

Republic of the Philippines
HOUSE OF REPRESENTATIVES

EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 7056



Introduced by HONORABLE WES GATCHALIAN

AN ACT
STRENGTHENING THE INVOLVEMENT OF LOCAL COMMUNITIES AND LOCAL
GOVERNMENT UNITS IN BASIC EDUCATION GOVERNANCE BY EMPOWERING
THEM AS PARTNERS IN EDUCATING THE LEARNERS, ENGAGING THEIR
PARTICIPATION IN THE DELIVERY OF BASIC EDUCATION SERVICES AND
ASSESSMENT OF THE EFFECTIVITY AND EFFECTIVENESS THEREOF, AND
INTEGRATING THEIR INTERVENTIONS TO ACHIEVE THE SHARED GOAL OF
QUALITY INCLUSIVE EDUCATION, AMENDING FOR THE PURPOSE SECTIONS
98, 99, 100, 101 AND 272 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN
AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Education is a primordial need of any functioning society. No less than the Constitution recognizes its importance in fostering patriotism and nationalism, accelerating social progress, and promoting total human liberation and development.¹ Therefore, it guarantees the right of all citizens to quality and accessible education in all levels.² One of the pillars of the educational system in the country is the **Local School Board (LSB)**. The city, provincial, or municipal LSB's primary function is to allocate the Special Education Fund (SEF) to meet the supplementary needs of the local public school system.³ The SEF is an additional 1% levy that is collected together with real property taxes paid to the local government.⁴

In an article prepared by late statesman and leader Jesse M. Robredo, together with Synergeia Foundation, they argued that while the LSB seems well-represented, given

¹ CONST. art. II, § 17.

² CONST. art. XIV, § 14.

³ LOCAL GOVT CODE, title IV, § 99.

⁴ Robredo, Jesse M., Undated. Reinventing Local School Boards in the Philippines. See http://www.synergeia.org.ph/wpcontent/uploads/dlm_uploads/2016/08/Robredo_Reinventing_School_Boards.pdf. Last accessed on 10 June 2020.

its composition,⁵ its actual operations tell a different story. At least in their case study (i.e., in Naga City), decision making has been “confined to this eight-person board where most often, ‘educational priorities’ are being defined by its two most powerful members: the local chief executive and the division superintendent. Because of its limited involvement, the LSB budget is used mostly for discrete and disparate activities, particularly infrastructure (where the possibility of corruption is strong) and regular sports events.”

From the brief introduction of the LSB above, the main issues of their existence are already evident: **limited functions** and **limited members**. These niches in the educational system have been overlooked because decision-makers and existing policies are often directed towards improvement of the basic education curriculum to meet international standards, increase of compensation for teachers, and now, possible distance learning strategies, given the on-going Covid-19 pandemic. While these decision-makers and policies are right to give attention to such pressing issues, I believe, it is also high time to put the spotlight on institutions, such as the LSB, who ultimately play a decisive role on whether or not the public schools in their territorial jurisdiction will be able to access quality education.

Under this bill, the existing LSBs are empowered beyond their traditional function (i.e. allocating the SEF for the supplementary budgetary support to local public schools) through the following policy innovations:

First, it expands the eight-member board to involve other relevant actors in the community and stakeholders of education⁶ whose participation is critical to decision-making on issues such as the state and quality of public education within its local jurisdiction and the participation of parents in the education of their children;

Second, it purposively adds extensive functions for the LSBs, such as formulation of policies; institution of educational reforms and programs; introduction of interventions based on empirical results that focus on quality; communication in

⁵ (1) Chaired by the city mayor; (2) co-chaired by the schools division superintendent; and made up of the following members: (3) the chair of the education committee of the Sangguniang Panlungsod (city council); (4) the city treasurer; (5) a representative of the Sangguniang Kabataan (youth council); (6-8) and duly elected representatives of the city PTA league, the city teachers' organization, and the non-academic personnel of city public schools.

⁶ CONST. art. II, § 17.

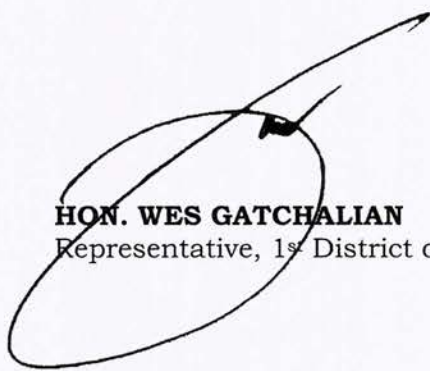
the barangay and school-levels of such policies, reforms, programs, and interventions; and implementation of the alternative learning program, *inter alia*;

Third, it supports the expanded functions of LSBs through the broadened utilization of the SEF. More specifically, it shall include salaries or wages of SEF-paid teaching and non-teaching personnel; construction, repair, and maintenance of public school buildings, facilities, and other equipment; and formulation and implementation of locally oriented non-formal and distance education classes and training programs, *inter alia*;

Fourth, it seeks to establish a School Governing Council in every public and private basic educational institution to ensure a continuous, efficient and effective basic education service and develop collaborative partnership among the stakeholders in the education community; and

Finally, it mandates the budget process to be executed in a participatory and transparent manner. Hence, two (2) new sections are further introduced: one, on the institutionalization of greater transparency in the school board's operations and its utilization of the SEF; two, the development of a manual to guide the allocation and utilization of the SEF and the efficient functioning of the school board.

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



HON. WES GATCHALIAN

Representative, 1st District of Valenzuela

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AN ACT
STRENGTHENING THE INVOLVEMENT OF LOCAL COMMUNITIES AND LOCAL
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THEM AS PARTNERS IN EDUCATING THE LEARNERS, ENGAGING THEIR
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INTEGRATING THEIR INTERVENTIONS TO ACHIEVE THE SHARED GOAL OF
QUALITY INCLUSIVE EDUCATION, AMENDING FOR THE PURPOSE SECTIONS
98, 99, 100, 101 AND 272 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN
AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED,
AND FOR OTHER PURPOSES

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

1 **SECTION 1.** *Short Title.* – This Act shall be known as the “21st Century School
2 Boards Act”.

3
4 **SEC. 2.** Section 98 of Republic Act (RA) No. 7160, otherwise known as the
5 “Local Government Code of 1991”, as amended, is hereby amended to read as
6 follows:

7 *“Sec. 98. Creation, Composition, and Compensation. –*

8 (a) There shall be established in every province, city, or
9 municipality a provincial, city, or municipal school board,
10 respectively.

11 (b) The composition of local school boards shall be as follows:

12 (1) The provincial school board shall be composed of the
13 governor and the division superintendent of schools as co-
14 chairmen; the chairman of the education committee of the
15 sangguniang panlalawigan, the provincial treasurer, THE
16 PROVINCIAL BUDGET OFFICER, THE PROVINCIAL

1 PLANNING AND DEVELOPMENT OFFICER, the representative
2 of the “pederasyon ng mga sangguniang kabataan” in the
3 sangguniang panlalawigan, the duly elected president of the
4 provincial federation of parents-teachers associations, the duly
5 elected representative of the teachers’ organizations in the
6 province, [and] the duly elected representative of the non-
7 academic personnel of public schools in the province, ONE
8 REPRESENTATIVE EACH FROM THE PUBLIC AND THE
9 PRIVATE ELEMENTARY SCHOOLS HEADS OR PRINCIPALS
10 IN THE PROVINCE, ONE REPRESENTATIVE EACH FROM THE
11 PUBLIC AND THE PRIVATE SECONDARY SCHOOLS HEADS
12 OR PRINCIPALS IN THE PROVINCE, THE DIVISION
13 ALTERNATIVE LEARNING SYSTEM (ALS) PROGRAM
14 SUPERVISORS IN THE PROVINCE, A REPRESENTATIVE
15 FROM AN ACCREDITED NONGOVERNMENTAL OR CIVIL
16 SOCIETY ORGANIZATION INVOLVED IN NON-FORMAL
17 EDUCATION AND/OR TRAINING PROGRAMS, A RELIGIOUS
18 LEADER, AND ONE (1) REPRESENTATIVE FROM EACH OF
19 THE FOLLOWING GROUPS: PRIVATE INDUSTRY/BUSINESS,
20 SENIOR CITIZENS, YOUTH, MEDIA, MILITARY, AND
21 INDIGENOUS PEOPLES, as members;

22 (2) The city school board shall be composed of the city
23 mayor and the city superintendent of schools as co-chairmen;
24 the chairman of the education committee of the sangguniang
25 panlungsod, the city treasurer, THE CITY BUDGET OFFICER,
26 THE CITY PLANNING AND DEVELOPMENT OFFICER, the
27 representative of the “pederasyon ng mga sangguniang
28 kabataan” in the sangguniang panlungsod, the duly elected
29 president of the city federation of parents-teachers
30 associations, the duly elected representative of the teachers’
31 organizations in the city, [and] the duly elected representative
32 of the non-academic personnel of public schools in the city,
33 ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE

1 PRIVATE ELEMENTARY SCHOOLS HEADS OR PRINCIPALS
2 IN THE CITY, ONE REPRESENTATIVE EACH FROM THE
3 PUBLIC AND THE PRIVATE SECONDARY SCHOOLS HEADS
4 OR PRINCIPALS IN THE CITY, THE DIVISION ALS PROGRAM
5 SUPERVISORS IN THE CITY, A REPRESENTATIVE FROM AN
6 ACCREDITED NONGOVERNMENTAL OR CIVIL SOCIETY
7 ORGANIZATION INVOLVED IN NON-FORMAL EDUCATION
8 AND/OR TRAINING PROGRAMS, A RELIGIOUS LEADER, AND
9 ONE (1) REPRESENTATIVE FROM EACH OF THE FOLLOWING
10 GROUPS: PRIVATE INDUSTRY/BUSINESS, SENIOR
11 CITIZENS, YOUTH, MEDIA, MILITARY, AND INDIGENOUS
12 PEOPLES, as members; and

13 (3) The municipal school board shall be composed of the
14 municipal mayor and the district supervisor of schools as co-
15 chairmen; the chairman of the education committee of the
16 sangguniang bayan, the municipal treasurer, THE MUNICIPAL
17 BUDGET OFFICER, THE MUNICIPAL PLANNING AND
18 DEVELOPMENT OFFICER, the representative of the
19 “pederasyon ng mga sangguniang kabataan” in the
20 sangguniang bayan, the duly elected president of the municipal
21 federation of parent-teacher associations, the duly elected
22 representative of the teachers’ organizations in the
23 municipality, [and] the duly elected representative of the non-
24 academic personnel of public schools in the municipality, ONE
25 REPRESENTATIVE EACH FROM THE PUBLIC AND THE
26 PRIVATE ELEMENTARY SCHOOLS HEADS OR PRINCIPALS
27 IN THE MUNICIPALITY, ONE REPRESENTATIVE EACH FROM
28 THE PUBLIC AND THE PRIVATE SECONDARY SCHOOLS
29 HEADS OR PRINCIPALS IN THE MUNICIPALITY, THE
30 DISTRICT ALS PROGRAM COORDINATORS IN THE
31 MUNICIPALITY, A REPRESENTATIVE FROM AN ACCREDITED
32 NONGOVERNMENTAL OR CIVIL SOCIETY ORGANIZATION
33 INVOLVED IN NON-FORMAL EDUCATION AND/OR TRAINING

1 PROGRAMS, A RELIGIOUS LEADER, AND ONE (1)
2 REPRESENTATIVE FROM EACH OF THE FOLLOWING
3 GROUPS: PRIVATE INDUSTRY/BUSINESS, SENIOR
4 CITIZENS, YOUTH, MEDIA, MILITARY, AND INDIGENOUS
5 PEOPLES, as members.

6 (c) In the event that a province or city has two (2) or more
7 school superintendents, and in the event that a municipality has
8 two (2) or more district supervisors, the co-chairman of the local
9 school board shall be determined as follows:

10 (1) The Department of Education [~~-, Culture and Sports~~]
11 shall designate the co-chairman for the provincial and city
12 school boards; and

13 (2) The division superintendent of schools shall designate
14 the district supervisor who shall serve as co-chairman of the
15 municipal school board.

16 (d) The performance of the duties and responsibilities of the
17 abovementioned officials in their respective local school boards shall
18 not be delegated.”

19
20 **SEC. 3.** Section 99 of RA No. 7160, as amended, is hereby amended to read
21 as follows:

22 “Sec. 99. *Functions of Local School Boards.* – The provincial,
23 city or municipal school board shall:

24 (A) ESTABLISH A VISION FOR QUALITY INCLUSIVE EDUCATION,
25 AS ANCHORED ON NATIONAL DEVELOPMENT PLANS AND
26 LONG-TERM AND MEDIUM-TERM GOALS, WITHIN THE
27 TERRITORIAL JURISDICTION OF THE LOCAL GOVERNMENT
28 UNIT CONCERNED AND SET MEASURABLE GOALS
29 SUPPORTING THIS VISION TO ENSURE ACCOUNTABILITY FOR
30 PERFORMANCE ~~Determine, in accordance with the criteria set~~
31 ~~by the Department of Education, Culture and Sports, the annual~~
32 ~~supplementary budgetary needs for the operation and~~
33 ~~maintenance of public schools within the province, city, or~~

1 ~~municipality, as the case may be, and the supplementary local~~
2 ~~cost of meeting such as needs, which shall be reflected in the~~
3 ~~form of an annual school board budget corresponding to its~~
4 ~~share of the proceeds of the special levy on real property~~
5 ~~constituting the Special Education Fund and such other sources~~
6 ~~of revenue as this Code and other laws or ordinances may~~
7 ~~provide;~~

8 (B) FORMULATE POLICIES, INSTITUTE EDUCATION REFORMS
9 AND PROGRAMS, ALLOCATE RESOURCES, AND INTRODUCE
10 INTERVENTIONS BASED ON EMPIRICAL RESULTS THAT
11 EMPHASIZE AND FOCUS ON QUALITY AS A MAJOR OUTCOME
12 VARIABLE, TO BE MEASURED THROUGH THE FOLLOWING:
13 PARTICIPATION RATES OF STUDENTS; NUMBER OF DROP-
14 OUTS AS WELL AS OUT-OF-SCHOOL YOUTHS; COHORT
15 SURVIVAL RATES; ACHIEVEMENT SCORES AS MEASURED BY
16 NATIONAL TESTS OR ASSESSMENT TOOLS AND OTHER
17 STANDARDIZED TEST SCORES; AND ESTABLISHMENT OF
18 CHILD DEVELOPMENT CENTERS, SUPPORT TO SPECIAL
19 EDUCATION AND THE ALTERNATIVE LEARNING SYSTEM,
20 AND PARENT EFFECTIVENESS SERVICE PROGRAM;

21 (C) COMMUNICATE AT THE BARANGAY AND SCHOOL LEVELS
22 SUCH VISION, POLICIES, REFORMS, PROGRAMS AND
23 INTERVENTIONS TO FACILITATE COLLABORATIVE ACTION
24 AND DEVELOP PARTNERSHIPS WITH THE COMMUNITY
25 STAKEHOLDERS IN ORDER TO MAKE THE DELIVERY OF
26 BASIC EDUCATION SERVICES AND THE HOLISTIC
27 EDUCATION AND DEVELOPMENT OF SCHOOL CHILDREN A
28 SHARED RESPONSIBILITY;

29 (D) CONDUCT EDUCATION SUMMITS AT LEAST ONCE A YEAR TO
30 REPORT TO THE COMMUNITY THE PROGRESS IN THE
31 IMPLEMENTATION OF ITS EDUCATION REFORMS,
32 PROGRAMS AND INTERVENTIONS, AND CONSULT
33 COMMUNITY MEMBERS ON ISSUES IN BASIC EDUCATION TO

1 FURTHER GUIDE ITS PRIORITIZATION IN THE ALLOCATION
2 OF THE SPECIAL EDUCATION FUND;

3 (E) INTRODUCE TIMELY, ORGANIZED AND LOCALIZED
4 INTERVENTIONS IN THE DELIVERY OF BASIC EDUCATION
5 SERVICES DURING TIMES OF CALAMITIES, DISASTERS,
6 EMERGENCIES, CATASTROPHES, AND OTHER SIMILAR
7 CAUSES, THAT MAY DISRUPT THE REGULAR SCHOOL
8 CALENDAR AND ACTIVITIES;

9 (F) STRATEGICALLY ALLOCATE THE SPECIAL EDUCATION FUND
10 AND OTHER SOURCES OF REVENUE AS THIS CODE AND
11 OTHER LAWS OR ORDINANCES MAY PROVIDE IN A
12 PARTICIPATORY AND TRANSPARENT MANNER AS
13 PRESCRIBED UNDER SECTION 100 (B) OF THIS CODE, AND
14 ENSURE THAT THE BUDGETARY ALLOCATIONS ARE BASED
15 ON NEED AND ANCHORED ON ITS VISION AND GOALS;

16 (G) ~~(b)~~ Authorize the provincial, city or municipal treasurer, as the
17 case may be, to disburse funds from the Special Education Fund
18 pursuant to the budget prepared and in accordance with existing
19 rules and regulations;

20 (H) ~~(e)~~ Serve as an advisory committee to the sanggunian concerned
21 on educational matters such as, but not limited to, the necessity
22 for and the uses of local appropriations for educational
23 purposes; ~~and~~

24 (I) COORDINATE THE IMPLEMENTATION OF THE ALTERNATIVE
25 LEARNING SYSTEM (ALS) PROGRAM WITH THE DEPED AT
26 THE CITY OR MUNICIPAL LEVEL, INCLUDING THE
27 IDENTIFICATION OF PRIORITY ALS PROGRAMS,
28 ESTABLISHMENT, OPERATION AND MAINTENANCE OF ALS
29 COMMUNITY LEARNING CENTERS, PROVISION OF
30 TECHNICAL ASSISTANCE TO ALS TEACHERS, PROGRAM
31 MONITORING AND EVALUATION INCLUDING PARALLEL
32 ASSESSMENTS, AND COORDINATION WITH GOVERNMENT

1 AND NONGOVERNMENT PARTNERS FOR POST-PROGRAM
2 SUPPORT ACTIVITIES; AND

3 (J) ~~(d)~~ Recommend changes in the names of public schools within
4 the territorial jurisdiction of the local government unit for
5 enactment by the sanggunian concerned.

6 The Department of Education [~~-, Culture and Sports~~] shall
7 ~~[consult]~~ SEEK THE CONCURRENCE OF the local school board on
8 the appointment, ASSIGNMENT AND/OR TRANSFER of division
9 superintendents, district supervisors, school principals, and other
10 school officials.”

11
12 **SEC. 4.** Section 100 of RA No. 7160, as amended, is hereby amended to read
13 as follows:

14 “Sec. 100. *Meetings and Quorum; Budget.* –

15 (a) The local school board shall meet at least once a month or as
16 often as may be necessary.

17 (b) Any of the co-chairmen may call a meeting. A majority of all its
18 members shall constitute a quorum. However, when both co-
19 chairmen are present in a meeting, the local chief executive
20 concerned, as a matter of protocol, shall be given preference to
21 preside over the meeting. The ~~[division superintendent, city~~
22 ~~superintendent or district supervisor, as the case may be,]~~ LOCAL
23 SCHOOL BOARD shall prepare ~~[the]~~ ITS budget ~~[of the school board~~
24 ~~concerned. Such budget shall be supported by programs, projects,~~
25 ~~and activities of the school board for the ensuing fiscal year. The~~
26 ~~affirmative vote of the majority of all the members shall be necessary~~
27 ~~to approve the budget.]~~ AS FOLLOWS:

28 1. THE LOCAL TREASURER AND THE LOCAL ACCOUNTANT SHALL
29 SUBMIT TO THE SCHOOL BOARD A CERTIFIED STATEMENT OF
30 THE ACTUAL INCOME AND EXPENDITURES OF THE SEF IN THE
31 PRECEDING FISCAL YEAR, THE ACTUAL INCOME AND
32 EXPENDITURES IN THE FIRST TWO QUARTERS OF THE CURRENT
33 YEAR, THE ESTIMATED INCOME FOR THE LAST TWO QUARTERS
34 OF THE CURRENT YEAR, AND THE ESTIMATE OF THE SEF

1 INCOME FOR THE INCOMING BUDGET YEAR BY AUGUST 15, AND
2 2.THE SCHOOL BOARD SHALL REVIEW THE BUDGET PROPOSAL
3 PREPARED BY THE SCHOOLS DIVISION SUPERINTENDENTS AND
4 PUBLIC SCHOOLS DISTRICT SUPERVISORS AND APPROVE THE
5 SAME BY THE AFFIRMATIVE VOTE OF THE MAJORITY OF ALL ITS
6 MEMBERS. THE BUDGET RESOLUTION FOR THE INCOMING
7 BUDGET YEAR SHALL BE ISSUED ON OR BEFORE DECEMBER 31.

8 ~~(c) The annual school board budget shall give priority to the~~
9 ~~following:~~

- 10 ~~(1) Construction, repair, and maintenance of school buildings~~
11 ~~and other facilities of public elementary and secondary schools;~~
12 ~~(2) Establishment and maintenance of extension classes where~~
13 ~~necessary; and~~
14 ~~(3) Sports activities at the division, district, municipal, and~~
15 ~~barangay levels.”~~

16
17 **SEC. 5.** A new section designated as Section 100-A of RA No. 7160,
18 as amended, is hereby added to read as follows:

19 “SEC. 100-A. TRANSPARENCY IN OPERATIONS AND
20 UTILIZATION OF THE SEF. – TO INSTITUTIONALIZE GREATER
21 TRANSPARENCY IN ITS OPERATIONS AND UTILIZATION OF THE
22 SEF, EVERY LOCAL SCHOOL BOARD IS HEREBY MANDATED TO
23 HAVE A TRANSPARENCY BOARD AND MAINTAIN A WEB PORTAL
24 THAT WILL BEAR ALL REPORTS ON THE FOLLOWING
25 INFORMATION DURING THE BUDGET YEAR:

- 26 (A) THE FUNDS AND OTHER RESOURCES THAT SCHOOLS
27 RECEIVE FROM THE DEPED BUDGET;
28 (B) THE ACTUAL SEF COLLECTIONS AND ITS UTILIZATION
29 DURING THE BUDGET YEAR;
30 (C) A QUARTERLY REPORT OF REALIZED SEF INCOME,
31 EXPENDITURES, AND BALANCES NOT LATER THAN ONE
32 MONTH AFTER THE REFERENCE QUARTER;

- 1 (D) THE ACTUAL SEF INCOME AND EXPENDITURES IN THE
2 PRECEDING FISCAL YEAR AND ACTUAL INCOME AND
3 EXPENDITURES OF THE FIRST TWO QUARTERS OF THE
4 CURRENT YEAR;
- 5 (E) THE AMOUNT OF RESOURCES THAT INDIVIDUAL
6 SCHOOLS RECEIVE UNDER THE GENERAL
7 APPROPRIATIONS ACT, INCLUDING SCHOOL-LEVEL
8 MAINTENANCE AND OTHER OPERATING EXPENSES
9 DOWNLOADED TO SCHOOLS;
- 10 (F) SCHEDULE OF CONSTRUCTION OF CLASSROOMS BY
11 SCHOOL UNDER THE SCHOOL BUILDING PROGRAM;
12 AND
- 13 (G) INDICATORS OF SCHOOL PERFORMANCE INCLUDING
14 NATIONAL ACHIEVEMENT TEST (NAT) RESULTS, OTHER
15 STANDARDIZED TEST SCORES, PARTICIPATION RATES
16 OF STUDENTS, DROP-OUT RATES, COHORT SURVIVAL
17 RATES, AND OTHER RELEVANT MEASURES OF
18 PERFORMANCE ON THE QUALITY OF EDUCATION.”
19

20 **SEC. 6.** A new section designated as Section 100-B of RA No. 7160, as
21 amended, is hereby added to read as follows:

22 “SEC. 100-B. MANUAL ON THE FUNCTIONS OF THE LOCAL
23 SCHOOL BOARDS AND SEF UTILIZATION. – WITH THE ADDITIONAL
24 FUNCTIONS GIVEN TO THE LOCAL SCHOOL BOARDS UNDER THIS ACT,
25 AND ITS MANDATE TO INSTITUTIONALIZE TRANSPARENCY
26 MECHANISMS IN THE UTILIZATION OF THE SEF, THE DEPARTMENT OF
27 INTERIOR AND LOCAL GOVERNMENT, DEPARTMENT OF EDUCATION,
28 COMMISSION ON HIGHER EDUCATION, TECHNICAL EDUCATION AND
29 SKILLS DEVELOPMENT AUTHORITY, DEPARTMENT OF SOCIAL
30 WELFARE AND DEVELOPMENT, PHILIPPINE STATISTICS AUTHORITY,
31 AND UNION OF LOCAL AUTHORITIES OF THE PHILIPPINES SHALL
32 DEVELOP A MANUAL TO GUIDE THE ALLOCATION AND UTILIZATION
33 OF THE SEF AND THE EFFICIENT FUNCTIONING OF THE SCHOOL
34 BOARD. THE MANUAL SHALL ALSO INCLUDE, AMONG OTHERS, THE

1 SEF EXPENDITURES THAT ARE ALLOWABLE OR NOT, THE BUDGET
2 CALENDAR, THE TRANSPARENCY MECHANISMS, AND THE EFFECTIVE
3 PROCESSES FOR THE OPERATION OF THE SCHOOL BOARD. THE
4 MANUAL SHALL BE FORMULATED AND RELEASED TO THE SCHOOL
5 BOARDS NOT LATER THAN SIXTY (60) DAYS AFTER THE
6 PROMULGATION OF THE IMPLEMENTING RULES AND REGULATIONS
7 OF THIS ACT.”
8

9 **SEC. 7.** Section 101 of RA No. 7160, as amended, is hereby amended to read
10 as follows:

11 “Sec. 101. *Compensation and Remuneration.* – The co-chairmen and
12 members of the provincial, city or municipal school board shall perform
13 their duties as such without compensation or remuneration. Members
14 thereof who are not government officials or employees shall be entitled to
15 necessary traveling expenses and allowances chargeable against the funds
16 of the local school board concerned, subject to existing accounting and
17 auditing rules and regulations.”
18

19 **SEC. 8.** Section 272 of RA No. 7160, as amended, is hereby amended to read
20 as follows:

21 “Sec. 272. *Application of Proceeds of the Additional One Percent SEF*
22 *Tax.* – The proceeds from the additional one percent (1%) tax on real
23 property accruing to the Special Education Fund (SEF) shall be
24 automatically released to the local school boards: Provided, That, in case
25 of provinces, the proceeds shall be divided equally between the provincial
26 and municipal school boards: Provided, however, That the proceeds shall
27 be allocated [~~for the operation and maintenance of public schools,~~
28 ~~construction and repair of school buildings, facilities and equipment,~~
29 ~~educational research, purchase of books and periodicals, and sports~~
30 ~~development as determined and approved by the Local School Board]~~ FOR
31 THE FOLLOWING PURPOSES:

32 (A) SALARIES OR WAGES OF SEF-PAID TEACHERS
33 ASSIGNED TO PUBLIC ELEMENTARY AND SECONDARY
34 SCHOOLS;

- 1 (B) SALARIES OR WAGES OF NON-TEACHING PERSONNEL,
2 INCLUDING UTILITY AND SECURITY PERSONNEL,
3 ASSIGNED TO PUBLIC ELEMENTARY AND SECONDARY
4 SCHOOLS;
- 5 (C) SALARIES OR WAGES OF PRE-SCHOOL TEACHERS, AND
6 CAPITAL OUTLAYS FOR PRE-SCHOOLS;
- 7 (D) CONSTRUCTION, REPAIR, AND MAINTENANCE OF
8 PUBLIC ELEMENTARY AND SECONDARY SCHOOL
9 BUILDINGS, EQUIPMENT, AND OTHER FACILITIES,
10 INCLUDING WORKSHOPS, LABORATORIES, SCHOOL
11 FENCES, SCHOOL TOILETS, AND SCHOOL FURNITURE;
- 12 (E) ACQUISITION OR PROCUREMENT OF BOOKS,
13 INSTRUCTIONAL OR LEARNING MATERIALS, AND
14 INFORMATION AND COMMUNICATIONS TECHNOLOGY
15 PACKAGES;
- 16 (F) EDUCATIONAL RESEARCH;
- 17 (G) EDUCATION SUMMITS, COMMUNITY TOWNHALL
18 MEETINGS, DISCUSSIONS, AND CONSULTATIONS ON
19 INFORMATION, ISSUES, AND CONCERNS RELATED TO
20 EDUCATION;
- 21 (H) COMMUNITY MAPPING OF DATA RELATED TO
22 EDUCATION;
- 23 (I) OPERATION AND MAINTENANCE OF ALS PROGRAMS
24 WITHIN THE CITY OR MUNICIPALITY AND THE
25 SUPPLEMENTARY LOCAL COST OF IMPLEMENTING SUCH
26 PROGRAMS, INCLUDING BUT NOT LIMITED TO THE
27 HIRING AND PAYMENT OF SALARIES OF ADDITIONAL ALS
28 TEACHERS WITHIN THE LGU'S AREA OF JURISDICTION;
- 29 (J) FORMULATION AND IMPLEMENTATION OF LOCALLY
30 ORIENTED NON-FORMAL AND DISTANCE EDUCATION
31 CLASSES AND TRAINING PROGRAMS, AND OTHER
32 SIMILARLY RELATED PROGRAMS, PROJECTS, AND
33 ACTIVITIES;

- 1 (K) ESTABLISHMENT AND MAINTENANCE OF EXTENSION
2 AND/OR REMEDIAL CLASSES WHERE NECESSARY;
3 (L) HONORARIUM AND ALLOWANCES FOR TEACHERS AND
4 OTHER NON-TEACHING SCHOOL PERSONNEL,
5 WHETHER NATIONALLY OR LOCALLY COMPENSATED, TO
6 BE GIVEN IN ADDITION TO THEIR SALARIES FOR
7 ADDITIONAL SERVICES RENDERED OUTSIDE OF
8 REGULAR SCHOOL HOURS;
9 (M) SCHOOL SPORTS ACTIVITIES AND OTHER DEPED-
10 RELATED AND CO-CURRICULAR ACTIVITIES; AND
11 (N) MAINTENANCE AND OTHER OPERATING EXPENSES OF
12 THE LOCAL SCHOOL BOARD, INCLUDING SUPPLIES,
13 MATERIALS, EQUIPMENT, AND RELATED EXPENSES.”
14

15 **SEC. 9.** *The School Governing Council.* – To ensure collaborative partnership
16 among the educational community stakeholders, every public and private basic
17 educational institution shall establish and maintain a School Governing Council
18 (SGC) to ensure a continuous, efficient and effective basic education service towards
19 the improvement of learning and promotion of the welfare of the learners. It shall be
20 guided by the principles of shared leadership, commitment and accountability.

21 Giving due consideration to geographical location and student demographics,
22 the SGC shall be composed of such members from the private and public
23 stakeholders as follows:

- 24 (A) The school head as the Chief Executive Officer;
25 (B) One (1) representative from the Parent-Teacher Association (PTA) to be
26 elected by the members of the PTA;
27 (C) One (1) teacher representative to be elected by the teaching and non-
28 teaching staff of the school;
29 (D) One (1) representative from the alumni association;
30 (E) The barangay captain or the Chair of the Education Committee of the
31 barangay;
32 (F) The president or head of the Student Council Organization; if there is no
33 such organization in the school, one (1) student representative to be elected
34 by the student population;

1 (G) One (1) representative from a non-government organization operating in the
2 community, to be selected by the other members of the SGC; and

3 (H) Such other necessary members as the local school board may determine.

4 The members of the SGC shall elect among themselves the Chairperson, Vice-
5 Chairperson, Secretary, Treasurer and Auditor of the SGC.

6 To achieve its mandate, the SGC shall have the following powers and functions:

7 (A) Determine the general policies of the school on student welfare, discipline
8 and well-being;

9 (B) Participate in the development of the School Improvement Plan (SIP);

10 (C) Adopt a Constitution and By-laws to guide its decisions;

11 (D) Conduct its affairs in keeping with the school's decision-making processes;

12 (E) Assist in the planning and setting direction for the school;

13 (F) Organize committees to support the school head and staff in the
14 implementation of the SIP;

15 (G) Regularly conduct consultation as an avenue for multi-level and multi-
16 stakeholder assessment of the school's state of education;

17 (H) Monitor and evaluate the implementation of the SIP, and develop such
18 monitoring and evaluation tools;

19 (I) Report the progress of SIP Implementation to the Schools Division
20 Superintendent and the community;

21 (J) Generate resources to support the implementation of the SIP;

22 (K) Manage its resources; and

23 (L) Such other powers and functions as may be necessary for its effective
24 performance.

25 The school head as Chief Executive Officer shall:

26 (A) Implement the SIP which includes delegating responsibilities to other staff
27 and setting up processes to monitor progress, collecting and analyzing data,
28 and documenting relevant information;

29 (B) Implement policies developed in partnership with the SGC;

30 (C) Provide accurate and timely information to include progress reports about
31 the SIP, government requirements and initiatives, and financial reports on
32 school expenditure; and

33 (D) Perform such other functions as the SGC may deem necessary.

1 For purposes of this section, the Department of Education shall adopt existing
2 guidelines on the SGC or promulgate such implementing guidelines and/or
3 limitations for its governance.

4
5 **SEC. 10. *Implementing Rules and Regulations.*** – Within sixty (60) days after the
6 effectivity of this Act, the Department of Interior and Local Government, Department
7 of Education, Commission on Higher Education, Technical Education and Skills
8 Development Authority, Department of Social Welfare and Development, Philippine
9 Statistics Authority, Union of Local Authorities of the Philippines, National Economic
10 and Development Authority, Department of Finance, Department of Budget and
11 Management, and other education stakeholders, shall promulgate the rules and
12 regulations for the effective implementation of this Act. The IRR issued pursuant to
13 this section shall take effect thirty (30) days after its publication in a newspaper of
14 general circulation.

15
16 **SEC. 11. *Transitory Provision.*** – All existing local school boards established
17 pursuant to the provisions of RA No. 7160, as amended, shall continue to operate
18 pursuant to, and shall be covered by, the provisions of this Act and its IRR.

19
20 **SEC. 12. *Separability Clause.*** – If any part, section or provision of this Act is
21 declared invalid or unconstitutional, the other parts thereof not affected thereby
22 shall remain in full force and effect.

23
24 **SEC. 13. *Repealing Clause.*** – Sections 98, 99, 100, 101 and 272 of Republic
25 Act No. 7160, otherwise known as the Local Government Code of 1991, as amended,
26 are hereby amended. All laws, acts, presidential decrees, executive orders,
27 administrative orders, rules and regulations, or parts thereof inconsistent with or
28 contrary to the provisions of this Act are hereby modified, amended, or repealed
29 accordingly.

30
31 **SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
32 publication in the Official Gazette or in a newspaper of general circulation.

33
34 *Approved,*