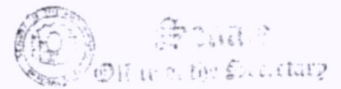


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE
S. No. 2057

'18 OCT -8 P3:29

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

AN ACT
ENHANCING THE COMPENSATION STRUCTURE AND SYSTEM OF SUPPORT
FOR ALL TEACHERS IN BASIC EDUCATION INSTITUTIONS AND CREATING
THE TEACHER EDUCATION ASSISTANCE FUND

EXPLANATORY NOTE

There's a special place in my heart for teachers and educators. They are key to improving the quality of education in the country. And I've seen firsthand the passion, hard work and extreme care they put into their vocation as three out of four of my grandparents were teachers – Lolo Dondoy and Lola Vicky Aguirre, from my mother's side, helped put up the University of Mindanao in Davao City and worked there until retirement.

Teachers don't just fall into their profession, they choose to take on the responsibility of shaping and molding educated, successful and compassionate Filipinos. Like Teacher Sabs Ongkiko, who was poised to pursue a medical career but chose to teach in a public school in Quezon City because she believed it was her calling.

Unfortunately, many teachers like Sab do not receive commensurate wages for their work. Also, wages are not the same across the board for teachers in the public and private sector.

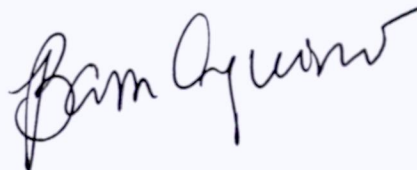
As such, we propose the passage of the "Teachers' Compensation and Support Act", which will guarantee teachers the following:

- The development of quality standards for the review and authorization of the adjustment of public school teachers' salaries
- The implementation of more reasonable working conditions
- The right to be free from compulsory administrative assignments outside of teaching duties stated in contracts, unless they are given just compensation
- Free legal assistance, counseling services, an education subsidy for qualified and financially disadvantaged teachers who want to pursue further education
- More stringent measures on transfer to ensure the least disruption of classes during the school year

This measure will also create a Private School Teachers Salary Subsidy to support private school teachers in schools and areas that primarily serve students from lower income families.

We must revisit the indispensable role of teachers in educating people and ensure that the teaching profession attracts the most competent, dedicated people.

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

A handwritten signature in black ink, appearing to read "Ram Aguilar". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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Office of the Secretary

SENATE
S. No. 2057

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

AN ACT
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THE TEACHER EDUCATION ASSISTANCE FUND

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

1 Section 1. *Short Title.* – This Act shall be known as the "Teachers
2 Compensation & Support Act of 2018."

3 Sec. 2. *Declaration of Policy.* – The State recognizes the vital role and
4 contribution of teachers in nation-building and development through a responsible
5 and literate citizenry. A teacher is, above all, a human being endowed with life for
6 which it is the highest obligation to live with dignity at all times whether in school, in
7 the home, or elsewhere. Towards this end, the State shall ensure and uplift the
8 quality of life of a teacher both in one's professional and personal life.

9 Likewise, the State hereby recognizes the complementary roles of public and
10 private education basic institutions in the educational system and the invaluable
11 contribution that the private schools have made and will make to education. For
12 these intents, the State shall aim to:

- 13 (a) Provide support to our teachers in recognition of their role in nation
14 building;
15 (b) Provide a system and mechanism in determining the appropriate salary of
16 public school teachers;

- (c) Provide a level playing field for professional teachers in both public and private basic educational institutions;
- (d) Eliminate the massive migration of private basic education teachers to the public schools for better compensation;
- (e) Encourage more persons to join the teaching profession;
- (f) Incentivize and provide premium to Licensure Examination for Teachers (LET) passers;
- (g) Broaden access to basic education through financial assistance and other forms of incentives to teachers; and
- (h) Encourage and stimulate private support to education through, inter alia, fiscal and other assistance measures.

Sec. 3. *Mandate on Quality Standards.* – The Department of Education (DepEd) shall develop mechanisms for quality standards in the review and endorsement of adjustment of salaries of public school teachers under the Salary Standardization Law in consideration of the following:

- (a) Compliance of the DepEd Regions, Divisions, and schools with minimum standards for quality determined by the appropriate office at the DepEd Central Office;
- (b) DepEd Regions' submission of relevant information on their respective public school's quality and student performance on national achievement tests;
- (c) DepEd Regions' and Divisions' submission of development plans every ten (10) years; and
- (d) Number of public schools and enrolment capacity per locality and region.

Sec. 4. *Reasonable Working Conditions.* – DepEd shall ensure that full-time teachers under the public school system and the teachers of DepEd-recognized private schools shall be required to render reasonable working hours which consist of not more than an eight (8) hour workday and a six (6) hour teaching day, subject to the applicable overtime and overload pay under appropriate DepEd regulations.

1 The DepEd shall ensure that no unreasonable conditions or requirements are
2 required of public school teachers aspiring for tenure.

3 *Sec. 5. Freedom from Other Compulsory Assignments* – The teachers' right to
4 be free from compulsory administrative assignments not related to their teaching
5 duties as defined in their appointments or employment contracts, unless
6 compensated therefor, shall be recognized.

7 *Sec. 6. Other Forms of Support.* –

8 (a) *Free legal assistance.* – Teachers shall be provided with free legal service
9 by the Public Attorney's Office (PAO) in the case of public school teachers,
10 and through the school authorities concerned in the case of private school
11 teachers, when charged in administrative, civil and/or criminal proceedings
12 by parties other than the school or regulatory authorities concerned for
13 actions committed directly in the lawful discharge of their duties, in
14 defense of school policies, and/or in the protection of students.

15 (b) *Free counseling services.* – Teachers shall be provided with access to free
16 counseling services, in the school or in other accredited agencies, by a
17 qualified guidance counselor, psychologist, psychiatrist, or appropriate
18 mental health professional to ensure the mental health and well-being of
19 teachers.

20 *Sec. 7. Private School Teachers Salary Subsidy (PSTSS).* – Salaries of all
21 licensed and professional teachers in participating private basic education institutions
22 shall be included in the DepEd annual budget, subject to the same position
23 classification and compensation scheme by the Department of Budget and
24 Management (DBM) for teachers in the public schools in the Salary Standardization
25 Law subject to eligibilities and requirements as provided in this Act.

26 *Sec. 8. Eligibility.* – To be qualified for the PSTSS, the teacher must be:

27 (a) Teaching full-time in a DepEd-recognized and accredited private basic
28 education institution;

- 1 (b) Teaching at the elementary or secondary level;
- 2 (c) Qualified to teach under the "Philippine Teachers Professionalization Act of
- 3 1994" or Republic Act No. 7836, as amended, and the "Enhanced Basic
- 4 Education Act of 2013" or Republic Act No. 10533; and
- 5 (d) Teaching the DepEd-approved core curriculum.

6 Sec. 9. *Administration of the PSTSS Program.* – The Department of Education
7 shall exercise policy, oversight, and budgeting functions. However, the Private
8 Education Assistance Council-Fund Assistance to Private Education (PEAC-FAPE) shall
9 administer the PSTSS Program in order to ease the administrative burden from the
10 DepEd: *Provided*, that a PSTSS Program Unit shall be organized within the DepEd
11 which shall be accountable for PSTSS oversight, and close supervision of contracted
12 payment and monitoring of participating accredited schools or providers.

13 Sec. 10. *Accreditation of Participating Schools in the Program.* – The PEAC-
14 FAPE shall adopt guidelines in the selection and accreditation of participating DepEd-
15 recognized private basic education schools to implement the PSTSS based on the
16 following standards:

- 17 (a) Address the congestion of students in the public basic education
- 18 institutions;
- 19 (b) Improve the quality of public basic education;
- 20 (c) Provide more access to basic education;
- 21 (d) Strengthen complementarity of public and private basic educational
- 22 institutions;
- 23 (e) Ensure the sustainability of private basic education schools who participate
- 24 in the delivery of education;
- 25 (f) Prioritize areas and schools where there are not enough teachers and/or
- 26 where students belong to low income families;
- 27 (g) Optimization and efficient use of government budget on education.

28 Sec. 11. *Teacher Education Subsidy (TES).* – There shall be created a subsidy
29 which shall be used to support qualified financially disadvantaged aspiring teachers

1 in shouldering costs related to pursuing a degree in basic or secondary teacher
2 education in any accredited teacher education institute.

3 It may likewise cover the allowance for books, supplies, transportation and
4 miscellaneous personal expenses including cost of review and taking the LET,
5 subject to return service to the public school system for a period of three (3)
6 consecutive school years from the date of passing the LET.

7 Sec. 12. *The Teacher Education Assistance Fund (TEAF).* – The Teacher
8 Education Assistance Fund (TEAF) is hereby established to support the
9 implementation of the Private School Teacher Salary Subsidy (PSTSS) and the
10 Teacher Education Subsidy under Sec. 7 and Sec. 11 of this Act respectively. The
11 Fund shall be deposited in the National Treasury and administered by the
12 Department of Education through the PEAC-FAPE.

13 The administration, utilization, and disposition of the TEAF herein established
14 shall be subject to the rules and regulations, which shall be promulgated to carry
15 out the provisions of this Act.

16 Sec. 13. *Deployment in priority areas.* – The DepEd shall formulate rules to
17 require teachers who are beneficiaries of this Act, to render temporary or fixed term
18 services to priority areas where there are no qualified teachers.

19 Sec. 14. *Restriction on transfers.* – No teacher shall be allowed to resign, save
20 for justifiable reasons, at the middle of the school year. Teachers from the private
21 schools transferring to the public school system shall finish their respective contracts
22 of employment and shall not be allowed to pre-terminate or resign for purposes of
23 the transfer. DepEd shall develop a system to ensure this is implemented and to
24 impose sanctions on non-compliance for this purpose.

25 No unreasonable restrictions and/or conditions for transfer shall be imposed
26 on teachers in the private schools.

27 Sec. 15. *Inter-Agency Consultative Committee.* – A Committee composed of
28 the Department of Education, Department of Labor and Employment, Fund

1 Assistance to Private Education, and the Coordinating Council of Private Educational
2 Associations is hereby created to periodically review and provide data and research
3 relevant to support the implementation of this Act which includes, enrolment
4 capacity both in the public and private schools per region and locality, number of
5 students, number of qualified teachers.

6 Sec. 16. *Joint Congressional Oversight Committee.* – There is hereby created
7 a Joint Oversight Committee to oversee, monitor and evaluate the implementation of
8 this Act.

9 The Oversight Committee shall be composed of five (5) members each from
10 the Senate and from the House of Representatives, which shall include the following:
11 Chairperson of the Senate Committee on Education; Chairperson of the House
12 Committee on Basic Education; Chairperson of the Senate Committee on Finance;
13 Chairperson of the House Committee on Appropriations; and three (3) members
14 each to be chosen from the membership of the Senate Committee on Education, and
15 the House Committee on Basic Education by the Senate President and the House
16 Speaker, respectively, with at least one member each from the minority in the House
17 of Representatives and in the Senate. Funding for the expenses of the Committee
18 shall be taken from the appropriations of both the Senate and the House of
19 Representatives.

20 Sec. 17. *Implementing Rules and Regulations.* – Within thirty (30) days from
21 the effectivity of this Act, the DepEd in consultation with the Professional Regulation
22 Commission (PRC), PEAC-FAPE, Coordinating Council of Private Educational
23 Associations (COCOPEA), and other relevant stakeholders in basic education, shall
24 promulgate the implementing rules and regulations necessary to ensure the efficient
25 and effective implementation of this Act.

26 Sec. 18. *Separability Clause.* – Should any part of this Act be declared
27 unconstitutional or invalid, other parts or provisions hereof not affected thereby
28 shall continue to be in full force and effect.

1 Sec. 19. *Effectivity.* – This Act shall take effect after fifteen (15) days after its
2 publication in a newspaper of general circulation.

3 Approved,