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REPUBLIC OF THE PHILIPPINES)
First Regular Session)

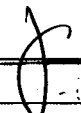


Senate
Office of the Secretary

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SENATE

S. No. 620

RECEIVED BY: 

Introduced by Sen. Antonio "Sonny" F. Trillanes IV

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

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 2010-2011 National Achievement Test (NAT), 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 68.14%. This suggested that grade six examinees did not master the competencies in the said areas necessary for their transition into secondary education.

Result of 2011-2012 NAT, moreover, revealed that elementary students averaged an overall achievement rate of 66.79%, equivalent only to near mastery level, while high school students were worse off with only 48.9%, 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 the House of Representatives of the Philippines in
Congress assembled:*

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
5 mean:

- 6 1. Accountability means the acceptance of the responsibility for improving student
7 performance and taking actions to improve classroom practice and school
8 performance by the Congress, the Department of Education, local school district
9 boards, administrators, teachers, parents, students, and the community.
- 10 2. "Standards based assessment" means an assessment where an individual's
11 performance is compared to specific performance standards and not to the
12 performance of other students.
- 13 3. "Disaggregated data" means data broken out for specific groups within the total
14 student population, such as by gender and family income level.
- 15 4. "Longitudinally matched student data" means examining the performance of a
16 single student or a group of students by considering their test scores over time.
- 17 5. "Norm-referenced assessment" means assessments designed to compare student
18 performance to a nationally representative sample of similar students known as
19 the norm group.
- 20 6. "Academic achievement standards" means statements of expectations for student
21 learning.
- 22 7. "Department" means the Department of Education.

- 1 8. "Absolute performance" means the rating a school will receive based on the
2 percentage of students meeting standard on the state's standards based
3 assessment.
- 4 9. "Improvement performance" means the rating a school will receive based on
5 longitudinally matched student data comparing current performance to the
6 previous year's for the purpose of determining student academic growth.
- 7 10. "Objective and reliable nationwide assessment" means assessments that yield
8 consistent results and that measure the cognitive knowledge and skills specified
9 in the state-approved academic standards and do not include questions relative to
10 personal opinions, feelings, or attitudes and are not biased with regard to race,
11 gender, or socioeconomic status. The assessments must include a writing
12 assessment and multiple-choice questions designed to reflect a range of
13 cognitive abilities beyond the knowledge level. Constructive response questions
14 may be included as a component of the writing assessment.
- 15 11. "Formative assessment" means assessments used within the school year to
16 analyze general strengths and weaknesses in learning and instruction, to
17 understand the performance of students individually and across achievement
18 categories, to adapt instruction to meet students' needs, and to consider placement
19 and planning for the next grade level. Data and performance from the formative
20 assessments must not be used in the calculation of school or district ratings.

21 22 **ARTICLE II.**

23 **ACADEMIC STANDARDS AND ASSESSMENTS**

24
25 **SEC. 3. *Adoption of Educational Standards in Core Academic Areas.*** – The
26 Department of Education is directed to adopt grade specific performance-oriented educational
27 standards in the core academic areas of Mathematics, English/language arts, social studies
28 (history, economics, and geography), and Science for elementary and high school and adopt
29 specific academic standards for benchmark courses in mathematics, English/language arts,
30 social studies, and science for high school. The standards are to promote the goals of
31 providing every student with the competencies to:

- 32 1. read, view, and listen to complex information in the English language;
33 2. write and speak effectively in the English language;
34 3. solve problems by applying Mathematics;

- 1 4. conduct research and communicate findings;
- 2 5. understand and apply scientific concepts;
- 3 6. obtain a working knowledge of world and Philippine history, government,
- 4 economics, and geography; and
- 5 7. use information to make decisions.

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

10
11 **SEC. 4. *Development or Adoption of Nationwide Assessment Program to Promote***
12 ***Student Learning and Measure Student Performance.* –**

- 13 A. Notwithstanding any other provision of law, the Department of Education is required
14 to develop or adopt a nationwide assessment program to promote student learning and
15 to measure student performance on national standards and:
 - 16 1. identify areas in which students need additional support;
 - 17 2. indicate the academic achievement for schools, districts, and the country; and
 - 18 3. provide professional development to educators.
- 19 B. The nationwide assessment program in the four academic areas must include grades
20 three (3) through six (6), an exit examination in English/language arts and
21 mathematics, which is to be first administered in a student's first year of high school
22 enrollment, and end-of-course tests before high school graduation. Beginning with the
23 graduating class of 2018 students are required to pass a high school credit course in
24 science and a course in Philippine history in which end-of-course examinations are
25 administered to receive the high school diploma.
- 26 C. While assessment is called for in the specific areas mentioned above, this should not
27 be construed as lessening the importance of visual and performing arts, health,
28 physical education, and career or occupational programs.
- 29 D. By May 2017, the Department of Education shall create a nationwide adoption list of
30 formative assessments aligned with the country's content standards and satisfying
31 professional measurement standards in accordance with criteria jointly determined by
32 the Education Oversight Committee, created hereunder, and the Department of
33 Education. The formative assessments must provide diagnostic information in a
34 timely manner to all school districts for each student during the course of the school

1 year. For use beginning with the 2017-2018 school year, with funds appropriated by
2 the Congress, local districts must be allocated resources to select and administer
3 formative assessments from the nationwide adoption list to use to improve student
4 performance in accordance with district improvement plans.

- 5 E. The Department of Education shall adopt a developmentally appropriate formative
6 reading assessment for use in first and second grades to be administered initially in
7 the 2017-18 school year. The assessment must provide opportunities for periodic
8 formative assessment during the school year, reports that are useful for informing
9 classroom instruction or significant groupings of standards level information about
10 individual students, and must be compatible with best practices in reading instruction
11 and reading research. The Department of Education shall provide appropriate and on-
12 going professional development to support appropriate use of the assessment.

13
14 **SEC. 5. *Congressional Oversight Committee on Education.*** - There is hereby created
15 a Congressional Oversight Committee on Education composed of three (3) members from the
16 Senate and three (3) from the House of Representatives. The Member from the Senate shall
17 be appointed by the Senate President based on the proportional representation of the parties
18 or the coalitions therein with at least one Senator representing the Minority. The Members of
19 the House of Representatives shall be appointed by the Speaker, also based on the
20 proportional representation of 16 the parties or the coalitions therein with at least one
21 Member representing the Minority.

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

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

- 26 a) Review the state assessment program and the course assessments for alignment with
27 the country's standards, level of difficulty and validity, and for the ability to
28 differentiate levels of achievement, and make recommendations for needed changes;
29 b) Approve the educational standards created by the Department of Education;
30 c) Set the guidelines and the overall framework to monitor and ensure the proper
31 implementation of this Act;
32 d) Ensure transparency and require the submission of reports on the conduct of
33 programs, projects, and policies relating to the implementation of this Act;

- 1 e) Determine inherent weaknesses in the law and recommend the necessary remedial
2 legislations or executive measures; and
3 f) Perform such other duties and functions and responsibilities as may be necessary to
4 effectively attain the objectives of this Act.

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

8
9 **SEC. 6. *General Administration of Test.* –**

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

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

29 To ensure that school districts maintain the high standard of accountability,
30 performance level results reported on school and district report cards must meet consistently
31 high levels in all four core content areas. Beginning with the 2017 report card, the core areas
32 must remain consistent with the established and approved standards by the Education
33 Oversight Committee.

1 C. After review and approval by the Education Oversight Committee, the end of course
2 assessments of benchmark courses will be administered to all public school students
3 as they complete each benchmark course.

4 D. Any new standards and assessments required to be developed and adopted by the
5 Department of Education must be developed and adopted upon the advice and consent
6 of the Education Oversight Committee.

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

17
18 **SEC. 8. *Administration of National Assessment of Education Progress.*** – The
19 Department Education is directed to administer annually the National Assessment of
20 Education Progress (NAEP) to obtain an indication of student and school performance
21 relative to national performance levels.

22
23 **SEC. 9. *Cyclical Review of National Standards and Assessments.*** –

24 A. The Department of Education, in consultation with the Education Oversight
25 Committee, shall provide for a cyclical review by academic area of the national
26 standards and assessments to ensure that the standards and assessments are
27 maintaining high expectations for learning and teaching. All academic areas must be
28 initially reviewed by the year 2015. At a minimum, each academic area should be
29 reviewed and updated every six years. After each academic area is reviewed, a report
30 on the recommended revisions must be presented to the Education Oversight
31 Committee for its consideration. After approval by the Education Oversight
32 Committee, the recommendations may be implemented. As a part of the review, a task
33 force of parents, business and industry persons, community leaders, and educators
34 shall examine the standards and assessment system to determine rigor and relevancy.

1 B. Beginning with the 2015 assessment results, the Department of Education annually
2 shall convene a team of curriculum experts to analyze the results of the assessments,
3 including performance item by item. This analysis must yield a plan for disseminating
4 additional information about the assessment results and instruction and the
5 information must be disseminated to districts not later than end of January of the
6 subsequent year.

7
8 **SEC. 10. Dissemination of Assessment Results.** - The Department of Education is
9 directed to provide assessment results annually on individual students and schools in a
10 manner and format that is easily understood by parents and the public. In addition, the school
11 assessment results must be presented in a format easily understood by the faculty and in a
12 manner that is useful for curriculum review and instructional improvement. The Department
13 is to provide longitudinally matched student data from the standards based assessments and
14 include information on the performance of subgroups of students within the school. Schools
15 and districts shall be responsible for disseminating this information to parents.

16
17 **ARTICLE III**
18 **ACADEMIC PLANS FOR STUDENTS**
19

20 **SEC. 11. Academic Plan for Student Lacking Skills to Perform at Current Grade**
21 **Level.** –

22 A. Beginning in 2008-09 and annually thereafter, at the beginning of each school year,
23 the school must notify the parents of the need for a conference for each student in
24 grades three through six who lacks the skills to perform at his current grade level
25 based on assessment results, school work, or teacher judgment. At the conference, the
26 student, parent, and appropriate school personnel will discuss the steps needed to
27 ensure student success at the next grade level. An academic plan will be developed to
28 outline additional services the school and district will provide and the actions the
29 student and the parents will undertake to further student success.

30 B. The participants in the conference will sign off on the academic plan, including any
31 requirement for summer school attendance. Should a parent, after attempts by the
32 school to schedule the conference at their convenience, not attend the conference, the
33 school will appoint a school mentor, either a teacher or adult volunteer, to work with

1 the student and advocate for services. A copy of the academic plan will be sent to the
2 parents by certified mail.

- 3 C. At the end of the school year, the student's performance will be reviewed by
4 appropriate school personnel. If the student's work has not been at grade level or if the
5 terms of the academic plan have not been met, the student may be retained, he may be
6 required to attend summer school, or he may be required to attend a comprehensive
7 remediation program the following year designed to address objectives outlined in the
8 academic plan for promotion. Students required to participate the following year in a
9 comprehensive remediation program must be considered on academic probation.
10 Comprehensive remediation programs established by the district shall operate outside
11 of the normal school day and must meet the guidelines established for these programs
12 by the Department. If there is a compelling reason why the student should not be
13 required to attend summer school or be retained, the parent or student may appeal to a
14 district review panel.
- 15 D. At the end of summer school, a district panel must review the student's progress and
16 report to the parents whether the student's academic progress indicates readiness to
17 achieve grade level standards for the next grade. If the student is not at grade level or
18 the students' assessment results show standards are not met, the student must be
19 placed on academic probation. A conference of the student, parents, and appropriate
20 school personnel must revise the academic plan to address academic difficulties. At
21 the conference, it must be stipulated that academic probation means if either school
22 work is not up to grade level or if assessment results again show standards are not
23 met, the student will be retained. The district's appeals process remains in effect.

24
25 **ARTICLE IV.**
26 **REPORTING**

27
28 **SEC. 12. *Development of Annual Report Cards.* –**

- 29 A. The Education Oversight Committee, working with the Department of Education, is
30 directed to establish an annual report card and its format to report on the performance
31 for the individual elementary, high schools, and school districts of the country. The
32 school's ratings on academic performance must be emphasized and an explanation of
33 their significance for the school and the district must also be reported. The annual
34 report card must serve at least four purposes:

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

5 B. The Oversight Committee shall determine the criteria for and establish five academic
6 performance ratings of excellent, good, average, below average, and unsatisfactory.
7 Schools and districts shall receive a rating for absolute and improvement
8 performance. Only the scores of students enrolled in the school at the time of
9 enrollment count shall be used to determine the absolute and improvement ratings.
10 The Oversight Committee shall establish student performance indicators which will
11 be those considered to be useful for assessing a school's overall performance and
12 appropriate for the grade levels within the school.

13 C. In setting the criteria for the academic performance ratings and the performance
14 indicators, the Education Oversight Committee shall report the performance by
15 subgroups of students in the school and schools similar in student characteristics.
16 Criteria must use established guidelines for statistical analysis and build on current
17 data-reporting practices.

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

31
32 **SEC. 13. *Progress Reports.*** - No later than June 1, 2009, the Department of
33 Education must report on the development of the performance indicators criteria and the
34 report card to the Education Oversight Committee. A second report, to include uniform

1 collection procedures for academic standards and performance indicators, is due by
2 December 1, 2009. No later than December, 2009, the Department of Education shall report
3 to the Oversight Committee the determination of the levels of difficulty for the assessments
4 by grade and academic area. By March 1, 2000, a report on the development of baseline data
5 for the schools is due from the division.

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

15
16 **ARTICLE V.**

17 **AWARDING PERFORMANCE**

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

- 25 1. student attendance;
26 2. teacher attendance;
27 3. student dropout rates; and
28 4. any other factors promoting or maintaining high levels of achievement and
29 performance. Schools shall be rewarded according to specific criteria established by
30 the Department. In defining eligibility for a reward for high levels of performance,
31 student 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
4 defined program: Provided, That during a three-year period, the following criteria are
5 satisfied:

6 1. the school has twice been a recipient of the Performance Award, pursuant to
7 Section 15, hereunder;

8 2. the school has met annual improvement standards for subgroups of students in
9 reading and mathematics; and

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

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

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

25
26 **ARTICLE VI.**

27 **DISTRICT ACCOUNTABILITY SYSTEMS**

28
29 **SEC. 17. District Accountability System.** - The Department of Education, based on
30 recommendations of the division, must develop regulations requiring that no later than April,
31 2009, each local district board must establish and annually review a performance based
32 accountability system, or modify its existing accountability system, to reinforce the national
33 accountability system. Parents, teachers, and principals must be involved in the development,
34 annual review, and revisions of the accountability system established by the district. The

1 board shall ensure that a district accountability plan be developed, reviewed, and revised
2 annually.

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

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

13 **ARTICLE VII.**

14 **INTERVENTION AND ASSISTANCE**

15 **SEC. 18. *Schools Rated Below Average or Unsatisfactory.* –**

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

- 18 1. The faculty of the school with the leadership of the principal must review its
19 improvement plan and revise it. The revised plan should look at every aspect
20 of schooling, and must outline activities that, when implemented, can
21 reasonably be expected to improve student performance and increase the rate
22 of student progress. The plan should provide a clear and coherent plan for
23 professional development, which has been designed by the faculty that is
24 ongoing, job related, and keyed to improving teaching and learning. A time
25 line for implementation of the activities and the goals to be achieved must be
26 included.
27
- 28 2. Once the revised plan is developed, the district superintendent and the local
29 school district board shall review the school's strategic plan to determine if the
30 plan focuses on strategies to increase student academic performance.
- 31 3. The school, in conjunction with the district board, must inform the parents of
32 children attending the school of the ratings received from the Department of
33 Education and must outline the steps in the revised plan to improve
34 performance, including the support which the local district board has agreed to

1 give the plan. This information must also be advertised in at least one national
2 daily newspaper of general circulation. This notice must be published within
3 ninety days of receipt of the report cards issued by the Department and must
4 be a minimum of two columns by ten inches (four and one-half by ten inches)
5 with at least a twenty-four point bold headline. The notice must include the
6 following information: name of school district, name of superintendent,
7 district office telephone number, name of school, name of principal, telephone
8 number of school, school's absolute performance rating and improvement
9 performance rating on student academic performance, and strategies which
10 must be taken by the district and school to improve student performance; and
11 4. Upon a review of the revised plan to ensure it contains sufficiently high
12 standards and expectations for improvement, the Department of Education is
13 to delineate the activities, support, services, and technical assistance it will
14 make available to support the school's plan and sustain improvement over
15 time.

16
17 **SEC. 19. *Assignment of External Review Committee.* –**

18 A. When a school receives a rating of unsatisfactory or upon the request of a school rated
19 below average, an external review team must be assigned by the Department of Education
20 to examine school and district educational programs, actions, and activities. The
21 Education Oversight Committee, in consultation with the Department, shall develop the
22 criteria for the identification of persons to serve as members of an external review team
23 which shall include representatives" from selected school districts, respected retired
24 educators, Department of Education staff, higher education representatives, parents from
25 the district, and business representatives.

26
27 B. The activities of the external review committee may include:

- 28 1. examine all facets of school operations, focusing on strengths and weaknesses,
29 determining the extent to which the instructional program is aligned with the
30 content standards, and recommendations which draw upon strategies from
31 those who have been successful in raising academic achievement in schools
32 with similar student characteristics;
- 33 2. consult with parents and community members to gather additional information
34 on the strengths and weaknesses of the school;

- 1 3. identify personnel changes, if any, that are needed at the school and/or district
2 level and discuss such findings with the board;
- 3 4. work with school staff and local school district in the design of the school's
4 plan, implementation strategies, and professional development training that
5 can reasonably be expected to improve student performance and increase the
6 rate of student progress in that school;
- 7 5. identify needed support from the district, the Department, and other sources
8 for targeted long-term technical assistance; (6) report its recommendations, no
9 later than three months after the school receives the designation of
10 unsatisfactory to "the school, the local district board, and the Department of
11 Education; and (7) report annually to the local board and DepEd over the next
12 four years, or as deemed necessary by the Department, on the district's and
13 school's progress in implementing the plans and recommendations and in
14 improving student performance.

15
16 **SEC. 20. Declaration of State of Emergency in School Rated Below Average.** - If
17 the recommendations, the district's plan, or the school's revised plan are not satisfactorily
18 implemented by the school rated unsatisfactory and its school district according to the time
19 line developed by the Department or if student academic performance has not met expected
20 progress, the principal, district superintendent, and members local district school board must
21 appear before the Department to outline the reasons why a state of emergency should not be
22 declared in the school. The district superintendent, after consulting with the external review
23 committee and with the approval of the Department of Education, shall be granted the
24 authority to take any of the following actions:

- 25 1. furnish continuing advice and technical assistance in implementing the
26 recommendations of the Department of Education;
- 27 2. declare a state of emergency in the school and replace the school's principal;
28 or
- 29 3. declare a state of emergency in the school and assume management of the
30 school.

31
32 **SEC. 21. School District Rated Below Average.** -

- 33 A. When a district receives a rating of below average, the District Superintendent,

1 with the approval of the Department of Education, shall appoint an external review
2 committee to study educational programs in that district and identify factors affecting
3 the performance of the district. The review committee must:

- 4 1. examine all facets of school and district operations, focusing on strengths
5 and weaknesses, determining the extent to which the instructional
6 program is aligned with the content standards and shall make
7 recommendations which draw upon strategies from those who have been
8 successful in raising academic achievement in schools with similar
9 student characteristics;
- 10 2. consult with parents and community members to gather additional
11 information on the strengths and weaknesses of the district;
- 12 3. identify personnel changes, if any, that are needed at the school and/or
13 district level and discuss such findings with the board;
- 14 4. work with school staff and local school districts in the design of the
15 district's plan, implementation strategies, and professional development
16 training that can reasonably be expected to improve student performance
17 and increase the rate of student progress in the district;
- 18 5. identify needed support from the Department of Education and other
19 sources for targeted long-term technical assistance;
- 20 6. report its recommendations, no later than three months after the district
21 receives the 2 designation of unsatisfactory, to the superintendent and the
22 Department of Education;

23 B. Within thirty days, the Department of Education must notify the superintendent
24 and the local school district of the recommendations approved by it. Upon the
25 approval of the recommendations, the Department must delineate the activities,
26 support, services, and technical assistance it will provide to support the
27 recommendations and sustain improvement over time.

28 C. The review committee shall be composed of Department of Education staff,
29 representatives from selected school districts, higher education, and business.

30
31 **SEC. 22. Declaration of State of Emergency in School District Rated**
32 **Unsatisfactory.** –

33 A. If recommendations approved by the Department are not satisfactorily

1 implemented by the school district according to the time line, or if student
2 performance has not made the expected progress and the school district is designated
3 as unsatisfactory, the district superintendent shall appear before the Department to
4 outline the reasons why a state of emergency must not be declared in the district.

5 B. The Department Secretary is granted authority to:

- 6 1. furnish continuing advice and technical assistance in implementing the
7 recommendations of the Department to include establishing and
8 conducting a training program for the district board of trustees and the
9 district superintendent to focus on roles and actions in support of increases
10 in student achievement;
- 11 2. mediate personnel matters between the district board and district
12 superintendent when the Department is informed by majority vote of the
13 board or the superintendent that the district board is considering dismissal
14 of the superintendent, and the parties agree to mediation;
- 15 3. recommend that the office of superintendent be declared vacant; or
- 16 4. declare a state of emergency in the school district and assume management
17 of the school district.

18
19 **SEC. 23. *Parent Orientation Classes.* –**

20 A. A school that has received an unsatisfactory absolute academic performance rating
21 on its most recent report card shall offer an orientation class for parents. The
22 orientation class must focus on the following topics:

- 23 1. the value of education;
- 24 2. academic assistance programs that are available at the school and in the
25 community;
- 26 3. student discipline;
- 27 4. school policies;
- 28 5. explanation of information that will be presented on the school's report
29 card; and
- 30 6. other pertinent issues.

31 B. The school shall offer the orientation class each year the school receives an
32 unsatisfactory absolute academic performance rating on the school report card and
33 shall provide parents with written notification of the date and time of the meeting.
34 Schools are encouraged to offer the orientation class at a time in which the

1 majority of parents would be able to attend. Additionally, schools are encouraged
2 to provide orientation classes in community settings or workplaces so that the
3 needs of parents with transportation difficulties or scheduling conflicts can be met.
4 C. A parent or guardian of each student who is registered to attend the school shall
5 attend the orientation class each year it is offered.

6
7 **ARTICLE VIII.**
8 **PUBLIC INFORMATION**

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

18
19 **ARTICLE IX.**
20 **FINAL PROVISIONS**

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

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

29
30 **SEC. 27. *Repealing Clause.*** - All laws, decrees, rules or regulations inconsistent with
31 the provisions of this Act are hereby repealed or modified accordingly.

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

Approved,