

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 5634



Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

There is a significant number of elementary and high school systems in various cities throughout the country run and operated as private educational systems. At times, there are more private schools than public schools in some cities. Along with public educational systems, the Department of Education regulates their operation with main focus on a standardization of the curriculum. No school is exempt from DepEd's control of the educational system at these levels (i.e. primary and secondary) where it imposes a compulsory curriculum. Both systems simply do complementary roles in the field of education.

DepEd exercises authority over every private educational institution especially the one at the secondary education level since the next tier that follows it would be the tertiary education. It does so until the time a bonafide high school graduate of a private high school moves up to tertiary level after all necessary clearances or certificates (i.e. good moral character or such similar reference/s) would have been secured from the student's school.

The recent incident involving a high school salutatorian who may have delivered a rather un-patronizing remark on the occasion of their graduation day serves to remind teachers, students, parents, policymakers and other stakeholders of the credibility, integrity, and professionalism of our educational services in general. This means that no teacher or principal or committee in any high school educational system can exercise any kind of discretionary power other than those set under DepEd's compulsory curriculum-based requirements especially if such action is to the possible detriment of a student who will be subjected to and affected by any form of arbitrary/adverse disciplinary action.

This measure therefore contemplates that certain mechanics be set in place by the high school department of a private educational system to serve as 'Student Grievance Right' such that valid complaints of students seeking redress of grievances be appropriately heard, evaluated, and promptly acted upon. This new institution shall form part of other 'Citizen's Charter'-type of mechanisms by the school.

It is through this student grievance mechanism that possibly unforeseen or unforeseeable incidents could be effectively prevented especially where certain interests by either the student or the school may have to be preserved. Suffice that there shall be no action

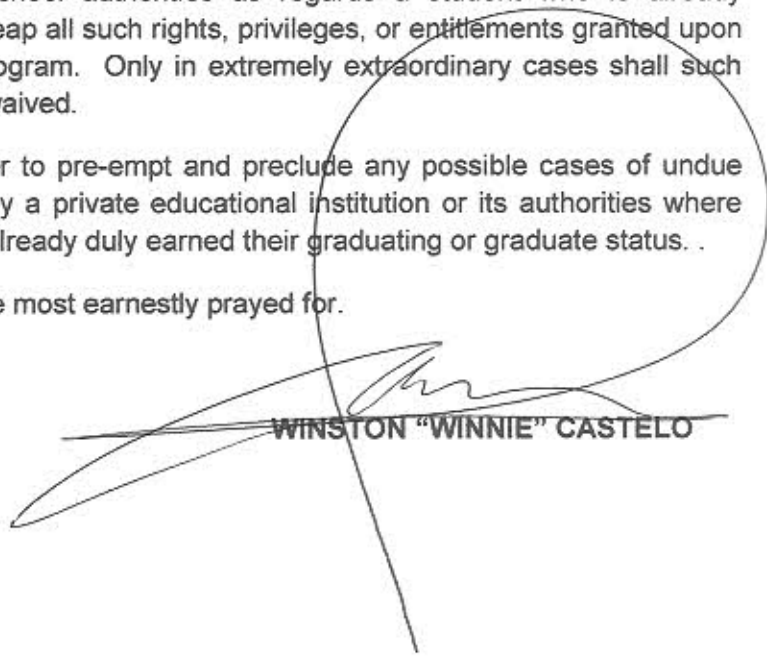
taken against a complainant with a valid complaint other than that better placed under the care of the guidance counsellor or the principal.

This bill likewise establishes that there is no further administrative or disciplinary barrier against a graduating student who appears to commit certain acts that tend to foreground views quite not in ideological line with the school or other such acts that tend to jeopardize his status as graduating student. Schools and school authorities are traditionally expected to be able to absorb such differences within the bounds of free speech and fair play.

Thus, this humble measure simply reiterates the long-held view that no discretion may be exercised by a school or its school authorities as regards a student who is already graduating and who will in due time reap all such rights, privileges, or entitlements granted upon a student upon completion of the program. Only in extremely extraordinary cases shall such status or right be ever obstructed or waived.

Let this bill just be a reminder to pre-empt and preclude any possible cases of undue exercise of authority over students by a private educational institution or its authorities where students who may be involved have already duly earned their graduating or graduate status. .

Passage of this bill is therefore most earnestly prayed for.



WINSTON "WINNIE" CASTELO

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AN ACT

**DIRECTING DEPARTMENT OF EDUCATION TO INSTITUTIONALIZE A STUDENT'S
GRIEVANCE ACT MECHANISM TO CUSHION OFF ARBITRARY/ADVERSE DISCIPLINARY
CASES AFFECTING GRADUATING STUDENTS IN PRIVATE EDUCATIONAL SYSTEMS**

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

SECTION 1. This Act shall be known as the 'Student Grievance Act' of 2015'.

SEC. 2. A bonafide high school graduating student, duly-certified or confirmed by his or her private school as having satisfactory earned or completed all curricular requirements set forth and by the Department of Education shall be accorded all rights, privileges, and other such entitlements due its graduates. Such grant is deemed as perpetual.

SEC. 3. The Department of Education is hereby directed to institutionalize a Student's Grievance Mechanism to cushion off impact of otherwise arbitrary/adverse disciplinary cases that may yet be taken thereby affecting graduating students in private educational systems.

To this end, high school departments in private educational systems shall institutionalize a mechanism for a 'Student Grievance Right' and the mechanics of the same shall be as those in 'Citizens-Charter'-like institutions.

Such institution is designed as a 'safety net' to pre-empt, prevent, and preclude cases of possible infractions that may be committed by students within the period before actual graduation day. Further, this will incentivize the complementary goals of the private educational system with the Department of Education as the regulatory agency

SEC. 4. To this end, no teacher or principal or committee in any private high school educational system may exercise any kind of discretionary power other than those set under the Department of Education's compulsory curriculum-based requirements especially where such action may not only have arbitrary/adverse effect but may tend to alter in any way the earned status of a graduating student.

There shall be no further administrative or disciplinary barrier against a graduating student especially where such might bear upon the rights, privileges, and entitlements due her/him afterwards like all other graduates conferred such status.

SEC. 5. This Act shall take effect upon its approval and publication in at least three (3) newspapers of general circulation.

Approved,