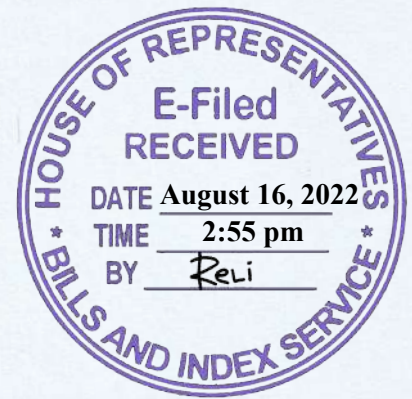


Republic of the Philippines
HOUSE OF REPRESENTATIVES

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3690



Introduced by Representative Rex 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, 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 GOV'T 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.

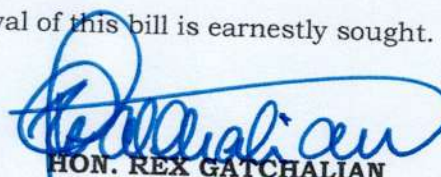
the barangay and school-levels of such policies, reforms, programs, and interventions; and implementation of the alternative learning program, *inter alia*;

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. REX GATCHALIAN
Representative
1st District, Valenzuela City

Republic of the Philippines
HOUSE OF REPRESENTATIVES

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HOUSE BILL NO. 3690

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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, 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 municipality
9 a provincial, city, or municipal school board, respectively.

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

11 (1) The provincial school board shall be composed of the governor
12 and the division superintendent of schools as co-chairmen; the
13 chairman of the education committee of the sangguniang
14 panlalawigan, the provincial treasurer, THE PROVINCIAL BUDGET
15 OFFICER, THE PROVINCIAL PLANNING AND DEVELOPMENT
16 OFFICER, the representative of the “pederasyon ng mga sangguniang
17 kabataan” in the sangguniang panlalawigan, the duly elected

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

18 (2) The city school board shall be composed of the city mayor and
19 the city superintendent of schools as co-chairmen; the chairman of
20 the education committee of the sangguniang panlungsod, the city
21 treasurer, THE CITY BUDGET OFFICER, THE CITY PLANNING AND
22 DEVELOPMENT OFFICER, the representative of the "pederasyon ng
23 mga sangguniang kabataan" in the sangguniang panlungsod, the
24 duly elected president of the city federation of parents-teachers
25 associations, the duly elected representative of the teachers'
26 organizations in the city, [and] the duly elected representative of the
27 non-academic personnel of public schools in the city, ONE
28 REPRESENTATIVE EACH FROM THE PUBLIC AND THE PRIVATE
29 ELEMENTARY SCHOOLS HEADS OR PRINCIPALS IN THE CITY,
30 ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE
31 PRIVATE SECONDARY SCHOOLS HEADS OR PRINCIPALS IN THE
32 CITY, THE DIVISION ALS PROGRAM SUPERVISORS IN THE CITY, A
33 REPRESENTATIVE FROM AN ACCREDITED NONGOVERNMENTAL
34 OR CIVIL SOCIETY ORGANIZATION INVOLVED IN NON-FORMAL
35 EDUCATION AND/OR TRAINING PROGRAMS, A RELIGIOUS
36 LEADER, AND ONE (1) REPRESENTATIVE FROM EACH OF THE

1 FOLLOWING GROUPS: PRIVATE INDUSTRY/BUSINESS, SENIOR
2 CITIZENS, YOUTH, MEDIA, MILITARY, AND INDIGENOUS
3 PEOPLES, as members; and

4 (3) The municipal school board shall be composed of the
5 municipal mayor and the district supervisor of schools as co-
6 chairmen; the chairman of the education committee of the
7 sangguniang bayan, the municipal treasurer, THE MUNICIPAL
8 BUDGET OFFICER, THE MUNICIPAL PLANNING AND
9 DEVELOPMENT OFFICER, the representative of the "pederasyon ng
10 mga sangguniang kabataan" in the sangguniang bayan, the duly
11 elected president of the municipal federation of parent-teacher
12 associations, the duly elected representative of the teachers'
13 organizations in the municipality, [and] the duly elected
14 representative of the non-academic personnel of public schools in
15 the municipality, ONE REPRESENTATIVE EACH FROM THE PUBLIC
16 AND THE PRIVATE ELEMENTARY SCHOOLS HEADS OR
17 PRINCIPALS IN THE MUNICIPALITY, ONE REPRESENTATIVE EACH
18 FROM THE PUBLIC AND THE PRIVATE SECONDARY SCHOOLS
19 HEADS OR PRINCIPALS IN THE MUNICIPALITY, THE DISTRICT ALS
20 PROGRAM COORDINATORS IN THE MUNICIPALITY, A
21 REPRESENTATIVE FROM AN ACCREDITED NONGOVERNMENTAL
22 OR CIVIL SOCIETY ORGANIZATION INVOLVED IN NON-FORMAL
23 EDUCATION AND/OR TRAINING PROGRAMS, A RELIGIOUS
24 LEADER, AND ONE (1) REPRESENTATIVE FROM EACH OF THE
25 FOLLOWING GROUPS: PRIVATE INDUSTRY/BUSINESS, SENIOR
26 CITIZENS, YOUTH, MEDIA, MILITARY, AND INDIGENOUS
27 PEOPLES, as members.

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

32 (1) The Department of Education [~~Culture and Sports~~] shall
33 designate the co-chairman for the provincial and city school boards;
34 and

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

4 (d) The performance of the duties and responsibilities of the
5 abovementioned officials in their respective local school boards shall not
6 be delegated.”
7

8 **SEC. 3.** Section 99 of RA No. 7160, as amended, is hereby amended to read
9 as follows:

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

- 12 (A) ESTABLISH A VISION FOR QUALITY INCLUSIVE EDUCATION, AS
13 ANCHORED ON NATIONAL DEVELOPMENT PLANS AND LONG-TERM
14 AND MEDIUM-TERM GOALS, WITHIN THE TERRITORIAL
15 JURISDICTION OF THE LOCAL GOVERNMENT UNIT CONCERNED
16 AND SET MEASURABLE GOALS SUPPORTING THIS VISION TO
17 ENSURE ACCOUNTABILITY FOR PERFORMANCE ~~Determine, in~~
18 ~~accordance with the criteria set by the Department of Education,~~
19 ~~Culture and Sports, the annual supplementary budgetary needs for~~
20 ~~the operation and maintenance of public schools within the province,~~
21 ~~city, or municipality, as the case may be, and the supplementary local~~
22 ~~cost of meeting such as needs, which shall be reflected in the form of~~
23 ~~an annual school board budget corresponding to its share of the~~
24 ~~proceeds of the special levy on real property constituting the Special~~
25 ~~Education Fund and such other sources of revenue as this Code and~~
26 ~~other laws or ordinances may provide;~~
27 (B) FORMULATE POLICIES, INSTITUTE EDUCATION REFORMS AND
28 PROGRAMS, ALLOCATE RESOURCES, AND INTRODUCE
29 INTERVENTIONS BASED ON EMPIRICAL RESULTS THAT
30 EMPHASIZE AND FOCUS ON QUALITY AS A MAJOR OUTCOME
31 VARIABLE, TO BE MEASURED THROUGH THE FOLLOWING:
32 PARTICIPATION RATES OF STUDENTS; NUMBER OF DROP-OUTS AS
33 WELL AS OUT-OF-SCHOOL YOUTHS; COHORT SURVIVAL RATES;
34 ACHIEVEMENT SCORES AS MEASURED BY NATIONAL TESTS OR
35 ASSESSMENT TOOLS AND OTHER STANDARDIZED TEST SCORES;
36 AND ESTABLISHMENT OF CHILD DEVELOPMENT CENTERS,

1 SUPPORT TO SPECIAL EDUCATION AND THE ALTERNATIVE
2 LEARNING SYSTEM, AND PARENT EFFECTIVENESS SERVICE
3 PROGRAM;

4 (C) COMMUNICATE AT THE BARANGAY AND SCHOOL LEVELS SUCH
5 VISION, POLICIES, REFORMS, PROGRAMS AND INTERVENTIONS TO
6 FACILITATE COLLABORATIVE ACTION AND DEVELOP
7 PARTNERSHIPS WITH THE COMMUNITY STAKEHOLDERS IN
8 ORDER TO MAKE THE DELIVERY OF BASIC EDUCATION SERVICES
9 AND THE HOLISTIC EDUCATION AND DEVELOPMENT OF SCHOOL
10 CHILDREN A SHARED RESPONSIBILITY;

11 (D) CONDUCT EDUCATION SUMMITS AT LEAST ONCE A YEAR TO
12 REPORT TO THE COMMUNITY THE PROGRESS IN THE
13 IMPLEMENTATION OF ITS EDUCATION REFORMS, PROGRAMS AND
14 INTERVENTIONS, AND CONSULT COMMUNITY MEMBERS ON
15 ISSUES IN BASIC EDUCATION TO FURTHER GUIDE ITS
16 PRIORITIZATION IN THE ALLOCATION OF THE SPECIAL EDUCATION
17 FUND;

18 (E) INTRODUCE TIMELY, ORGANIZED AND LOCALIZED
19 INTERVENTIONS IN THE DELIVERY OF BASIC EDUCATION
20 SERVICES DURING TIMES OF CALAMITIES, DISASTERS,
21 EMERGENCIES, CATASTROPHES, AND OTHER SIMILAR CAUSES,
22 THAT MAY DISRUPT THE REGULAR SCHOOL CALENDAR AND
23 ACTIVITIES;

24 (F) STRATEGICALLY ALLOCATE THE SPECIAL EDUCATION FUND AND
25 OTHER SOURCES OF REVENUE AS THIS CODE AND OTHER LAWS
26 OR ORDINANCES MAY PROVIDE IN A PARTICIPATORY AND
27 TRANSPARENT MANNER AS PRESCRIBED UNDER SECTION 100 (B)
28 OF THIS CODE, AND ENSURE THAT THE BUDGETARY
29 ALLOCATIONS ARE BASED ON NEED AND ANCHORED ON ITS
30 VISION AND GOALS;

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

1 (H) {e} Serve as an advisory committee to the sanggunian concerned on
2 educational matters such as, but not limited to, the necessity for and
3 the uses of local appropriations for educational purposes; [and]

4 (I) COORDINATE THE IMPLEMENTATION OF THE ALTERNATIVE
5 LEARNING SYSTEM (ALS) PROGRAM WITH THE DEPED AT THE CITY
6 OR MUNICIPAL LEVEL, INCLUDING THE IDENTIFICATION OF
7 PRIORITY ALS PROGRAMS, ESTABLISHMENT, OPERATION AND
8 MAINTENANCE OF ALS COMMUNITY LEARNING CENTERS,
9 PROVISION OF TECHNICAL ASSISTANCE TO ALS TEACHERS,
10 PROGRAM MONITORING AND EVALUATION INCLUDING PARALLEL
11 ASSESSMENTS, AND COORDINATION WITH GOVERNMENT AND
12 NONGOVERNMENT PARTNERS FOR POST-PROGRAM SUPPORT
13 ACTIVITIES; AND

14 (J) {d} Recommend changes in the names of public schools within the
15 territorial jurisdiction of the local government unit for enactment by
16 the sanggunian concerned.

17 The Department of Education [~~Culture and Sports~~] shall [consult]
18 SEEK THE CONCURRENCE OF the local school board on the
19 appointment, ASSIGNMENT AND/OR TRANSFER of division
20 superintendents, district supervisors, school principals, and other school
21 officials.”

22
23 **SEC. 4.** Section 100 of RA No. 7160, as amended, is hereby amended to read
24 as follows:

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

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

28 (b) Any of the co-chairmen may call a meeting. A majority of all its
29 members shall constitute a quorum. However, when both co-chairmen are
30 present in a meeting, the local chief executive concerned, as a matter of
31 protocol, shall be given preference to preside over the meeting. The
32 [~~division superintendent, city superintendent or district supervisor, as the~~
33 ~~case may be,~~] LOCAL SCHOOL BOARD shall prepare [the] ITS budget [of
34 the school board concerned. Such budget shall be supported by programs,
35 projects, and activities of the school board for the ensuing fiscal year. The

1 ~~affirmative vote of the majority of all the members shall be necessary to~~
2 ~~approve the budget.] AS FOLLOWS:~~

- 3 1. THE LOCAL TREASURER AND THE LOCAL ACCOUNTANT SHALL
4 SUBMIT TO THE SCHOOL BOARD A CERTIFIED STATEMENT OF
5 THE ACTUAL INCOME AND EXPENDITURES OF THE SEF IN THE
6 PRECEDING FISCAL YEAR, THE ACTUAL INCOME AND
7 EXPENDITURES IN THE FIRST TWO QUARTERS OF THE CURRENT
8 YEAR, THE ESTIMATED INCOME FOR THE LAST TWO QUARTERS
9 OF THE CURRENT YEAR, AND THE ESTIMATE OF THE SEF
10 INCOME FOR THE INCOMING BUDGET YEAR BY AUGUST 15, AND
11 2. THE SCHOOL BOARD SHALL REVIEW THE BUDGET PROPOSAL
12 PREPARED BY THE SCHOOLS DIVISION SUPERINTENDENTS AND
13 PUBLIC SCHOOLS DISTRICT SUPERVISORS AND APPROVE THE
14 SAME BY THE AFFIRMATIVE VOTE OF THE MAJORITY OF ALL ITS
15 MEMBERS. THE BUDGET RESOLUTION FOR THE INCOMING
16 BUDGET YEAR SHALL BE ISSUED ON OR BEFORE DECEMBER 31.

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

- 18 ~~(1) Construction, repair, and maintenance of school buildings and~~
19 ~~other facilities of public elementary and secondary schools;~~
20 ~~(2) Establishment and maintenance of extension classes where~~
21 ~~necessary; and~~
22 ~~(3) Sports activities at the division, district, municipal, and barangay~~
23 ~~levels."~~

24
25 **SEC. 5.** A new section designated as Section 100-A of RA No. 7160, as
26 amended, is hereby added to read as follows:

27 "SEC. 100-A. TRANSPARENCY IN OPERATIONS AND
28 UTILIZATION OF THE SEF. - TO INSTITUTIONALIZE GREATER
29 TRANSPARENCY IN ITS OPERATIONS AND UTILIZATION OF THE SEF,
30 EVERY LOCAL SCHOOL BOARD IS HEREBY MANDATED TO HAVE A
31 TRANSPARENCY BOARD AND MAINTAIN A WEB PORTAL THAT WILL
32 BEAR ALL REPORTS ON THE FOLLOWING INFORMATION DURING THE
33 BUDGET YEAR:

- 34 (A) THE FUNDS AND OTHER RESOURCES THAT SCHOOLS
35 RECEIVE FROM THE DEPED BUDGET;

- 1 (B) THE ACTUAL SEF COLLECTIONS AND ITS UTILIZATION
2 DURING THE BUDGET YEAR;
- 3 (C) A QUARTERLY REPORT OF REALIZED SEF INCOME,
4 EXPENDITURES, AND BALANCES NOT LATER THAN ONE
5 MONTH AFTER THE REFERENCE QUARTER;
- 6 (D) THE ACTUAL SEF INCOME AND EXPENDITURES IN THE
7 PRECEDING FISCAL YEAR AND ACTUAL INCOME AND
8 EXPENDITURES OF THE FIRST TWO QUARTERS OF THE
9 CURRENT YEAR;
- 10 (E) THE AMOUNT OF RESOURCES THAT INDIVIDUAL SCHOOLS
11 RECEIVE UNDER THE GENERAL APPROPRIATIONS ACT,
12 INCLUDING SCHOOL-LEVEL MAINTENANCE AND OTHER
13 OPERATING EXPENSES DOWNLOADED TO SCHOOLS;
- 14 (F) SCHEDULE OF CONSTRUCTION OF CLASSROOMS BY
15 SCHOOL UNDER THE SCHOOL BUILDING PROGRAM; AND
- 16 (G) INDICATORS OF SCHOOL PERFORMANCE INCLUDING
17 NATIONAL ACHIEVEMENT TEST (NAT) RESULTS, OTHER
18 STANDARDIZED TEST SCORES, PARTICIPATION RATES OF
19 STUDENTS, DROP-OUT RATES, COHORT SURVIVAL RATES,
20 AND OTHER RELEVANT MEASURES OF PERFORMANCE ON
21 THE QUALITY OF EDUCATION.”
22

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

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

1 BOARD. THE MANUAL SHALL ALSO INCLUDE, AMONG OTHERS, THE
2 SEF EXPENDITURES THAT ARE ALLOWABLE OR NOT, THE BUDGET
3 CALENDAR, THE TRANSPARENCY MECHANISMS, AND THE EFFECTIVE
4 PROCESSES FOR THE OPERATION OF THE SCHOOL BOARD. THE
5 MANUAL SHALL BE FORMULATED AND RELEASED TO THE SCHOOL
6 BOARDS NOT LATER THAN SIXTY (60) DAYS AFTER THE
7 PROMULGATION OF THE IMPLEMENTING RULES AND REGULATIONS
8 OF THIS ACT.”
9

10 **SEC. 7.** Section 272 of RA No. 7160, as amended, is hereby amended to read
11 as follows:

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

- 23 (A) SALARIES OR WAGES OF SEF-PAID TEACHERS ASSIGNED TO
24 PUBLIC ELEMENTARY AND SECONDARY SCHOOLS;
25 (B) SALARIES OR WAGES OF NON-TEACHING PERSONNEL,
26 INCLUDING UTILITY AND SECURITY PERSONNEL, ASSIGNED
27 TO PUBLIC ELEMENTARY AND SECONDARY SCHOOLS;
28 (C) SALARIES OR WAGES OF PRE-SCHOOL TEACHERS, AND
29 CAPITAL OUTLAYS FOR PRE-SCHOOLS;
30 (D) CONSTRUCTION, REPAIR, AND MAINTENANCE OF PUBLIC
31 ELEMENTARY AND SECONDARY SCHOOL BUILDINGS,
32 EQUIPMENT, AND OTHER FACILITIES, INCLUDING
33 WORKSHOPS, LABORATORIES, SCHOOL FENCES, SCHOOL
34 TOILETS, AND SCHOOL FURNITURE;

- 1 (E) ACQUISITION OR PROCUREMENT OF BOOKS, INSTRUCTIONAL
2 OR LEARNING MATERIALS, AND INFORMATION AND
3 COMMUNICATIONS TECHNOLOGY PACKAGES;
4 (F) EDUCATIONAL RESEARCH;
5 (G) EDUCATION SUMMITS, COMMUNITY TOWNHALL MEETINGS,
6 DISCUSSIONS, AND CONSULTATIONS ON INFORMATION,
7 ISSUES, AND CONCERNS RELATED TO EDUCATION;
8 (H) COMMUNITY MAPPING OF DATA RELATED TO EDUCATION;
9 (I) OPERATION AND MAINTENANCE OF ALS PROGRAMS WITHIN
10 THE CITY OR MUNICIPALITY AND THE SUPPLEMENTARY
11 LOCAL COST OF IMPLEMENTING SUCH PROGRAMS,
12 INCLUDING BUT NOT LIMITED TO THE HIRING AND PAYMENT
13 OF SALARIES OF ADDITIONAL ALS TEACHERS WITHIN THE
14 LGU'S AREA OF JURISDICTION;
15 (J) FORMULATION AND IMPLEMENTATION OF LOCALLY
16 ORIENTED NON-FORMAL AND DISTANCE EDUCATION
17 CLASSES AND TRAINING PROGRAMS, AND OTHER SIMILARLY
18 RELATED PROGRAMS, PROJECTS, AND ACTIVITIES;
19 (K) ESTABLISHMENT AND MAINTENANCE OF EXTENSION
20 AND/OR REMEDIAL CLASSES WHERE NECESSARY;
21 (L) HONORARIUM AND ALLOWANCES FOR TEACHERS AND
22 OTHER NON-TEACHING SCHOOL PERSONNEL, WHETHER
23 NATIONALLY OR LOCALLY COMPENSATED, TO BE GIVEN IN
24 ADDITION TO THEIR SALARIES FOR ADDITIONAL SERVICES
25 RENDERED OUTSIDE OF REGULAR SCHOOL HOURS;
26 (M) SCHOOL SPORTS ACTIVITIES AND OTHER DEPED-RELATED
27 AND CO-CURRICULAR ACTIVITIES; AND
28 (N) MAINTENANCE AND OTHER OPERATING EXPENSES OF THE
29 LOCAL SCHOOL BOARD, INCLUDING SUPPLIES, MATERIALS,
30 EQUIPMENT, AND RELATED EXPENSES."

31
32 **SEC. 8.** *The School Governing Council.* – To ensure collaborative partnership
33 among the educational community stakeholders, every public and private basic
34 educational institution shall establish and maintain a School Governing Council
35 (SGC) to ensure a continuous, efficient and effective basic education service towards

1 the improvement of learning and promotion of the welfare of the learners. It shall be
2 guided by the principles of shared leadership, commitment and accountability.

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

6 (A) The school head as the Chief Executive Officer;

7 (B) One (1) representative from the Parent-Teacher Association (PTA) to be
8 elected by the members of the PTA;

9 (C) One (1) teacher representative to be elected by the teaching and non-
10 teaching staff of the school;

11 (D) One (1) representative from the alumni association;

12 (E) The barangay captain or the Chair of the Education Committee of the
13 barangay;

14 (F) The president or head of the Student Council Organization; if there is no
15 such organization in the school, one (1) student representative to be elected
16 by the student population;

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

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

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

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

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

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

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

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

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

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

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

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

- 1 (I) Report the progress of SIP Implementation to the Schools Division
2 Superintendent and the community;
3 (J) Generate resources to support the implementation of the SIP;
4 (K) Manage its resources; and
5 (L) Such other powers and functions as may be necessary for its effective
6 performance.

7 The school head as Chief Executive Officer shall:

- 8 (A) Implement the SIP which includes delegating responsibilities to other staff
9 and setting up processes to monitor progress, collecting and analyzing data,
10 and documenting relevant information;
11 (B) Implement policies developed in partnership with the SGC;
12 (C) Provide accurate and timely information to include progress reports about
13 the SIP, government requirements and initiatives, and financial reports on
14 school expenditure; and
15 (D) Perform such other functions as the SGC may deem necessary.

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

19
20 **SEC. 9. *Implementing Rules and Regulations.*** – Within sixty (60) days after the
21 effectivity of this Act, the Department of Interior and Local Government, Department
22 of Education, Commission on Higher Education, Technical Education and Skills
23 Development Authority, Department of Social Welfare and Development, Philippine
24 Statistics Authority, Union of Local Authorities of the Philippines, National Economic
25 and Development Authority, Department of Finance, Department of Budget and
26 Management, and other education stakeholders, shall promulgate the rules and
27 regulations for the effective implementation of this Act. The IRR issued pursuant to
28 this section shall take effect thirty (30) days after its publication in a newspaper of
29 general circulation.

30
31 **SEC. 10. *Transitory Provision.*** – All existing local school boards established
32 pursuant to the provisions of RA No. 7160, as amended, shall continue to operate
33 pursuant to, and shall be covered by, the provisions of this Act and its IRR.
34

35 **SEC. 11. *Separability Clause.*** – If any part, section or provision of this Act is

1 declared invalid or unconstitutional, the other parts thereof not affected thereby
2 shall remain in full force and effect.
3

4 **SEC. 12. *Repealing Clause.*** – Sections 98, 99, 100, 101 and 272 of Republic
5 Act No. 7160, otherwise known as the Local Government Code of 1991, as amended,
6 are hereby amended. All laws, acts, presidential decrees, executive orders,
7 administrative orders, rules and regulations, or parts thereof inconsistent with or
8 contrary to the provisions of this Act are hereby modified, amended, or repealed
9 accordingly.
10

11 **SEC. 13. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
12 publication in the Official Gazette or in a newspaper of general circulation.
13

14 *Approved,*