

CONGRESS OF THE PHILIPPINES
FIFTEENTH CONGRESS
First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. 1249

Introduced by **REPRESENTATIVE MARK A. VILLAR**

EXPLANATORY NOTE

This bill seeks to amend the provisions of certain sections, particularly Sections 98, 99 and 100 relating to Local School Boards, of Republic Act 7160 or the Local Government Code of 1991.

In case there is a local college or university (LCU) established in a local government unit (LGU) by virtue of an ordinance or resolution, it is submitted that there is a need to include as member of the Local School Board the President/Administrator of the LCU so that the concerns of the LCU, including the funding requirements of LCU, will be properly addressed and coordinated with the local government unit concerned.

LCUs were established by their respective local government units with the laudable purpose of providing the financially-disadvantaged but deserving students within their locality the opportunity to pursue and finish post-secondary or tertiary education that will in due course empower them to improve their families' living conditions. The amendments, if implemented, will provide due support to the existing LCUs in the country so that these education institutions can effectively fulfill the mandate of providing quality and accessible education to their underprivileged constituents.

For the foregoing reasons, I recommend the approval of the attached bill.



MARK A. VILLAR

Representative

Lone District of Las Piñas City

HOUSE OF REPRESENTATIVES

House Bill No. 1249

Introduced by REPRESENTATIVE MARK A. VILLAR

AN ACT PROVIDING FOR ADDITIONAL MEMBERSHIP IN THE LOCAL SCHOOL BOARDS OF LOCAL GOVERNMENT UNITS, AMENDING FOR THIS PURPOSE SECTIONS 98, 99 AND 100 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

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

SECTION 1. Section 98 of the Republic Act No, 1760, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

"SECTION. 98. *Creation, Composition and Compensation.* – (a) There shall be established in every province, city, or municipality a provincial, city, or municipal school board, respectively."

(b) The composition of the Local School Board shall be composed as stated below:

- (1) The provincial school board shall be composed of the governor and the division superintendent of schools as co-chairmen; the chairman of the education committee of the sangguniang panlalawigan, the provincial treasurer, the representative of the pederasyon ng mga sangguniang kabataan in the sangguniang panlalawigan, the duly elected president of the

provincial federation of parents-teachers association, the duly elected representative of the teachers' organization in the province, and the duly elected representative of the non-academic personnel of public schools in the province, as members.

IN CASE THERE IS A LOCAL COLLEGE OR UNIVERSITY (LCU) ESTABLISHED BY VIRTUE OF A PROVINCIAL ORDINANCE OR RESOLUTION, THE PRESIDENT/ADMINISTRATOR OF THE LCU SHALL BE MADE A MEMBER OF THE PROVINCIAL SCHOOL BOARD.

- (2) The city school board shall be composed of the city mayor and the city superintendent of schools as co-chairmen; the chairman of the education committee of the sangguniang panlungsod, the city treasurer, the representative of the pederasyon ng mga sangguniang kabataan in the sangguniang panlungsod, the duly elected president of the city federation of parents-teachers associations, the duly elected representative of the teachers' organizations in the city, and the duly elected representative of the non-academic personnel of public schools in the city, as members.

IN CASE THERE IS A LOCAL COLLEGE OR UNIVERSITY (LCU) ESTABLISHED BY VIRTUE OF A CITY ORDINANCE OR RESOLUTION, THE PRESIDENT/ ADMINISTRATOR OF THE LCU SHALL BE MADE A MEMBER OF THE CITY SCHOOL BOARD.

- (3) The municipal school board shall be composed of the municipal mayor and the district supervisor of schools as co-chairmen; the chairman of the education

committee of the sangguniang bayan, the municipal treasurer, the representative of the pederasyon ng mga sangguniang kabataan in the sangguniang bayan, the duly elected president of the municipal federation of parents-teachers associations, the duly elected representative of the teachers' organizations in the municipality, and the duly elected representative of the non-academic personnel of public schools in the city, as members;

IN CASE THERE IS A LOCAL COLLEGE OR UNIVERSITY (LCU) ESTABLISHED BY VIRTUE OF A MUNICIPAL ORDINANCE OR RESOLUTION, THE PRESIDENT/ADMINISTRATOR OF THE LCU SHALL BE MADE A MEMBER OF THE MUNICIPAL SCHOOL BOARD.

(c) In the event that a province or city has two (2) or more school superintendents and in the event that the municipality has two or more district supervisors, the co-chairman of the local school board shall be determined as follows:

- (1) The department of Education shall designate the co-chairman for the provincial or city school board; and
- (2) The Division Superintendent of Schools shall designate the district supervisor who shall serve as the co-chairman for the provincial and city school board; and

(d) The performance of the duties and responsibilities of the above mentioned officials in their respective local school boards shall not be delegated."

SEC. 2. Section 99 of the same Code is hereby amended to read as follows:

"Sec. 99. *Functions of Local School Board.* – The provincial, city or municipal school board shall:

- (a) Determine, in accordance with the criteria set by the Department of Education, ~~Culture and Sports~~ **AND THE LOCAL COLLEGES AND UNIVERSITIES, IF APPLICABLE,** the annual supplementary budget needs for the operation and maintenance of the public schools **ELEMENTARY, SECONDARY AND LOCAL COLLEGE/UNIVERSITY** within the province, city or municipality, as the case may be, and the supplementary local cost of meeting such needs, which shall be reflected in the form of an annual school board budget corresponding to the share of the proceeds of the special levy on real property constituting the Special Education Fund and such other sources of revenue as this Code and other laws or ordinance may provide;
- (b) Authorize the provincial, city or municipal treasurer, as the case may be, to disburse funds from the Special Education Fund pursuant to the budget prepared and in accordance with existing rules and regulations;
- (c) Serve as an advisory committee to the sanggunian concerned on educational matters such as, but not limited to, the necessity for and the uses of local appropriations for educational purposes; and
- (d) Recommend changes in the names of public schools within the territorial jurisdiction of the local government unit for enactment by the sanggunian concerned.

The Department of Education, ~~Culture and Sports~~ shall consult the local school board on the appointment of division superintendents, district supervisors, school principals, and other school officials."

SEC. 3. Section 100 of the same Code is hereby amended to read as follows:

"Sec. 100. Meetings and Quorum; Budget. - (a) The Local School Board shall meet at least once a month or as often as may be necessary.

(b) Any of the co-chairman may call a meeting. A majority of all its members shall constitute a quorum. However, when both co-chairman are present in a meeting, the local chief executive concerned as a matter of protocol, shall be given preference to preside over the meeting. The division superintendent, city superintendent or district supervisor **AND THE PRESIDENT/ADMINISTRATOR OF LOCAL COLLEGES AND UNIVERSITIES**, as the case may be, shall prepare the budget of the school board concerned. Such budget shall be supported by programs, projects, and activities of the school board for the ensuing fiscal year. The affirmative vote of the majority of all the members shall be necessary to approve the budget.

(c) The annual school board budget shall give priority to the following:

(1) Construction, repair, and maintenance of school buildings and other facilities of public elementary and secondary schools, **AS WELL AS THAT OF THE LOCAL COLLEGE OR UNIVERSITY, IF ANY;**

(2) Establishment and maintenance of extension classes where necessary; and

(3) Sports activities at the division, district, municipal, and barangay levels.”

SEC. 4. *Separability Clause.* - If any provision of this Act shall be held unconstitutional or invalid, the remaining provisions which are not affected thereby shall continue to be full force and effect.

SEC. 5. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,