

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 768



Introduced by **Rep. Winston "Winnie" Castelo**

EXPLANATORY NOTE

This bill seeks to introduce amendment to Republic Act No. 7836, a.k.a. "*An Act to Strengthen the Regulation and Supervision of the Practice of Teaching in the Philippines and Prescribing a Licensure Examination for Teachers and For Other Purposes*" by deleting the whole of Section 24 on Registration by Reciprocity.

The rationale thought of by this proposed amendment is to the effect that, the intent and spirit of subject RA 7836 is precisely to strengthen the following aspects in the practice of teaching in the Philippines, namely: 1) regulation and 2) supervision.

The principle of reciprocity as read in the present law might mean that the Philippine government may have to accord professional teachers from foreign countries some latitude or leeway especially on the matter of laying down the penalties stipulated under Section 28 on Penal Provisions, if and when, there will be infractions or violations in the practice of teaching by foreign nationals than by its own citizens.

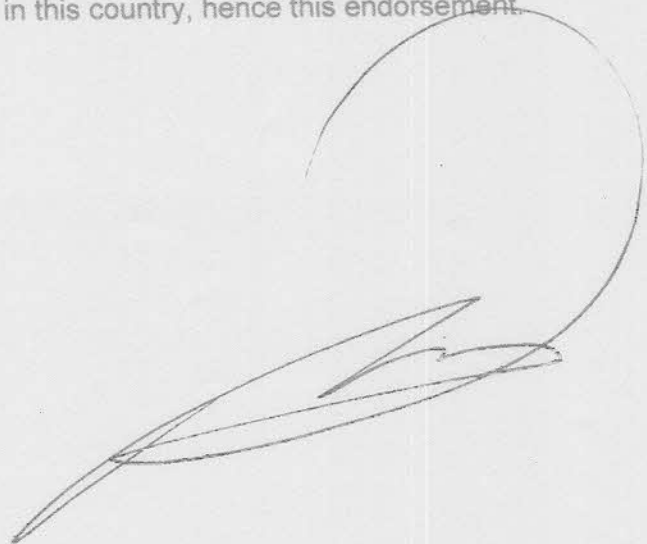
In the present Constitution, it is said that 'the control and administration of educational institutions shall be vested in citizens of the Philippines'.

While this proposed bill does not imagine possible intrusion by foreign professional teachers in the administration of educational institutions, nonetheless, other rights or privileges provided under RA 7836 may imply that these be extended to teachers from other foreign countries as well. Their own foreign governments might likewise extend the same rights or privileges to Filipino teachers teaching abroad beyond the requirement of mere registration by reciprocity. If this is so, it puts the role of the Professional Regulation Commission through the appropriate Professional Regulatory Board for Professional Teachers in a bind.

What is given more policy focus here is the inherent difficulty of bringing in the whole weight of Article IV of the Philippine Teachers Professionalization Act of 1994 and other such related provisions under said law to bear upon foreign professional teachers on the matter of the penalties and/or grounds for revocation of license that would have to apply equally to them in cases of violations. For one, our own Code of Ethics for Professional Teachers lays down other duties and responsibilities that only a Filipino teacher may have the full commitment to actualize.

This author is of the belief that subject Section 24 is tantamount to be an undue pressure applied to the smooth and effective implementation of the provisions set forth under RA 7836 and such strain should therefore be relaxed by this proposed legislative feat.

The proposed amendment therefore seeks the strong endorsement of our colleagues in the House of Representatives with the end in view of truly strengthening our regulation and supervision of the practice of teaching in this country, hence this endorsement.

A large, stylized handwritten signature in dark ink, featuring a prominent loop and a long, sweeping underline.

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AN ACT
AMENDING REPUBLIC ACT NO. 7836, ALSO KNOWN AS THE 'PHILIPPINE TEACHERS
PROFESSIONALIZATION ACT OF 1994' BY REMOVAL OF SECTION 24 ON
REGISTRATION BY RECIPROCITY AMOUNTING TO ITS ENTIRE REPEAL OR
MODIFICATION

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

SECTION 1. Short Title. – This Act shall be known as the 'FILIPINO TEACHERS PROFESSIONAL ACT OF 2013'.

SEC. 2. Declaration of State Policy. - It is the declared policy of the State to promote that concept that the control and administration of educational institutions shall be vested in citizens of the Philippines.

SEC. 3. Coverage. – Under this Act, only Filipino professional teachers shall have full enjoyment of the rights and privileges of Republic Act No. 7836 and the existing penal provisions in cases of violations or related infractions thereof apply to them exclusively.

SEC. 4. Amendment. - Upon effectivity of this Act, pertinent Section 23 of RA 7836 stated hereunder is hereby entirely repealed or removed:

"Sec. 24. Registration by Reciprocity. – No teacher of a foreign nationality shall be admitted to the examination, or be given a certificate of registration or be entitled to any of the rights and privileges provided for under this Act; unless the country or state of which is subject permits Filipino professional teachers to practice within its territorial limits on the same basis as subjects of citizens of said country or state; *Provided*, that the requirements of certification of teachers with said foreign state or country are substantially the same as those required and contemplated under this Act; *Provided*, further, That the laws of such state or country grant the same privilege to Filipino professional teachers on the same basis as the subject or citizens of such foreign country or state"

Further, its pertinent repeal or modification is hereby made as if such section had not been enacted.

SEC. 5. Implementing Agency. – The Chairperson of the Professional Regulation Commission as well as the Secretary of the Department of Education shall promulgate the rules and regulations for the effective implementation of this Act within ninety (90) days upon its effectivity.

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SEC. 6. Separability Clause. – The provision of this Act is hereby deemed separable. If any provision thereof is declared invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions which shall remain in effect.

SEC. 7. Repealing Clause. – All laws, decrees, executive orders, rules and regulations or parts thereof, inconsistent with the provision of this Act are hereby repealed.

SEC. 8 Effectivity. – This Act shall take effect following its publication in the Official Gazette and in at least three (3) newspapers of general circulation.

