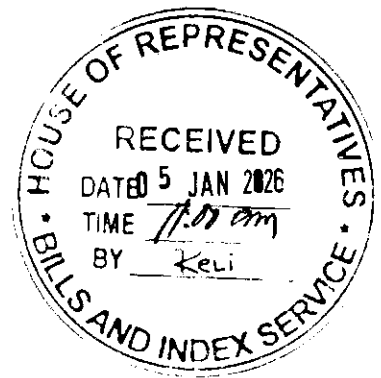


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20th Congress

First Regular Session

House Bill No. **7034**



Introduced by Hon. Rhea Mae A. Gullas

EXPLANATORY NOTE

Article XIV of the 1987 Philippine Constitution provides that, "The Department of Education shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all."

Basic education should provide all Filipino children with the skills, knowledge and values needed to become caring, self-reliant, productive and patriotic citizens. It is a vital component in nation building, as education entitles a way out of poverty for many individuals and provides the tools needed to face a dynamic socio-economic local and global atmosphere.

This bill seeks to establish an additional or a new schools division office in the Province of Cebu to be known as **Schools Division of Cebu Province II**.

The Schools Division of Cebu Province is one of the extra-large division offices in the country today under the Department of Education. At present, there are already provinces with two (2) schools division offices, namely: Pangasinan (Divisions of Pangasinan I & II), Lanao del Sur (Divisions of Lanao del Sur I & II) and Maguindanao (Divisions of Maguindanao I & II). However, the Province of Cebu with an enrollment of more than **700,000 learners** and with more than **26,000 teaching and non-teaching personnel** remained to be single schools division office.

Currently, the Province of Cebu has only one schools division office covering the **44 municipalities** in the **seven (7) legislative** or Congressional districts. Excluding the highly urbanized and component cities which have separate schools division offices, the Province of Cebu has a total of **1,143 public schools** and with **218 private schools** both elementary and secondary schools.

The administration and supervision of basic education within the province in both public and private schools has been under the jurisdiction of the Schools Division through the Schools Division Superintendent. Considering the islets, geographical location, distance of the schools in the municipalities, and the topography of Cebu Islands, there is a need to ensure that these schools are properly and equally supervised, thus, **there is a need to create an additional schools division office in the Province of Cebu.**

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


HON. RHEA MAE A. GULLAS
Representative
Cebu, First District

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

AN ACT

ESTABLISHING AN ADDITIONAL SCHOOLS DIVISION OFFICE IN THE PROVINCE OF CEBU TO BE KNOWN AS SCHOOLS DIVISION OF CEBU PROVINCE II, AND APPROPRIATING FUNDS THEREFOR

Section 1. Establishment of a New Schools Division. - There shall be a new or an additional schools division office in the Province of Cebu. The Second Schools Division Office shall be under the supervision of the Department of Education. Each shall be headed by a Schools Division Superintendent. The Department of Education shall determine the staff complement and the qualification standards of the personnel assigned in the Schools Division Office.

Section 2. The Schools Division/s. - The present Schools Division with office address at **Sudlon, Lahug, Cebu City** shall comprise all the municipalities in the **Fourth, Fifth and Sixth Congressional Districts** and shall be known as **Schools Division of Cebu Province I**. The new or additional Schools Division Office shall comprise the municipalities in the **First, Second, Third** and the **Seventh Congressional Districts** and shall be known as **Schools Division of Cebu Province II**.

Section 3. Seat of the New Schools Division Office. - The new or additional schools division office shall be located in the **Municipality of San Fernando, Cebu** in the First Congressional District in an available school site which is **owned or titled** in favor of the Department of Education. The new schools division office may be relocated in a different location after **ten (10) years** from the effectivity of this Act in an area within the province provided that the **office site is owned and/or titled to the Department of Education**, subject to the favorable recommendation of the Cebu Provincial School Board.

Section 4. Transition Period. – The **transition period** on the transfer or separation of the Plantilla/items and other resources to the new schools division office shall be **three (3) years** after the effectivity of this Act. During the transition period, the **current Schools Division Superintendent of the Division of Cebu Province I** shall still be the **acting schools division superintendent** of the **Division of Cebu Province II** assisted by new or acting assistant schools division superintendents or officers-in-charge to **ensure proper deployment** and **placement** of personnel, and **equitable distribution of the resources** of the two (2) schools division offices.

Section 5. Status of Municipalities which are aspiring to become component cities. - The **seven (7) municipalities** which are aspiring to become component cities, and other municipalities as the case maybe, in the Province of Cebu shall remain part of either in the Schools Division of Cebu Province I or Schools Division of Cebu Province II once converted as component cities. A component city in the province shall only establish a separate schools division office if the said component city has at least **5,000 teaching and non-teaching personnel** or unless the component city is further reclassified as an **independent component city** or as a **highly urbanized city** in the province as certified by the Department of Finance.

Sec. 5.1. - Component cities in the province which had an established schools division offices prior to the effectivity of this Act, shall continue to exist unless Republic 9155 otherwise known as the “Governance of Basic Education Act of 2001 is further amended, and **shall stipulate a new standard ratio or criteria** in the creation of schools division offices to ensure **“equity”** in the delivery of basic education services throughout the country, in which clustering of component cities in the Province of Cebu with adjacent or contiguous municipalities may be done to comply the new standard ratio or criteria in the creation of schools division offices.

Section 6. Appropriations. - The Secretary of Education shall immediately include in the Department's programs, the operation of the new Schools Division Office or the **Division of Cebu Province II**. The funding of which shall be included in the annual General Appropriations Act.

Section 7. Repealing Clause. - All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or part thereof contrary to or inconsistent with this Act are hereby repealed, superseded or modified accordingly.

Section 8. Implementing Rules and Regulations. - Within **thirty (30) days** from the effectivity of this Act, the Department of Education (DepEd) and the Department of Budget and Management (DBM) shall formulate a Guidance Document to serve as its implementing rules and regulations (IRR) for the proper implementation and realization of this Act. The IRR shall clearly stipulate the guidelines on the transfer or separation of Plantilla/items of teaching and non-teaching personnel to ensure equity in the distribution of human capital in the two (2) schools division offices.

Section 9. Separability Clause. Any portion or provision of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof, as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

Section 10. Effectivity Clause. This Act shall take effect within fifteen (15) days after its complete publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,