

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
First Regular Session



HOUSE BILL NO. 2497

Introduced by Honorable BIENVENIDO M. ABANTE, JR.

EXPLANATORY NOTE

Our Constitution provides in Article II, Section 9 that, *"The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free all the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."* (Italic supplied) This constitutional provision provides for the promotion of full employment, raising the standard of living and the improved quality of life for all, including our public school teachers. To this end, the author filed this bill to amend certain provisions of Republic Act Number 4670, otherwise known as "Magna Carta for Public School Teachers", to further bolster the professionalism and boost the morale of our public school teachers.

Well to note that the Magna Carta for Public School Teachers provide programs for the promotion and improvement of the social well being and economic status of public school teachers, including the 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 envisioned in ordaining said Magna Carta.

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

Primarily, therefore, this proposed measure seeks the full implementation of the Magna Carta for Public School Teachers. In equivocal terms, it mandates that the Department of Education (Dep Ed) carry into effect the provisions of Republic Act Number 4670 under pain of strict enforcement of the sanctions upon responsible officials in case of neglect or omission to perform said duty. Moreover, the Secretary of the Department of Education is further directed to submit to the President and the Congress a periodic report detailing compliance with the aforesaid mandate. Finally, in appropriation 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, educational grants to children of teachers, 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 thereof, the early approval of this bill is being earnestly sought.



BIENVENIDO M. ABANTE, JR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 2497

Introduced by Honorable BIENVENIDO M. ABANTE, JR.

**AN ACT PROVIDING FOR ADDITIONAL BENEFITS
AND PRIVILEGES TO PUBLIC SCHOOL
TEACHERS, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 4670, OTHERWISE
KNOWN AS THE “MAGNA CARTA FOR PUBLIC
SCHOOL TEACHERS”, AND FOR OTHER
PURPOSES.**

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

SECTION 1: Section 19 of the 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 INACCESSABILITY OR DISTANT LOCATION OF THE PLACE OF WORK, OR ARISING FROM NATURAL CALAMITIES OR EFFECTS THEREOF, OR CAUSED BY HOSTILITIES BETWEEN AND 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.”

SECTION. 2. Section 24 of the same Act is hereby amended to read as follows:

“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 **OR SHE** needs **NOT MORE THAN TWO (2)** [an] additional semesters to finish his **OR HER** thesis **OR TO COMPLETE A REGULAR MASTERAL OR DOCTORAL PROGRAM; IN WHICH CASE, HE OR 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 OR SHE IS CONNECTED FOR A PERIOD OF THREE (3) YEARS 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 **OR HER** courses. [Study leave of more than one (1) year may be permitted by the Secretary of Education but without compensation.]”

SECTION.3. There shall be incorporated after Section 26 of the same Act, two (2) new sections under a new titled to read as follows:

“ VI. OTHER BENEFITS

SEC.26 – A. EDUCATIONAL BENEFITS. – IN ADDITION TO ALL OTHER BENEFITS TO WHICH THE TEACHERS ARE ENTITLED UNDER THE EXISTING LAWS, RULES AND REGULATIONS, THEIR CHILDREN, NOT EXCEEDING TWO (2) IN NUMBER, SHALL BE ADMITTED TO ANY STATE COLLEGE OR UNIVERSITY TO PURSUE ANY BACHELOR’S DEGREE FREE OF ANY CHARGES, INCLUDING BUT NOT LIMITED TO THE TUITION AND MATRICULATION FEES: PROVIDED, HOWEVER, THAT THEY SHALL MEET

THE ACADEMIC REQUIREMENTS FOR ADMISSION OF THE SUBJECT STATE COLLEGE OR UNIVERSITY: PROVIDED, FURTHER, THAT THEIR CONTINUOUS ENJOYMENT OF THE EDUCATIONAL BENEFITS HEREIN PROVIDED IS SUBJECT TO THE CONDITION THAT THEY MEET THE STANDARDS OF ACADEMIC PROFICIENCY TO BE SET BY THE DEPARTMENT OF EDUCATION.

SEC.26 – B. LONGEVITY PAY. – ANY PROVISION OF LAW TO THE CONTRARY NOTWITHSTANDING, A MONTHLY LONGEVITY PAY EQUIVALENT TO TEN PERCENT (10%) OF THE MONTHLY BASIC PAY SHALL BE PAID TO TEACHERS FOR EACH FIVE (5) YEARS OF CONTINUOUS, EFFICIENT AND MERITORIOUS SERVICE.”

SECTION.4. Implementation of Reporting. – It shall be mandatory for the Department of Education 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.

SECTION.5. Separability Clause. – If any provision or section of this act or the application thereof to any person or circumstance is held to be unconstitutional or invalid, the other provisions or sections of this Act and the application of such provision or section to other persons or circumstances shall remain in full force and effect.

SECTION.6. Repealing Clause. – Sections 19, 24 and 26 of Republic Act No.4670, otherwise known as “Magna Carta for Public School Teachers”, and all other laws, presidential decrees, executive orders, proclamations, rules and regulations which are inconsistent with the provision of this Act are hereby repealed, modified, superseded or amended accordingly.

SECTION.7. Effectivity Clause. – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,