

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth (17th) Congress
1st Regular Session

HOUSE BILL NO. 4415



Introduced by: **Honorable Teodoro Brawner Baguilat**

An Act Recognizing and Institutionalizing Indigenous Peoples' Educational Systems within the Philippine Educational Systems, Promulgating the Procedures for the Establishment, Recognition, Management and Evaluation of IP Schools, Appropriating the Necessary Government Funds, Financial Assistance, Incentives and Support Therefore and for Other Purposes.

EXPLANATORY NOTE

The 1987 Constitution, the Philippine Education Act of 1982, as well as United Nations Declaration on the Rights of Indigenous Peoples provide that the State shall give priority to education, science and technology, arts, culture and sports to foster patriotism and nationalism, accelerate social progress and promote total human liberation and development. Pursuant thereto the State shall promote the right of every individual to relevant quality education regardless of sex, age, creed, socio-economic status, physical and mental conditions, racial or ethnic origin, political or other affiliation. The State shall therefore promote and maintain access to quality education as well as the enjoyment of the benefits of education by all its citizens.

Furthermore, the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all. Accordingly, the State in conjunction with the Indigenous peoples shall take effective measures in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Also, the State shall establish, maintain and support complete, adequate, and integrated system of education relevant to the people and society. Consequently, the State shall encourage, recognize and support Indigenous Peoples' Education/Indigenous Peoples' Learning Systems, non-formal, informal, as well as self-learning, independent an out-of-school study programs particularly those that respond to community needs;

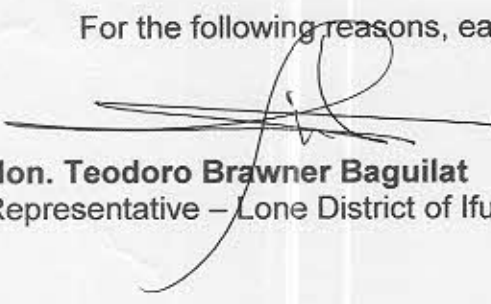
Finally, the State shall recognize, respect, and protect the rights of indigenous cultural communities/Indigenous Peoples to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies.

Giving life to the State Policies, this Bill aims to establish IP-Centric Educational systems and institutions by providing education in fellow IPs' own languages, in a manner appropriate to their cultural methods of teaching and learning and by taking into account regional and sectoral needs and conditions. Furthermore, the system shall respect and recognize the right of Indigenous Peoples to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literature and to designate and retain their own names for communities, places and persons.

In addition to this, this Bill also aims to develop and implement, in cooperation with IPs, education programs that consider their special needs, unique histories, Indigenous Knowledge Systems and Practices, spirituality and value systems of the Community.

Ultimately, this Bill will create programs in the context of IP cultures, customs, traditions, interests and beliefs that will help them not only participate in national development but also strengthen national unity.

For the following reasons, earnest approval of this Bill is sought.



Hon. Teodoro Brawner Baguilat
Representative – Lone District of Ifugao

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An Act Recognizing and Institutionalizing Indigenous Peoples' Educational Systems within the Philippine Educational Systems, Promulgating the Procedures for the Establishment, Recognition, Management and Evaluation of IP Schools, Appropriating the Necessary Government Funds, Financial Assistance, Incentives and Support Therefore and for Other Purposes.

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

CHAPTER I : GENERAL PROVISIONS

Section 1 : Short Title: This Act shall be known as the Indigenous Peoples' Education Systems Act of 2016 (IPED Systems Act of 2016).

Section 2 : Declaration of State Policies: In accordance with the Constitution of the Republic of the Philippines, and pursuant to International Covenants, in force, and which the Philippines has entered into, accepted and/or ratified:

(A) The State shall give priority to education, science and technology, arts, culture and sports to foster patriotism and nationalism, accelerate social progress and promote total human liberation and development; Pursuant thereto the State shall promote the right of every individual to relevant quality education regardless of sex, age, creed, socio-economic status, physical and mental conditions, racial or ethnic origin, political or other affiliation. The State shall therefore promote and maintain access to quality education as well as the enjoyment of the benefits of education by all its citizens.

(B) The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all; Accordingly, the State in conjunction with the Indigenous peoples shall take effective measures in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

(C) The State shall establish, maintain and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; Consequently, the State shall encourage, recognize and support Indigenous Peoples' Education/Indigenous Peoples' Learning Systems, non-formal, informal, as well as self-learning, independent and out-of-school study programs particularly those that respond to community needs;

(D) The State shall recognize, respect, and protect the rights of indigenous cultural communities/indigenous peoples to preserve and develop their cultures, traditions, and

institutions. It shall consider these rights in the formulation of national plans and policies. In view thereof,

- (1) The State shall respect and recognize the right of Indigenous peoples to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning
- (2) The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs
- (3) The State shall respect and recognize the right of Indigenous Peoples to revitalize, use develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons
- (4) The State shall ensure that education programs and services for indigenous peoples shall be developed and implemented in cooperation with them and shall address their special needs, incorporate their histories, Indigenous Knowledge Systems and Practices, spirituality and value systems and will further their social economic and cultural aspirations.
- (5) The State shall promote the right of the ICCs/IPs to develop themselves within the context of their cultures, customs, traditions, interests and beliefs and recognizes education as an instrument for their maximum participation in national development and in ensuring their involvement in achieving national unity.

(E) The State recognizes the complimentary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions

(F) The State shall establish and maintain a system of scholarship grants, student loan programs, subsidies and other incentives which shall be available to deserving students, especially the indigenous peoples and the under privileged, in both public and private schools.

(G) The State shall implement programs designed to address the physical, intellectual, psycho social and cultural needs of learners which shall include programs for the gifted and talented, learners with disabilities, madrasa program, indigenous people's education program, programs for learners under difficult circumstances. Specifically for Indigenous Peoples, the State shall support programs that strengthen education initiatives undertaken through formal, non-formal and informal modalities with emphasis in any of, but not limited to the following key areas : Indigenous Knowledge Systems and Practices; Community History; Indigenous Languages; Indigenous Learning Systems and Community Life Cycle Based Curriculum and Assessment; Education Goals, Aspirations, and Competencies specific to the Indigenous Cultural Community; Engagement of Elders and other community members in the teaching-learning process; assessment, and management of the initiative, recognition and continuing practice of the community indigenous learning system; and the rights and responsibilities of ICCs.

Section 3 : Objectives: The Objectives of the IPED Systems Act of 2016 are:

- A) To recognize and institutionalize the various existing IP Education Systems as part of the National Educational System, thereby realizing a Philippine Educational System that is truly inclusive and respective of the diversity of learners.

- B) To set up, sustain and support IP Schools where the curriculum is based on culture, history and situation of indigenous peoples, where formation of learners is geared at the acquisition of competencies needed to adapt and participate within the larger society, where methods of teaching adhere to IP ways of knowledge management including, but not limited to thematic instead of subject based teaching framework; holistic and integrated instead of segregated teaching style, and finally where communities directly manage and provide direction to all school activities, with the elders having a primary role and responsibility for transferring knowledge, and where learning occurs in the context of the everyday living and environment.
- C) To provide Indigenous peoples with access to basic education that is rooted in the IP's history and culture, is community driven, deeply values creation, strengthens formation towards self-reliance and assertion of human rights, competence in defending and developing the ancestral domains, and equips the indigenous person with the capacity/competence to actively participate in mainstream society, be a productive and versatile citizen in the general pursuit of improving the quality of human life.
- D) Through a system of education planning, to institutionalize a kind of education for IPs that removes all barriers to their meaningful participation in all spheres of society and enables indigenous peoples to respond effectively to changing needs and conditions in society, exercise their rights and duties as Filipino citizens.

CHAPTER II : DEFINITION OF TERMS

Section 4 : Definition of Terms: For purposes of the Act, the following terms shall mean:

(A) **Ancestral Domains**- refer to all areas generally belonging to the Indigenous Cultural Communities/ Indigenous Peoples (ICCs/IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, *force majeure*, or displacement by force, deceit, stealth, or as a consequence of government projects or any other voluntary dealings entered into by the government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral lands, forests, pasture, residential, agricultural and other lands, individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators.

(B) **Ancestral Lands** – refer to lands occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, *force majeure*, or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations including but not limited to, residential lots, rice terraces or paddies, private forests, swidden farms and tree lots.

(C) **Branch or extension campus of learning institutions (Branch Campus)** refers to a learning facility operating at a site other than the mother campus, providing some or the same services as the mother campus.

(D) **Certificate of Ancestral Domain/ Land Claim (CADC/CALC)** refers to a certificate declaring and certifying the claim of each indigenous cultural community (ICC) over a corresponding territory earlier identified and delineated as ancestral domain/ancestral land issued by the government in the name of an indigenous community claimant and placed under the custody of its recognized indigenous socio-political leadership or peoples' organization.

(E) **Certificate of Ancestral Domain/ Land Title (CADT/CALT)** –refers to a title formally recognizing the rights of possession and ownership of ICCs/IPs over their ancestral domains/ lands identified and delineated in accordance with law.

(F) **Community Intellectual Rights** – refer to the rights of ICCs/IPs to own, control, develop, protect (a) the past, present and future manifestations of cultures such as but not limited to, archeological and historical sites, artifacts, designs, ceremonies, technologies, visual and performing arts and literature as well as religious and spiritual properties; (b) science and technology including but not limited to human and other genetic resources, seeds, medicine, health practices, resource management systems, agricultural technologies, knowledge of properties of fauna and flora, oral traditions, designs, scientific discoveries, and (c) language, script, histories, oral traditions and teaching and learning systems.

(G) **Culture** - the way of life, mores, traditions, customs of a community including its following dimensions: physical (sacred grounds, cultural sites, ceremonies, ceremonial objects), societal- (traditions, institutions, justice systems, peace building processes, educational systems and language) and technological- (scripts and writing systems, Indigenous Knowledge Systems and Practices and Spirituality (IKSPS), Genetic resources, literature, design, technologies, sciences) and customary laws which are explicit or implicit rules of conduct of members of society that are generally recognized and accepted for which negative or positive sanctions exists;

(H) **Culture bearers** - IP elders, spiritual leaders, and all other indigenous peoples who live out, witness, exemplify and facilitate the learning of Indigenous Knowledge, Systems, Practices and Spirituality (IKSPS) and who are the repositories of their people's history, practices, beliefs and knowledge systems as taught to them by their own elders.

(I) **Culture Sensitive** – refers to the quality of being compatible and appropriate to the culture, beliefs, customs and traditions, indigenous systems and practices of the ICCs/IPs.

(J) **Customary Laws** - refer to a body of written or unwritten rules, usages, customs, and practices traditionally and continually recognized, accepted, and observed by respective ICCs/IPs.

(K) **Customs and Practices** – refer to norms of conduct and patterns of relationships or usages of a community over time accepted and recognized as binding on all members.

(L) **Free and Prior Informed Consent** - shall mean the consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community.

(M) **Governing Body of IP Schools/learning institutions serving IP learners (Governing Body)** refers to the group of elected or appointed members who jointly oversee activities of an IP School/Institution serving IP learners, for the purpose of administering the affairs of the said institution.

(N) **Heritage** - Shall mean, anything possessed as a result of one's natural situation or birth.

(O) **History** shall mean a chronological record of significant events and life stories often including an explanation of their causes, woven into the indigenous peoples' community life and into the bigger story of a nation and the world.

(P) **Indigenous Cultural Communities/ Indigenous Peoples (ICCS/IPs)** – refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have under claims of ownership since time immemorial, occupied, possessed and utilized such territories sharing common bonds of language, customs, traditions and other distinctive cultural traits, and who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of the present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains, or who may have resettled outside their ancestral domains.

(Q) **Indigenous Peoples Education Curriculum (IPED Curriculum)** – the appropriate basic education pedagogy, content and assessment, which are founded upon the indigenous peoples' ancestral domains, culture and spirituality, and which enables the best possible interface of learning areas, learning resources, environment and processes meant to facilitate their acquisition of IKSPS and universal competencies for meaningful participation in national building and all spheres of life.

(R) **Indigenous Knowledge, Systems and Practices and Spirituality (IKSPS)** – refers to systems, institutions, mechanisms, and technologies comprising a unique body of knowledge evolved through time that embody patterns of relationships between and among peoples and between peoples, the lands and resource environment, including such spheres of relationships which may include social, political, cultural, economic and religious spheres and which are the direct outcome of the indigenous peoples' responses to certain needs consisting of adaptive mechanisms which have allowed indigenous peoples to survive and thrive within their given socio-cultural and biophysical conditions. It can also refer to the system of knowledge generation, storage, transmission and evaluation being kept alive by indigenous peoples in different parts of the world.

(S) **Indigenous Peoples' Education Systems (IPED)**- are systems of knowledge generation, storage, transmission and evaluation, which are rooted in the indigenous peoples' history and culture, heritage and spirituality, and which since time immemorial have been passed down from generation to generation, occurs within the integral context of the indigenous peoples' community life, their ancestral domains and their distinctive identities as peoples, to enable the indigenous person to realize the fullness of his/her dignity and to have adequate competencies to confront and respond to various situations in life including, but not limited to interaction and relationship with societies other than themselves, and ultimately to have the wisdom to discern what is life-giving to live accordingly and contribute to national development, social justice, transformation and well-being.

(T) **Indigenous Peoples' Schools (IP Schools)**- are learning institutions or educational institutions that believe, adhere, practice and nurture Indigenous Peoples Education Systems, providing educational programs that cater to the unique teaching-learning context of the IP Learners/ communities in the basic education setting, and are serving indigenous people learners. For purposes of this act IP School/s is used interchangeably with Learning Institutions serving IP Learners or Institutions serving IP learners.

(U) **Indigenous Political Structures**- refer to organizational and cultural leadership systems, institutions, relationships, patterns and processes for decision making and participation identified by the ICCs/IPs such as but not limited to Council of Elders, Council of Timuays, Bodong Holders, or any other tribunal or body of similar nature.

(V) **Indigenous Socio Cultural Institutions** -these include the intellectual, spiritual and social dimensions in the culture that are interlinked and practiced as one integral system. The intellectual dimension pertains to, the promotion of important values for the common good and the transmission of accumulated knowledge to the younger generation; the spiritual dimension relates to the practice of rituals, beliefs, and other cultural activities which are expressions of recognition and respect for their ancestors and the environment; the social dimension refers to traditional practices, values and principles that are important to the IP community for their collective survival (e.g. Principle of collective work, cooperation, and mutual assistance among community members—that enables them to be more resilient as they collectively address their issues and define their coping mechanisms.

(W) **Mother Campus of learning Institution (Mother Campus)** refers to the main campus or headquarters of the IP School/Learning institution serving IP Learners. In determining the main campus of an IP School, the DepEd shall consider the following information: (1) where the IP School is granted permit; (2) the site, campus or community where the school head or the office of the institution's governing body is located and (3) where the institution conducts most of its instructional activities

(X) **Natural Resources** – refer to life support systems such as, but not limited to the sea, coral reefs, soil, lakes, rivers, streams and forests as well as useful products found therein such as minerals, wildlife, trees and other plants, including the aesthetic attributes of scenic sites that are not man-made.

(Y) **Non-Government Organizations (NGOs)** - refers to a private, non-profit voluntary organization that has been organized primarily for the delivery of various services to the ICCs/IPs and has an established track record for effectiveness and acceptability in the community where it serves.

(Z) **Peoples' Organizations (POs)** - refers to a private non-profit voluntary organization of members of an ICC/IP community which is accepted as representative of such ICCs/IPs.

(AA) **Permit of Operate** –refer to the temporary authority to operate granted by the DepEd to a private IP School/ private learning institution serving IP learners.

(BB) **Private Schools** - are educational institutions maintained and administered by private individuals or groups.

(CC) **Public Schools** - are educational institutions established and administered by the government.

(DD) **Recognition** –refers to the granting of authority to operate by the DepEd to a learning institution serving IP learners/ IP Schools after submission of application requirements, and its consequent approval following the application process provided in this Act.

(EE) **Schools** - are duly established institutions of learning or educational institutions.

(FF) **Spirituality** – shall refer to indigenous peoples' expressions and practices relating to their respect, relationship and responsibilities towards their Creator, ancestral domain and community that nurtures, protect and promote life.

(GG) **Sustainable Traditional Resource Rights** – refer to the rights of ICCs/IPs to sustainably use, manage, protect and conserve (a) land, air water and minerals; (b) plants, animals and other organisms; (c) collecting, fishing and hunting grounds; (d) sacred sites;

and (e) other areas of economic, ceremonial, and aesthetic value in accordance with their indigenous knowledge, beliefs, systems and practices (IKSPs).

CHAPTER III : IP EDUCATION SYSTEMS CONCEPTUAL AND POLICY FRAMEWORK

Section 5 : Basic Policy: Consistent with the constitutional mandate for the State to provide quality education for all, it shall be the policy of all state agencies concerned with education to recognize, maintain, and protect Indigenous Peoples Education Systems; to support its further development and implementation in consultation with and in cooperation with Indigenous Peoples concerned in order to address and incorporate their special needs, histories, identities, languages, knowledge, integrity of their culture, as well as social, economic, political and cultural aspirations and priorities; which will promote the rights and welfare of ICCs/IPs; and which will equip them with the knowledge and skills needed to face various realities and challenges.

Section 6 : Concept of Indigenous Peoples' Education Systems (IPED Systems): Indigenous Peoples' Education Systems (IPED Systems) are systems of knowledge generation, storage, transmission and evaluation, which are rooted in the indigenous peoples' history, culture, heritage and spirituality, and which since time immemorial had been handed down from generation to generation, occurs within the integral context of the indigenous peoples' community life, their ancestral domains/ territories, and their distinctive identity as peoples, to enable the indigenous person to realize the fullness of his/her dignity as person, fulfill his/her roles as a member of the indigenous communities, to have adequate competencies to confront and respond to various situations in life including but not limited to interaction and relationships with societies other than theirs, and to ultimately have the wisdom to discern what is life-giving and to live accordingly.

Section 7 : Declaration of Objectives: Indigenous Peoples Education Systems aims to:

(A) To serve the interest and well-being of indigenous communities - Through a system of education planning and evaluation and in the peculiar milieu of their own societies, to assist each individual to attain his/her potentials as human being, enhance the range and quality of individual and group participation in the basic functions of society and acquire the necessary competencies for the individual and collective development, respond effectively to changing needs and conditions.

(B) To maintain the integrity of indigenous cultures - to nurture and instill among indigenous learners competencies and learning processes both from their system and the mainstream to enable them to assert their rights and self-determination.

(C) To foster respect for indigenous identity - the formation of indigenous peoples who are rooted in their ancestral domains, their culture, indigenous knowledge systems and practices, spirituality, with a clear sense of identity, and who are committed to meeting the challenges and issues that face the community/tribe, can assert self-determination and are conscious of their responsibilities to their heritage and the coming generations.

(D) To promote and protect indigenous ways of knowing, learning and thinking - including but not limited to integrative and associative thinking; creation, ancestral domains, dreams and ancestors as teachers; learning by doing and experiencing; harnessing inner senses; practicing multiple forms of storing and expressing knowledge; recognizing orality or the oral dynamics of storing; passing on knowledge and wisdom; and giving space for the intuitive knowledge such as, but not limited to, weaving for math and crafts for the sciences.

Section 8 : Integral Components of IPED Systems - the following are the integral components of IP Education Systems:

(A) The Philosophy, Foundational Principles, Values and Characteristic of IPED System rests upon the belief that Indigenous culture, history, heritage and spirituality are the foundation of which an integrated sense of self and identity is built. Mainstream competencies, learning processes and worldview are learned to enable the indigenous peoples to engage in contemporary times.

(B) Teaching and Learning Processes in the IPED System include the following:

- (1) IP Learners: In the IP Education Systems IP learners are formed in the ways of the ancestors and in competencies which will enable them to interact with contemporary mainstream society.
- (2) IP Education Teachers: Are learning facilitators, the core of whom comprise the elders in the community. The IPED Teacher is one who is capable of appreciating and discerning the IP perspective, has a deep understanding of the ancestral domains and culture, the learners under her/his care, the learners' families and their community.
- (3) IPED Instructional set up: The use of the indigenous peoples own language as the medium of instruction, teaching and learning processes in imparting knowledge and information are a conditions *sine qua non* in the IP Education process. The school calendar and activities follow the pattern of community life. Knowledge products and tools are generally derived from the environment and are based on IP learning systems. School structures follow indigenous architecture, orientation and preferences.

(C) IPED Curriculum and Evaluation process:

- (1) IPED Curriculum is thematic and modular, is based on indigenous knowledge systems and practices, it mirrors the IP life—including present realities, culture, history, heritage and spirituality. It is developed with the community taking a pro-active and central role. It enables the learner to acquire both indigenous and mainstream competencies, learning processes and worldviews with the end goal of enabling the learner to have the wisdom to discern what is life-giving and to live accordingly
- (2) Evaluation process: The IP community will have a central role in testing and evaluation processes. These processes will adhere to the IP's system of evaluation without dismissing the usefulness and benefits from recent tools and methods as appropriate in different situations.

(D) School Management: IP communities as the primary owners shall have control and active participation in the management of IP schools, without prejudice to the support as may be requested from public and private partner individuals or institutions. Transparency and accountability to the community is the foremost attribute of the school management system.

CHAPTER IV : IP EDUCATION COMMUNITY

Section 9 : Definition and Coverage: The IP Education Community refer to those persons, groups of persons as such, or associated in institutions involved in organized teaching and learning processes. The IP Education Community include the IP Community, the Elders in the

community, Parents or Guardians of IP learners, the IP learners, IPED teachers, and school personnel including school administrators, teaching staff, non-teaching personnel, the Governing Body of the Educational Institution, the IP School Accreditation Body and the Indigenous Peoples' Education Council (IPED Council).

Section 10 : Basic Policy: IP education is a collective responsibility of the community where an IP education program is being implemented, as such community ownership, processes, and relationships are essential conditions for its implementation.

(A) Community ownership of an IP education program ensures that it is the kind of education that is truly culture based, culture-responsive and culturally sensitive. Community management of IP schools is a concrete exercise of the right of IPs to self-determination.

(B) Learning is a community process. Decisions on what and how to learn rests on the community members, in that way learning is directly related to the people's aspirations.

(C) IP community life is defined by relationships. Indigenous education strengthens the processes that build these relationships. It strengthens and enhances the relationship of the older generations (elders/ parents/ ascendants) and the younger generation. The IP School serves as a venue to strengthen unity among community members.

Section 11 : The Indigenous Peoples' Community: - The Indigenous Peoples' Community comprises all communities located within the territorial bounds of an Ancestral Domain. It may also refer to established IP communities in civil reservations, IP resettlement areas, tribal barangays or other places where Indigenous peoples have settled. The IP Community shall have the following rights and responsibilities:

(A) Decide, control and manage IP Education Programs, and the establishment and operation of IP schools within the ancestral domains/ community.

(B) The right to negotiate with others in all matters pertaining to IP education through their own decision making processes and consensus building mechanisms, to ensure that the expected outcomes of the IP Education will truly respond to their collective aspirations.

(C) The IP community shall accept the responsibility for educating the whole community not just the learners. This means readiness to utilize and develop resources available to help meet education needs including human and material resources, organizations and institutions at all levels.

Section 12 : The Elders as Culture Bearers in the Community – The elders as culture bearers in the community secure the integrity of their cultural heritage, they are key in ensuring the continuity of the IP way of life. They form the core of IPED teachers. Elders in the community include Leadership structures (Indigenous Political Structures or IPS) that keep the indigenous community intact and functional and are recognized and respected as such by the community. The Elders as culture bearers have the following powers and roles in relation to IP Education System:

(A) Elders are/ shall be active knowledge managers in the teaching and learning process: - Elders are the acknowledged repositories of their people's history, practices, beliefs, and knowledge systems having faithfully and truthfully practiced these as taught them by their own elders. In the education process, the elders, culture bearers shall not only provide and validate information but also facilitate learning.

(B) They shall be actively involved in whole cycle of IPED curriculum development, from conceptualization and implementation, to monitoring, evaluation and revision.

Section 13 : The Parents or Guardians: - Parents or guardians are the biological parents, or any other person, head of the institution which has custody over an IP learner. Parents or guardians shall have the following rights and responsibilities in relation to the IPED System/Program.

(A) Parents or Guardians have the right, both by themselves and as a member of the IP community, to participate in the planning and implementation of the total IP school/ Institution serving IP Learner's program.

(B) Parents or Guardians have a right to any official record directly relating to the children/minors who are under their parental responsibility.

(C) Parents or Guardians have the responsibility to uphold the IP education system and processes, and to promote the vision-mission of the IP school.

Section 14 : The IP Learners or students – are members of an indigenous peoples' community who accepts and participates in indigenous ways of knowing, learning and thinking. Indigenous Learners shall have the following rights and duties:

(A) Participate in learning activities and receive basic education which enable him/her to acquire both indigenous and mainstream competencies, learning process and worldviews that will enable him/her to actively participate in society and be a productive and versatile citizen in the general pursuit of improving the quality of human life.

(B) The right to free expression of opinions, suggestions, and to effective channels of communication with appropriate academic and administrative bodies of the school or institution.

(C) The right to guidance and counseling, access his own school records, to be issued official certificates, diplomas, grade, transfer credentials and other similar documents upon request.

(D) The right to be free from involuntary contributions except those imposed by their own community.

(E) The duty to exert his utmost to develop his/her potentials for service, exercise his rights responsibly in the knowledge that he/she shall be answerable for any infringement or violation of the public welfare and the rights of others.

(F) Participate actively in the promotion of the general welfare, particularly in the social, economic and cultural development of his/her community, their ancestral domains, in the attainment of a just and orderly society.

(G) Promote and maintain peace and tranquility of the school/community by observing rules of discipline and by exerting efforts to attain harmonious relationships with his/her fellow learners, the teachers and other school personnel.

Section 15 : IPED Teachers/ Learning Facilitators – IPED Teachers/Learning Facilitators facilitate the transmission of knowledge, values and skills through indigenous learning processes and who may be IPs themselves or non IPs. It shall be duty and responsibility of IPED Teachers/Learning Facilitators to:

(A) Zealously endeavor to understand and appreciate the IP perspective and aspirations, values and beliefs, worldview, ancestral domains, culture, the learners under their care the learners' families and communities. To help teachers imbibe, understand and appreciate IKSPS, it shall be mandatory for teachers in IP Schools to participate in community immersions at least once every school year. Such immersion programs shall be developed, implemented and evaluated in coordination with the elders and leaders of the community.

(B) Nurture the capacity of IP learners to learn from their own experiences (including dreams), from creation and from the community and ancestral domains.

(C) Participate meaningfully in community life, in a manner that is appropriate, sensitive to and respectful of community processes.

(D) Perform his/her duties to the school by discharging his/her responsibilities in accordance with the philosophy, goals and objectives of the IP School.

(E) Participate as an agent of constructive social, economic, moral, intellectual, cultural and political change in the school and in the community within the context of the communities own values and priorities for development.

(F) Render reports, prepare scholastic ratings as appropriate.

Section 16 : Other IP School Personnel: Other School Personnel are all other non-academic staff needed for effectively running an IP School. All IP School Personnel shall:

(A) zealously endeavor to understand and appreciate the IP perspective, values and beliefs, ancestral domains, culture, the learners under their care the learners' families and communities.

(B) They shall perform their duties and responsibilities in accordance with the philosophy, goals and objectives of the IP School/ the community where it is established.

Section 17 : The School Administrator- together with the community concerned, the school administrator shall ensure the efficient and effective administration and management of the IP School. The School Administrator shall assume and maintain professional behavior in his work, in dealing with learners, elders, teachers, academic and non-academic staff, parents and guardians of the learners.

Section 18 : Governing Body of the IP School - refers to the group of elected or appointed members who jointly oversee activities of an IP School/Institution serving IP learners, for the purpose of administering the affairs of the said institution. The members of the governing body of the school shall maintain professional behavior in their work and in their dealings with learners, elders, teachers, academic and non-academic staff, parents and guardians of the learners.

Section 19 : IP Schools Regional Accreditation Council (IPSRAC): - The IP Schools Regional Accreditation Council (IPSRAC) shall be composed of at least 3 IP elders from the ethnographic region, a regional DepEd representative, a representative from DepEd National Office- Indigenous Peoples Education Office (IPsEO), and a member of the IPED Council. IPSRACs shall enforce the recognition system for IP Schools in the Region, and upon its judicious determination and assessment of the requirements submitted by the applicant shall issue to the applicant school the Certificate of Recognition or Permit to Operate as applicable under the circumstances.

Section 20 : The IPED Council: - The IPED Council which shall be established within the Department of Education will be the primary body that will oversee, control, manage and supervise all IP Schools. The IPED Council shall formulate appropriate policies, rules and regulations governing teaching and learning processes, curriculum, evaluation and management of IP Schools, shall deliberate, adopt and implement the National IP ED Program of the Department of Education, exercise appellate jurisdiction over all appeals from the decision of the IPSRAC/ regional offices in the matter of recognition of IP schools. It shall be composed of the DepEd Secretary or his duly appointed representative, one IP representative from each of the 7 ethnographic regions, one IP representative from an IPED Council, and one IP representative from an IP School.

of the Islands of Luzon, Visayas (including Panay, Negros, Palawan, Romblon and Mindoro), and Mindanao, the Director of the Office of Education Culture and Health of the National Commission on Indigenous Peoples, and three (3) representative of the Civil Society Groups engaged in IP Education.

CHAPTER V : INDIGENOUS PEOPLES' EDUCATION CURRICULUM FRAMEWORK (IPED CURRICULUM FRAMEWORK)

Section 21 : Definition: IPED Curriculum is the appropriate basic education pedagogy, content and assessment which integrates the indigenous peoples' IKSPS in all learning areas and processes, and provides adequate and culturally appropriate learning resources and environment.

Section 22 : Aims of IPED Curriculum: The IP Education Curriculum promotes and deepens the valuing of the ancestral domains as wellspring of life and knowledge, and enables learners to perform their sacred calling as nurturers of creation. The Indigenous Education Curriculum likewise:

- (A) strengthens the capability of learners to face the threats against the ancestral domains.
- (B) Recognizes as pillar, the wisdom of the elders and leaders of the concerned indigenous community.
- (C) Distills the indigenous culture through continuing research, reflections and decision – making, together with the elders and the community.
- (D) Recognizes all community members as facilitators of learning and all events as leading to learning moments.

Section 23 : Features of the IPED Curriculum: The IPED Curriculum shall have the following features:

- (A) Is rooted in the ancestral domain and its indigenous cultural institutions. The IPED curriculum must view the ancestral domain as its central focus so that this legacy and the IP culture as a whole will continue to survive and be sustained.
- (B) Embodies the sacredness of transmitting IKSPs—which underscores spirituality that is imbedded in all aspects of IP life.
- (C) Revitalizes, regenerates, strengthens and enriches IKSPs, indigenous learning systems and indigenous language. Indigenous language (and in some cases, the system of writing) shall be used as the language of learning first before the regional lingua franca. Consequently, instructional materials shall be written in the indigenous language and the content shall be on the community's culture, history, beliefs and practices.
- (D) Affirms and strengthens IP identity. The content, strategies, methodology and approach shall focus on the community life cycle that includes values and practices cherished and observed for generations.
- (E) Focuses on cultural competencies and other types and forms of knowledge, concepts, and skills attuned with the needed life-long learning values and competencies for the development and protection of ancestral domains, their culture and the advancement of IP rights and welfare. The curriculum shall enable the IP learner to actively engage in shaping the community's future without losing track of their identity and cultural heritage.

(F) Allows the whole community to discern new concepts that will contribute to the community's integrity while building new relations with the broader society. Curriculum review and revision that incorporates new knowledge, approaches and methodology shall be the concern of everyone in the community.

(G) Uses instructional materials and resources that are culture-based and culture-sensitive, this is ensured through the participation of the whole community in curriculum development.

(H) Utilizes the whole ancestral domains as a learning space. Classes shall not be limited to physical structures as rooms but in the IPs' natural environment.

Section 24 : Curriculum development, review, revision and validation: The dynamic process of curriculum development, review, revision and validation shall be based on systematic and sustained consultations with IP communities, provided that customary processes and practices of giving Free, Prior and Informed Consent (FPIC) shall strictly be observed when other institutions/personalities outside the IP community are involved. Provided further, that the process shall be well conceptualized and planned taking into consideration the community's flow of life and cultural values and practices.

Section 25 : Role of IP Communities in Curriculum Development- IP communities shall be actively engaged in all aspects of management, implementation, monitoring and evaluation of the IPED curriculum to ensure that it appropriately integrates the special needs, histories, identities, language, indigenous knowledge, systems and practices, and other aspects of the IPs' culture, as well as their social, economic and cultural priorities and aspirations.

Section 26 : Role of other institutions: The implementation of an IPED curriculum shall benefit from the support of other institutions and civil society organizations. These organizations may participate in any aspect of the curriculum development process, provided that their participation is with the Free and Prior Informed Consent of the IP community concerned, provided further that the support to be provided must be based on community aspirations and shall be in accordance with the community processes and framework, shall be non-prescriptive; and provided finally that partnerships and linkages shall undergo a consultative participatory process, the mechanisms of which shall be anchored on IP values and practices.

Section 27 : Assessment and Evaluation: Assessment shall measure IKSPs competencies and appropriate forms of knowledge, concepts and skills. The Assessment process including methods and tools shall be culture-based, anchored on IP community values, and appropriate to the competencies being measured. Knowledge application is key in measuring learning that has taken place. This is consistent with the IP view that learning happens anywhere, anytime and is designed to protect and nurture their culture, accordingly, assessment shall:

(A) Be viewed as part of the IP's living culture.

(B) Curriculum implementers shall apply the community's assessment methods and systems of measuring competencies and values learned using its accepted set of standards or levels.

(C) The design of the assessment tools shall address the needs and concerns of the community and must be done with the active participation of the IP Community.

Section 28 : School Calendar: Cultural and traditional practices of the indigenous community shall be taken into consideration in determining the school calendar. Provided however, that the number of school days in a school year is more or less similar to the national standard number of school days.

CHAPTER VI : ESTABLISHMENT, RECOGNITION AND SUPPORT FOR INDIGENOUS PEOPLES SCHOOLS (IP SCHOOLS)/ LEARNING INSTITUTIONS SERVING IP LEARNERS

Section 29 : Definition: Indigenous Peoples Schools (IP Schools/ Learning Institutions serving IP Learners) are learning institutions or educational institutions that believe, adhere, practice and nurture Indigenous Peoples' Education Systems, that provide, or is providing educational programs that cater to the unique teaching-learning context of IP learners/ communities in the formal basic education setting. These may be private or public schools. Private IP Schools are educational institutions established and administered by private individuals or groups while Public IP Schools are established and administered by the government.

Section 30 : Establishment of IP Schools: IP Schools may be established by either private institutions or government through any of its agencies or instrumentalities provided that the establishment of the school in an ancestral domain or IP community shall be with the written free and prior informed consent of the IP community concerned through their Indigenous Political Structure (IPs)/ leadership.

Section 31 : Ownership of IP Schools: - Indigenous Peoples in ancestral domains where the school is located shall be the primary owners of IP Schools, provided that Indigenous Peoples may allow and seek support from public and private institutions such as religious groups and mission boards and foundations to establish IP schools. Provided further, that in such partnerships and collaboration, the Indigenous Community shall not lose controlling interest over the establishment, management, supervision, control and evaluation of the IP School.

Section 32 : Establishment and Recognition, distinguished. The Establishment of an IP School/ Learning Institution Serving IP Learners refer to the creation, founding, or organization of a learning institution. Recognition refers to the authorization granted by the Department of Education (DepEd) for the institution to conduct educational programs or operations. Establishment precedes recognition.

Section 33 : Grant of Authority and Types of Authority. Subject to the Sections 33 to 61 of this Act, the DepEd shall grant the appropriate authority for the operations of an applicant learning institution. The applicant may operate on the basis of a permit to operate or a full recognition. Recognition is granted to an applicant found to have fulfilled all the conditions necessary for recognition of the basic education program/s applied for as provided in Sections 35 to 37 of this Act. A permit to operate is granted to an applicant still in the process of completing the requirements for full recognition

Section 34 : IP Schools Regional Accreditation Council (IPSRAC): IP Schools Regional Accreditation Councils shall be created by the Department of Education in each of the ethnographic regions established under the Indigenous Peoples' Rights Act, including: Cordillera Administrative Region and Region 1, Region 2, The Rest of Luzon, Island Groups, Eastern and Southern Mindanao, Central Mindanao and Northern and Western Mindanao. Each IPSRAC shall be composed of at least 3 IP elders where the school shall be located, a regional DepEd representative, a representative from DepEd National Office-IPsEO, and a member of the IPED Committee. IPSRACs shall work in collaboration with the Dep Ed Regional Director in the review, assessment, determination of all applications for recognition, its revocation and reinstatement.

Section 35 : Recognition of IP Schools, Effects of Recognition: IP Schools are encouraged to register with the Department of Education for mainstreaming in the educational system. Such registration will shall be effected by recognition. the issuance of a certificate of recognition to an IP School shall have the following effects:

(A) It transforms the permit to operate issued by the DepEd Regional Office to a permanent authorization to operate.

(B) It entitles the school to give the students who have completed their course a certificate or diploma

(C) It shall entitle the students who have graduated from such recognized schools to all the benefits and privileges enjoyed by graduates in similar courses of studies in all schools recognized by the government.

Section 36 : Who may apply. Any IP School/ Learning Institution serving IP learners, desirous of being recognized by the Department of Education may file for an application for recognition subject to the steps herein under enumerated in Sections 37 to 45 of this Act.

Section 37 : Scope of Basic Education Program for Recognition. Recognition for any or all of the following basic education programs, corresponding with the key stages of the basic education curriculum as set by the Department of Education may be applied for:

(A) Kindergarten

(B) Early Childhood, Kindergarten to Grade 3

(C) Middle School: Grades 4 to 6

(D) Elementary: Grades 1to 6

(E) Junior High School: Grade 7 to 10

(F) Senior High School: Grades 11 to 12

Section 38 : Application for recognition, when and where submitted. Application for recognition shall be submitted to the DepEd Regional Office concerned provided that when the Ancestral Domains straddles two or more regions, the actual site of the IP school or the site of its mother campus shall be considered in determining the concerned regional office. The application for recognition shall be submitted between the first day of August and the 30th day of September of that same year. Applications received outside this period shall not be considered. However, the Dep Ed Regional Office concerned may, for good and sufficient reasons, extend the date of receiving applications in any particular year.

Section 39 : Documents Accompanying the Application for Recognition. The following requirements shall be attached to the application:

(A) Primary Requirements:

(1) Written Free and Prior Informed Consent for the establishment of the IP school and for the request for recognition duly certified by the existing and recognized Indigenous Peoples Political Structure/ Leadership of the IP community where the school is established.

(2) Basic School Profile

(3) Proposed basic education program (i.e., Kindergarten, Early Childhood/Middle School/ Elementary School/ Junior High School/ Senior High School)

(4) Proposed curriculum or course offerings

(5) Number of prospective enrollees

(6) Profile of elders/ teachers/ staff/ personnel to be employed in the learning institution including their qualifications

(7) Copy of student manual

(8) Copy of school calendar

(9) Payment of one time application fee in the amount of One Thousand Five Hundred Pesos per application. This amount may not be increased except with upon determination of the Secretary of Education through the IPED Council.

(B) Secondary Requirements

(1) Proof of ownership/possession of the school site which may be any of the following:

a) Certificate of Ancestral Domain Title (CADT) and the agreement of the IP community and the learning institution on the use of the property situated within the ancestral domain

b) Certificate of Ancestral Domain Claims (CADC) and the agreement of the IP community and the learning institution on the use of the property situated within the ancestral domain

c) Certification from the IP community that the school site is within the ancestral domain and the agreement between the IP community and the learning institution on the use of the property situated within the ancestral domain

d) Transfer Certificate of title (TCT) / Original Certificate of Title/ Collective Certificate of Land Ownership Award (Collective CLOA)

e) Deed of Usufruct over the school site or its equivalent

(2) Certificate of Registration/ Proof of Recognition of the Governing Body of the Learning Institution which shall be the written recognition of the concerned Indigenous Peoples Political Structure and any one of the following:

a) Securities and Exchange Commission (SEC) Certificate

b) Cooperative Development Authority (CDA) Certificate

c) Department of Labor and Employment (DOLE) certificate

d) Other similar certifications from a government agency/ Local Government Unit/ government instrumentality

Section 40 : Application Fee: A one time application fee of One Thousand Five Hundred Pesos (PHP 1,500.00) shall be paid with every application for recognition. The fee shall not be increased unless approved by the IPED Council of the DepED. No bond shall be required from the institution at any time for the application for recognition.

Section 41 Update on the Status of Application, Issuance of Notice. Within a fifteen (15) day period after receipt of the application, the concerned DepEd Regional Director shall update the applicant on the status of its application through a formal notice for such purpose.

(A) If upon review, it is found that the documents submitted by the applicant are incomplete or are not in accordance with the requirements stipulated herein, the concerned DepEd Regional Director shall require the applicant to complete the documents or comply with the requirements within 15 days from notice.

(B) On the other hand, if the documents are in order, a Notice will be provided the applicant that the documents are in order and that inspection will follow.

Section 42 : Inspection. Within fifteen (15) days after the applicant has been advised on its full compliance with the requirement, the concerned DepEd Regional Director shall arrange for

inspection of the applicant institution. The concerned DepEd Regional Director may delegate this task to any of its Division office.

(A) The concerned DepEd Regional Director shall order its Division Office to conduct actual inspection within 60 days from the time of delegation.

(B) The designated Division shall submit a report to the concerned DepEd Regional Director within 15 days after the lapse of the 60 day period for inspection. The Report shall include:

- (1) The correctness of the information furnished by the applicant
- (2) Extent of fulfillment of the requirements provided under Section 37 to 40 hereof.
- (3) Any other matter the inspecting body would like to bring to the attention of the Regional Director/ IPED Council and
- (4) Specific recommendation about the desirability of according recognition to the application.

Section 43 : Costs of Inspection. No inspection fee shall be collected. Costs incurred by the concerned DepEd Regional Office in connection with the conduct of inspection shall be charged against its own funds based on the following scheme: The expenses shall first be charged against the collected application fee, any deficiency shall be charged against other local or appropriate fund sources.

Section 44 : Deliberation Notice of Resolution. Within 30 days from receipt of the inspection report of the Division, the concerned DepEd Regional Director shall convene the IP School Regional Accreditation Council (IPSRAC) and together with them will deliberate on the application for recognition, and upon judicious review grant or deny the application. Provided that the applicant will be given notice of the grant or denial of its application not more than 60 days after the inspection. Provided further, that any denial of Recognition shall be appellable to the Secretary of Education through the IPED Council

Section 45 :Certificate of Recognition when issued. Upon favorable consideration of the IPSRAC, the concerned DepEd Regional Director shall issue a Certificate of Recognition to an applicant found to have complied with all the requirements for Recognition, not later than sixty (60) days after the inspection.

Section 46 : Submission of Report of IPED Council. The concerned DepEd Regional Director shall submit a report on the Recognition process and issuance/denial thereof to the IPED Council within 30 days from the date of issuance/denial of each application for Recognition

Section 47 : Technical Assistance to Applicants. The concerned Dep Ed Regional office shall provide technical assistance to the applicant learning institutions, particularly on compliance of the requirement for Recognition at any stage of the process from Inception, Establishment and Recognition.

Section 48 : Failure to act on the application. Effects. After the lapse of sixty (60) days from date of submission of the application and absent any action thereon by the concerned Dep Ed Regional Office, the applicant shall file a complaint with the Secretary of Education through the IPED Council who shall within fifteen (15) days from receipt of the complaint order the concerned Dep Ed Regional Office to act on the application and to show cause why his/her prior inaction shall not be penalized. Failure of the concerned official to act in accordance with this provision shall be dealt with administratively.

Section 49 : Recognition of Branch or Extension Campus of Recognized Institution. A Recognized institution serving IP learners/ IP School may file an application for Recognition of

its Branch or Extension Campus Operations to the appropriate DepEd Regional Office, subject to the following conditions:

- (A) The mother campus continues to support its branch or extension campus to enable the latter to comply with the requirements for recognition
- (B) The branch or extension campus operates within the bounds of the authority granted to its mother campus.

Section 50 : Filing of Application for Recognition of Branch or Extension Campus.

Applications for the recognition of branch or extension campus operations shall be submitted to the DepEd Regional Office having jurisdiction over the place of the mother campus.

Section 51 : Processing of Application of Branch or Extension Campus. The concerned DepEd Regional Director, upon receipt of the application for off-campus operations shall follow the following procedures:

- (A) Within fifteen (15) days after receipt of the application, the concerned Regional Director shall examine the application for compliance with the requirements listed in Sections 39 to 40 of this Act.
- (B) If the application is acceptable, the concerned DepEd Regional Director shall issue a notice thereof to the Mother Campus, not later than 15 days from filing of the application.
- (C) If the application is not in order and/or the requirements are not fulfilled, the Regional Director will send a notice thereof to the Mother Campus not later than fifteen (15) days from the filing of the application. The applicant, then shall have a period of fifteen (15) days from receipt of notice to comply with the requirements.
- (D) Upon payment of One Thousand Pesos (1,000.00) branch campus application fee, the concerned DepEd Regional Director shall authorize the institution to begin the branch or extension operations on a temporary basis (provisional permit) pending inspection and deliberation by the IPSRAC, which shall take place within a period of 60 days from the filing of the application.
- (E) On the basis of its findings of the IPSRAC, the concerned DepEd Regional Director may either issue a continuing approval or denial of the branch or extension operation.
- (F) Any denial of branch or extension operation may be appealed with the Secretary of Education through the IPED Council who shall make a final decision on the matter.

Section 52 : Application for Recognition by Branch or Extension Campus located outside the Region of the Mother Campus. The application for recognition of a branch or extension campus may be filed with the Regional Office which granted recognition to the mother campus, notwithstanding that the branch or extension campus is located outside the jurisdiction of said Office; Provided, that the application shall be endorsed by the receiving DepEd Regional Office to the DepEd Regional Office having jurisdiction over the branch or extension campus not later than fifteen (15) days from its receipt. Regional offices acting on the application for recognition shall coordinate with all concerned parties to ensure that all applications are acted upon in keeping with these guidelines.

Section 53 : Permit to Operate, effectivity. An applicant may be granted a permit to operate specific grade level while it is in the process of completing the full offering of grade levels covered by the basic education program/s it seeks recognition for. The permit to operate shall be effective for a period of one (1) year from the date of its issuance, and may be renewed yearly until the institution obtains full fledged recognition.

Section 54 : : Renewal of Permit to Operate. An applicant seeking extension of its permit to operate may file with the appropriate Regional Director concerned an application or letter of intent for such purpose, along with any new or updated information in the application document submitted earlier, between the 1st of August and the 30th of September of that same year. Applications filed outside said period may not be included for consideration by the IPSRAC for the same year. However, the concerned IPSRAC, may for good and sufficient reasons, extend the date of receiving applications in any particular year. Provided, that no additional payment shall be required for the renewal of the permit to operate.

Section 55 : Revocation of Recognition: If at any time an institution is found to fall short of the minimum requirements or any of the conditions for continuing recognition are violated by the institution, the concerned DepEd Regional Director, upon receiving the information shall convene the IPSRAC which shall conduct the proper investigation and after due process is observed, may revoke the recognition already accorded to the institution concerned.

Section 56 : Notice prior to Revocation. Before the revocation is made, the concerned DepEd Regional Director shall serve notice to the institution concerned pointing out the violation and directing the institution to take suitable steps to correct the error within a stipulated time, or show cause as to why revocation of recognition shall not be taken.

Section 57 : Failure to Comply with the Instructions and Conditions set, effects. If the institution fails to comply with the instructions and conditions of the concerned DepEd Regional Director/IPSRAC within the period set, the concerned DepEd Regional Director/IPSRAC, after taking into consideration the causes shown by the institution, issue the necessary order revoking the recognition previously granted.

Section 58 : Appeal. The appeal against any order of the Regional Director/IPSRAC shall be addressed to the Secretary of Education through the IPED Council.

Section 59 : Reinstatement of Recognition. Any Institution desirous of having recognition restored shall make a written application to the Regional Director/ IPSRAC for such purpose and go through the process of recognition as if a fresh application is being made.

Section 60 : Transitory Provisions on processing of applications for recognition/permits to operate. The procedures for application, the condition for the grant of recognition, for its cancellation and withdrawal and other related matters herein set forth shall take effect one year after the enactment of this law. In the interim, Administrative Order No. 21, series of 2014 of the Department of Education on the Guidelines for the Recognition of Private Institutions Serving IP Learners shall govern all matters pertaining to the Recognition of Private IP Schools, provided that the aforementioned guidelines shall apply likewise to Public IP Schools.

CHAPTER VII : OPERATIONS, MANAGEMENT, CONTROL AND SUPERVISION OF IP SCHOOLS/ INSTITUTIONS SERVING IP LEARNERS

Section 61 : Control and Administration. The control and administration of IP schools shall be vested primarily with the indigenous peoples subject to such lawful and reasonable supervision and regulation of the Department of Education.

Section 62 Rules for Governance: Consistent with law, IP Schools/ Institutions serving IP learners may adopt guidelines for its governance in keeping with the unique requirements and contexts of the community/ies it serves.

Section 63 : Curriculum, teaching, and organization of classes/ learning sessions. A recognized IP School/ Institution serving IP learners shall follow the curriculum framework described in Chapter V of this Act and approved by the DepEd, provided that the DepEd in

approving the curriculum shall allow full flexibility in terms of curriculum scope and sequence, content and competencies, teaching –learning methods, learning resources, learning assessment, involvement of elders and other community members in the teaching-learning process, management process, and design of the school calendar and such other matters necessary to enable it to perform its mandate.

Section 64 : Records management. The IP School/ Institution serving IP learning shall have a system of records keeping and management for the school. It shall also submit promotional reports of learners that contain the list of pupils/ students promoted to the next grade/year level to the appropriate DepEd Division Office at the end of every school year.

Section 65 : Teaching Method: IP Schools/ Institutions serving IP learners may adopt and use the methods of teaching that are culturally appropriate and responsive, such as, but not limited to the use of the mother tongue/ first language as medium of instructions especially in the early grades.

Section 66 : Grading System. IP schools/ Institutions serving IP learners may adopt a flexible grading system appropriate to the cultural context of the learners and the community it serves. Provided, that prior to its adoption, it is demonstrated that the grading system adequately matches the standard grading system being used by the DepEd

Section 67 : Learning/School site. The IP School/ Institution serving IP learners shall ensure that the location and plan of the site, where structures, if any are to be built and or/where learning activities take place shall be responsive to the cultural context and geographical conditions of the community/ies it serves.

Section 68 : Learning/school facilities. IP Schools or Institutions serving IP learners may develop, adopt or provide such other facilities or supplies deemed relevant and appropriate for instruction and school operations. It may, in consultation with the community, determine which facility, supply or material may be used to suit the needs of the IP learners/communities.

Section 69 : Development of Learning Materials. IP Schools/ Institutions serving IP learners may develop learning materials appropriate to its instructional requirements.

Section 70 : Personnel. IP Schools/Institutions serving IP Learners shall observe existing laws and policies in hiring and retention of its personnel and staff.

(A) The designated academic supervisor of the learning institution must have passed the Licensure Examination for Teachers (LET)

(B) The individuals to be hired as teachers by the IP school/ Institution serving IP learners must have passed the LET, provided that, the IP School/ Institution serving IP learners may also hire as teachers, graduates of science, mathematics, statistics, engineering, music and other degree courses needed to teach in their specialized subjects in elementary and secondary education without the LET licensure requirement, provided that they pass the LET within five (5) years after their date of hiring, and provide further that is such graduates are willing to teach on a part-time basis, the provisions of LET shall no longer required.

(C) IP schools/Institutions serving IP learners may also hire as teachers Indigenous peoples belonging to their community who have completed their Education Courses but without the LET licensure requirement, provided that they pass the LET within five (5) years after their date of hiring.

(D) The IP School/ Institution serving IP learners may engage individuals who have not passed the LET or are not holders of a bachelor's degree to serve as learning facilitators provided that they are recognized by the ICC/IP as someone known to understand and appreciate the local culture and considered as culture bearers of indigenous knowledge,

and are knowledgeable with the mother tongue/first language and can help in facilitating the learning process.

(E) In cases where there is a branch or extension campus, the mother campus shall ensure that its branch or extension campus is provided with sufficient teaching and non-teaching staff support and academic supervision to be able to offer the desired quality of education services.

Section 71 : Supervision and Regulation by the DepEd: IP Schools shall be under the Supervision and Regulation by the Department of Education, through an IPED Council which shall be established therein within a year after the enactment of this law.

Section 72 : IPED Council: There shall be created within the Department of Education an IP Education Council (IPED Council), which will be the primary body that will oversee, control, manage and supervise all IP schools. The IPED Council shall be composed of the following:

(A) The Dep Ed Secretary or an alter-ego from the Office the Secretary duly designated by the Department Secretary.

(B) One IP representative from each of the 7 ethnographic regions, chosen by the concerned IPs in a culturally appropriate process, who shall serve a term of three (3) years, unless otherwise removed by the body that choose him or any other circumstance preventing him to perform his duties.

(C) One Indigenous Person representing an IPED School or Institution for each of the Islands of Luzon, Visayas (including Panay, Negros, Palawan, Romblon and Mindoro Oriental and Mindoro Occidental), and Mindanao, who shall be chosen in an appropriate process from IPED Schools/ Practitioners in the Island, and who shall likewise serve a term of three (3) years, unless otherwise removed by the body that chose him, or any other circumstance preventing him to perform his duties.

(D) The Director of the Office of Education Culture and Health of the National Commission on Indigenous Peoples (NCIP).

(E) The Director of the Commission on Higher Education (CHED) or his/her alter-ego

(F) Three (3) representatives of the Civil Society Groups engaged in IP Education.

Section 73 : Functions of the IPED Council: The IPED Council shall be convened by the DepEd at least once every quarter. The IPED Council shall formulate appropriate policies, rules and regulations governing teaching and learning processes, curriculum, evaluation and management of IP Schools, shall deliberate, adopt and implement the National IP ED Program of the Department of Education.

Section 74 : Inter-agency Multi Sectoral Collaboration in the implementation of IPED Systems/ IP Schools: - The DepEd and the IPED Council in collaboration with the NCIP, Civil Society Organizations (CSOs) and Indigenous Peoples' Organizations (IPOs) shall maximize—but shall not be limited to – existing inter-agency/multi stakeholder basic education and related structures at all levels as mechanism to coordinate, formulate policies, undertake social mobilization and advocacy, mobilize resources, and monitor and evaluate IP education interventions and initiatives.

The DepEd in consultation with the IPED Council, shall organize consultations and dialogues as needed to periodically review the implementation of the IPED Program, other policy directives and interventions that will ensue from it.

CHAPTER VIII : TECHNICAL ASSISTANCE, INCENTIVES AND SUPPORT FOR IP EDUCATION SYSTEMS AND IP SCHOOLS

Section 75 : Provision of universal and quality basic education and equitable access of all Indigenous Persons. Pursuant to the Constitutional Mandate to provide quality education for all its citizens, the State through the Department of Education shall ensure the provision of universal and equitable access of all Indigenous Persons to quality and relevant basic education services towards functional literacy for all. Towards this end, the Department of Education in collaboration with other government agencies concerned with education and culture, primarily, but not limited to, the National Commission on Indigenous Peoples (NCIP), National Commission on Culture and Arts (NCCA), Commission on Higher Education, Philippine Association of State Universities and Colleges, Local Government Units, and/or together with Civil Society, shall provide technical, fiscal and financial support to IP Schools/ IP Education. Provided that, whenever education service contracting or public-private partnerships modes for resource mobilization are contemplated, the Indigenous Peoples owning and controlling concerned IP schools shall determine the criteria for the selection of the contractors and the terms and conditions of any/ all agreements entered into with them.

Section 76 : Establishment of Basic Information System. As part of its Basic Education Information System (BEIS), the DepEd offices and units shall be directed to gather—in an appropriate and timely manner, and in coordination with the concerned indigenous peoples' community—relevant data needed from schools, learning centers, and education programs and projects that shall guide the formulation, implementation and evaluation of a National IP Education Program.

Section 77 : Promotion of IP Learning Systems in non IP Schools. The Department of Education shall give due recognition to and promote the sustainability of indigenous learning systems, consequently, in all non-IP Schools where the school population includes a sizeable number indigenous peoples, the DepEd shall cause (encourage) the adoption of culture sensitive education pedagogy, content, and assessment through the integration of Indigenous Knowledge Systems and Practices in all learning areas and processes. Moreover, the DepEd shall prioritize the further development and implementation of the following in schools, learning centers, and other learning services with enrolled IP learners: (a) mother tongue-based multilingual education (MTB-MLE); (b) culture responsive education for sustainable development and (c) alternative modes of instructional delivery and assessment schemes to address the peculiar needs of IP learners.

Section 78 : Culturally-appropriate learning resources and environment. The DepEd shall put in place a policy that would promote the establishment and maintenance of culture-responsive educational infrastructures, learning environment and spaces. As a means of enriching resources available to IPs and the education system at large, the DepEd shall provide grants and financial assistance, subject to appropriate procedures for selection and awarding, to the documentation and research activities of IPs on their own history, knowledge, practices and other aspects of cultural heritage. The DepEd shall uphold and advocate the protection of the community intellectual rights/ intellectual property right of IPs pursuing such research and documentation.

Section 79 : Development of teacher and learning facilitators in the implementation of the IP Education Systems Program. The DepEd shall encourage and support the participation of community members, particularly the elders and other indigenous knowledge transmitters or intermediaries, as primary knowledge facilitators in the operations of the IP Education Systems.

Section 80 : Formal Training of IP Education Teachers. The Commission on Higher Education (CHED) which exercises control and supervision over all Teacher Education Institutions, in collaboration with the IPED Council and DePED –IPSEO, shall formulate guidelines and set standards, policies for the establishment of IPED Teacher Education Courses and Programs, and Researches in all colleges and universities in the Philippines.

Section 81 : Development of Curriculum for IP Education Teacher Courses: The CHED in cooperation with Teacher Education Institutions and the IPED Council shall develop appropriate curriculum for IP Education Teacher Courses. For this purpose, CHED shall establish an experts' mechanism for the continuous and effective participation of Indigenous Peoples in the development and review of IP Education Teacher Courses.

Section 82 : Basic Requirements for IP Education Teacher Courses. The CHED in cooperation with the IPED Council shall ensure that all IP Education Teacher Courses shall at the minimum include the following basic requirements:

1. Core Courses

- a. IPed Conceptual Framework and General Principles
 - i. History of IPED
 - ii. Philosophy of IPED
 - iii. IPs from a Global Perspective
 - iv. Ancestral Domains
 - v. IP Spirituality
- b. Teaching and Learning Methodologies in IPED
- c. Socio Anthropology in IP Communities
- d. IPED Curriculum Development
- e. Instructional Materials Development for IP Schools
- f. Evaluation and Assessment in IPED systems
- g. Management, Monitoring and Evaluation of IP Schools
- h. Administration and Supervision of IPED Schools
- i. IP Ed Systems and Technology
- j. Psychology of IPed Learners
- k. Research and Evaluation
- l. Practicum and In-Service Training in Content and Pedagogy

2. Major Courses

- a. Indigenous Knowledge Systems Practices and Spirituality
 - i. Indigenous Music and Performing Arts
 - ii. Indigenous Arts and Crafts
 - iii. Indigenous Script
 - iv. Indigenous Languages and Linguistics

- v. Indigenous Literature
- vi. Indigenous Social Systems and Institutions
- vii. Ethno –math and Sciences

3. Elective Courses

- a. Community Development Planning in Ancestral Domains
- b. Leadership and Governance in IP Communities
- c. Conflict Resolution and Peace Building Processes

Section 83 : Role of State Colleges and Universities:

The Philippine Association of Schools, Universities and Colleges shall encourage and provide guidelines for the inclusion of IP Education and other IP-related studies in the various courses offered in all State Universities and Colleges. Provided, that as an affirmative action, the PASUC shall give a premium or additional credits in its evaluation to any state college or university that adopts IP Education or IP related courses.

Section 84 : Support for Indigenous Persons desiring to enter the teaching profession.

– the DepEd shall encourage and mobilize support for members of IP communities, who may wish to enter the teaching profession, help them complete the necessary academic preparation and satisfy professional licensure requirements.

Section 85 : Professional Licensure Requirement. The DepEd in collaboration with IP Ed Practitioners and Professionals, particularly the IPED Council shall set the Professional Licensure Requirement for IPED Teachers. For this purpose, a Licensure Examination/ Testing Standards/Package shall be developed for IPED teachers and practitioners. This testing package shall form part of the Licensure Exams for Teachers (LET).

Section 86 : Teacher Education and Development Policies: the DepEd, shall review, harmonize, and align its (Non-IP) teacher education and development policies—consistent with the National Competency-Based Teacher Standards (NCBTS), MTB-MLE Policy, Localization Law or Republic Act No. 8190, and other relevant laws and issuances—to support affirmative action responding to the learning needs of IP learners.

Section 87 : Affirmative Action to eradicate all forms of discrimination against IPs in the entire Philippine Education System. Within the framework of maintaining inclusive and effective learning environments, the DepEd shall nurture, among all learners and DepEd teaching and non-teaching personnel, respect for human rights and cultural diversity. Accordingly, all concerned DepEd offices and units shall ensure that textbooks, supplementary learning materials, and other learning resources are free from discriminatory content and erroneous accounts, description and visual depictions which misinterpret the history and culture of IPs and/or do not adequately acknowledge them. To promote greater awareness and appreciation of the IPs cultural heritage and history – an integral yet often neglected part of the Philippines national history and heritage—these shall be given due recognition and appropriately integrated in the learning content of schools and learning programs. DepEd shall actively promote compliance with this policy among private schools and other private institutions of learning.

CHAPTER IX APPROPRIATION OF GOVERNMENT FUNDS, FINANCIAL AND TECHNICAL ASSISTANCE, INCENTIVES AND SUPPORT FOR IP EDUCATION SYSTEMS AND IP SCHOOLS

Section 88 : Government Financial Assistant to IP Schools: Pursuant to the declared policy of the State that the national government shall contribute to the financial support of education programs in accordance with the goal of education as declared in the Constitution, IP schools whether private or public shall receive from the national government, financial assistance and other forms of incentives for the school, its teachers and learners.

(A) Public IP Schools shall continue to be funded primarily from national funds: provided, that local governments shall be encouraged to assume operation of local public schools on the basis of national fund participation and adequate revenue sources which may be assigned by the national government for the purpose.

(B) Private IP Schools may be provided with aid by the national government in recognition of their complementary role in the education system. Such aid shall be in form of grants or scholarships, or loans from government financial institutions.

Section 89 : Service Contracting by Government: To enable the Government to make available IP Education Systems to all areas where IPs are present, Private IP School operators shall be contracted to provide services to Public IP Schools subject to qualification by the IPED Council. Provided that such service contract shall include payment of the salaries of teachers and other school personnel that will be involved in providing the service, provided further that the salary shall not be below the prevailing legal statutory wage applicable in the region.

Section 90 : Income from other Sources: Any private IP School duly recognized by the government, may receive any grant and legacy, donation, gift, bequest or devise from any individual, institution, corporation, foundation, trust or philanthropic organization, or research institution or organization as may be authorized by law. Furthermore, private IP schools are authorized to engage in any auxiliary enterprise to generate income primarily to finance their educational operations and/or reduce the need to increase student fees.

Section 91 : Financial Support: - The DepEd shall ensure that adequate financial support – sourced from various sources, such as but not limited to the agency's regular annual budget, Special Fund from the Office of the President of the Philippines, the LGU's Special Education Fund (SEF) and Education projects—are readily available to IP Schools and other IPED implementing entities to ensure smooth implementation and sustainability of IPED services.

Section 92 : Financial Assistance to Students and Teachers in Private IPED Schools: - In recognition of the complementary roles of public and private educational institutions in the education system and the invaluable contribution that private schools have made and will make to education, the State shall provide the mechanisms to improve quality in private education by maximizing the use of existing resources of private education, recognizing in the process the government responsibility to provide basic elementary and secondary education as having priority over its function to provide for education, financial assistance shall be extended to students and teachers in Private IP Schools, consisting of the following:

- (A) Tuition fee supplements for students
- (B) Text book assistance and financial assistance program
- (C) Scholarships
- (D) Education Loan Fund
- (E) Teachers Assistance Fund

Section 93 : Tuition Fee Supplements for Students: All eligible students in private IP schools shall be entitled to tuition fee supplements from the government consisting of an absolute amount not lower than 70% of the average prevailing tuition fee rates of private schools in the region for each equivalent grade level.

Section 94 : Textbook and Learning Materials Assistance: The Department of Education shall allocate at least 10% of its funds every year for textbooks and learning materials for IPED.

Section 95 : Scholarships, Education Loan Funds and Teachers Assistance Fund: The Department of Education, National Commission on Indigenous Peoples, Department of Science and Technology, Department of Labor and Employment through TESDA and all other government agencies government controlled corporations shall allocate funds for Scholarship grants for indigenous peoples in an amount equivalent to not less than 20% of any of its funds available for such purpose. Provided that in the case of NCIP the full amount shall be appropriated.

Section 96 : Education Loans and Teachers' Assistance Grants. shall be made available to IPED Teachers and Learning Facilitators in accordance with such rules as may be established by the IPED Council

Section 97 : Revenue and Assets: All revenues and assets of Private IP schools established as non-profit educational institutions used actually, directly and exclusively for educational purposes shall be exempt from taxes and duties. Upon the dissolution or cessation of the corporate existence of such institutions, their assets shall be disposed of in the manner provided by law.

Section 98 : Tax Exemptions for Proprietary IP Schools: Proprietary IP schools/ including those cooperatively owned, may likewise be entitled to such exemptions subject to the limitations provided by law including restrictions on dividends and provisions for reinvestment.

Section 99 : Tax Exemptions on Grants, Endowments, Donations, Contributions: Subject to conditions prescribed by law, all grants, endowments, donations, or contributions used actually, directly, and exclusively for education purposes shall be exempt from tax.

Section 100 : Appropriation: To implement the provisions of this Act, the amount of Seven Hundred Million Pesos per year for ten years is hereby appropriated to the Department of Education for the Indigenous Peoples Education Systems Program, to be included in the General Appropriations Act. A **supplementary** appropriation in the amount of twenty million pesos (20,000,000.) from the gross receipts of travel tax of the preceding year shall be provided to the Indigenous Peoples Education Program of the DepEd as a reserve fund for every year of operation immediately upon approval of this Act. This shall be used to augment funding for auxiliary aids and services.

CHAPTER X : FINAL PROVISIONS

Section 101 : Implementing Rules and Regulation: The Department of Education and an Ad Hoc IP ED Council and in collaboration with the NCIP, NCCA, DILG, shall promulgate and issue the necessary implementing rules and regulations for the effective implementation of this act within sixty (60) days after the effectivity of this Act. Provided that the Ad Hoc IP ED Council shall be composed of 3 representatives each from the 7 ethnographic regions to be chosen by representatives from the ethnographic region convened for the purpose of choosing the representative to the Ad Hoc IP ED Council, 1 representative of IP Schools from each of the major Islands, Luzon, Mindanao and Visayas (Panay, Negros, Palawan, Mindoro and Romblon), to be chosen by representatives of IP Schools in the island convened for the purpose of choosing their representative to the Ad Hoc IP ED Council, and 5 CSO representatives who are engaged in IP Education Programs as may be invited by the Department of Education

provided that these CSOs have been actively involved in the crafting of the National Framework for IP ED.

Section 102 : Saving Clause: This Act will not in any manner adversely affect the rights and benefits of the ICCs/IPs under Conventions, Recommendations, International Treaties, Protocols, National Laws, Policies, Awards, Customs and Agreements,

Section 103 : Separability Clause In case any provision of this Act or any portion thereof is declared unconstitutional by a competent court, other provisions shall not be affected thereby.

Section 104 : Repealing Clause. Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rules, regulations, contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

Section 105 : Effectivity Clause – This Act shall take effect fifteen (15) days upon its publication in the Official Gazette or in any two (2) newspapers of general circulation.