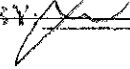


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



'11 MAR 17 P2:28

SENATE
S. No. 2750

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

This bill requires the National Bureau of Investigation (NBI) to conduct background checks on prospective school employees, and that the results of the checks be reviewed by the hiring administrator before any offer of employment can be made. This bill will help school officials to effectively identify sexual predators during the employment application process.

In the event that the background check identifies a sexual predator seeking employment with a school or a school district, the bill mandates that the individual be reported to local law enforcement.

Further, the bill bars individuals with convictions relating to reckless imprudence involving vehicular accidents or other serious traffic offenses from being employed as bus drivers or in other roles that involves the transportation of children.


MIRIAM DEFENSOR SANTIAGO



11 MAR 17 P2:28

SENATE
S. No. 2750

Miriam Defensor Santiago

Introduced by Senator Miriam Defensor Santiago

AN ACT

REQUIRING ALL SCHOOL EMPLOYEES AND THOSE EMPLOYED IN CONNECTION WITH A SCHOOL TO RECEIVE NBI BACKGROUND CHECKS PRIOR TO BEING HIRED

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

SECTION 1. *Short Title.* – This Act shall be known as the “Safety for Our Schoolchildren Act.”

SECTION 2. *Definition of Terms.* – For purposes of this Act:

(a) “School” means an educational institution providing primary and secondary education, and is under the supervision of the Department of Education;

(b) “School employee” means an employee who works in a school or has a job duty that results in exposure to students, including administrators, teachers, substitute teachers, custodians, cafeteria workers, and school bus drivers; and an employee of a company, or a subsidiary of a company, that has a contract with a school, who works in a school or has a job duty that results in exposure to students;

(c) “Sexual Predator” means an individual 18 years of age or older who has been convicted of, or has pleaded guilty to, a sexual offense against a minor; and

(d) “Sexual offense” means the following crimes as defined under the Penal Code: Rape; Acts of lasciviousness; Qualified seduction; Simple seduction; Acts of lasciviousness with the consent of the offended party; Corruption of minors; White slave trade.

SECTION 3. *Background Checks for School Employees.* –

(a) In General. – A school shall obtain a National Bureau of Investigation (NBI) background check on an individual prior to making an offer of employment as a school employee.

1 (b) Reporting Sexual Predator. – A school that receives information from an NBI
2 background check that an individual who has applied for employment with such school as a
3 school employee is a sexual predator shall report to local law enforcement that such individual
4 has so applied.

5 (c) Transportation. – A school may not make an offer of employment to an individual
6 for a position as a school bus driver if such individual has been convicted of, or has pleaded
7 guilty to, an offense under the Penal Code, Article 365 that involves a vehicular accident or any
8 serious traffic offenses.

9 SECTION 4. *Separability Clause.* – If any provision of this Act shall be declared
10 unconstitutional, any other provision not affected thereby shall remain in full force and effect.

11 SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or
12 parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

13 SECTION 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
14 in at least two (2) newspapers of general circulation.

Approved,

/fldp