

10 JUL 22 1947

SENATE
S. No. **1948**

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

This bill seeks to legislate the period of probationary employment for professors, instructors, and teachers, and other academic personnel in private educational institutions.

It is a declared policy of the State to recognize the complementary roles of public and private institutions in the educational system. Consistent with this, the State shall exercise reasonable supervision and regulation of all educational institutions and likewise enhance the right of teachers to professional advancement. The State shall further ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment. (Art. XIV, Sec. 4(1), Sec. 5(4) and 5(5), 1987 Constitution)

In furtherance of these declarations, there is a need to shorten the probationary employment for teachers, instructors, and professors and other academic personnel in private schools from the existing three-year period to just a year of very satisfactory service for those in the elementary and secondary levels, from six down to two consecutive regular semesters of very satisfactory service for in the tertiary level, and from nine to three consecutive trimesters of very satisfactory service for those in the tertiary level where collegiate courses are offered on the trimester basis. This measure will ensure that private schools get the best available talents and employ them as regular employees at the shortest time possible, while simultaneously affording to the academic personnel their right to professional advancement.

This is a senate counterpart bill to one filed in the House of Representatives by former Rep. Oscar Gozos.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This was originally filed during the 14th Congress 1st Regular Session

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1 AN ACT
2 PROVIDING THE PROBATIONARY PERIOD OF EMPLOYMENT OF ACADEMIC
3 PERSONNEL IN PRIVATE SCHOOLS, THEREBY AMENDING FOR THE
4 PURPOSE PRESIDENTIAL DECREE NO. 442 (AS AMENDED), OTHERWISE
5 KNOWN AS THE LABOR CODE OF THE PHILIPPINES

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

6 SECTION 1. There shall be incorporated after Article 281 of Book VI, Title 1 of the
7 Labor Code a new article to read as follows:

8 "ART. 281-A. Probationary period of academic personnel in private
9 schools. - The probationary period for academic personnel shall not be more than
10 one (1) calendar year of very satisfactory service for those in the elementary and
11 secondary levels, two (2) consecutive regular semesters of very satisfactory
12 service for those in the tertiary level, and three (3) consecutive trimesters of very
13 satisfactory service for those in the tertiary level where collegiate courses are
14 offered on the trimester basis.

15 For this purpose, the term "academic personnel" shall include:

16 A) Those engaged in actual teaching service, either on full time or
17 part-time basis.

18 B) Those who possess certain prescribed academic functions directly
19 supportive of teaching such as:

- 20 1) Registrars
- 21 2) Librarians
- 22 3) Guidance counselors
- 23 4) Researchers

1 5) Other similarly employed individuals

2 C) Other school officials responsible for academic matters.”

3 SECTION 2. *Repealing Clause.* - All laws, decrees, executive orders, rules and
4 regulations or parts thereof, which are inconsistent with this Act, are hereby repealed, amended
5 or modified accordingly.

6 SECTION 3. This Act shall take effect fifteen (15) days after its complete
7 publication in the Official Gazette or in at least two (2) newspapers of general circulation,
8 whichever comes earlier.

Approved.