

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 297



Introduced by **Honorable Roilo Golez**

EXPLANATORY NOTE

This bill seeks to provide, consistent with the mandate imposed by the Constitution under Article XIV, guarantee and protection to Filipino children who are bona fide residents of the town or city where the school is located in their access to educational facilities and services.

It is guaranteed by no less than the fundamental law under Section 1 of Article XIV on Education that "The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all."

Moreover, Section 4(1) of the said Article recognizes the complementary roles of public and private institutions in the educational system and mandates that the State shall exercise reasonable supervision and regulation of all educational institutions.

Section 5(1) of the said Article, furthermore, stresses upon the significance of taking into account of regional and sectoral needs and conditions and the encouragement by the State of local planning in the development of educational policies and programs. The importance of this cannot be gainsaid as well in ensuring access to quality education in the local level.

In view of the foregoing, the approval of the bill is strongly recommended.


ROILO GOLEZ

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AN ACT
PROVIDING FOR THE DEMOCRATIZATION OF PUBLIC SCHOOL EDUCATION

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

SEC. 1. *Title.* - This Act shall be known as the "Public School Democratization Law of 2010".

SEC. 2. *Declaration of Policy.* - In order to strengthen the mandate of the Constitution concerning education under Article XIV, it is hereby declared the policy of the State to afford full protection to and assure access to quality education for Filipino children who are bona fide residents of a particular province or city where the school is located.

Pursuant to the foregoing state policy, The Philippines, through this Act, shall consolidate and institutionalize existing government efforts in effecting meaningful programs on education bordering on this concern.

SEC. 3. *Prohibited Act* - It is hereby declared unlawful for any public school official, principal, faculty, teacher, or employee to refuse admission of any student in a primary or secondary public school, for whatever reasons, in a community where the said student is a *bona fide* resident as certified by the Barangay Captain.

SEC. 4. *Promulgation of Rules and Regulation.* - The Department of Education shall promulgate implementing rules and regulations consistent with the objectives of liberalizing access to education for Filipino children who are residing in the same city, municipality, or province where the school is located.

SEC. 5. *Penal Clause.* - Any public school official, principal, faculty, teacher, or employee who violates any provisions of this Act, or the rules and regulations made thereof shall after compliance with the requirements of administrative due process be punished with one (1) month suspension from service and fined with five thousand pesos (P5,000.00) for the first offense and with dismissal from service and temporary disqualification to hold public office for a period of six (6) months for the second offense, provided, finally that said violation shall be punished with dismissal from service and perpetual disqualification to hold public office for third or subsequent offenses.

SEC. 6. *Appropriations.* - The amount necessary for the implementation of this Act shall be taken from the funds of the Department of Education and shall be included in the annual General Appropriations Act.

SEC. 7. *Repealing Clause.* - All laws, ordinances, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 8. *Separability Clause.* - If for any reason any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions thereof, shall not be affected thereby.

SEC. 9. *Effectivity.* - This Act shall take effect upon its complete publication in at least two (2) national newspapers of general circulation.

Approved,