Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 3503

Introduced by **Rep. Eulogio "Amang" R. Magsaysay**

EXPLANATORY NOTE

The Philippine Constitution provides that the State shall protect and promote the right of all citizens to quality basic education and make such education accessible to all.

Descending from the national level, the delivery of our basic education services to the localities is undertaken through the regional, divisions, districts, and school levels. It is at the school level that the yardstick of basic education service delivery is determined where the school itself and the attending children themselves are the ultimate reference or units of measurement.

A geographic unit of people with common interests, the community is the ground where government policies, plans, programs, projects and activities are being planned and implemented at the grassroots. This bill aims to strengthen governance of public basic education at the local level by providing the creation of Community School Board in a barangay or within a cluster or group of barangays which will be constituted in accordance with certain provisions under the Act. Composed of the key officials of the barangays and the public schools, including the Parents-Teachers Associations (PTAs), teachers' and non-academic school personnel's organizations, or their duly elected representatives, this proposed Community School Board institutes a structure that will gather all concerned stakeholders, empowering them in the process of formulating policies and implementing programs/projects that involve the education of no less than their own constituency. Moreover, the provision for School Boards at the provincial, city and municipal levels, under the Local Government Code is in effect extended by this piece of legislation to the level of our basic political unit - the barangay – for purposes of inter-local government units' coordination and collaboration. This consequently provides the mechanisms of check-and-balance to properly and effectively attain the goals for education.

In view of the foregoing, approval of this bill is earnestly sought.

EULOGIO "AMANG" R. MAGSAYSAY

FIFTEENTH CONGRESS OF THE)
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AN ACT
CREATING THE COMMUNITY SCHOOL BOARDS

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

SECTION 1. ***Short Title.*** - This Act shall be known as the "Community School Board Act of 2010."

SECTION 2. ***Declaration of Policy.*** - It is hereby declared the policy of the State to protect and promote the right of all citizens to quality basic education and to make such education accessible to all.

It is at every level that governance of basic education shall operate – where the policy and principle for the governance of basic education shall be translated into programs, projects and services developed, adapted and offered to fit local needs.

In pursuance of this policy, the State shall encourage local initiatives for improving the quality of basic education. Officials and other stakeholders in communities shall be empowered to make decisions on what is best for the education of their constituency.

SECTION 3. ***Purposes and Objectives.*** - The purposes and objectives of this Act are:

(a) To define the roles and responsibilities of officials and other stakeholders of *barangay* where educational programs, projects and services are implemented in communities they serve;

(b) To encourage *barangay* initiatives for the improvement of schools and learning centers and to provide the means by which these improvements may be achieved and sustained; and

(c) To ensure that schools and learning centers receive the kind of focused attention they deserve and that educational programs, projects and services take into account the interests of all members of the community;

(d) To enable the schools and learning centers to reflect the values of the community.

SECTION 4. *Definition of Terms.* - For purposes of this Act, the terms or phrases used shall mean or be understood as follows:

(a) *Alternative Learning System* -is a parallel learning system to provide a viable alternative to the existing formal education instruction. It encompasses both the non-formal and informal sources of knowledge and skills;

(b) *Basic Education* - is the education intended to meet basic learning needs which lays the foundation on which subsequent learning can be based. It encompasses early childhood, elementary and high school education as well as alternative learning systems for out-of-school youth and adult learners and includes education for those with special needs;

(c) *Community* - is a barangay or a cluster of barangays which are geographically contiguous where at least six (6) public basic education schools are situated;

(d) *Formal Education* - is the systematic and deliberate process of hierarchically structured and sequential learning corresponding to the general concept of elementary and secondary level of schooling. At the end of each level, the learner needs a certification in order to enter or advance to the next level;

(e) *Integrated School.* - is a school that offers a complete basic education in one school site and has unified instructional program;

(f) *Learner* - is any individual seeking basic literacy skills and functional life skills or support services for the improvement of the quality of his/her life;

(g) *Learning Center* - is a physical space to house learning resources and facilities of a learning program for out-of-school youth and adults. It is a venue for face-to-face learning and activities and other learning opportunities for community development and improvement of the people's quality of life;

(h) *Non-Teaching Personnel* – comprises the non-academic personnel or staff handling the school's administrative, fiscal, and other auxiliary services;

(i) *Private Sector Participation* - refers to all forms of indispensable, substantial and meaningful participation of private individuals, partnerships, groups or entities, community-based organizations or nongovernmental organizations in the delivery of educational initiatives;

(j) *Public School* - is a public educational institution, undertaking educational operation with a specific age-group of pupils or students pursuing defined studies at the levels of early childhood, elementary and high school education, including alternative learning system of education and special education, receiving instruction from teachers or learning facilitators, usually located in a building or a group of buildings in a particular physical or cyber site;

(k) *School Head* - is a person responsible for the administrative and instructional supervision of the school or cluster of schools;

(l) *Special Education* - refers to basic education that takes into account the special needs of both disabled children and gifted children that require a systematic and deliberate process for them to achieve functional literacy and which will bring the individual to the highest level of his potential and capacity;

(m) *Teacher* – is the person engaged on full-time basis in classroom teaching and/or performing supervisory and/or administrative functions in the school, in any level of basic education in public schools. The term

"teacher", under this Act, is also referred to as "learning facilitator" comprising the academic personnel of the school.

SECTION 5. ***Creation of Community School Boards.*** - There shall be established a Community School Board, herein referred to as "Board", to be constituted within a *barangay,* or within a cluster of barangays as determined under the provision of this Act, or within a group of barangays comprising an established zonal district, in all the cities/municipalities nationwide where at least six (6) public schools are situated.

The Community School Board shall be Co-Chaired by both the Barangay Chairman or duly elected representative of all the Barangay Chairmen within the clustered barangays or within a zonal district, and the duly elected representative of all the School Heads in public schools situated in a barangay or within the clustered barangays or within a zonal district. The following shall compose the Community School Board as Members:

(a) Duly elected representative of all the PTAs' (Parents-Teachers Associations) Presidents from the respective public schools situated in a barangay or within the clustered barangays or within a zonal district;

(b) Chairman of the Sangguniang Barangay Committee on Education or duly elected representative of all the Education Committee Chairmen from the respective Sangguniang Barangay within the clustered barangays or within a zonal district;

(c) Chairman of the Barangay Sangguniang Kabataan (SK) or duly elected representative of all the SK Chairmen within the clustered barangays or within a zonal district;

(d) Duly elected representative of all the Chairmen of the respective School Governing Councils (SGCs) in public schools situated in a barangay or within the clustered barangays or within a zonal district;

(e) Duly elected representative of all the teachers' organizations in a barangay or within the clustered barangays or within a zonal district;

(f) Duly elected representative of all the Presidents of the respective Supreme Pupil Government (SPG) or Supreme Student Government (SSG) in public schools situated in a barangay or within the clustered barangays or within a zonal district;

(g) Duly elected representative of all the non-academic personnel's organizations in a barangay or within the clustered barangays or within a zonal district; and

(h) A prominent citizen in the community who shall be duly elected by all of the previously cited composition of the Board.

The performance of the duties and responsibilities of the above-named persons upon assumption shall not be delegated.

SECTION 6. ***Functions of the Community School Boards.*** - Each Community School Board shall perform the following functions for the educational welfare and benefit of the barangay or the clustered barangays or the zonal district through which it is constituted:

a. Undertake regular profiling of the community's public school education;

b. Develop and implement a Community Public Education Plan based on defined key result areas (KRAs) delineating the --- specific strategies or actions, required resources, stakeholders, time-frame of accomplishments, and system of monitoring and evaluations --- reflecting the values and aspirations of the community it serves;

c. Recommend and work with the concerned DepEd District Supervisor of Schools or City Superintendent of Schools measures or initiatives deemed necessary for the improvement of the community's public school education;

d. Collaborate with the Municipal or City School Board on educational concerns such as, but not limited to, the necessity of funding assistance for educational purposes;

e. Provide support to the implementation of schools' policies, programs and projects;

f. Establish community networks for education initiatives;

g. Promote active private sector participation to the community's education initiatives; and

h. Perform other functions as may be deemed necessary by the Board or as may be assigned by proper authorities.

The Co-Chairmen, and Members of a Community School Board shall perform their duties as such without compensation or remuneration. The Board shall meet at least once a month or as often as the chairman or majority of the members shall convene the same.

SECTION 7. ***Election of Representatives to the Barangay School Board.*** - The Barangay Sanggunian Chairmen, Education Committees' Chairmen and SK Chairmen when required, the Public Schools' Heads, PTAs' Presidents and SGCs' Chairmen, and the community's organizations of teachers non-academic personnel, are hereby required to conduct an election of their respective representatives to the Community School Board.

SECTION 8. ***Municipal or City School Boards to Collaborate with the Community School Boards.*** - The now existing Municipal School Boards or City School Boards are hereby mandated to collaborate with all concerned Community School Boards, more particularly in the exercise of their functions related to the following:

a. Programming of the construction and repair of elementary and high school buildings, acquisition of sites, and the construction and repair of workshops and similar buildings and accessories thereof.

b. Preparing and approving the annual budgetary needs for the operation and maintenance of public education schools within the city or municipality.

c. Disbursing funds from the city or municipal share in the Special Education Fund to the recipient-barangays.

SECTION 9. ***Incentives to Private Sector Participation.*** – Partnership between the government and private sector in support of local education initiatives shall be encouraged. Any donation, contribution, bequest and grant which may be made to the Community School Board shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SECTION 10. ***Implementation.*** -The Secretary of the Department of Interior and Local Government (DILG) and the Secretary of the Department of Education (DepEd) shall promulgate the implementing rules and regulations for the effective enforcement of the provisions of this Act.

SECTION 11. ***Separability Clause.*** - The provisions of this Act are hereby declared to be separable, and in the event any part, section or provision of this Act is held invalid or unconstitutional, no other part, section or provision thereof shall be affected thereby.

SECTION 12. ***Repealing Clause.*** - All Acts, parts of Acts, executive orders, ordinances, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 13. ***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,