

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7930



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

EXPLANATORY NOTE

Learners, parents, and educators often encounter problems in schools such as abuse, bullying, unfair treatment, or mismanagement, but have no independent and safe place to raise their concerns. Existing grievance mechanisms are usually internal to education agencies or institutions, which can discourage complaints and delay justice.

This bill creates the **Education Ombuds Office**, an independent and accessible body that will receive, investigate, and help resolve education-related complaints in basic, higher, and technical-vocational education, in both public and private institutions. It provides a fair, confidential, and child-sensitive process, while coordinating with proper authorities and respecting the constitutional role of the Office of the Ombudsman.

By establishing a dedicated watchdog for the education sector, this measure promotes accountability, transparency, and trust in the education system. It empowers learners and educators to speak up without fear and helps prevent recurring problems through informed policy and institutional reforms.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7930

Introduced by:

HON. CHRISTOPHERSON “COCO” M. YAP

AN ACT
ESTABLISHING THE EDUCATION OMBUDS OFFICE AS AN INDEPENDENT
SECTORAL GRIEVANCE MECHANISM FOR BASIC, HIGHER, AND TECHNICAL-
VOCATIONAL EDUCATION, PROVIDING FOR ITS POWERS AND FUNCTIONS, AND
FOR OTHER PURPOSES

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

SECTION 1. Short Title. — This Act shall be known as the “*Education Ombuds Act.*”

SECTION 2. Declaration of Policy. — It is the policy of the State to protect the rights and welfare of learners, educators, and families by promoting accountability, transparency, fairness, and responsiveness in the delivery of education services in both public and private institutions.

To this end, the State shall establish an independent and accessible mechanism to receive, evaluate, resolve, and monitor education-related grievances, and to recommend reforms to prevent recurring violations and systemic failures.

SECTION 3. Creation of the Education Ombuds Office. — There is hereby created an **Education Ombuds Office (EEO)** as an independent sectoral office, separate from and not subject to the direction, control, or supervision of the Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA) in the performance of its functions.

Provided, that nothing in this Act shall be construed to diminish the constitutional and statutory powers of the **Office of the Ombudsman** under Article XI of the 1987 Constitution.

SECTION 4. Coverage. — This Act shall cover grievances arising from education services involving:

- (a) **Public** basic education schools and DepEd offices;
- (b) **State universities and colleges** and other public higher education institutions;
- (c) **Public** technical-vocational institutions; and
- (d) **Private** schools and private higher education/technical-vocational institutions, to the extent that grievances involve compliance with applicable education laws, student/teacher rights, accreditation/permit obligations, or use of public funds/subsidies.

SECTION 5. Powers and Functions. — The EOO shall have the following powers and functions:

- (a) **Complaint intake and assessment.** Receive complaints filed in any form or manner by learners, parents, teachers, and education personnel, and evaluate jurisdiction and sufficiency.
- (b) **Investigation and fact-finding.** Conduct fact-finding investigations, require submission of documents, and call conferences for clarification, subject to due process and child-protection safeguards.
- (c) **Mediation and early resolution.** Offer voluntary mediation/conciliation and other alternative dispute resolution mechanisms, when appropriate and not contrary to the best interest of the child or public policy.
- (d) **Issuance of findings and recommendations.** Issue written findings and **recommend** corrective actions, restitution, policy changes, and administrative measures to the proper authorities.
- (e) **Referral.** Refer cases:

1. Involving **public officials or employees** for administrative discipline to the appropriate disciplining authority and/or to the **Office of the Ombudsman**, as warranted; consistent with the Ombudsman's recognized administrative disciplinary authority.
 2. Involving possible **criminal** violations to the Office of the Ombudsman (for public officers) or to the appropriate prosecution office (for private persons), as applicable; and
 3. Involving child abuse/violence, trafficking, or other urgent protective concerns to the appropriate protective agencies.
- (f) **Systemic reform.** Submit policy and legislative recommendations to Congress, DepEd, CHED, TESDA, and other agencies, based on patterns of complaints and systemic gaps.
- (g) **Monitoring of compliance.** Monitor compliance with its recommendations and require periodic compliance reports from concerned offices, subject to limitations under existing laws.
- (h) **Annual reporting.** Submit an annual report to the President and Congress on the nature, frequency, disposition, and outcomes of complaints, including recommended reforms.

SECTION 6. Limitations; Non-Interference with Constitutional Ombudsman. —

- (a) The EOO shall not:
1. Exercise criminal prosecutorial powers; or
 2. Impose administrative penalties on public officers or employees in a manner that conflicts with the constitutional Office of the Ombudsman's mandate and the disciplinary systems under existing laws.
- (b) For complaints against public officials/employees, the EOO shall prioritize **referral and coordination** with the proper disciplining authority and/or the Office of the Ombudsman.

This limitation is adopted to prevent jurisdictional conflict with the Office of the Ombudsman's constitutional role to act on complaints against public officials and employees.

SECTION 7. Subpoena and Access Powers. —

- (a) The Education Ombuds may, in the exercise of fact-finding functions, **require** the production of records and documents relevant to a complaint and may request attendance of persons in conferences and clarificatory proceedings. Summon persons, issue subpoenas, and compel the production of documents necessary for investigation;
- (b) Access to school premises shall be coordinated with school heads and subject to safeguarding rules, confidentiality, and child protection protocols.
- (c) The IRR shall define the scope of compulsory process consistent with constitutional rights and existing regulatory powers.

SECTION 8. Due Process Standards. — The EOO shall adopt procedures that ensure:

- (a) notice and opportunity to be heard;
- (b) impartial evaluation;
- (c) reasoned written dispositions; and
- (d) timelines for action.

SECTION 9. Confidentiality; Anti-Retaliation. —

- (a) Complaints and records shall be treated with confidentiality, subject to lawful exceptions and requirements of disclosure in proceedings.
- (b) Retaliation against complainants, whistleblowers, or witnesses—such as harassment, discrimination, adverse school action, employment reprisal, or threats—shall be grounds for administrative action by the proper authority and may be referred for criminal prosecution when warranted.

SECTION 10. Organization; Appointment; Term. —

- (a) **Education Ombuds.** The EOO shall be headed by an **Education Ombuds**, who shall be:

1. A natural-born citizen of the Philippines;
2. A member of the Philippine Bar or a recognized expert in education governance with at least ten (10) years of relevant experience;
3. Of recognized probity and independence; and
4. Not a candidate for any elective office in the immediately preceding election.

(b) **Appointment.** The Education Ombuds shall be appointed by the President from a shortlist prepared by a Search and Selection Committee composed of representatives from:

1. The Commission on Human Rights (CHR);
2. The Civil Service Commission (CSC);
3. A nationally recognized association of education institutions (public and private);
4. An education reform civil society organization; and
5. The parent's and learner's sectors.

(c) **Term.** The Education Ombuds shall serve a **single, non-renewable term of seven (7) years**. For clarity, the term shall be a fixed term from appointment (not an "unexpired term" system), consistent with how fixed terms are treated for constitutionally independent offices.

(d) **Deputies and regional offices.** The EOO may have Deputies for Basic, Higher, and Technical-Vocational Education and may establish regional offices, subject to staffing standards and appropriations.

SECTION 11. Independence Safeguards. —

- (a) The EOO shall be independent in the discharge of its functions and shall not be subjected to control or supervision that undermines its impartiality.
- (b) Any arrangement that effectively places the EOO's key officials under disciplinary control of offices whose acts are subject to EOO review shall be avoided, consistent with the Supreme Court's cautions on executive interference with independent accountability bodies.

SECTION 12. Coordination with Existing Grievance Mechanisms. — The EOO shall coordinate with existing school-level, division-level, institutional, and agency grievance mechanisms. The IRR shall provide rules on:

- (a) exhaustion of internal remedies when appropriate;
- (b) exceptions for urgent cases (violence, severe bullying, sexual harassment, threats to safety, irreparable harm); and
- (c) avoidance of forum-shopping and duplicative proceedings.

SECTION 13. Appropriations. — The amount necessary for the initial implementation of this Act shall be charged against available appropriations. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

SECTION 14. Implementing Rules and Regulations. — Within ninety (90) days from the effectivity of this Act, the EOO, in consultation with DepEd, CHED, TESDA, the CHR, the CSC, stakeholder organizations, and relevant child protection bodies, shall promulgate the IRR.

SECTION 15. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the remainder not affected thereby shall remain in full force and effect.

SECTION 16. Repealing Clause. — All laws, decrees, executive orders, rules and regulations, and other issuances, or parts thereof, inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 17. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,