

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

8 MAY 29 10:06

SENATE  
S. NO. 2351

RECEIVED BY: JA

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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### EXPLANATORY NOTE

Once one of the best in Asia, the quality of education in the Philippines has deteriorated in recent years (USAID, 2007). Results of different assessment exams have proven this. The 2003-2004 National Diagnostic Test (NDT), which was given to determine the extent of improvement among grade six students in Math, Science, and reading comprehension in English, showed a national mean of 33 percent (33%). This suggested that grade six examinees did not master the competencies in the said areas necessary for their transition into secondary education.

Result of 2004-2005 National Achievement Test (NAT), moreover, revealed that grade six students averaged an overall achievement rate of 58.7%, equivalent only to near mastery level, while Fourth Year students were worse off with only 46.8%, or a low mastery of the subjects.

This bill, hence, seeks to establish a performance based accountability system for public education which focuses on improving teaching and learning so that students are equipped with a strong academic foundation. Accountability, as used in this bill, means acceptance of the responsibility for improving student performance and taking actions to improve classroom practice and school performance.

This accountability system aims to:

- (1) use academic achievement standards to push schools and students toward higher performance by aligning the national assessment to those standards, linking policies, and criteria for performance standards, reporting, school rewards, and targeted assistance;
- (2) provide a school annual report card with a performance indicator system that is logical, reasonable, fair, challenging, and technically defensible which furnishes clear and specific information about school and district academic performance and other performance to parents and the public;
- (3) require all districts to establish local accountability systems to stimulate quality teaching, learning practices, and target assistance to low performing schools;
- (4) provide resources to strengthen the process of teaching and learning in the classroom to improve student performance and reduce gaps in performance; and
- (5) support professional development as integral to improvement and to the actual work of teachers and school staff;

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


  
ANTONIO "SONNY" F. TRILLANES IV  
Senator

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**AN ACT  
ESTABLISHING A PERFORMANCE BASED ACCOUNTABILITY SYSTEM FOR  
PUBLIC EDUCATION AND FOR OTHER PURPOSES**

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

**ARTICLE I.**

**TITLE AND DEFINITIONS.**

1       **SECTION 1. Short Title.** – This Act shall be known as the “*Education Accountability*  
2 *Act.*”

3  
4       **SEC. 2. Definition of Terms.** – For purposes of this Act, the following terms shall mean:

5       (1) Accountability means the acceptance of the responsibility for improving student  
6 performance and taking actions to improve classroom practice and school performance by  
7 the Congress, the Department of Education, local school district boards, administrators,  
8 teachers, parents, students, and the community.

9       (2) "Standards based assessment" means an assessment where an individual's performance  
10 is compared to specific performance standards and not to the performance of other  
11 students.

12       (3) "Disaggregated data" means data broken out for specific groups within the total student  
13 population, such as by gender and family income level.

14       (4) "Longitudinally matched student data" means examining the performance of a single  
15 student or a group of students by considering their test scores over time.

1 (5) "Norm-referenced assessment" means assessments designed to compare student  
2 performance to a nationally representative sample of similar students known as the norm  
3 group.

4 (6) "Academic achievement standards" means statements of expectations for student  
5 learning.

6 (7) "Department" means the Department of Education.

7 (8) "Absolute performance" means the rating a school will receive based on the percentage  
8 of students meeting standard on the state's standards based assessment.

9 (9) "Improvement performance" means the rating a school will receive based on  
10 longitudinally matched student data comparing current performance to the previous year's  
11 for the purpose of determining student academic growth.

12 (10) "Objective and reliable nationwide assessment" means assessments that yield  
13 consistent results and that measure the cognitive knowledge and skills specified in the  
14 state-approved academic standards and do not include questions relative to personal  
15 opinions, feelings, or attitudes and are not biased with regard to race, gender, or  
16 socioeconomic status. The assessments must include a writing assessment and multiple-  
17 choice questions designed to reflect a range of cognitive abilities beyond the knowledge  
18 level. Constructive response questions may be included as a component of the writing  
19 assessment.

20 (11) "Formative assessment" means assessments used within the school year to analyze  
21 general strengths and weaknesses in learning and instruction, to understand the  
22 performance of students individually and across achievement categories, to adapt  
23 instruction to meet students' needs, and to consider placement and planning for the next  
24 grade level. Data and performance from the formative assessments must not be used in the  
25 calculation of school or district ratings.

1 **ARTICLE II.**

2 **ACADEMIC STANDARDS AND ASSESSMENTS**

3 **SEC. 3. *Adoption of Educational Standards in Core Academic Areas.*** - The Department  
4 of Education is directed to adopt grade specific performance-oriented educational standards in the  
5 core academic areas of Mathematics, English/language arts, social studies (history, economics, and  
6 geography), and Science for elementary and high school and adopt specific academic standards for  
7 benchmark courses in mathematics, English/language arts, social studies, and science for high  
8 school. The standards are to promote the goals of providing every student with the competencies  
9 to:

- 10 (1) read, view, and listen to complex information in the English language;  
11 (2) write and speak effectively in the English language;  
12 (3) solve problems by applying Mathematics;  
13 (4) conduct research and communicate findings;  
14 (5) understand and apply scientific concepts;  
15 (6) obtain a working knowledge of world and Philippine history, government, economics,  
16 and geography; and  
17 (7) use information to make decisions.

18 The standards must be reflective of the highest level of academic skills with the rigor  
19 necessary to improve the curriculum and instruction in Philippine schools so that students are  
20 encouraged to learn at unprecedented levels and must be reflective of the highest level of academic  
21 skills at each grade level.

22  
23 **SEC. 4. *Development or Adoption of Nationwide Assessment Program to Promote***  
24 ***Student Learning and Measure Student Performance.***

25 (A) Notwithstanding any other provision of law, the Department of Education is required to  
26 develop or adopt a nationwide assessment program to promote student learning and to  
27 measure student performance on national standards and:

- 1 (1) identify areas in which students need additional support;
- 2 (2) indicate the academic achievement for schools, districts, and the country; and
- 3 (3) provide professional development to educators.

4 (B) The nationwide assessment program in the four academic areas must include grades  
5 three (3) through six (6), an exit examination in English/language arts and mathematics,  
6 which is to be first administered in a student's first year of high school enrollment, and end-  
7 of-course tests before high school graduation. Beginning with the graduating class of 2018,  
8 students are required to pass a high school credit course in science and a course in  
9 Philippine history in which end-of-course examinations are administered to receive the  
10 high school diploma.

11 (C) While assessment is called for in the specific areas mentioned above, this should not be  
12 construed as lessening the importance of visual and performing arts, health, physical  
13 education, and career or occupational programs.

14 (D) By May 2017, the Department of Education shall create a nationwide adoption list of  
15 formative assessments aligned with the country's content standards and satisfying  
16 professional measurement standards in accordance with criteria jointly determined by the  
17 Education Oversight Committee, created hereunder, and the Department of Education. The  
18 formative assessments must provide diagnostic information in a timely manner to all school  
19 districts for each student during the course of the school year. For use beginning with the  
20 2017-2018 school year, with funds appropriated by the Congress, local districts must be  
21 allocated resources to select and administer formative assessments from the nationwide  
22 adoption list to use to improve student performance in accordance with district  
23 improvement plans.

24 (E) The Department of Education shall adopt a developmentally appropriate formative  
25 reading assessment for use in first and second grades to be administered initially in the  
26 2017-18 school year. The assessment must provide opportunities for periodic formative  
27 assessment during the school year, reports that are useful for informing classroom

1 instruction or significant groupings of standards level information about individual  
2 students, and must be compatible with best practices in reading instruction and reading  
3 research. The Department of Education shall provide appropriate and on-going professional  
4 development to support appropriate use of the assessment.

5  
6 **SEC. 5. *Congressional Oversight Committee on Education.*** – There is hereby created a  
7 Congressional Oversight Committee on Education composed of three (3) members from the Senate  
8 and three (3) from the House of Representatives. The Member from the Senate shall be appointed  
9 by the Senate President based on the proportional representation of the parties or the coalitions  
10 therein with at least one Senator representing the Minority. The Members of the House of  
11 Representatives shall be appointed by the Speaker, also based on the proportional representation of  
12 the parties or the coalitions therein with at least one Member representing the Minority.

13 The committee shall be headed by the respective Chairpersons of the Senate and the House  
14 of Representatives' Committees on Education.

15 The Congressional Oversight Committee on Education shall, in aid of legislation, perform  
16 the following:

- 17 (a) Review the state assessment program and the course assessments for alignment with the  
18 country's standards, level of difficulty and validity, and for the ability to differentiate  
19 levels of achievement, and make recommendations for needed changes;
- 20 (b) Approve the educational standards created by the Department of Education;
- 21 (c) Set the guidelines and the overall framework to monitor and ensure the proper  
22 implementation of this Act;
- 23 (d) Ensure transparency and require the submission of reports on the conduct of programs,  
24 projects, and policies relating to the implementation of this Act;
- 25 (e) Determine inherent weaknesses in the law and recommend the necessary remedial  
26 legislations or executive measures; and

1 (f) Perform such other duties and functions and responsibilities as may be necessary to  
2 effectively attain the objectives of this Act.

3 The Congressional Oversight Committee on Education shall be assisted by the secretariat,  
4 headed by the committee secretaries and assisted by personnel who may be seconded from the  
5 Senate and the House of Representatives and may retain consultants.

6  
7 **SEC. 6. *General Administration of Test.* –**

8 (A) After the first nationwide field test of the assessment program in each of the four  
9 academic areas, and after the field tests of the end of course assessments of benchmark  
10 courses, the Education Oversight Committee, established hereunder, will review the state  
11 assessment program and the course assessments for alignment with the country's standards,  
12 level of difficulty, and validity and for the ability to differentiate levels of achievement, and  
13 will make recommendations for needed changes, if any. The review will be provided to the  
14 Department of Education as soon as feasible after the field tests. The Department of  
15 Education will then report to the Education Oversight Committee no later than one month  
16 after receiving the reports on the changes made to the assessments to comply with the  
17 recommendations.

18 (B) After review and approval by the Education Oversight Committee, the standards-based  
19 assessment of mathematics, English/language arts, social studies, and science will be  
20 administered to all public school students. The Department of Education shall develop a  
21 sampling plan to administer science and social studies assessments to all other elementary  
22 high school students. The plan shall provide for all students and both content areas to be  
23 assessed annually; however, individual students, except in census testing grades, are not  
24 required to take both tests. In the sampling plan, approximately half of the assessments  
25 must be administered in science and the other half in social studies in each class.

26 To ensure that school districts maintain the high standard of accountability,  
27 performance level results reported on school and district report cards must meet

1 consistently high levels in all four core content areas. Beginning with the 2017 report card,  
2 the core areas must remain consistent with the established and approved standards by the  
3 Education Oversight Committee.

4 (C) After review and approval by the Education Oversight Committee, the end of course  
5 assessments of benchmark courses will be administered to all public school students as  
6 they complete each benchmark course.

7 (D) Any new standards and assessments required to be developed and adopted by the  
8 Department of Education must be developed and adopted upon the advice and consent of  
9 the Education Oversight Committee.

10  
11 **SEC. 7. *First Grade Readiness Test.*** - The Department of Education, shall develop, select,  
12 or adopt a first-grade readiness test that is linked to the grade-one academic standards and a  
13 second-grade readiness test that is linked to the grade-two academic standards. The purpose of the  
14 tests is to measure individual student readiness, and they are not to be used as an accountability  
15 measure at the national level. However, the grade-two readiness test will serve as the baseline for  
16 grade-three assessment. The Department of Education shall provide continuing teacher training to  
17 ensure the valid and reliable use of the assessments and develop a minimum nationwide data  
18 collection plan to include the amount and types of evidence to be collected.

19  
20 **SEC. 8. *Administration of National Assessment of Education Progress.*** - The Department  
21 Education is directed to administer annually the National Assessment of Education Progress  
22 (NAEP) to obtain an indication of student and school performance relative to national performance  
23 levels.

24  
25 **SEC. 9. *Cyclical Review of National Standards and Assessments.*** -

26 (A) The Department of Education, in consultation with the Education Oversight  
27 Committee, shall provide for a cyclical review by academic area of the national standards



1 and assessments to ensure that the standards and assessments are maintaining high  
2 expectations for learning and teaching. All academic areas must be initially reviewed by  
3 the year 2015. At a minimum, each academic area should be reviewed and updated every  
4 six years. After each academic area is reviewed, a report on the recommended revisions  
5 must be presented to the Education Oversight Committee for its consideration. After  
6 approval by the Education Oversight Committee, the recommendations may be  
7 implemented. As a part of the review, a task force of parents, business and industry  
8 persons, community leaders, and educators shall examine the standards and assessment  
9 system to determine rigor and relevancy.

10 (B) Beginning with the 2015 assessment results, the Department of Education annually  
11 shall convene a team of curriculum experts to analyze the results of the assessments,  
12 including performance item by item. This analysis must yield a plan for disseminating  
13 additional information about the assessment results and instruction and the information  
14 must be disseminated to districts not later than end of January of the subsequent year.

15  
16 **SEC. 10. *Dissemination of Assessment Results.*** - The Department of Education is directed  
17 to provide assessment results annually on individual students and schools in a manner and format  
18 that is easily understood by parents and the public. In addition, the school assessment results must  
19 be presented in a format easily understood by the faculty and in a manner that is useful for  
20 curriculum review and instructional improvement. The Department is to provide longitudinally  
21 matched student data from the standards based assessments and include information on the  
22 performance of subgroups of students within the school. Schools and districts shall be responsible  
23 for disseminating this information to parents.

24  
25 **ARTICLE III.**

26 **ACADEMIC PLANS FOR STUDENTS**

1        **SEC. 11. *Academic Plan for Student Lacking Skills to Perform at Current Grade Level.*** -

2        (A) Beginning in 2008-09 and annually thereafter, at the beginning of each school year, the  
3        school must notify the parents of the need for a conference for each student in grades three  
4        through six who lacks the skills to perform at his current grade level based on assessment  
5        results, school work, or teacher judgment. At the conference, the student, parent, and  
6        appropriate school personnel will discuss the steps needed to ensure student success at the  
7        next grade level. An academic plan will be developed to outline additional services the  
8        school and district will provide and the actions the student and the parents will undertake to  
9        further student success.

10       (B) The participants in the conference will sign off on the academic plan, including any  
11       requirement for summer school attendance. Should a parent, after attempts by the school to  
12       schedule the conference at their convenience, not attend the conference, the school will  
13       appoint a school mentor, either a teacher or adult volunteer, to work with the student and  
14       advocate for services. A copy of the academic plan will be sent to the parents by certified  
15       mail.

16       (C) At the end of the school year, the student's performance will be reviewed by  
17       appropriate school personnel. If the student's work has not been at grade level or if the  
18       terms of the academic plan have not been met, the student may be retained, he may be  
19       required to attend summer school, or he may be required to attend a comprehensive  
20       remediation program the following year designed to address objectives outlined in the  
21       academic plan for promotion. Students required to participate the following year in a  
22       comprehensive remediation program must be considered on academic probation.  
23       Comprehensive remediation programs established by the district shall operate outside of  
24       the normal school day and must meet the guidelines established for these programs by the  
25       Department. If there is a compelling reason why the student should not be required to  
26       attend summer school or be retained, the parent or student may appeal to a district review  
27       panel.

1 (D) At the end of summer school, a district panel must review the student's progress and  
2 report to the parents whether the student's academic progress indicates readiness to achieve  
3 grade level standards for the next grade. If the student is not at grade level or the students  
4 assessment results show standards are not met, the student must be placed on academic  
5 probation. A conference of the student, parents, and appropriate school personnel must  
6 revise the academic plan to address academic difficulties. At the conference, it must be  
7 stipulated that academic probation means if either school work is not up to grade level or if  
8 assessment results again show standards are not met, the student will be retained. The  
9 district's appeals process remains in effect.

10  
11 **ARTICLE IV.**

12 **REPORTING.**

13 ***SEC. 12. Development of Annual Report Cards. -***

14 (A) The Education Oversight Committee, working with the Department of Education, is  
15 directed to establish an annual report card and its format to report on the performance for  
16 the individual elementary, high schools, and school districts of the country. The school's  
17 ratings on academic performance must be emphasized and an explanation of their  
18 significance for the school and the district must also be reported. The annual report card  
19 must serve at least four purposes:

- 20 (1) inform parents and the public about the school's performance;  
21 (2) assist in addressing the strengths and weaknesses within a particular school;  
22 (3) recognize schools with high performance; and  
23 (4) evaluate and focus resources on schools with low performance.

24 (B) The Oversight Committee shall determine the criteria for and establish five academic  
25 performance ratings of excellent, good, average, below average, and unsatisfactory.  
26 Schools and districts shall receive a rating for absolute and improvement performance.  
27 Only the scores of students enrolled in the school at the time of enrollment count shall be

1 used to determine the absolute and improvement ratings. The Oversight Committee shall  
2 establish student performance indicators which will be those considered to be useful for  
3 assessing a school's overall performance and appropriate for the grade levels within the  
4 school.

5 (C) In setting the criteria for the academic performance ratings and the performance  
6 indicators, the Education Oversight Committee shall report the performance by subgroups  
7 of students in the school and schools similar in student characteristics. Criteria must use  
8 established guidelines for statistical analysis and build on current data-reporting practices.

9 (D) The report card must include a comprehensive set of performance indicators with  
10 information on comparisons, trends, needs, and performance over time which is helpful to  
11 parents and the public in evaluating the school. Special efforts are to be made to ensure that  
12 the information contained in the report card is provided in an easily understood manner and  
13 a reader-friendly format. This information should also provide a context for the  
14 performance of the school. Where appropriate, the data should yield disaggregated results  
15 to schools and districts in planning for improvement. The report card should include  
16 information in such areas as programs and curriculum, school leadership, community and  
17 parent support, faculty qualifications, evaluations of the school by parents, teachers, and  
18 students. In addition, the report card must contain other criteria including, but not limited  
19 to, information on promotion and retention ratios, disciplinary climate, dropout ratios,  
20 dropout reduction data, student and teacher ratios, and attendance data.

21  
22 **SEC. 13. *Progress Reports.*** - No later than June 1, 2009, the Department of Education  
23 must report on the development of the performance indicators criteria and the report card to the  
24 Education Oversight Committee. A second report, to include uniform collection procedures for  
25 academic standards and performance indicators, is due by December 1, 2009. No later than  
26 December, 2009, the Department of Education shall report to the Oversight Committee the

1 determination of the levels of difficulty for the assessments by grade and academic area. By March  
2 1, 2000, a report on the development of baseline data for the schools is due from the division.

3  
4 **SEC. 14. *Report Cards.*** - Beginning in 2011 and annually thereafter the Department of  
5 Education must issue report cards to all schools and local districts. The report card must be mailed  
6 to all parents of the school and the school district. The school, in conjunction with the local district  
7 board, must also inform the community of the school's report card by advertising the results in at  
8 least one national daily newspaper of general circulation. This notice must be published within  
9 ninety days of receipt of the report cards issued by the Department of Education and must be a  
10 minimum of two columns by ten inches (four and one-half by ten inches) with at least a twenty-  
11 four point bold headline.

12  
13 ***ARTICLE V.***

14 ***AWARDING PERFORMANCE***

15 **SEC. 15. *Awards.*** - The Department of Education, working with the local districts must  
16 establish a Performance Awards Program to recognize and reward schools for academic  
17 achievement. Awards will be established for schools attaining high levels of absolute performance  
18 and for schools attaining high rates of improvement. The award program must base improved  
19 performance on longitudinally matched student data and may include such additional criteria as:

- 20 (1) student attendance;  
21 (2) teacher attendance;  
22 (3) student dropout rates; and  
23 (4) any other factors promoting or maintaining high levels of achievement and  
24 performance. Schools shall be rewarded according to specific criteria established by the  
25 Department. In defining eligibility for a reward for high levels of performance, student  
26 performance should exceed expected levels of improvement.

1           **SEC. 16. *Grant of Flexibility of Receiving Exemption from Regulations.*** –

2           (A) Notwithstanding any other provision of law, a school is given the flexibility of  
3           receiving exemptions from those regulations and statutory provisions governing the defined  
4           program: *Provided, That* during a three-year period, the following criteria are satisfied:

5                       (1) the school has twice been a recipient of the Performance Award, pursuant to  
6                       Section 15, hereunder;

7                       (2) the school has met annual improvement standards for subgroups of students in  
8                       reading and mathematics; and

9           (B) Schools receiving flexibility status are released from those regulations and statutory  
10           provisions referred to above including, but not limited to, regulations and statutory  
11           provisions on class scheduling, class structure, and staffing. The Department Education, in  
12           consultation with the Education Oversight Committee, must promulgate regulations and  
13           develop guidelines for providing this flexibility by December 1, 2011.

14           (C) To continue to receive flexibility pursuant to this section, a school must annually  
15           exhibit school improvement at or above the national average as computed in the school  
16           recognition program pursuant to Section 15, hereunder, and must meet the gains required  
17           for subgroups of students in English and Mathematics. A school which does not re-qualify  
18           for flexibility status due to extenuating circumstances may apply to the Department of  
19           Education for an extension of this status for one year.

20           (D) In the event that a school is removed from flexibility status, the school is not subject to  
21           regulations and statutory provisions exempted under this section until the beginning of the  
22           school year following notification of the change in status by the Department of Education.

23  
24   **ARTICLE VI.**

25   **DISTRICT ACCOUNTABILITY SYSTEMS**

26           **SEC. 17. *District Accountability System.*** - The Department of Education, based on  
27           recommendations of the division, must develop regulations requiring that no later than April, 2009,

1 each local district board must establish and annually review a performance based accountability  
2 system, or modify its existing accountability system, to reinforce the national accountability  
3 system. Parents, teachers, and principals must be involved in the development, annual review, and  
4 revisions of the accountability system established by the district. The board shall ensure that a  
5 district accountability plan be developed, reviewed, and revised annually.

6 In keeping with the emphasis on school accountability, principals should be actively  
7 involved in the selection, discipline, and dismissal of personnel in their particular school.

8 The Department of Education shall offer technical support to any district requesting  
9 assistance in the development of an accountability plan. Furthermore, the department must conduct  
10 a review of accountability plans as part of the peer review process to ensure strategies are  
11 contained in the plans that shall maximize student learning. The Department shall submit plans for  
12 the peer review process to the division for approval by April, 2009. School districts not having an  
13 approved plan by April,2009 shall be provided a plan by the Department within ninety days.

## 14 **ARTICLE VII.**

### 15 **INTERVENTION AND ASSISTANCE**

#### 16 **SEC. 18. *Schools Rated Below Average or Unsatisfactory.* -**

17 (A) When a school receives a rating of below average or unsatisfactory, the following  
18 actions must be undertaken by the school and the local school districts:

19 (1) The faculty of the school with the leadership of the principal must review its  
20 improvement plan and revise it. The revised plan should look at every aspect of  
21 schooling, and must outline activities that, when implemented, can reasonably be  
22 expected to improve student performance and increase the rate of student progress. The  
23 plan should provide a clear and coherent plan for professional development, which has  
24 been designed by the faculty that is ongoing, job related, and keyed to improving  
25 teaching and learning. A time line for implementation of the activities and the goals to  
26 be achieved must be included.

1 (2) Once the revised plan is developed, the district superintendent and the local school  
2 district board shall review the school's strategic plan to determine if the plan focuses on  
3 strategies to increase student academic performance.

4 (3) The school, in conjunction with the district board, must inform the parents of  
5 children attending the school of the ratings received from the Department of Education  
6 and must outline the steps in the revised plan to improve performance, including the  
7 support which the local district board has agreed to give the plan. This information  
8 must also be advertised in at least one national daily newspaper of general circulation.  
9 This notice must be published within ninety days of receipt of the report cards issued  
10 by the Department and must be a minimum of two columns by ten inches (four and  
11 one-half by ten inches) with at least a twenty-four point bold headline. The notice must  
12 include the following information: name of school district, name of superintendent,  
13 district office telephone number, name of school, name of principal, telephone number  
14 of school, school's absolute performance rating and improvement performance rating  
15 on student academic performance, and strategies which must be taken by the district  
16 and school to improve student performance; and

17 (4) Upon a review of the revised plan to ensure it contains sufficiently high standards  
18 and expectations for improvement, the Department of Education is to delineate the  
19 activities, support, services, and technical assistance it will make available to support  
20 the school's plan and sustain improvement over time.

21  
22 **SEC. 19. *Assignment of External Review Committee.* -**

23 (A) When a school receives a rating of unsatisfactory or upon the request of a school rated  
24 below average, an external review team must be assigned by the Department of Education  
25 to examine school and district educational programs, actions, and activities. The Education  
26 Oversight Committee, in consultation with the Department, shall develop the criteria for  
27 the identification of persons to serve as members of an external review team which shall



1 include representatives from selected school districts, respected retired educators,  
2 Department of Education staff, higher education representatives, parents from the district,  
3 and business representatives.

4 (B) The activities of the external review committee may include:

5 (1) examine all facets of school operations, focusing on strengths and weaknesses,  
6 determining the extent to which the instructional program is aligned with the content  
7 standards, and recommendations which draw upon strategies from those who have been  
8 successful in raising academic achievement in schools with similar student  
9 characteristics;

10 (2) consult with parents and community members to gather additional information on  
11 the strengths and weaknesses of the school;

12 (3) identify personnel changes, if any, that are needed at the school and/or district level  
13 and discuss such findings with the board;

14 (4) work with school staff and local school district in the design of the school's plan,  
15 implementation strategies, and professional development training that can reasonably  
16 be expected to improve student performance and increase the rate of student progress in  
17 that school;

18 (5) identify needed support from the district, the Department, and other sources for  
19 targeted long-term technical assistance;

20 (6) report its recommendations, no later than three months after the school receives the  
21 designation of unsatisfactory to the school, the local district board, and the Department  
22 of Education; and

23 (7) report annually to the local board and DepEd over the next four years, or as deemed  
24 necessary by the Department, on the district's and school's progress in implementing the  
25 plans and recommendations and in improving student performance.

26

1           **SEC. 20. Declaration of State of Emergency in School Rated Below Average.** - If the  
2 recommendations, the district's plan, or the school's revised plan are not satisfactorily implemented  
3 by the school rated unsatisfactory and its school district according to the time line developed by  
4 the Department or if student academic performance has not met expected progress, the principal,  
5 district superintendent, and members local district school board must appear before the  
6 Department to outline the reasons why a state of emergency should not be declared in the school.  
7 The district superintendent, after consulting with the external review committee and with the  
8 approval of the Department of Education, shall be granted the authority to take any of the  
9 following actions:

- 10           (1) furnish continuing advice and technical assistance in implementing the  
11           recommendations of the Department of Education;
- 12           (2) declare a state of emergency in the school and replace the school's principal; or
- 13           (3) declare a state of emergency in the school and assume management of the school.

14  
15           **SEC. 21. School District Rated Below Average.** –

16           (A) When a district receives a rating of below average, the District Superintendent, with the  
17 approval of the Department of Education, shall appoint an external review committee to  
18 study educational programs in that district and identify factors affecting the performance of  
19 the district. The review committee must:

- 20           (1) examine all facets of school and district operations, focusing on strengths and  
21           weaknesses, determining the extent to which the instructional program is aligned with  
22           the content standards and shall make recommendations which draw upon strategies  
23           from those who have been successful in raising academic achievement in schools with  
24           similar student characteristics;
- 25           (2) consult with parents and community members to gather additional information on  
26           the strengths and weaknesses of the district;

1 (3) identify personnel changes, if any, that are needed at the school and/or district level  
2 and discuss such findings with the board;

3 (4) work with school staff and local school districts in the design of the district's plan,  
4 implementation strategies, and professional development training that can reasonably  
5 be expected to improve student performance and increase the rate of student progress in  
6 the district;

7 (5) identify needed support from the Department of Education and other sources for  
8 targeted long-term technical assistance;

9 (6) report its recommendations, no later than three months after the district receives the  
10 designation of unsatisfactory, to the superintendent and the Department of Education;

11 and

12 (B) Within thirty days, the Department of Education must notify the superintendent and  
13 the local school district of the recommendations approved by it. Upon the approval of the  
14 recommendations, the Department must delineate the activities, support, services, and  
15 technical assistance it will provide to support the recommendations and sustain  
16 improvement over time.

17 (C) The review committee shall be composed of Department of Education staff,  
18 representatives from selected school districts, higher education, and business.

19  
20 **SEC. 22. Declaration of State of Emergency in School District Rated Unsatisfactory. –**

21 (A) If recommendations approved by the Department are not satisfactorily implemented by  
22 the school district according to the time line, or if student performance has not made the  
23 expected progress and the school district is designated as unsatisfactory, the district  
24 superintendent shall appear before the Department to outline the reasons why a state of  
25 emergency must not be declared in the district.

26 (B) The Department Secretary is granted authority to:

1 (1) furnish continuing advice and technical assistance in implementing the  
2 recommendations of the Department to include establishing and conducting a training  
3 program for the district board of trustees and the district superintendent to focus on  
4 roles and actions in support of increases in student achievement;

5 (2) mediate personnel matters between the district board and district superintendent  
6 when the Department is informed by majority vote of the board or the superintendent  
7 that the district board is considering dismissal of the superintendent, and the parties  
8 agree to mediation;

9 (3) recommend that the office of superintendent be declared vacant; or

10 (4) declare a state of emergency in the school district and assume management of the  
11 school district.

12  
13 **SEC. 23. *Parent Orientation Classes.*** –

14 (A) A school that has received an unsatisfactory absolute academic performance rating on  
15 its most recent report card shall offer an orientation class for parents. The orientation class  
16 must focus on the following topics:

17 (1) the value of education;

18 (2) academic assistance programs that are available at the school and in the community;

19 (3) student discipline;

20 (4) school policies;

21 (5) explanation of information that will be presented on the school's report card; and

22 (6) other pertinent issues.

23 (B) The school shall offer the orientation class each year the school receives an  
24 unsatisfactory absolute academic performance rating on the school report card and shall  
25 provide parents with written notification of the date and time of the meeting. Schools are  
26 encouraged to offer the orientation class at a time in which the majority of parents would  
27 be able to attend. Additionally, schools are encouraged to provide orientation classes in

1 community settings or workplaces so that the needs of parents with transportation  
2 difficulties or scheduling conflicts can be met.

3 (C) A parent or guardian of each student who is registered to attend the school shall attend  
4 the orientation class each year it is offered.

5  
6 **ARTICLE VIII.**

7 **PUBLIC INFORMATION**

8 **SEC. 24. *Public Information Campaign.*** - (A) An on-going public information campaign  
9 must be established to apprise the public of the status of the public schools and the importance of  
10 high standards for academic performance for the public school students. A special committee shall  
11 be appointed by the Chairman of the Education Oversight Committee to include two committee  
12 members representing business and two representing education and others representing business,  
13 industry, and education. The committee shall plan and oversee the development of a campaign,  
14 including public service announcements for the media and other such avenues as deemed  
15 appropriate for informing the public.

16  
17 **ARTICLE IX.**

18 **FINAL PROVISIONS**

19 **SEC. 25. *Appropriations.*** - The amount necessary to carry out the provisions of this Act  
20 shall be charged in the annual appropriations of the Department of Education in the General  
21 Appropriations Act.

22  
23 **SEC. 26. *Separability Clause.*** - If any provision of this Act shall at any time be found to  
24 be unconstitutional or invalid, the remainder thereof not affected by such declaration shall remain  
25 in full force and effect.

1           **SEC. 27. *Repealing Clause.*** – All laws, decrees, rules or regulations inconsistent with the  
2 provisions of this Act are hereby repealed or modified accordingly.

3

4           **SEC. 28. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days following  
5 its complete publication in two (2) newspapers of general circulation.

Approved,