

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **5377**



Introduced by Representative Kenneth T. Gatchalian

EXPLANATORY NOTE

This bill seeks to amend Republic Act (RA) No. 4670, otherwise known as the “Magna Carta for Public School Teachers”, which was signed into law on June 18, 1966. Enacted 59 years ago, RA 4670 was designed to uplift the social and economic status of public school teachers, enhance their living and working conditions, and safeguard their rights as professionals – recognizing that the advancement of education rests upon the qualifications and ability of the teaching force, and that education is a vital investment for national growth.

Over the decades, however, new challenges have emerged while long-standing gaps in implementation have persisted. Despite the Magna Carta’s promise, many provisions remain either partially complied with or altogether unfulfilled.

This measure responds to those gaps by strengthening and updating the Magna Carta to reflect the realities of today’s education sector. It reinforces protections against unjust dismissal, discrimination, and out-of-pocket expenses; enhances provisions on salaries, benefits, legal assistance, and hardship allowances; guarantees confidentiality in disciplinary cases; ensures fair working conditions through reduced teaching loads and prohibition of non-teaching assignments; and introduces new entitlements such as calamity leave, educational benefits, and longevity pay. These amendments seek to balance the evolving demands of teaching with the need to uphold the dignity, welfare, and professional rights of our teachers.

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



KENNETH T. GATCHALIAN

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AN ACT
FULFILLING THE RIGHTS AND STRENGTHENING THE PRIVILEGES OF
PUBLIC SCHOOL TEACHERS UNDER REPUBLIC ACT NO. 4670,
OTHERWISE KNOWN AS THE “MAGNA CARTA FOR PUBLIC SCHOOL
TEACHERS”, AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Revised Magna
2 Carta for Public School Teachers Act.”

3 **SEC. 1.** Section 1 of Republic Act No. 4670, entitled the “Magna Carta for
4 Public School Teachers”, is hereby amended to read as follows:

5 “SECTION 1. *Declaration of Policy.* – It is hereby declared to be the
6 policy of this Act to promote and improve the social and economic status
7 of public school teachers, their living and working conditions, their terms
8 of employment and career prospects in order that they may compare
9 favorably with existing opportunities in other walks of life, attract and
10 retain in the teaching profession more people with the proper qualifications,
11 it being recognized that [~~advance in~~] **A QUALITY** education depends on
12 the qualifications and ability of the teaching staff and that education is an

1 essential factor in the economic growth of the nation as a productive
2 investment of vital importance.

3 **THE STATE SHALL ALSO RESPECT, PROMOTE, PROTECT,**
4 **AND UPHOLD THE POLITICAL RIGHTS OF TEACHERS,**
5 **CONSISTENT WITH INTERNATIONAL AND NATIONAL LAWS**
6 **DECLARING THAT THE ECONOMIC AND SOCIAL RIGHTS OF**
7 **PERSONS CAN BE SECURED ONLY THROUGH THE GENUINE**
8 **OBSERVANCE OF CIVIL AND POLITICAL RIGHTS.”**

9 **SEC. 2.** Section 2 of Republic Act No. 4670 is hereby amended to read as
10 follows:

11 “SEC. 2. [~~*Title-Definition*~~] **COVERAGE.** – This Act [~~shall be known as~~
12 ~~the "Magna Carta for Public School Teachers" and~~] shall apply to [~~all~~
13 ~~public school~~] teachers [~~except those in the professorial staff of state~~
14 ~~colleges and universities~~] **IN ALL PUBLIC BASIC EDUCATION**
15 **INSTITUTIONS.**

16 [~~As used in this Act, the term "teacher" shall mean all persons engaged~~
17 ~~in classroom teaching, in any level of instruction, on full time basis,~~
18 ~~including guidance counselors, school librarians, industrial arts or~~
19 ~~vocational instructors, and all other persons performing supervisory and/or~~
20 ~~administrative functions in all schools, colleges and universities operated~~
21 ~~by the Government or its political subdivisions; but shall not include school~~
22 ~~nurses, school physicians, school dentists, and other school employees.]”~~

23
24 **SEC. 3.** Insert a new section designated as Section 3 of Republic Act No.
25 4670 to read as follows , and renumber the succeeding sections accordingly:

26 “SEC. 3. **DEFINITION OF TERMS.** – AS USED IN THIS ACT,
27 **THE FOLLOWING TERMS ARE DEFINED AS FOLLOWS:**
28 (A) **EXIGENCIES OF THE SERVICE** REFER TO

1 SITUATIONS WHERE EDUCATION SERVICE IS
2 URGENTLY NEEDED AND WHERE ANY DELAY IN ITS
3 EXECUTION AND DELIVERY WILL ADVERSELY
4 AFFECT THE EFFECTIVE AND EFFICIENT
5 DELIVERY OF THE SERVICE AND ITS OUTCOME. IN
6 NO CASE SHALL THE EXIGENCIES OF THE SERVICE
7 BE INVOKED FOR ANY PERSONNEL ACTION THAT
8 WILL RESULT IN DIMINUTION OF RANK, STATUS,
9 SALARIES, OR BENEFITS, OR IN ANY MANNER
10 PREJUDICE A TEACHER.

11 (B) *STATION* REFERS TO THE SCHOOL WHERE THE
12 TEACHER IS ASSIGNED.

13 (C) *TEACHER* REFERS TO A PERSON QUALIFIED TO
14 PRACTICE TEACHING UNDER THE LAW AND
15 ENGAGED IN THE TEACHING OF ANY SUBJECT,
16 INCLUDING TECHNICAL-VOCATIONAL
17 EDUCATION AND TRAINING (TVET), AT THE BASIC
18 EDUCATION LEVEL IN ALL PUBLIC BASIC
19 EDUCATION INSTITUTIONS.

20 **SEC. 4.** Section 3 of Republic Act No. 4670 is hereby amended to read as
21 follows:

22 “SEC. [3] 4. *Recruitment and Qualification*S. – [~~Recruitment policy with~~
23 ~~respect to the selection and appointment of teachers shall be clearly defined~~
24 ~~by t]~~The Department of Education (DEPED) SHALL DEFINE THE
25 RECRUITMENT POLICY WITH RESPECT TO THE SELECTION
26 AND APPOINTMENT OF TEACHERS: *Provided, [however,]* That

~~[effective upon the approval of this Act,]~~ the following shall constitute the minimum educational qualifications for teacher-applicants:

(A) FOR TEACHERS IN THE EARLY CHILDHOOD AND KINDERGARTEN LEVELS, BACHELOR'S DEGREE I

EARLY CHILDHOOD EDUCATION OR ITS EQUIVALENT;

~~[(a) B)~~ For teachers in the ~~[kindergarten and]~~ elementary grades, Bachelor's degree in Elementary Education ~~[(B.S.E.-ED.)];~~

~~[(b) C)~~ For teachers ~~[of]~~ **IN** the secondary ~~[schools]~~ **GRADES**, Bachelor's degree in **SECONDARY** Education or its equivalent ~~[with a major and a minor;]~~ or a Bachelor's degree in Arts or Science with ~~[at least eighteen professional units in Education.]~~ **THE REQUIRED UNITS IN PROFESSIONAL EDUCATION AS DETERMINED BY THE TEACHER EDUCATION COUNCIL (TEC);**

~~[(e) D)~~ For teachers of ~~[secondary vocational]~~ **TVET** and ~~[two years technical]~~ **TWO-YEAR** courses, Bachelor's degree in the field of specialization ~~[with at least eighteen professional units in education;]~~ **OR ITS EQUIVALENT, WITH THE REQUIRED UNITS IN PROFESSIONAL EDUCATION AS DETERMINED BY THE TEC; AND**

~~[(d) For teachers of courses on the collegiate level, other than vocational, master's degree with a specific area of specialization:]~~

(E) FOR TEACHERS IN SPECIAL NEEDS EDUCATION PURSUANT TO R.A. NO. 11650, OR THE “INSTITUTING A POLICY OF INCLUSION AND SERVICES FOR LEARNERS WITH DISABILITIES IN SUPPORT OF INCLUSIVE EDUCATION ACT”, A BACHELOR’S DEGREE IN SPECIAL NEEDS EDUCATION OR ITS EQUIVALENT:

1 *Provided, further,* That, in the absence of applicants who possess the
2 minimum educational qualifications as hereinabove provided, the
3 [s]Schools DIVISION [s]Superintendent may appoint, under a temporary
4 status, applicants who do not meet the minimum qualifications: *Provided,*
5 *further,* That should teacher-applicants, whether they possess the minimum
6 educational qualifications or not, be required to take competitive
7 examinations, preference in making appointments shall be in the order of
8 their respective ranks in said competitive examinations: [And] *Provided,*
9 *finally,* That the results of the examinations shall be made public and every
10 applicant shall be furnished with his **OR HER** score and rank in said
11 examinations.”

12 **SEC. 5.** Section 4 of Republic Act No. 4670 is hereby amended to read as
13 follows:

14 “SEC. [4] **5. Probationary Period.** – When recruitment takes place after
15 adequate training and professional preparation in any school recognized by
16 the [G]Government, no probationary period preceding regular appointment
17 shall be imposed if the teacher [~~possesses the appropriate civil service~~
18 ~~eligibility~~] **PASSES THE LICENSURE EXAMINATION UNDER**
19 **REPUBLIC ACT NO. 7836 OR THE “PHILIPPINE TEACHERS**
20 **PROFESSIONALIZATION ACT OF 1994”, AS AMENDED,**
21 **PURSUANT TO REPUBLIC ACT NO. 1080 OR “AN ACT**
22 **DECLARING THE BAR AND BOARD EXAMINATIONS AS CIVIL**
23 **SERVICE EXAMINATIONS”:** *Provided, however,* That where, due to
24 the exigencies of the service, it is necessary to employ as teacher a person
25 who possesses the minimum educational qualifications herein above set
26 forth but [~~lacks the appropriate civil service eligibility~~] **FAILED THE**
27 **LICENSURE EXAMINATIONS WITH A RATING OF NOT**
28 **LOWER THAN FIVE PERCENTAGE POINTS FROM THE**

1 PASSING GENERAL AVERAGE RATING, such person shall be
2 ELIGIBLE AS PARA-TEACHER IN ACCORDANCE WITH
3 REPUBLIC ACT NO. 9293 OR “AN ACT AMENDING CERTAIN
4 SECTIONS OF REPUBLIC ACT NUMBERED SEVENTY-EIGHT
5 HUNDRED AND THIRTY-SIX (R.A. NO. 7836), OTHERWISE
6 KNOWN AS THE ‘PHILIPPINE TEACHERS
7 PROFESSIONALIZATION ACT OF 1994’”, AND BE appointed on a
8 provisional status, and shall undergo a period of probation for not less than
9 one (1) year from and after the date of [his] THE provisional
10 appointment[-]: **PROVIDED, FURTHER, THAT THE SALARIES,**
11 **BENEFITS, AND CONDITIONS OF WORK OF PARA-TEACHERS**
12 **HIRED UNDER THIS SECTION SHALL BE THE SAME OR NOT**
13 **LESS FAVORABLE AS THOSE OF AN ENTRY-LEVEL**
14 **TEACHER.”**

15 SEC. 6. Section 5 of Republic Act No. 4670 is hereby amended to read as
16 follows:

17 “SEC. [5] 6. [~~Tenure of Office.~~] **SECURITY OF TENURE.** – [~~Stability~~
18 ~~on employment and security of tenure~~] **TEACHERS** shall be assured [~~the~~
19 ~~teachers~~] **OF SECURITY OF TENURE** as provided under existing laws.

20 [~~Subject to the provisions of Section three hereof, teachers appointed on~~
21 ~~a provisional status for lack of necessary civil service eligibility shall be~~
22 ~~extended permanent appointment for the position he is holding after having~~
23 ~~rendered at least ten (10) years of continuous, efficient and faithful service~~
24 ~~in such position.~~]

25 **NO TEACHER HOLDING A PERMANENT POSITION SHALL**
26 **BE TERMINATED EXCEPT FOR JUST CAUSE AND AFTER**
27 **BEING ACCORDED DUE PROCESS. A TEACHER WHO IS**
28 **DISMISSED FROM SERVICE BUT LATER FOUND AS**

1 UNJUSTLY DISMISSED SHALL BE ENTITLED TO
2 REINSTATEMENT AND BACKWAGES.”

3 SEC. 7. Section 6 of Republic Act No. 4670 is hereby amended to read as
4 follows:

5 “SEC. [6] 7. [~~Consent for Transfer Transportation Expenses~~]
6 **PROCEDURE FOR STATION TRANSFER OF TEACHERS.** – Except
7 for cause and as herein otherwise provided, no teacher shall be transferred
8 without his **OR HER WRITTEN** consent from one station to another.

9 Where the exigencies of the service require the transfer of a teacher from
10 one station to another, such transfer may be effected by the [s]Schools
11 **DIVISION** [s]Superintendent who shall previously notify the teacher
12 concerned of the transfer and the reason or reasons therefor. If the teacher
13 believes there is no justification for the transfer, he **OR SHE** may appeal
14 [~~his case~~] to the **REGIONAL** Director [~~of Public Schools or the Director~~
15 ~~of Vocational Education, as the case may be~~] **WHO SHALL RENDER A**
16 **DECISION IN WRITING WITHIN A NON-EXTENDIBLE PERIOD**
17 **OF ONE (1) WEEK UPON RECEIPT OF THE APPEAL.** Pending
18 [~~his~~] **THE** appeal and the decision thereon, [~~his~~] **THE** transfer shall be held
19 in abeyance: *Provided, however,* That no transfers [~~whatever~~] shall be
20 made three **(3)** months before any local or national election.

21 Necessary transfer expenses of the teacher and his **OR HER** family shall
22 be paid for by the [G]Government if his **OR HER** transfer is finally
23 approved.

24 **A TEACHER MAY ALSO TRANSFER UPON HIS OR HER**
25 **WRITTEN REQUEST PURSUANT TO GROUNDS AND**
26 **PROCEDURE UNDER PERTINENT LAWS, RULES, AND**
27 **REGULATIONS.”**

1 **SEC. 8.** Section 7 of Republic Act No. 4670 is hereby amended to read as
2 follows:

3 “SEC. [7] **8.** *Code of* [~~Professional Conduct~~] **ETHICS** for
4 *Teachers.* – Within six **(6)** months from the approval of this Act, the
5 [~~Secretary of Education~~] **DEPED** shall formulate and prepare a Code of
6 [~~Professional Conduct~~] **ETHICS** for Public School Teachers,
7 **HEREINAFTER REFERRED TO AS THE CODE.** A copy of the Code
8 shall be furnished each teacher: *Provided, however,* That where this is not
9 possible by reason of inadequate fiscal resources of the [~~Department of~~
10 ~~Education~~] **DEPED**, at least three **(3)** copies of the [~~same~~] Code shall be
11 deposited with the office of the school principal or head teacher where they
12 may be accessible for use by the teachers. **THE DEPED SHALL ALSO**
13 **ELECTRONICALLY PUBLISH THE SAME IN ITS OFFICIAL**
14 **WEBSITE AND MAKE AVAILABLE AND ACCESSIBLE FOR**
15 **TEACHERS TO VIEW, READ AND DOWNLOAD.”**

16
17 **SEC. 9.** Section 8 of Republic Act No. 4670 is hereby amended to read as
18 follows:

19 “SEC. [8] **9.** *Safeguards in Disciplinary Procedure.* – Every teacher
20 shall enjoy equitable safeguards at each stage of any disciplinary procedure
21 and shall have:

22 [~~a.~~] **(A)** the right to be informed, in writing, of the [~~charges~~]
23 **ALLEGATIONS AND THE GROUNDS THEREOF;**

24 [~~b.~~] **(B)** the right to full access to the evidence in the case;

25 [~~c.~~] **(C)** the right to defend himself **OR HERSELF** and to be defended
26 by a representative of his **OR HER** choice, and[~~/or~~] by his **OR HER**
27 [~~organization,~~] **UNION OR, IN THE ABSENCE THEREOF,**
28 **ORGANIZATION, WITH** adequate time being given to the teacher for

1 the preparation of his **OR HER** defense; and

2 ~~[d.] (D) the right to [appeal to clearly designated authorities.]~~ **BE**
3 **INFORMED IN WRITING OF THE DECISION AND THE**
4 **REASONS THEREOF; AND**

5 **(E) THE RIGHT TO APPEAL TO CLEARLY DESIGNATED**
6 **COMPETENT AUTHORITIES OR BODIES.”**

7 ~~[No publicity shall be given to any disciplinary action being taken~~
8 ~~against a teacher during the pendency of his case].~~

9 **ANY DISCIPLINARY ACTION BEING TAKEN AGAINST A**
10 **TEACHER DURING THE PENDENCY OF HIS OR HER CASE**
11 **SHALL REMAIN CONFIDENTIAL. THE RIGHT OF TEACHERS**
12 **TO THE PRIVACY OF THEIR EMPLOYMENT OR SERVICE**
13 **RECORDS SHALL BE OBSERVED EXCEPT AS PROVIDED**
14 **UNDER EXISTING LAWS.**

15 **THE DEPED SHALL ENTER INTO AN AGREEMENT WITH**
16 **THE PUBLIC ATTORNEY’S OFFICE FOR LEGAL SERVICES TO**
17 **BE EXTENDED TO TEACHERS FACING COMPLAINTS AND**
18 **LAWSUITS IN RELATION TO THE PERFORMANCE AND**
19 **CONDUCT OF THEIR TEACHING DUTIES AND**
20 **RESPONSIBILITIES.”**

21 **SEC. 10.** Section 9 of Republic Act No. 4670 is hereby deleted and replaced
22 with a new section to read as follows:

23 “SEC. [9] 10. ~~[Administrative Charges. Administrative charges~~
24 ~~against a teacher shall be heard initially by a committee composed of~~
25 ~~the corresponding School Superintendent of the Division or a duly~~
26 ~~authorized representative who should at least have the rank of a division~~
27 ~~supervisor, where the teacher belongs, as chairman, a representative of~~
28 ~~the local or, in its absence, any existing provincial or national teachers’~~

1 ~~organization and a supervisor of the Division, the last two to be~~
2 ~~designated by the Director of Public Schools. The committee shall~~
3 ~~submit its findings and recommendations to the Director of Public~~
4 ~~Schools within thirty days from the termination of the hearings:~~
5 ~~Provided, however, That where the school superintendent is the~~
6 ~~complainant or an interested party, all the members of the committee~~
7 ~~shall be appointed by the Secretary of Education.]~~ **PROHIBITION ON**

8 **DISCRIMINATION. – A TEACHER SHALL NOT BE**
9 **DISCRIMINATED AGAINST WITH REGARD TO GROUNDS**
10 **SUCH AS SEX, CIVIL STATUS, CREED, RELIGIOUS OR**
11 **POLITICAL BELIEF OR AFFILIATION, ETHNIC**
12 **GROUPINGS, OR ANALOGOUS REASONS. THERE SHALL**
13 **BE NO DISCRIMINATION WHATSOEVER IN THE**
14 **ENTRANCE TO THE TEACHING PROFESSION, OR DURING**
15 **ITS EXERCISE, OR IN THE TERMINATION OF SERVICES**
16 **BASED ON ANY GROUND OTHER THAN PROFESSIONAL**
17 **CONSIDERATION. EXPRESSION AND EXERCISE OF**
18 **RELIGIOUS BELIEF AND PARTISAN POLITICAL**
19 **ACTIVITIES BY TEACHERS SHALL BE REGULATED BY**
20 **THE CIVIL SERVICE COMMISSION.**

21 **TO ELIMINATE ALL FORMS OF DISCRIMINATION**
22 **AGAINST TEACHERS, THE STATE SHALL PURSUE**
23 **INITIATIVES AND PROGRAMS THAT SEEK TO ENABLE AN**
24 **ENVIRONMENT FREE OF STIGMA AND DISCRIMINATION.**
25 **THE STATE SHALL DIRECT ITS MACHINERY AND**
26 **RESOURCES TO PROMOTE NON-DISCRIMINATION AND**
27 **SHALL ENCOURAGE OTHER SECTORS OF THE SOCIETY**
28 **TO ENGAGE AND PARTICIPATE IN THESE EFFORTS.”**

1 **SEC. 11.** Section 10 of Republic Act No. 4670 is hereby deleted and
2 replaced with a new section to read as follows:

3 “SEC. [10] 11. ~~[No Discrimination. There shall be no discrimination~~
4 ~~whatsoever in entrance to the teaching profession, or during its exercise, or~~
5 ~~in the termination of services, based on other than professional~~
6 ~~consideration.]~~ **GENDER EQUALITY. – THE STATE, THE SCHOOL,**
7 **AND THE DEPED LEADERSHIP SHALL ENDEAVOR TO**
8 **PROVIDE EQUAL OPPORTUNITIES TO ALL TEACHERS.”**

9 **SEC. 12.** Section 11 of Republic Act No. 4670 is hereby amended to read as
10 follows:

11 “SEC. [11] 12. *Married Teachers.* – ~~[Whenever possible,]~~ [t]The
12 proper authorities shall take all steps to enable married couples, both of whom
13 are ~~[public school]~~ teachers, to be employed in the same locality.”

14 **SEC. 13.** Section 12 of Republic Act No. 4670 is hereby amended to read as
15 follows:

16 “SEC. [12] 13. *Academic Freedom.* – Teachers shall enjoy academic
17 freedom in the discharge of their professional duties, particularly with
18 regard to teaching and classroom methods, **SUBJECT TO**
19 **STANDARDS SET BY THE DEPED FOR THE K TO 12 BASIC**
20 **EDUCATION PROGRAM.”**

21 **SEC. 14.** Section 13 of Republic Act No. 4670 is hereby amended to read as
22 follows:

23 “SEC. [13] 14. *Teaching Hours.* – ~~[Any]~~ **NO** teacher engaged in
24 actual classroom instruction shall ~~[not]~~ be required to render more than
25 ~~[six]~~ **FOUR (4)** hours of actual classroom teaching a day, which shall
26 be so scheduled as to give him **OR HER** time for the preparation and
27 correction of exercises and other work incidental to his **OR HER**
28 normal teaching duties: *Provided, however,* That where the exigencies

1 of the service so require, ~~[any]~~ A teacher may be required to render
2 more than ~~[six]~~ **FOUR (4)** hours but not exceeding eight **(8)** hours of
3 actual classroom teaching a day upon payment of additional
4 compensation at the same rate as his **OR HER** regular remuneration
5 plus at least twenty-five ~~[per-cent]~~ **PERCENT (25%)** of his **OR HER**
6 basic pay.”

7 **SEC. 15.** Section 14 of Republic Act No. 4670 is hereby amended to read as
8 follows:

9 “SEC. ~~[14]~~ **15. Additional Compensation.** – Notwithstanding any
10 provision of existing law to the contrary, co-curricula**R**, ~~[and out of~~
11 ~~school]~~ **OUT-OF-SCHOOL** activities, and any other activities outside
12 of what is defined as normal duties of any teacher shall be paid an
13 additional compensation of at least twenty-five ~~[per-cent]~~ **PERCENT**
14 **(25%)** of his **OR HER** regular remuneration after the teacher has
15 completed at least ~~[six]~~ **FOUR (4)** hours of actual classroom teaching
16 a day.

17 ~~[In the case of other teachers or school officials not engaged in actual~~
18 ~~classroom instruction, any work performed in excess of eight hours a~~
19 ~~day shall be paid an additional compensation of at least twenty-five per~~
20 ~~cent of their regular remuneration.]~~

21 The agencies utilizing the services of teachers shall pay the
22 additional compensation required under this section. ~~[Education~~
23 ~~authorities]~~ **THE SECRETARY OF THE DEPED** shall refuse to
24 allow the rendition of services of teachers for other government
25 agencies without the assurance that the teachers shall be paid the
26 remuneration provided for under this section.

27 **THIS SECTION SHALL BE WITHOUT PREJUDICE TO**
28 **LAWS, RULES, AND REGULATIONS PROVIDING FOR**

1 **HIGHER COMPENSATION OR FOR VOLUNTARY SERVICE**
2 **OF TEACHERS.”**

3 **SEC. 16.** A new section designated as Section 16 of Republic Act No. 4670
4 is hereby inserted to read as follows:

5 **“SEC. 16. *PROHIBITION ON ASSIGNMENT TO TASKS***
6 ***UNRELATED TO TEACHING.* – NO TEACHER SHALL BE**
7 **ASSIGNED TASKS OR ACTIVITIES UNRELATED TO**
8 **TEACHING, EXCEPT AS MAY BE PROVIDED BY LAW. FOR**
9 **THIS PURPOSE, THE DEPED SHALL FILL UP ALL NON-**
10 **TEACHING POSITIONS AND, IN COLLABORATION WITH**
11 **THE DEPARTMENT OF BUDGET AND MANAGEMENT,**
12 **ENDEAVOR TO MEET IDEAL RATIOS BETWEEN**
13 **TEACHING AND NON-TEACHING POSITIONS.”**

14 **SEC. 17.** A new section designated as Section 17 of Republic Act No. 4670
15 is hereby inserted to read as follows:

16 **“SECTION 17. *SUBSTITUTE TEACHERS.* – WHEN AN**
17 **INCUMBENT TEACHER IS ON MATERNITY, PATERNITY,**
18 **PARENTAL, STUDY, OR EXTENDED LEAVE, THE DEPED**
19 **MAY HIRE A TEMPORARY REPLACEMENT FOR THE**
20 **DURATION OF SAID LEAVE. THE SUBSTITUTE MUST BE**
21 **QUALIFIED FOR AT LEAST A TEMPORARY**
22 **APPOINTMENT.”**

23 **SEC. 18.** Section 15 of Republic Act No. 4670 is hereby amended to read as
24 follows:

25 **“SEC. [45] 18. *Criteria for Salaries.* – [Teachers’ salaries] THE**
26 **SALARY OF TEACHERS shall correspond to the following**
27 **criteria:**

28 **(A) REFLECT THE IMPORTANCE TO SOCIETY OF THE**

1 **TEACHING FUNCTION AND, HENCE, THE IMPORTANCE**
2 **OF TEACHERS AS WELL AS THEIR RESPONSIBILITIES**
3 **FROM THE TIME OF ENTRY INTO THE SERVICE;**

4 ~~[(a)]~~**(B)** ~~[they shall]~~ compare favorably with those paid in other
5 occupations requiring equivalent or similar qualifications, training and
6 abilities;

7 ~~[(b)]~~**(C)** ~~[they shall be such as to i]~~ Ensure teachers a reasonable **AND**
8 **DECENT** standard of life for themselves and their families;and

9 ~~[(c)]~~**(D)** ~~[they shall be properly]~~ graded **PROPERLY** ~~[so as]~~ to
10 recognize the fact that certain positions require higher qualifications
11 and greater responsibility than others: *Provided, however,* That the
12 general salary scale shall **REFLECT** ~~[be such that]~~ the relation between
13 the lowest and highest salaries paid in the profession ~~[will]~~ **TO** be of
14 reasonable order. Narrowing the salary scale shall be achieved by
15 raising the lower end of the salary scales relative to the upper end.”

16 **SEC. 19.** Section 16 of Republic Act No. 4670 is hereby amended to read as
17 follows:

18 “**SEC. [16] 19. Salary Scale.** – Salary scales of teachers shall provide
19 for a gradual progression from a minimum to a maximum salary by
20 means of regular increments, granted automatically after three **(3)** years:
21 *Provided,* That the efficiency rating of the teacher concerned is at least
22 satisfactory. ~~[The progression from the minimum to the maximum of~~
23 ~~the salary scale shall not extend over a period of ten years.]”~~

24 **SEC. 20.** Section 17 of Republic Act No. 4670 is hereby amended to read as
25 follows:

26 “**SEC. [17] 20. Equality in Salary Scales AND BENEFITS.** – The
27 salary scales **AND BENEFITS** of teachers whose salaries are
28 ~~[appropriated]~~ **PAID** by a city, municipal, municipal district, or

1 provincial government, shall not be less than those provided for
2 teachers ~~[of the]~~ **EMPLOYED BY THE** ~~[N]National~~
3 ~~[G]Government.~~”

4 **SEC. 21.** Section 18 of Republic Act No. 4670 is hereby amended to read as
5 follows:

6 “SEC. ~~[18]~~ **21.** *Cost of Living Allowance.* – ~~[Teachers’ salaries]~~
7 **THE SALARY OF TEACHERS** shall, at the very least, keep pace with
8 the rise in the cost of living by the payment of a ~~[cost of living]~~ cost
9 of living allowance (**COLA**) which shall automatically follow changes
10 in a cost of living index. The Secretary of ~~[Education]~~ **THE DEPED**
11 shall, in consultation with the proper government entities,
12 recommend to Congress, at least annually, the appropriation of the
13 necessary funds for the ~~[cost of living allowances]~~ **COLA** of teachers
14 employed by the ~~[N]National~~ ~~[G]Government~~. The determination of
15 the ~~[cost of living allowances]~~ **COLA** by the Secretary of ~~[Education]~~
16 **THE DEPED** shall, upon approval of the President of the Philippines,
17 be binding on the city, municipal or provincial government, for the
18 purposes of calculating the ~~[cost of living allowances]~~ **COLA** of
19 teachers under its employ.”

20 **SEC. 22.** Section 19 of Republic Act No. 4670 is hereby amended to read as
21 follows:

22 “SEC. ~~[19]~~ **22.** *Special Hardship Allowances.* – ~~[In areas in which]~~
23 ~~[t]Teachers [are] exposed to hardship, PERIL, [such as] OR EXTREME~~
24 ~~difficulty in [commuting to] the place of work, [or other hazards peculiar to~~
25 ~~the place of employment, as determined by the Secretary of Education, they~~
26 ~~shall be compensated special hardship allowances equivalent to at least~~
27 ~~twenty-five per cent of their monthly salary.]~~ **TEACHERS ASSIGNED TO**
28 **HANDLE MULTI-GRADE CLASSES, MOBILE TEACHERS, AND**
29 **ALTERNATIVE LEARNING SYSTEM COORDINATORS SHALL**

1 BE COMPENSATED WITH SPECIAL HARDSHIP ALLOWANCES
2 BASED ON THE CRITERIA PRESCRIBED BY THE DEPED:
3 *PROVIDED*, THAT PRIORITY SHALL BE GIVEN TO TEACHERS
4 ASSIGNED TO HARDSHIP POSTS CHARACTERIZED BY
5 HAZARDS TO LIFE AND HEALTH, A STATE OF CALAMITY,
6 HOSTILITIES BETWEEN AND AMONG ARMED ELEMENTS,
7 TRANSPORT INACCESSIBILITY OR INCONVENIENCE, AND
8 OTHER HAZARDS PECULIAR TO THE PLACE OF ENJOYMENT:
9 *PROVIDED, FURTHER*, THAT THE AGGREGATE AMOUNT OF
10 ALLOWANCE TO BE GIVEN TO SAID TEACHERS SHALL NOT
11 EXCEED TWENTY-FIVE PERCENT (25%) OF THEIR TOTAL
12 BASIC SALARY FOR THE YEAR.”

13 SEC. 23. A new section designated as Section 23 of Republic Act No. 4670
14 is hereby inserted to read as follows:

15 “SEC. 23. *PROTECTION FROM OUT-OF-POCKET*
16 *EXPENSES.* – NO TEACHER SHALL BE REQUIRED TO PAY
17 OUT OF THEIR PERSONAL FINANCES FOR MATERIALS,
18 FACILITIES, SERVICES, OR ANY OTHER OBJECTS OR
19 ACTIVITIES NECESSARY AND RELATED TO THE
20 PERFORMANCE OF THEIR DUTIES.”

21 SEC. 24. Section 20 of Republic Act No. 4670 shall be renumbered as
22 Section 24.

23 SEC. 25. Section 21 of Republic Act No. 4670 is hereby amended to read as
24 follows:

25 “SEC. [24] 25. *PROHIBITION ON Deductions [Prohibited]*. – No
26 person shall make any deduction whatsoever from the salaries of
27 teachers except under specific authority of law authorizing such
28 deductions: *Provided, however*, That upon written authority executed

1 by the teacher concerned, ~~[(1)]~~ lawful dues and fees owing TO
2 UNIONS OF TEACHERS AND ~~[to]~~ the Philippine Public School
3 Teachers Association, and ~~[(2)]~~ premiums properly due on insurance
4 policies, shall be considered deductible[.]: **PROVIDED, FURTHER,**
5 **THAT DEDUCTIONS UNDER THE SALARY DEDUCTION**
6 **SCHEME SHALL NOT BE CHARGED WITH COMPOUNDED**
7 **INTERESTS AND PENALTIES.”**

8 **SEC. 26.** A new subtitle designated as Subtitle IV of Republic Act No. 4670
9 is hereby inserted to read as follows:

10 **“IV. WORKING CONDITIONS”**

11 **SEC. 27.** A new section designated as Section 26 of Republic Act No. 4670
12 is hereby inserted to read as follows:

13 **“SEC. 26. GUARANTEE OF CONDUCTIVE WORKING**
14 **CONDITIONS FOR TEACHERS. – THE STATE SHALL**
15 **ENSURE THAT TEACHERS HAVE HUMANE WORKING**
16 **CONDITIONS IN THEIR PLACES OF ASSIGNMENT. FOR**
17 **THIS PURPOSE, THE DEPED SHALL PROVIDE AND**
18 **MAINTAIN ADEQUATE SPACE, VENTILATION, LIGHTING,**
19 **AND SECURITY CONDITIONS IN PUBLIC SCHOOLS TO**
20 **FOSTER A CONDUCTIVE ENVIRONMENT FOR TEACHING**
21 **AND LEARNING. SPACES MUST LIKEWISE ABIDE WITH**
22 **MINIMUM HEALTH AND SAFETY PROTOCOLS, AND BE**
23 **PROVIDED WITH MEDICALLY-PROVEN AND**
24 **SCIENTIFICALLY-PROVEN TOOLS AND EQUIPMENT**
25 **THAT AIM TO MINIMIZE RISK OF EXPOSURE.”**

26
27 **SEC. 28.** A new section designated as Section 27 of Republic Act No. 4670
28 is hereby inserted to read as follows:

1 **“SEC. 27. PROHIBITION ON UNDERSTAFFING AND**
2 **OVERLOADING TEACHERS. – UNDERSTAFFING AND**
3 **OVERLOADING OF TEACHERS SHALL BE PROHIBITED.**
4 **TEACHER-TO-LEARNER RATIOS SHALL BE REASONABLY**
5 **EFFECTED TO SUSTAIN DELIVERY OF QUALITY**
6 **EDUCATION AT ALL TIMES WITHOUT OVERWORKING**
7 **THE TEACHER AND OVEREXTENDING HIS OR HER DUTY**
8 **AND SERVICE.”**

9 **SEC. 29.** A new section designated as Section 28 of Republic Act No. 4670
10 is hereby inserted to read as follows:

11 **“SEC. 28. PROTECTION FROM UNREGULATED CLASS**
12 **SIZES. – TEACHERS ARE ENTITLED TO PROTECTION**
13 **FROM UNMANAGEABLE CLASS SIZES AS WELL AS TO**
14 **COMPENSATION COMMENSURATE TO THEIR ACTUAL**
15 **WORKLOAD. THE DEPED SHALL DETERMINE THE**
16 **STANDARD CLASS SIZE FOR EACH GRADE LEVEL IN**
17 **ACCORDANCE WITH INTERNATIONAL STANDARDS AND**
18 **THE CORRESPONDING HONORARIUM FOR TEACHERS**
19 **HANDLING LARGE CLASSES.”**

20 **SEC. 30.** A new section designated as Section 29 of Republic Act No. 4670
21 is hereby inserted to read as follows:

22 **“SEC. 29. TEACHER’S PROTECTION. – THE DEPED SHALL**
23 **INSTITUTIONALIZE SUPPORT MECHANISMS AND**
24 **PROTECTION FOR TEACHERS IN MATTERS OF LEARNER**
25 **DISCIPLINE OR CLASSROOM MANAGEMENT, THEREBY**
26 **FOSTERING A POSITIVE SCHOOL CLIMATE AND SAFE**
27 **ENVIRONMENT CONDUCTIVE TO INSTRUCTION AND**
28 **LEARNING. THE DEPED SHALL PROMULGATE RULES ON**

1 PERMISSIBLE, APPROPRIATE, AND EFFECTIVE
2 RESPONSES AND INTERVENTIONS THAT WILL ADDRESS
3 VIOLATIONS OF SCHOOL RULES AND REGULATIONS,
4 AMONG OTHERS.

5 ANY ACT COMMITTED BY A TEACHER ACCORDING TO
6 THE DISCIPLINARY RULES AND PROCEDURES ISSUED BY
7 THE DEPED SHALL NOT BE DEEMED AS CHILD ABUSE,
8 CRUELTY, OR EXPLOITATION AS DEFINED IN REPUBLIC
9 ACT NO. 7610 OR THE “*SPECIAL PROTECTION OF*
10 *CHILDREN AGAINST ABUSE, EXPLOITATION AND*
11 *DISCRIMINATION ACT.*”

12 SEC. 31. A new section designated as Section 29 of Republic Act No. 4670
13 is hereby inserted to read as follows:

14 “SEC. 29. *TEACHER’S PROTECTION.* – THE DEPED SHALL
15 INSTITUTIONALIZE SUPPORT MECHANISMS AND
16 PROTECTION FOR TEACHERS IN MATTERS OF LEARNER
17 DISCIPLINE OR CLASSROOM MANAGEMENT, THEREBY
18 FOSTERING A POSITIVE SCHOOL CLIMATE AND SAFE
19 ENVIRONMENT CONDUCIVE TO INSTRUCTION AND
20 LEARNING. THE DEPED SHALL PROMULGATE RULES ON
21 PERMISSIBLE, APPROPRIATE, AND EFFECTIVE
22 RESPONSES AND INTERVENTIONS THAT WILL ADDRESS
23 VIOLATIONS OF SCHOOL RULES AND REGULATIONS,
24 AMONG OTHERS.

25 ANY ACT COMMITTED BY A TEACHER ACCORDING TO
26 THE DISCIPLINARY RULES AND PROCEDURES ISSUED BY
27 THE DEPED SHALL NOT BE DEEMED AS CHILD ABUSE,
28 CRUELTY, OR EXPLOITATION AS DEFINED IN REPUBLIC

1 **ACT NO. 7610 OR THE “SPECIAL PROTECTION OF**
2 **CHILDREN AGAINST ABUSE, EXPLOITATION AND**
3 **DISCRIMINATION ACT.”**
4

5 **SEC. 32.** Subtitle IV of Republic Act No. 4670 is hereby amended to read
6 as follows:

7 **“[IV.] V. HEALTH MEASURES AND INJURY BENEFITS”**

8 **SEC. 33.** Section 22 of Republic Act No. 4670 is hereby amended to read as
9 follows:

10 “SEC. [22] 30. Medical Examination and Treatment. – Compulsory
11 medical examination shall be provided free-of-charge for all teachers before
12 they take up teaching, and shall be repeated not less than once a year during
13 the teacher's professional life. Where medical examination, INCLUDING
14 MENTAL HEALTH EXAMINATION, showS that medical treatment and/or
15 hospitalization is necessary, THE same shall be provided free by the
16 government [entity paying the salary of the teachers].

17 In regions where there is scarcity of medical facilities, teachers may
18 obtain elsewhere the necessary medical care with the right to be
19 reimbursed for their travelling expenses by the [government entity
20 concerned in the first paragraph of this Section] **DEPED.”**

21 **SEC. 34.** Section 23 of Republic Act No. 4670 is hereby amended to read as
22 follows:

23 “SEC. [23] 31. *Compensation [F]For Injuries.* – Teachers shall be
24 protected against the consequences of employment injuries in
25 accordance with existing laws. The effects of the physical and
26 [nervous] **MENTAL** strain on [the teacher's] **THE health AND**
27 **WELL-BEING OF TEACHERS** shall be recognized as a
28 compensable occupational disease in accordance with existing laws.”

SEC. 35. Subtitle V of Republic Act No. 4670 is hereby amended to read as follows:

“[V.]VI. LEAVE, [AND] RETIREMENT, AND OTHER BENEFITS AND PRIVILEGES”

SEC. 36. Section 24 of Republic Act No. 4670 is hereby amended to read as follows:

“SEC. [24] **32. Study Leave.** – In addition to the leave privileges now enjoyed by teachers in the public schools, they shall be entitled to study leave not exceeding one **(1)** school year after ~~[seven]~~ **THREE (3)** years of service **TO PURSUE GRADUATE STUDIES IN EDUCATION OR ALLIED COURSES.** ~~[Such leave shall be granted in accordance with a schedule set by the Department of Education.]~~ During the period of such leave, the teachers shall be entitled to at least ~~[sixty per cent]~~ **EIGHTY PERCENT (80%)** of their monthly salary: *Provided, however,* That no teacher shall be allowed to accumulate more than one **(1)** year **OF** study leave, unless he **OR SHE** needs an additional semester to finish his **OR HER** thesis for a graduate study in education or **ANY** allied courses: *Provided, further,* That ~~[no compensation shall be due the teacher after the first year of such leave. In all cases, the study leave period shall be counted for seniority and pension purposes]~~ **TO AVAIL OF THE BENEFITS UNDER THIS SECTION, THE TEACHER SHALL ENTER INTO AN UNDERTAKING TO CONTINUE RENDERING SERVICES IN THE INSTITUTION WITH WHICH HE OR SHE IS CONNECTED FOR A PERIOD OF THREE (3) YEARS FOR EVERY YEAR OF STUDY LEAVE. IN ALL CASES, THE STUDY LEAVE SHALL BE COUNTED FOR SENIORITY AND PENSION PURPOSES.**

The compensation allowed for one **(1)** year **OF** study leave as herein provided shall be subject to the condition that the teacher takes the

1 regular study load and passes at least seventy-five [~~per-cent~~]
2 **PERCENT (75%)** of his **OR HER** course[s]. Study leave of more than
3 one **(1)** year may be permitted by the Secretary of [~~Education~~] **THE**
4 **DEPED** but without compensation.”

5 **SEC. 37.** Section 25 of Republic Act No. 4670 is hereby amended to read as
6 follows:

7 “SEC. [~~25~~] **33. Indefinite SICK Leave.** – An indefinite sick leave of
8 absence shall be granted to teachers when the nature of the illness
9 demands a long treatment that will exceed **AT LEAST** one **(1)** year [~~at~~
10 ~~the least~~].”

11 **SEC. 38.** A new section designated as Section 34 of Republic Act No. 4670
12 is hereby inserted to read as follows:

13 “**SEC. 34. CALAMITY LEAVE.** – **TEACHERS AFFECTED BY**
14 **NATURAL CALAMITY OR DISASTER SHALL BE ENTITLED**
15 **TO FIVE (5) DAYS SPECIAL EMERGENCY LEAVE WITH**
16 **PAY. THE BENEFIT SHALL BE AVAILABLE UPON THE**
17 **DECLARATION OF A STATE OF CALAMITY BY THE**
18 **PRESIDENT OF THE PHILIPPINES OR BY THE LOCAL**
19 **SANGGUNIAN PURSUANT TO SECTION 16 OF REPUBLIC**
20 **ACT NO. 10121 OR THE “PHILIPPINE DISASTER RISK**
21 **REDUCTION AND MANAGEMENT ACT OF 2010”.**
22 **HOWEVER, IN CASE A SPECIFIC AREA WAS NOT**
23 **DECLARED UNDER A STATE OF CALAMITY BUT WAS**
24 **NONETHELESS SEVERELY AFFECTED BY A NATURAL**
25 **CALAMITY OR DISASTER, THE SCHOOLS DIVISION**
26 **SUPERINTENDENT, IN THE EXERCISE OF HIS OR HER**
27 **SOUND DISCRETION, MAY GRANT THE SPECIAL**
28 **EMERGENCY LEAVE TO AFFECTED TEACHERS BASED ON**

1 **PROOF OF EVIDENCE PRESENTED OR NEWS ACCOUNT.**

2 **THE SPECIAL EMERGENCY LEAVE CAN BE APPLIED**
3 **FOR FIVE (5) STRAIGHT WORKING DAYS OR ON**
4 **STAGGERED BASIS AND WILL NOT BE DEDUCTED FROM**
5 **THE TEACHER’S LEAVE CREDITS. THIS LEAVE MAY BE**
6 **AVAILED OF BY TEACHERS WITHIN TEN (10) DAYS FROM**
7 **THE DATE WHEN THE NATURAL CALAMITY OR**
8 **DISASTER OCCURRED.”**

9 **SEC. 39.** A new section designated as Section 35 of Republic Act No. 4670
10 is hereby inserted to read as follows:

11 **“SEC. 35. LONGEVITY PAY. – ANY PROVISION OF LAW TO**
12 **THE CONTRARY NOTWITHSTANDING, A LONGEVITY PAY**
13 **EQUIVALENT TO TEN PERCENT (10%) OF THEIR**
14 **MONTHLY BASIC PAY SHALL BE PAID TO TEACHERS FOR**
15 **EVERY FIVE (5) YEARS OF CONTINUOUS, EFFICIENT, AND**
16 **MERITORIOUS SERVICE.”**

17
18 **SEC. 40.** Section 26 of Republic Act No. 4670 is hereby amended to read as
19 follows:

20 **“SEC. [26] 36. Salary Increase upon Retirement. – [Public-school]**
21 **[t]Teachers WHO [having] HAVE** fulfilled the age and service
22 requirements of the applicable retirement laws shall be given one (1)
23 range salary raise upon retirement, which shall be the basis of the
24 computation of the lump sum of the retirement pay and the monthly
25 benefits thereafter.”

26 **SEC. 41.** Subtitle VI of Republic Act No. 4670 is hereby amended to read
27 as follows:

28 **“[VI.] VII. TEACHERS’ ORGANIZATION”**

1 **SEC. 42.** Section 27 of Republic Act No. 4670 is hereby renumbered as
2 Section 37.

3 **SEC. 43.** Section 28 of Republic Act No. 4670 is hereby amended to read as
4 follows:

5 “SEC. [28] **38. PROHIBITION ON Discrimination Against**
6 *Teachers* [~~Prohibited~~]. – The rights established in the immediately
7 preceding [S]Section shall be exercised without any interference or
8 coercion. It shall be unlawful for any person to commit any acts of
9 discrimination against teachers which are calculated to:

10 (a) make the employment of a teacher subject to the condition that
11 he **OR SHE** shall not join an organization, or shall relinquish
12 membership in an organization[5];

13 (b) [to] cause the dismissal [of] or otherwise prejudice a teacher by
14 reason of his **OR HER** membership in an organization or because of
15 participation in [organization] activities outside school hours, or with
16 the consent of the proper school authorities[5] within school
17 hours[5];and

18 (c) [to] prevent [him] **A TEACHER** from carrying out the duties laid
19 upon him **OR HER** by **REASON OF** his **OR HER** position in the
20 organization, or to penalize him **OR HER** for an action undertaken in
21 that capacity.”

22 **SEC. 44.** Section 29 of Republic Act No. 4670 is hereby amended to read as
23 follows:

24 “SEC. [29] **39. National Teachers’ Organizations.** – National
25 teachers' organizations shall be consulted in the formulation of national
26 educational policies and professional standards, and in the formulation
27 of national policies governing the social security of the teachers.

28 **UNIONS OF SCHOOL TEACHERS WHICH ARE GRANTED**

1 THE STATUS AS SOLE AND EXCLUSIVE NEGOTIATING
2 AGENT (SENA) SHALL HAVE THE RIGHT TO REPRESENT
3 ALL TEACHERS IN THEIR RESPECTIVE NEGOTIATING
4 UNITS IN NEGOTIATIONS WITH THE DEPED FOR TERMS
5 AND CONDITIONS OF EMPLOYMENT OR IMPROVEMENTS
6 THEREOF, EXCEPT THOSE THAT ARE FIXED BY LAW. FOR
7 PURPOSES OF THIS ACT, THE SENA REFERS TO ANY
8 REGISTERED EMPLOYEES' ORGANIZATION WHICH HAS
9 BEEN ACCREDITED BY THE CIVIL SERVICE COMMISSION
10 AS THE NEGOTIATING AGENT OF ALL TEACHERS IN A
11 GIVEN NEGOTIATING UNIT, IN ACCORDANCE WITH ITS
12 PERTINENT RULES AND REGULATIONS.

13 THE DEPED SHALL ACCORD THE SENA, AS WELL AS ITS
14 OFFICERS AND MEMBERS, ALL RIGHTS AND BENEFITS
15 NECESSARY AND PERTINENT TO THE PERFORMANCE OF
16 ITS DUTIES AND FUNCTIONS, SUCH AS REPRESENTATION
17 OF TEACHERS IN ALL BODIES FOR POLICY-MAKING AND
18 TRIBUNALS FOR THE DISCIPLINE OF TEACHERS, AMONG
19 OTHERS.”

20 SEC. 45. Subtitle VII of Republic Act No. 4670 is hereby amended to read
21 as follows:

22 “~~VII.~~VIII. ADMINISTRATION AND ENFORCEMENT”

23 SEC. 46. A new section designated as Section 40 of Republic Act No. 4670
24 is hereby inserted to read as follows:

25 “SECTION 40. *RIGHTS AND BENEFITS OF TEACHERS*
26 *UNDER OTHER LAWS.* – A TEACHER SHALL BE ACCORDED THE
27 RIGHTS AND BENEFITS UNDER OTHER LAWS, INCLUDING
28 BUT NOT LIMITED, TO REPUBLIC ACT NO. 9710 OR “THE

1 **MAGNA CARTA OF WOMEN”, REPUBLIC ACT NO. 9262 OR THE**
2 **“ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN**
3 **ACT”, AND REPUBLIC ACT NO. 8972 OR THE “SOLO PARENTS’**
4 **WELFARE ACT OF 2000”, AS APPLICABLE.”**

5 **SEC. 47.** Section 30 of Republic Act No. 4670 is hereby amended to read as
6 follows:

7 “Section [30] **41. IMPLEMENTING Rules and Regulations (IRR).**
8 – The [~~Secretary of Education~~] **DEPED** shall **ISSUE** [~~formulate and~~
9 ~~prepare~~] the necessary rules and regulations [~~to implement the~~
10 ~~provisions~~] **WITHIN NINETY (90) DAYS AFTER THE**
11 **EFFECTIVITY** of this Act. [~~Rules and regulations~~] **THE IRR** issued
12 pursuant to this Section shall take effect thirty days after publication in
13 a newspaper of general circulation [~~and by such other means as the~~
14 ~~Secretary of Education deems reasonably sufficient to give interested~~
15 ~~parties general notice of such issuance~~].”

16 **SEC. 48.** Section 31 of Republic Act No. 4670 is hereby amended to read as
17 follows:

18 “Section [34] **42. Budgetary Estimates.** – The Secretary of
19 [~~Education~~] **THE DEPED** shall submit to Congress annually the
20 necessary budgetary estimates to implement the provisions of [~~the~~]
21 **THIS** Act concerning the **MONETARY AND NON-MONETARY**
22 benefits herein granted to [~~public school~~] teachers under the employ of
23 the [~~N~~]National [~~G~~]Government. **THE DUTY TO PRESENT THE**
24 **ANNUAL FUNDING REQUIREMENTS FOR THE BENEFITS**
25 **UNDER THIS ACT SHALL BE DISTINCT FROM THE**
26 **PRESENTATION OF THE BUDGET OF THE DEPED AND**
27 **THUS MAY BE FULFILLED DURING OR BEFORE**
28 **DELIBERATIONS FOR THE ANNUAL GENERAL**

1 **APPROPRIATIONS.”**

2 **SEC. 49.** Section 32 of Republic Act No. 4670 is hereby amended to read as
3 follows:

4 “Section ~~[32]~~ **43. Penal Provisions.** – A person who shall willfully
5 interfere with, restrain or coerce any teacher in the exercise of his **OR**
6 **HER** rights **OR THE RIGHTS OF TEACHERS’ UNIONS AND**
7 **ORGANIZATIONS** guaranteed by this Act, or who shall in any other
8 manner commit any act to defeat any of the provisions of this Act shall,
9 upon conviction, be punished by **IMPRISONMENT OF NOT LESS**
10 **THAN SIX (6) MONTHS, OR** a fine of not less than one hundred
11 **THOUSAND** pesos (**P100,000.00**) **BUT** nor more than ~~[one]~~ **TWO**
12 **HUNDRED** thousand pesos (**P200,000.00**), **OR BOTH, [or by**
13 ~~imprisonment, in]~~ **AT** the discretion of the court.

14 If the offender is a public official, the court shall order his **OR HER**
15 dismissal **WITH PERPETUAL DISQUALIFICATION** from ~~[the]~~
16 ~~[G]~~Government service. **THIS PROVISION SHALL COVER THE**
17 **ISSUANCE OF RULES CONTRARY TO THIS ACT OR WHICH**
18 **LEAD TO THE DEFEAT OR DIMINUTION OF RIGHTS AND**
19 **BENEFITS PROVIDED THEREIN.**

20 **THE LIABILITIES UNDER THIS SECTION SHALL BE**
21 **WITHOUT PREJUDICE TO CIVIL AND ADMINISTRATIVE**
22 **LIABILITIES AND OTHER PENAL LIABILITIES UNDER**
23 **OTHER APPROPRIATE LAWS.”**

24 **SEC. 50. Separability Clause.** – If any provision or part of this Act is
25 declared invalid or unconstitutional, the remaining provisions or parts not affected
26 shall remain in full force and effect.

27 **SEC. 51. Repealing Clause.** – All other laws, executive orders, presidential
28 decrees, administrative orders, rules and regulations, issuances, or parts thereof

1 inconsistent with or contrary to the provisions of this Act are hereby repealed or
2 amended accordingly.

3 **SEC. 52. *Effectivity.*** – Notwithstanding the non-issuance of the IRR, this
4 Act shall take effect fifteen (15) days after its publication in the Official Gazette or
5 in a newspaper of general circulation.

Approved,