

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



Senate
Office of the Secretary

14 DEC 22 P4:15

SENATE
S. No. 2541

RECEIVED BY

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

This bill requires that National Bureau of Investigation (NBI) background checks be conducted on prospective 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 public school or a school district, the bill mandates that the individual be reported to local law enforcement.

Further, the bill bars individuals with drunk driving convictions, or 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

[Handwritten signature]

Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT

2 TO REQUIRE ALL PUBLIC SCHOOL EMPLOYEES AND THOSE EMPLOYED IN
3 CONNECTION WITH A PUBLIC SCHOOL TO RECEIVE NBI BACKGROUND
4 CHECKS PRIOR TO BEING HIRED

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

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

8 (a) “Drunk driving” means driving while intoxicated or driving under the
9 influence of alcohol.

10 (b) “Public school” means an educational institution that receives funds from the
11 Department of Education;

12 (c) “School employee” means an employee who works in a public school or has a
13 job duty that results in exposure to students, including administrators, teachers,
14 substitute teachers, custodians, cafeteria workers, and school bus drivers; and
15 an employee of a company, or a subsidiary of a company, that has a contract
16 with a public school, who works in a public school or has a job duty that
17 results in exposure to students.

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

1 (e) "Sexual offense" means the following crimes as defined under the Penal Code:
2 Rape; Acts of lasciviousness; Qualified seduction; Simple seduction; Acts of
3 lasciviousness with the consent of the offended party; Corruption of minors;
4 White slave trade.

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

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

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

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

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

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

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

Approved,

/fldpdec2014