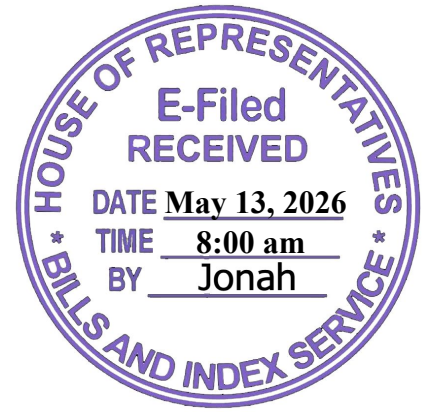


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9230



Introduced by Lone District of Agusan del Norte Representative
HON. DALE B. CORVERA

AN ACT

AFFIRMING THE AUTHORITY AND RESPONSIBILITY OF THE SCHOOLS, THEIR ADMINISTRATORS AND TEACHERS TO DISCIPLINE CHILDREN UNDER THEIR SUPERVISION, INSTRUCTION, OR CUSTODY

EXPLANATORY NOTE

Back in the days when the Philippines was a predominantly patriarchal society and the goods were more affordable, the mothers were the ones responsible for rearing and disciplining their children. Mothers spend more time with their children and can easily notice and correct undesirable manners and conduct. These responsibilities were only exercised by the schools, administrators, and teachers when children go to their schools.

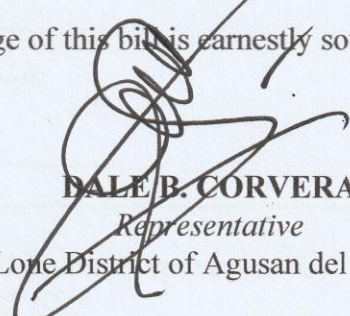
Fast forward to today, when the prices of basic necessities eat away a large chunk of an average Filipino's family budget, both parents are compelled to work to better provide for their families or simply... survive. Because of this, children spend less time with their parents. Thus, the schools today have a larger role in the holistic development of our youth, including molding the character of children through the appropriate and commensurate methods of discipline.

Under Article 220 par. (7) of the Executive Order No. 209, otherwise known as the "Family Code of the Philippines", the parents and those exercising parental authority shall have, with respect to their unemancipated children or wards, the **right and duty to impose discipline on them** as may be required under the circumstances. Article 218 of the Family Code expressly stated that the school, its administrators and teachers, or the individual, entity or institution engaged in child shall have special parental authority and responsibility over the minor child while under their supervision, instruction or custody.

With the enactment of Republic Act No. 7610, otherwise known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act", traditional methods of imposing discipline against children now bordered a thin line with committing the offense of child abuse. At present, the determination of whether a certain action on discipline will constitute a violation of RA 7610 depends on the **severity, nature, and intention of the action**. Thus, light spanking might be tolerated, but beating with objects, or repeated beatings may be considered abusive. Physical punishment aimed at correction are acceptable but those done to vent frustration or humiliate the child are violative.

However, no matter how brilliant or how academically competitive our students may be, without discipline, the schools' mission and our teachers' dedicated services are rendered meaningless because discipline is the tool that shapes academic brilliance into tangible success.

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



DALE B. CORVERA
Representative
Lone District of Agusan del Norte

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THEIR SUPERVISION, INSTRUCTION, OR CUSTODY**

*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 and referred to as the “*Educators’
Discipline of Children Act*”.

SEC. 2. *Declaration of Policy.* – The State recognizes the indispensable role of schools, their
administrators, and teachers in the holistic development and discipline of children. Towards
this end, positive and non-violent discipline of children shall be preferred.

The State shall provide special protection to children from all forms of abuse, neglect, cruelty,
exploitation and discrimination and other conditions, prejudicial their development; provide
sanctions for their commission and carry out a program for prevention and deterrence of and
crisis intervention in situations of child abuse, exploitation and discrimination.

SEC. 3. *Positive and Non-Violent Discipline.* – In the discipline of children, schools, their
administrators, teachers, and other personnel shall prefer positive and non-violent discipline
methods. Positive discipline refers to an approach that teaches children and guides their
behavior, while respecting their rights to healthy development, protection from violence and
participation in their learning.

SEC. 4. *Minimum Necessary Use of Force.* – Schools, their administrators, and teachers may
use force in the discipline of children; Provided, That the appropriate positive and non-violent
discipline was first employed; Provided further, That only the minimum necessary use of force
for the shortest necessary period of time must be applied; Provided furthermore, That in

discipline with force, no implement shall be used nor shall it be used to demean, degrade, or debase the intrinsic worth and dignity of a child as a human being.

SEC. 5. *Official Duty to Discipline Children.* – Schools, their administrators, and teachers have the official duty to discipline children while the latter is under their supervision, instruction, custody, or attending school-authorized activities whether inside or outside the premises of the school.

SEC. 6. *Free Legal Assistance.* – A mechanism for free legal assistance for schools, their administrators, and teachers charged with any offense related to their performance of their official duty to discipline children, shall be established. Such mechanism shall include coordination and cooperation with the Department of Justice, the Public Attorney's Office, the Integrated Bar of the Philippines, other relevant government agencies and other non-governmental organizations and volunteer groups.

SEC. 7. *Information Drive on the Discipline of Children.* – The Department of Education (DepEd) shall, in partnership with the Department of Social Welfare and Development (DSWD), and the Department of the Interior and Local Government (DILG), conduct regular information drive and learning sessions for school administrators, teachers and parents regarding discipline of children, child rearing, and parenting.

SEC. 8. *Implementing Rules and Regulations.* – The DepEd shall, in coordination with the DSWD, DILG, Department of Justice (DOJ) and other relevant agencies, promulgate the rules and regulations necessary for the effective implementation of this Act within ninety (90) days after its approval.

SEC. 9. *Separability Clause.* – If, for any reason, any section, clause or term of this Act is held to be illegal, invalid, or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

SEC. 10. *Repealing Clause.* – All laws, presidential decrees, issuances, executive orders, letters of instruction, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved,