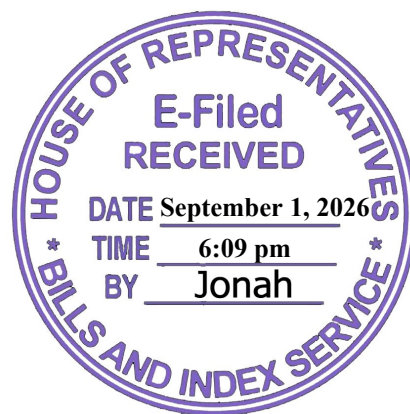




Republic of the Philippines
House of Representatives
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 11054



Introduced by: Rep. Esmael G. Mangudadatu

EXPLANATORY NOTE

The strings of violent incidents that occurred in schools at various times and points in the country have rocked consciousness and have instilled unnecessary anxiety amongst students, parents, guardians, and school personnel alike. Violent school incidents that we used to hear from foreign news updates and which seemed to be light years away from us suddenly became real and chilling.

With the advent and proliferation of various cyber-technological applications that promote or foster unhealthy fanaticism and individualism, violence, self-harm, hate and other extreme expressions of emotions, some unknowing and misguided young Filipino students have fallen victims of their own unguarded psyche, leaving in their path a trail of snuffed out lives, physiological damages, moral injuries, and destruction to properties in institutions that are supposed to be zones of peace and development and havens of learnings and education.

There is a need for the government to immediately intervene in order to prevent the violent scenarios of recent from turning into common scenes. Gun violence, extreme physical harm, destruction of properties, and campus threats cannot be accepted as an ordinary part of Philippine school life.

Moreover, while the Department of Education has launched a nationwide school safety campaign, the nationalization of basic education has thrust support to education services such as security personnel, equipment, and infrastructure into the already overly burdened coffers of the local government unit. The MOOE of schools may be used for this purpose, but schools prioritize allocating their meager MOOE allotment for school and office supplies, and similar expenditures.

Thus, given the mandate of the Department of Education “*to protect and promote the right of every Filipino to quality, equitable, culture-based, and complete basic education, which includes creating an enabling and supportive learning environment where learners are protected and secured from any form of harm, abuse, and violence within and under its*

jurisdiction,” there is a need for Congress to pass a law that institutionalize basic education schools safety framework to ensure the safety and well-being of students and school workers alike and to providing for funding.

Schools need permanent funding to upgrade physical defenses and to hire security personnel. If the government wishes not to witness another violent incident in schools such as those that happened in Zamboanga City and Tacloban, then it must provide for mechanisms to prevent the same from happening.

In view of the foregoing premises, approval of this measure is earnestly sought.



ESMAEL G. MANGUDADATU



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AN ACT
INSTITUTIONALIZING A BASIC EDUCATION SCHOOLS SAFETY FRAMEWORK TO
ENSURE THE SAFETY AND WELL-BEING OF STUDENTS AND SCHOOL WORKERS
ALIKE, PROVIDING FOR FUNDING, AND FOR OTHER PURPOSES

INTRODUCED BY: REP. ESMAEL G. MANGUDADATU

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

SECTION 1. SHORT TITLE. This Act shall be known and herein after be referred to as the "*Schools Safety Act of the Philippines.*"

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the Philippine government to promote the safety, welfare, and security of students and school personnel through a whole-of-society approach in a child-friendly, gender-sensitive, safe, and motivating learning and working environment. Toward this end, the government and the community shall implement measures to mitigate cases that compromise learner rights protection and risks to the safety and well-being of students and school workers nationwide; strengthen community and stakeholder involvement in preventing possible school safety and security concerns and in addressing the same; and committing to invest more to secure a well-rounded, violence- and abuse-free community learning centers for young Filipino learners.

SECTION 3. INSTITUTIONALIZING A NATIONAL SCHOOL SAFETY FRAMEWORK. The Department of Education (DepEd), in coordination with the Department of Health (DOH), the Department of Social Welfare and Development (DSWD), the Department of the Interior and Local Government (DILG), the Philippine National Police (PNP), concerned local government units (LGUs), National Youth Commission (NYC), and other relevant government stakeholders shall establish, maintain, and periodically update a National Comprehensive School Safety Framework, hereinafter referred to as the "Framework," to guide the implementation of this Act in all schools.

The Framework shall, at the minimum, prescribe national standards for the prevention of, response to, and recovery from threats and incidents relating to school safety, including:

- a) The development, implementation, monitoring, and evaluation of School Safety Plans and School Safety Handbooks;
- b) School safety personnel, staffing guidelines, competency standards, and capacity-building;
- c) School safety protocols, infrastructure, facilities, equipment, and security measures;
- d) Learner protection, violence prevention, and anti-bullying mechanisms;
- e) Digital safety, responsible technology use, and cybersecurity;
- f) Learner well-being, mental health promotion, counseling services, and psychosocial support;
- g) Emergency preparedness, disaster risk reduction and management, crisis response, recovery, and business continuity;
- h) Periodic engagement with parents and other community stakeholders;
- i) Meaningful participation and empowerment of learners and the youth in matters affecting school safety and well-being;
- j) Reporting school safety concerns such as those involving school bullying and other acts and forms of violence;
- k) Detection of health and safety concerns, as well as assessment, referral, case management, and inter-agency coordination to address health and safety concerns and mitigate risk;
- l) Monitoring, evaluation, reporting, and continuous improvement; and
- m) Such other standards as may be necessary to effectively implement this Act.

The Framework shall likewise harmonize and integrate existing laws, policies, and mechanisms on school safety, protection, health and well-being into a unified system.

The DepEd, in consultation with other stakeholders, shall develop and periodically update policies, templates, manuals, protocols, reporting forms, training modules, assessment tools, and other implementation resources necessary to assist schools in complying with this Act.

The Framework shall be reviewed at least once every two years to ensure that it remains responsive to new and emerging challenges in school safety.

SECTION 4. SCHOOL SAFETY PLAN. Every school shall develop and regularly update a School Safety Plan that localizes and operationalizes the Framework to the school's unique needs, risks, and resources, emphasizing the safety, protection, and well-being of learners, as well as school personnel.

The School Safety Plan shall be harmonized with other school plans related to safety, school improvement, Disaster Risk Reduction and Management (DRRM), child protection, and healthy learning institutions, among others.

For purposes of uniformity, the DepEd shall provide a template of a School Safety Plan and list the required fields or aspects of concern to be planned for in a localized setting. It must also include community engagement and partnership strategies to

strengthen school safety, including coordination with parents and guardians, LGUs, community organizations, health and mental health service providers, security and emergency response groups, and other relevant stakeholders.

Other than the DepEd-identified mandatory fields or aspects, the Plan must also include the following:

- a) *Mandatory Threat Assessments* – Schools are also required to create and periodically update localized threat evaluation protocols to spot and address aggressive behaviors before they turn harmful or fatal; and
- b) *Anonymous Reporting Mechanism* – Every school of basic learning is required to institutionalize a confidential reporting mechanism through the use of either internet and/or mobile device communications to shield student whistleblowers from retaliation when reporting or alerting the school administration of hidden weapons, illegal drugs or prohibited substances, bullying, and other prohibited acts.

The School Safety Plan shall be developed in consultation with the school community, including school personnel, learners, parents or guardians, and other relevant stakeholders.

The School Head shall be responsible for overseeing the implementation of the School Safety Plan within the school. He/She shall submit the Plan to the Schools Division Office (SDO) for review and approval at the beginning of each school year. The SDO shall ensure that the Plan is aligned with the Framework and complies with the minimum standards set forth in this Act. Upon approval, the Plan shall be presented to the Local School Board to facilitate coordination with the concerned local government and inform the development and updating of relevant local plans and programs.

SECTION 5. SCHOOL SAFETY POLICIES. All schools under the umbrella of the Department of Education are hereby mandated to strictly adhere to the following policies on school safety:

- a. *Policy on Safe School Culture* – Every school shall actively foster a safe, inclusive, respectful, and supportive school culture that cultivates socioemotional learning, empathy, peer connectedness, and the preservation of human dignity, in accordance with applicable DepEd and DOH standards on the social and physical environment of schools. Schools shall promote positive relationships, mutual respect, responsibility, resilience, and meaningful participation among all members of the school community through preventive, developmentally appropriate, and evidence-based policies, programs, and practices that strengthen positive behavior, respectful conflict resolution, and a shared commitment to maintaining a safe learning environment;
- b. *Policy Against Violence and Harm* – Every school shall adopt and enforce a policy against all forms of violence and harm, including physical violence, child abuse, exploitation, bullying, discrimination, harassment, sexual and gender-based violence, corporal punishment, retaliation, and other acts that threaten the safety, dignity, or well-being of learners and school personnel, whether occurring in person or through digital or other means. Violence or harmful conduct perpetrated by school personnel against learners shall be subject to

applicable child protection laws and appropriate administrative, disciplinary, and legal measures. For incidents involving learners, schools shall ensure that violence and harmful conduct are promptly addressed and shall implement interventions that are fair, proportionate, developmentally appropriate, trauma-informed, and restorative, where appropriate, with due regard to the safety and rights of all persons involved.

- c. *Anti-Bullying and Learner Protection Policy* – Pursuant to Republic Act No. 10627, or the Anti-Bullying Act of 2013, every school shall adopt and implement a comprehensive Anti-Bullying and Learner Protection Policy that promotes the safety, dignity, rights, and well-being of all learners and ensures the prevention, early identification, prompt reporting, timely intervention, and appropriate resolution of incidents involving bullying, cyberbullying, harassment, including technology-facilitated harassment and abuse, violence, child abuse, neglect, exploitation, discrimination, impersonation, non-consensual sharing of personal or intimate content, retaliation, and other acts that threaten the safety or welfare of learners. The Policy shall provide for prompt mental health and psychosocial assessment, support, and appropriate intervention for learners affected by bullying, including both the learner who has been subject to bullying and the learner who has engaged in bullying behavior, in coordination with their respective families and licensed professionals, as appropriate.
- d. *School Code of Conduct* – The school must formulate its Student Handbook that shall include a School Code of Conduct that promotes a culture of respect, responsibility, integrity, inclusivity, and accountability among members of the school community. The Code shall clearly define unacceptable acts, corresponding disciplinary and restorative interventions, and the rights and responsibilities of all members of the school community. In implementing the Code, schools shall ensure that disciplinary measures are fair, proportionate, developmentally appropriate, non-discriminatory, and restorative in nature, with due regard for the best interests of the child, due process, and the rights of school personnel.
- e. *Learner Participation and Voice* – Every school shall recognize and promote the right of learners to participate meaningfully in matters affecting their safety, well-being, and school life, consistent with their evolving capacities and the best interests of the child. Schools shall establish age-appropriate, inclusive, and learner-responsive mechanisms through which learners may express their views, report safety concerns, contribute to school safety initiatives, and participate in the development, implementation, monitoring, and evaluation of school safety policies and programs. Schools shall provide opportunities for the student council and other recognized learner organizations to participate in school safety initiatives and such processes. Learner participation shall be safe, respectful, and free from discrimination, retaliation, or intimidation.
- f. *Consistency with Existing Laws and Policies* – The policies, programs, standards, and procedures adopted and implemented pursuant to this Act shall be consistent with existing laws, rules and regulations, and applicable policies of the DepEd and other relevant agencies on child protection, anti-bullying, positive discipline, mental health, gender-based violence, safe spaces, learner welfare, and other matters relating to the safety, dignity, rights, and well-being of learners and school personnel.

SECTION 6. SAFETY INFRASTRUCTURE AND EQUIPMENT. All basic education schools shall be equipped with appropriate safety infrastructure and security equipment, including, as applicable:

- a. *Closed-Circuit Television (CCTV)* – CCTV cameras shall be installed in common areas, entrances and exits, perimeter areas, and other locations identified through the school's risk assessment. CCTV shall not be installed in areas where there is a reasonable expectation of privacy. The collection, storage, access, use, and disposal of CCTV footage shall comply with applicable data privacy laws and regulations and shall be used solely for investigating documented bullying or security incidents;
- b. *Screening Equipment* – Schools shall have access to appropriate screening equipment, including metal detectors, where warranted by the school's risk profile. Screening shall be conducted by authorized and appropriately trained personnel in a reasonable, proportionate, non-discriminatory, and child-sensitive manner;
- c. *Visitor Management System* – Schools shall establish appropriate systems to regulate and monitor visitor entry into and movement within school premises, including visitor identification, registration, verification, and access control;
- d. *Security Personnel and Protective Presence* – Schools shall ensure appropriate security and protective presence based on their size, enrollment, location, and risk profile. This may include licensed security guards and coordinated support from the Philippine National Police (PNP), barangay police action teams (BPATs), safety officers, community volunteers, and other authorized personnel; and
- e. *Perimeter and Access Security* – Schools shall maintain appropriate physical measures to secure school boundaries and regulate access, including, as appropriate, gates, fencing, lighting, locks, barriers, and other protective infrastructure.

As these are investments for the welfare of children of the nation, the national government through the Department of Education and the concerned local government units as mandated by the Local Government Code of 1991 shall bear the burden of providing basic education public schools of these security equipment and infrastructure, subject to existing laws, guidelines, and protocols.

Expenses for the security equipment and infrastructure of private schools shall be borne by the private institution. Security and protective presence in private schools shall be paid for by the private school, except in extraordinary circumstances when the private school has requested for security personnel augmentation from the concerned barangay.

SECTION 7. PREVENTIVE SAFETY MEASURES. Every school shall implement preventive safety measures appropriate to its circumstances to reduce risks, strengthen preparedness, and promote a safe and secure learning environment. At a minimum, schools shall implement:

- a. *Risk Mapping and Assessment* – Regularly identify physical, social, behavioral, environmental, and digital risks, including locations and circumstances that may increase the likelihood of violence, bullying, abuse, harassment, accidents, emergencies, digital harm, harmful or unsafe technology use, or other threats to learner safety, health, development, and well-being. Findings shall inform the School Safety Plan and preventive interventions.
- b. *Campus Security Monitoring* – Maintain appropriate monitoring measures, including security patrols, monitoring of entrances and exits, observation of common and high-risk areas, and review of security camera footage where available, consistent with the school's risk profile and applicable privacy and child protection laws.
- c. *Visitor Screening* – Establish procedures for visitor identification, registration, verification, issuance of passes where appropriate, and monitoring of visitor access, while ensuring access for emergency responders and other authorized persons.
- d. *Mandatory Screening and Inspection* – Conduct mandatory screening of persons and belongings, including bag inspections or use of metal detectors, where authorized and warranted by the school's risk assessment and applicable DepEd standards. Screening shall be conducted by authorized personnel in a respectful, non-discriminatory, child-sensitive, and developmentally appropriate manner.
- e. *Confiscation and Disposition of Prohibited Items* – Establish procedures for the identification, confiscation, documentation, safekeeping, turnover, and lawful disposition of prohibited items such as cigarettes, alcoholic beverages, illegal substances, guns and other dangerous weapons, including appropriate due process, notification of parents or guardians when necessary, and coordination with authorities when required by law.
- f. *General Standards for School Safety Measures* – All school safety policies, infrastructure, equipment, and measures under Sections 6 and 7 shall be appropriate to the school's size, enrollment, location, risk profile, specific needs, and subject to the availability of funds.

SECTION 8. SCHOOL PERSONNEL SUPPORT. All schools shall ensure that school personnel receive appropriate protection, support, and resources necessary to safely and effectively perform their responsibilities under this Act, such as:

- a) Access to counseling, psychosocial support, employee wellness, and mental health services, including mental health leave certification, psychological or psychiatric assessments, or fitness-to-return assessments following a critical incident;
- b) Training and continuing professional development on school safety, learner protection, socioemotional learning, emergency preparedness, crisis management, and trauma-informed response;
- c) Appropriate legal assistance and institutional support for school personnel acting in good faith in the performance of official duties;
- d) Protection against retaliation, intimidation, harassment, or threats arising from the implementation of school security and safety measures; and
- e) Other measures as may be prescribed by DepEd.

SECTION 8. LGU SUPPORT TO LOCALIZED SCHOOL SECURITY AND SAFETY.

Barangay local government units, being the first line of governance and community defense, and their respective mother city/municipal local government unit are hereby mandated to closely coordinate with basic education schools and the concerned DepEd District Supervisor's Office on matters concerning the provision of augmented school security force through the dedicated deployment of their respective BPATs. The remuneration for services rendered by BPATs shall be covered by the host barangay LGU with additional assistance from the city or municipal LGU.

SECTION 9. APPROPRIATIONS. The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the DepEd. Thereafter, such sums as may be necessary for the full implementation of this Act shall be included in the annual General Appropriations Act. LGUs shall provide support for the implementation of this Act through their respective local budgets and other available and authorized sources of funds, including the Special Education Fund (SEF) and local disaster risk reduction and management funds, as may be applicable, subject to existing laws, rules and regulations.

SECTION 10. IMPLEMENTING RULES AND REGULATIONS. The DepEd, in coordination with the DOH, DSWD, DILG, Leagues of LGUs, and other relevant stakeholders, shall promulgate the implementing rules and regulations of this Act within sixty (60) days from its effectivity.

SECTION 11. SEPARABILITY CLAUSE. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 12. REPEALING CLAUSE. All laws, decrees, orders, rules and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 13. EFFECTIVITY. Notwithstanding the non-issuance of the implementing rules and regulations, this Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation.

APPROVED,