

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1530



Introduced by Representative Roman T. Romulo

AN ACT
EXPANDING THE PURPOSES AND APPLICATION OF THE SPECIAL EDUCATION FUND (SEF), AMENDING FOR THE PURPOSE SECTIONS 100 AND 272 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AND FOR OTHER PURPOSES

Explanatory Note

It is the policy of the State to 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. Hence, it shall protect and promote the right to quality education at all levels that is accessible to all. Further, the Constitution mandates the State to assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.

Be that as it may, our teachers are plagued with administrative and/or non-teaching duties and responsibilities. Instead of focusing on the lessons and devising ways to improve the delivery of education thereby strengthening the quality of education, their hours are consumed by fulfilling administrative functions.

Hence, this bill proposes to allow the employment of administrative/non-teaching staff to help the teachers concentrate on the students. It also endows DepEd with authority to levy funds from the SEF in times of national emergencies or when the Executive Department deems it.

During the pandemic, we have seen how public schools failed to respond adequately to what the situation required. Reports had been made of teachers using their own money to produce learning materials, teachers who cannot go to school due to risk of infection, insufficient manpower to deliver the materials to the students, and lack of gadgets, devices, and internet connections among students and teachers. The budget of DepEd was strapped to various allocations which were previously approved in General Appropriations Act.

The proposed amendments will undoubtedly improve our ability to respond to the current paradigm at the manner of speed that it calls for. The responsiveness that this bill will provide will not only be applicable to the current national emergency, but to our adaptability to future emergencies of this magnitude.

It cannot be gainsaid that the welfare of our learners is of paramount importance. Although we are keen on continuing the education of our learners within a paradigm of the COVID-19 crisis, we are intent on making sure that the quality of education that we deliver is competent even under normal circumstances. As always, let us ensure that we do not simply provide mere access to education but quality education.

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

A handwritten signature in black ink, appearing to read 'Roman T. Romulo', with a stylized flourish at the end.

ROMAN T. ROMULO
Lone District, Pasig City

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

1 SECTION 1. **Title** - This Act shall be known as the *"Special Education Fund Amendments of*
2 *2022"*,

3
4 SECTION 2. **Declaration of Policy** - It is the policy of the State to protect and promote the
5 right of all citizens to quality education at all levels and shall take appropriate steps to make
6 such education accessible to all. Furthermore, it is the policy of the state to provide a safe
7 and healthy environment for students, more so in times of national emergencies.

8
9 SECTION 3. Section 100 of RA 7160 or the Local Government Code of 1991, as amended is
10 hereby amended to read as follows:

11
12 "Sec. 100 Meeting and Quorum; Budget. -

13
14 (a) The local school board shall meet at least once a month or as often as
15 necessary.

16
17 (b) Any of the co-chairmen may call a meeting. A majority of all its members
18 shall constitute a quorum. However, when both co-chairmen are present in
19 the meeting, the local chief executive concerned, as a matter of protocol, shall
20 be given preference to preside over the meeting. The division superintendent,
21 city superintendent, or district supervisor, as the case may be, shall prepare
22 the budget of the school board concerned. Such budget shall be supported by
23 programs, projects, and activities of the school board for the ensuing fiscal

1 year. The affirmative vote of all the members shall be necessary to approve
2 the budget.

3
4 (c) The annual school board budget shall give priority to the following:

5
6 (1) Construction, repair, and maintenance of school buildings and other
7 facilities of public elementary and secondary schools;

8
9 (2) Establishment and maintenance of extension classes where necessary;

10
11 (3) Sports activities at the division, district, municipal, and barangay
12 levels;

13
14 (4) THE HIRING AND EMPLOYMENT, INCLUDING PAYMENT OF SALARIES,
15 ALLOWANCES AND OTHER BENEFITS, OF ADMINISTRATIVE AND NON-
16 TEACHING STAFF; AND

17
18 (5) PROVISION OF SCHOOL UNIFORMS AND ACCESSORIES SUCH AS
19 BAGS AND SCHOOL SHOES;"

20
21
22 SECTION 4. Section 272 of RA 7160 or the Local Government Code of 1991, as amended is
23 hereby amended to read as follows:

24
25 "Section 272. Application of Proceeds of the Additional One Percent SEF Tax. –
26 The proceeds from the additional one percent (1%) tax on real property accruing
27 to the Special Education Fund (SEF) shall be automatically released to the local
28 school boards: Provided, That, in case of provinces, the proceeds shall be divided
29 equally between the provincial and municipal school boards: Provided, however,
30 That the proceeds shall be allocated for the operation [and maintenance] of
31 public schools INCLUDING PAYMENT OF COMPENSATION, SALARIES, WAGES
32 AND OTHER BENEFITS OF TEACHING AND NON-TEACHING PERSONNEL,
33 INCLUDING THOSE ON TEMPORARY BASIS, construction, MAINTENANCE and
34 repair of school building, facilities and equipment, educational research,
35 purchase of books and periodicals, sports development, AND PROVISION OF
36 SCHOOL UNIFORMS AND ACCESSORIES SUCH AS SCHOOL BAGS AND SHOES, as
37 determined and approved by the local school board.

38
39 "IN THE EVENT OF A NATIONWIDE DECLARED EMERGENCY OR WHEN THE
40 EXECUTIVE DEPARTMENT DEEMS IT NECESSARY, THE DEPARTMENT OF
41 EDUCATION (DEPED), IN COORDINATION WITH THE RESPECTIVE LOCAL
42 GOVERNMENT UNITS (LGUs), UPON SHOWING THE NECESSITY AND UPON
43 APPROVAL OF THE LOCAL SCHOOL BOARD (LSB), MAY LEVY FUNDS FROM THE
44 SPECIAL EDUCATION FUND (SEF) FOR THE PREEMPTIVE AND/OR RESPONSIVE
45 MEASURES INCLUDING, BUT NOT LIMITED TO, THE PAYMENT OF SALARIES,
46 ALLOWANCES, AND OTHER BENEFITS OF TEACHING AND NON-TEACHING
47 PERSONNEL, CREATION OF TEMPORARY TEACHER ITEMS ON CONTRACTUAL

1 EMPLOYMENT, AS WELL THE HIRING OF ADMINISTRATIVE AND NON-TEACHING
2 PERSONNEL; PROVIDED THAT THE HIRING OF TEACHERS THEREFOR SHALL BE IN
3 ACCORDANCE WITH THE SELECTION AND PROMOTION SYSTEM OF THE DEPED
4 SUCH AS RANKING AND LOCALIZATION; PROVIDED, FURTHER, THAT THE
5 TEACHER HIRED SHALL BE PAID A SALARY EQUIVALENT TO THAT RECEIVED BY A
6 NATIONALLY-PAID SCHOOL TEACHER, PROVIDED, FURTHERMORE, THAT THE
7 SAID TEACHER SHALL BE ENTITLED, WHENEVER POSSIBLE, TO THE SAME
8 ALLOWANCES RECEIVED BY THE LATTER; REMUNERATION OR HONORARIA OF
9 VOLUNTEER SCHOOL TEACHERS; RESEARCH STUDIES; TRAINING OF TEACHERS;
10 AND ALL OTHER PURPOSES NECESSARY FOR THE PROPER IMPLEMENTATION OF
11 THE PREEMPTIVE AND RESPONSIVE PROGRAMS OF THE DEPED FOR THE
12 DURATION OF THE PUBLICLY DECLARED EMERGENCY OR UNTIL THE EXECUTIVE
13 DEPARTMENT AND DEPED DEEM NECESSARY.

14
15 “DEPED SHALL REPORT TO THE LSB AS TO THE USE AND DISBURSEMENT
16 OF THE LEVIED FUNDS, AS OFTEN AS MAY BE REQUIRED BY THE LSB.”
17

18
19 SECTION 5. ***Implementing Rules and Regulations.*** – The Department of Interior and Local
20 Government (DILG) and the Department of Education (DepEd) shall promulgate the
21 necessary rules and regulations to implement this Act not later than ninety (60) days after
22 its effectivity.
23

24 SECTION 6. ***Separability Clause.*** - Should any part of this Act be declared unconstitutional,
25 the rest of the provisions of this Act shall continue to be in effect and subsisting.
26

27 SECTION 7. ***Repealing Clause.***- All other laws, decrees, executive orders, and other
28 administrative issuances and parts thereof which are inconsistent with the provisions of this
29 Act are hereby modified, amended, superseded or repealed accordingly.
30

31 SECTION 8. ***Effectivity.***- This Act shall take effect fifteen (15) days after its publication in the
32 Official Gazette and/or in at least two (2) national newspapers in general circulation.
33

34
35 *Approved,*
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37