

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



'17 SEP 11 P 3:42

SENATE  
S.B. No. 1583

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Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

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**AN ACT STRENGTHENING THE LOCAL SCHOOL BOARDS IN THE PHILIPPINES**

**EXPLANATORY NOTE**

Public schools in the Philippines are plagued by numerous problems that prevent students from receiving the best quality education.

In rural areas, some children are forced to erase an entire notebook's contents so that it may be re-used by a sibling in the next school year.

Meanwhile, our students in urban centers are crammed into overcrowded classrooms in school buildings that often have substandard and inadequate basic facilities such as bathrooms and clinics.

We find hope in municipalities scattered around the country that have triumphed over these challenges of student poverty, inadequate infrastructure, and limited resources.

In a remotely-located elementary school in Northern Samar, for instance, extraordinary community engagement and high stakeholder participation in school activities led to its top performance in national tests, proving that it truly takes a village to raise a child.

Recognizing the critical and transformative role community engagement plays in school performance, this bill seeks to amend Title IV, Sections 89 to 101 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", to strengthen the mandate of every local school board at the municipal, city, and provincial level.

Under this legislation, the local school board, composed of various school stakeholders within and outside of government, would be responsible for conducting grassroots consultations with the community to identify school needs, monitor school performance, and act as an advisory council for school administrators.

More importantly, the Local School Board (LSB) would be responsible for the proper and appropriate disbursement of the Special Education Fund (SEF), so that its value is maximized for each community.

Strengthening the local school board in school management serves to increase accountability amongst school administrators, as well as teaching and non-teaching school personnel. Additionally, schools will benefit from the expertise and input from the community whose needs will be best heard through regular dialogue.

Educating the Filipino youth is our shared responsibility. This bill will ensure that students experience the best educational experience possible, through the efforts of a community all working to support them.

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

  
Senator Paolo Benigno "Bam" A. Aquino IV



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

1        **SECTION 1. Title.** — This Act shall be known as the "Local School Board Act".

2        **SEC. 2. Declaration of Policy.** — It is hereby declared the policy of the State that the  
3 territorial and political subdivisions of the State shall enjoy genuine and meaningful local  
4 autonomy. Toward this end, the State shall provide for a more responsive and accountable  
5 local government structure whereby local government units shall be given more powers,  
6 authority, responsibilities, and resources.

7        The realization of local autonomy shall be facilitated through improved coordination  
8 of national government policies and programs, and extension of adequate technical and  
9 material assistance to less developed but deserving local government units.

10        The State shall encourage local initiatives for improving the quality of basic  
11 education. The State shall ensure that the values, needs and aspirations of a school  
12 community are reflected in the program of education for the children, out-of-school youth  
13 and adult learners. Toward this end, there shall be established in every local government  
14 unit an accountable, efficient, and dynamic organizational structure and operating  
15 mechanism that will meet the priority needs and service requirements of its communities.

16        **SEC. 3. Creation and Composition.** — There shall be established in every province,  
17 city, or municipality a Provincial, City or Municipal School Board, respectively. The  
18 Department of Education (DepEd) shall oversee the operations of the Local School Boards  
19 (LSBs).

20        a) The Provincial School Board shall be composed of the Governor and the Division  
21 Superintendent of schools as co-Chairpersons; the Chairperson of the Education  
22 Committee of the Sangguniang Panlalawigan, the Provincial Treasurer, the  
23 representative of DepEd, the representative of the Pederasyon ng mga  
24 Sangguniang Kabataan (SK) in the Sangguniang Panlalawigan, the duly elected

1 president of the Provincial Federation of Parents-Teachers Association (PTA), the  
2 duly elected representative of the teachers' organization in the province, the  
3 duly elected representative of the non-academic personnel of public schools in  
4 the province, the duly elected representative of alumni associations of public  
5 schools in the province, and the duly elected representative of the local business  
6 chamber in the province, as members;

7 **b)** The City School Board shall be composed of the City Mayor and the City  
8 Superintendent of schools as co-Chairpersons; the Chairperson of the Education  
9 Committee of the Sangguniang Panlungsod, the City Treasurer, the  
10 representative of DepEd, the President of the Liga ng mga Barangay, the  
11 representative of the Pederasyon ng mga SK in the Sangguniang Panlungsod, the  
12 duly elected President of the City Federation of PTA, the duly elected  
13 representative of the teachers' organizations in the city, and the duly elected  
14 representative of the non-academic personnel of public schools in the city, the  
15 duly elected representative of alumni associations of public schools in the city,  
16 and the duly elected representative of the local business chamber in the city, as  
17 members; and

18 **c)** The Municipal School Board shall be composed of the Municipal Mayor and the  
19 District Supervisor of schools as co-Chairpersons; the Chairperson of the  
20 Education Committee of the Sangguniang Bayan, the Municipal Treasurer, the  
21 representative of DepEd, the President ng Liga ng mga Barangay, the  
22 representative of the Pederasyon ng mga SK in the Sangguniang Bayan, the duly  
23 elected President of the Municipal Federation of PTA, the duly elected  
24 representative of the teachers' organizations in the municipality, and the duly  
25 elected representative of the non-academic personnel of public schools in the  
26 municipality, the duly elected representative of alumni associations of public  
27 schools in the municipality, and the duly elected representative of the local  
28 business chamber in the municipality, as members;

29 In the event that a province or city has two (2) or more School Superintendents, and  
30 in the event that a municipality has two (2) or more District Supervisors, the co-Chairperson  
31 of the local school board shall be determined as follows:

- 32 a) The DepEd shall designate the co-Chairperson for the provincial and city school  
33 boards; and  
34 b) The division superintendent of schools shall designate the district supervisor who  
35 shall serve as co-Chairperson of the municipal school board.

36 The performance of the duties and responsibilities of the abovementioned officials in  
37 their respective local school boards shall not be delegated.

38 **SEC. 4. Functions of Local School Boards.** — The Provincial, City, or Municipal School  
39 Board shall:

- 40 a) Monitor the performance of the local public school system and its component  
41 schools, using measures and indicators established by the DepEd. Toward this

1 end, it will render an annual State of Public Education Report (SPER) that will be  
2 communicated to all parents, barangay officials, and other stakeholders of the  
3 public school system;

- 4 b) Determine, in accordance with the criteria set by the DepEd and the identified  
5 performance gaps in the SPER, the annual supplementary budgetary needs for  
6 the operation and maintenance of public schools within the province, city, or  
7 municipality, as the case may be, and the supplementary local cost of meeting  
8 such needs, which shall be reflected in the form of an annual school board  
9 budget corresponding to its share in the proceeds of the special levy on real  
10 property constituting the Special Education Fund (SEF) and such other sources of  
11 revenue stipulated in Republic Act No. 7160, otherwise known as the Local  
12 Government Code, and other laws or ordinances may provide;
- 13 c) Authorize the Provincial, City or Municipal Treasurer, as the case may be, to  
14 disburse funds from the SEF pursuant to the budget prepared and in accordance  
15 with existing rules and regulations;
- 16 d) Serve as an advisory committee to the Sanggunian concerned on educational  
17 matters such as, but not limited to, the necessity for and the uses of local  
18 appropriations for educational purposes;
- 19 e) Recommend changes in the names of public schools within the territorial  
20 jurisdiction of the local government unit for enactment by the Sanggunian  
21 concerned;
- 22 f) Develop local education policies and programs, in coordination with district,  
23 division and/or regional DepEd officials that will respond to unique challenges  
24 facing the locality, which shall be implemented within the district or division.  
25 This will include, but will not be limited to, initiatives aimed at ensuring full  
26 participation, cohort survival and completion rates, improvement of  
27 achievement levels, civic education, and post graduation outcomes; and
- 28 g) Hold regular grassroots consultations for the purpose of multi-stakeholder  
29 participation in the planning, budgeting, and delivery of public education  
30 services.

31 **SEC. 5. Appointment of Local Public School Officials.** — The DepEd shall consult the  
32 LSBs on the appointment of Division Superintendents, District Supervisors, School Principals,  
33 and other school officials. It shall arrange a meeting with the concerned LSBs where all  
34 applicants shall be required to discuss their plans and programs once appointed to the  
35 position. The LSBs' evaluation of the applicants, guided by same criteria used by the DepEd,  
36 shall be considered in the final ranking, and will account for at least 25% of the total rating.

37 **SEC. 6. Meetings and Quorum.** — The LSB shall meet at least once a month or as  
38 often as may be necessary. Any of the co-Chairpersons may call a meeting. A simple  
39 majority of all its members shall constitute a quorum. However, when both co-Chairpersons

1 are present in a meeting, the local chief executive concerned, as a matter of protocol, shall  
2 be given preference to preside over the meeting.

3 **SEC. 7. Budget.** — The Division Superintendent, City Superintendent or District  
4 Supervisor, as the case may be, shall prepare the budget of the concerned LSB. Programs,  
5 projects, and activities of the LSB in the ensuing fiscal year shall support the budget. The  
6 affirmative vote of the majority of all its members shall be necessary to approve the budget.

7 The preparation and approval of LSB Budget shall follow the budget calendar of local  
8 government units (LGUs). By midyear, the LSB shall meet to identify the gaps that need to  
9 be addressed and prioritized in the incoming budget year, based on the SPER and existing  
10 education policies of the DepEd. During the same meeting, the Local Treasurer and  
11 Accountant shall present and submit to the LSB a certified statement covering the actual  
12 income and expenditures of the SEF in the preceding fiscal year, the actual income and  
13 expenditures in the first two quarters of the current year, and the estimated income for the  
14 last two quarters of the current year and estimate of the SEF income for the incoming  
15 budget year. The LSB shall then issue a budget call reiterating its priorities and targets for  
16 the budget year.

17 Based on the budget call, school heads, education supervisors and their LGU  
18 counterparts shall submit requests for funding for the incoming budget year to the School  
19 District Superintendent (SDS)/ Provincial Schools Division Superintendent (PSDS) by a  
20 prescribed date. After review, the PSDS/SDS shall submit to the LSB a consolidated budget  
21 proposal for incoming budget year showing proposed appropriations by programs, activities  
22 and projects in not more than a month.

23 The LSB as a whole shall review the budget proposal prepared by the SDS/PSDS, and  
24 shall conduct budget hearings if necessary. To promote community participation in the  
25 process of budget review, it shall schedule sectoral presentation of the proposed budget for  
26 parents, teachers and non-teaching personnel, barangay officials and other stakeholders.  
27 The SDS/PSDS shall prepare the revised budget proposal, taking into consideration  
28 agreements made during the review process. After due deliberation, the LSB shall pass and  
29 approve a resolution adopting the final budget proposal for the incoming budget year on or  
30 before December 31. In case the LSB fails to pass the budget on time, the previous year's  
31 budget shall be deemed reenacted until such time that the majority vote required for  
32 approval is reached.

33 Implementation of the LSB budget shall follow the same procedure as the regular  
34 budget of the LGU and shall be subject to existing budgeting, accounting, and auditing rules  
35 and regulations. The annual school board budget shall give priority to the following:  
36

- a) Payment of salaries, wages and other authorized allowances of teachers hired in connection with the conduct of extension classes in schools that are shown to be deficient as per teacher deployment analysis;
- b) Construction, repair and maintenance of school buildings and other facilities of public elementary and secondary schools which are deemed to have classroom

1 shortage as per the classroom deployment analysis and which have not been  
2 identified as recipients of similar funding allocation in the national budget; and

3 c) Local programs, projects and activities aimed at ensuring full participation, cohort  
4 survival and completion rates in public schools; improvement in the achievement  
5 levels as measured by DepEd assessment instrument; and  
6

7 d) improvement of post-graduation outcomes.

8 When the priorities mentioned above have been adequately provided funding allocation,  
9 the balance of the LSB budget may be used to support the following undertakings:

10 a) Alternative Learning System (ALS) programs, projects and activities, including but not  
11 limited to out-of-school youth, indigenous peoples and adult learners;

12 b) Acquisition/procurement of library books, instructional materials and periodicals,  
13 workbooks for learners and teachers' manual on classroom instruction;

14 c) Acquisition of equipment that will improve academic performance of schools, repair  
15 and maintenance of laboratory, technical and similar equipment and apparatus  
16 including information technology resources, needed by public elementary and  
17 secondary schools;

18 d) Training of teachers;

19 e) Payment of allowances to DepEd-paid teaching and non-teaching personnel but  
20 limited only to those allowances granted prior to May 31, 1989;

21 f) Educational research and local testing;

22

23 g) Establishment of pre-school classes in public schools;

24 h) Payment of salaries/wages of utility workers and security guards and other non-  
25 teaching personnel which are deemed necessary for the proper functioning of the  
26 public elementary and secondary schools;

27 i) Acquisition, titling, and improvement of school sites;

28 j) Expenses for school sports activities at the division, district, municipal, and barangay  
29 levels which are supportive of school's physical education programs, including  
30 athletic supplies and materials, athletic equipment, transportation expenses of  
31 athletes and school officials participating in the athletic meets, and construction  
32 and/or improvement of school athletic facilities;

33 k) Maintenance and other operating expenditures of the LSB itself for the conduct of  
34 board meetings, education summits, secretariat support and other related activities;

1 l) Servicing of debt incurred for the construction of classrooms; and

2 m) Voucher programs that will enable private schools to accommodate excess enrollees  
3 in the public school system.

4 **SEC. 8. Compensation and Remuneration.** — The co-Chairpersons and members of  
5 the provincial, city or municipal school board shall perform their duties as such without  
6 compensation or remuneration. Members thereof who are not government officials or  
7 employees shall be entitled to necessary traveling expenses and allowances chargeable  
8 against funds of the concerned LSB, subject to existing accounting and auditing rules and  
9 regulations.

10 **SEC. 9. Implementing Rules and Regulations.** — Within sixty (60) days from the  
11 effectivity of this Act, the DepEd, the Department of Interior and Local Government (DILG)  
12 and the Department of Budget and Management (DBM), and other relevant government  
13 agencies, shall promulgate the necessary rules and regulations for the effective  
14 implementation of this Act.

15 **SEC. 10. Appropriations.** — The funds needed to implement this Act shall be  
16 included in the Annual General Appropriations Act (GAA).

17 **SEC. 11. Separability Clause.** — Should any provision herein be declared  
18 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

19 **SEC. 12. Repealing Clause.** — Title IV, Sections 89 to 101 of Republic Act No. 7160,  
20 otherwise known as the “Local Government Code of 1991”, all other laws, decrees, orders,  
21 rules, and regulations or other issuances or parts inconsistent with the provisions of this Act  
22 are hereby repealed or modified accordingly.

23 **SEC. 13. Effectivity.** — This Act shall take effect fifteen (15) days after its publication  
24 in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

Approved,