIES, TEACHERS [they] shall be compensated special hardship allowances equivalent to at least twenty-five percent (25%) of their monthly salary".

"SEC. 24. *Study Leave.* - In addition to the leave privileges now enjoyed by teachers in the public schools, they shall be entitled to a study leave not exceeding one (1) school year after EVERY THREE (3) [seven] years of service TO PURSUE A GRADUATE STUDY IN EDUCATION OR ALLIED COURSES. Such leave shall be granted in accordance with a schedule set by the Department of Education. During the period of such leave, the teachers shall be entitled to THEIR FULL [at least sixty percent of their] monthly salary and APPROPRIATE ALLOWANCES: *Provided, however,* That no teacher shall be allowed to accumulate more than one (1) year study leave, unless he/SHE needs NOT MORE THAN TWO (2) [an] additional semesters

to finish his/HER thesis OR TO COMPLETE A REGULAR MASTERAL OR DOCTORAL PROGRAM; IN WHICH CASE, HE/SHE SHALL BE ENTITLED TO AT LEAST SEVENTY-FIVE PERCENT (75%) OF HIS/HER FULL MONTHLY SALARY AND APPROPRIATE ALLOWANCES [for a graduate study in education or allied courses]: *Provided, Further,* That TO AVAIL OF THE BENEFITS HEREIN PROVIDED, THE TEACHER SHALL ENTER INTO AN UNDERTAKING TO CONTINUE RENDERING SERVICES IN THE INSTITUTION WITH WHICH HE/SHE IS CONNECTED FOR A PERIOD OF THREE YEARS (3) FOR EVERY YEAR OF STUDY LEAVE [no compensation shall be due the teacher after the first year of such leave]. In all cases, the study leave shall be counted for seniority and pension purposes.

The compensation allowed for THE [one year] study leave as herein provided shall be subject to the condition that the teacher takes the regular study load and passes at least seventy-five percent (75%) of his/HER courses. [Study leave of more than one (1) year may be permitted by the Secretary of Education but without compensation]".

SEC. 2. *Implementation and Reporting.* It shall be mandatory for the Department of Education, Culture and Sports to carry out the full implementation of the provisions of Republic Act No. 4670. Without prejudice to any liability which may be incurred by the responsible officials in case of neglect or omission to carry out the duty herein provided, the sanctions for which liability shall be imposed strictly from hereon, the Secretary of Education shall, not later than six (6) months from the passage of this Act and every year thereafter, submit to the President and the Congress of the Philippines a report detailing compliance with the provisions of this Section.

For this purpose, all government agencies, in appropriate cases, are enjoined to extend utmost cooperation and support to the Department of Education.

SEC. 3. *Repealing Clause.* All laws, rules and regulations or part or parts thereof inconsistent with any provision of this Act are hereby repealed, modified, superseded or amended accordingly.

SEC. 4. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved.