

SIXTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



HOUSE OF REPRESENTATIVES
House Bill No. **4979**

Introduced by Representative EMIL L. ONG

EXPLANATORY NOTE

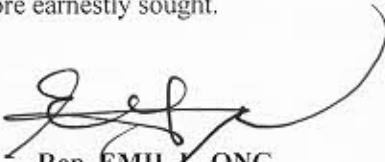
The Magna Carta for Public School Teachers provides for the minimum educational qualifications for teacher-applicants without precluding the Department of Education to lay down any recruitment policy with respect to the selection and appointment of teachers. As of date, a department order has been issued which provided for guidelines in hiring teachers. Thus aside from the minimum qualifications that must be met by teacher-applicants, more criteria have been added which in a way made it more difficult for teacher-applicants to be hired although the need is high.

Republic Act 8190 (An Act Granting Priority to Residents of the Barangay, Municipality or City where the School is located, in the appointment or assignment of Classroom Public School Teachers) was enacted to best serve the purpose of the Magna Carta for Public School Teachers. It is important to note the law requires only that the teacher possesses the minimum qualification for the position, in order to be given priority in the appointment or assignment. Well settled is the rule that amendments to an existing and valid law should only be done through proper legislation. Thus, a mere Department Order cannot effectively amend a law like Republic Act 8190. It is therefore in contravention with the existing law.

Ranking under the Department of Education Order shall apply only when there are no qualified applicants for the vacant positions in public schools and other learning centers. That is, when there are no qualified bona fide residents of the barangay, municipality, city or province where the school is located.

Moreover, the Civil Service prescribes only the minimum qualifications to qualify in a certain job position. It is on this note that any hiring of teachers should and must comply only with the minimum requirements of the law. Ranking therefore as requirement in hiring of teachers must be prohibited.

Passage of this bill is therefore earnestly sought.


Rep. **EMIL L. ONG**
Second District, Northern Samar

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

SIXTEENTH CONGRESS
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House Bill No. **4979**

Introduced by Hon. EMIL L. ONG
2nd District, Northern Samar

AN ACT
PROHIBITING THE RANKING SYSTEM IN THE HIRING AND
SELECTION OF TEACHERS IN PUBLIC ELEMENTARY AND HIGH
SCHOOLS IN THE PHILIPPINES

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

Section 1. *Short Title.* – This Act shall be known as “An Act Prohibiting the Ranking System in the Hiring and Selection of Teachers in Public Elementary and High School.”

Sec. 2. *Coverage.* – This Act shall apply only in the hiring of public elementary and high school teachers.

Sec. 3. *Prohibition.* To ensure equal employment opportunities among teacher applicants, ranking system in hiring and selection process is hereby prohibited. Appointment made in violation of this Act is deemed invalid.

Sec. 4. *Separability Clause.* – If any provisions of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in the full force and effect.

Sec. 5. *Repealing Clause.* – All laws, executive orders or issuances, or any parts thereof which are inconsistent herewith are hereby repealed or amended accordingly.

Sec. 6. *Effectivity Clause.* – This Act shall take effect upon its publication in at least one (1) newspaper of general circulation.

Approved,