

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



Senate
Office of the Secretary

'19 AUG 27 P2:59

SENATE
S. B. No. 956

RECEIVED BY:

Introduced by Senator SONNY ANGARA

AN ACT
INSTITUTIONALIZING SUPPORT MECHANISMS AND PROTECTION FOR
PUBLIC SCHOOL TEACHERS AND PERSONNEL IN MATTERS OF STUDENT
DISCIPLINE FOR CLASSROOM MANAGEMENT

EXPLANATORY NOTE

With the implementation of the Child Protection Policy, pursuant to the United Nations Convention on the Rights of the Child, the State has taken all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity.

Concomitant with the State's full regard to the children's entitlement to respect, dignity and integrity is the protection of the teachers. The teacher's well-being and their ability to manage stress must likewise be of paramount interest in order for them to effectively perform their vital role in shaping the lives of their students. By looking after the teachers' welfare, the students will be better equipped to become responsible, productive, empowered, and successful individuals.

With the increasing burden on teachers due to large class sizes, multiple shifts each day, and the heavier tasks with the implementation of K to 12, instilling discipline in their classrooms has become increasingly difficult. This is further aggravated by the lack of institutional support in the form of standards in classroom management, training on these standards and the permissible and effective methods of instilling discipline, as well as legal assistance and representation.

With these evolving considerations, it is now high time to ensure a nurturing and safe school environment not only for all children, but for our educators as well.

Hence, this bill seeks to institutionalize support mechanisms by giving teachers free legal assistance and trainings in matters involving classroom management and discipline. Further, the proposed measure aims to create guidelines that will set out, among others, the appropriate and effective responses and interventions that will address violation of school rules and regulations.

The immediate passage of this bill is imperative.

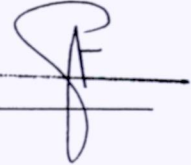
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SONNY ANGARA

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Teacher Protection*
2 *Act.*”

3 *Sec. 2. Declaration of Policy.* – In all actions relating to children, the State
4 shall accord special protection to children from all forms of abuse, exploitation,
5 cruelty, and other conditions prejudicial to their development. Furthermore, the
6 State has the duty to establish and maintain a complete and adequate system of
7 public basic education geared towards the holistic development of a child.

8 These policies are henceforth understood to encompass the State’s
9 responsibility to provide appropriate instruction to students about school discipline,
10 their duties and responsibilities with respect to their peers, to their teachers and
11 other persons of authority, and to members of their community.

12 To this end, the State shall institutionalize measures to implement in all public
13 schools clearly defined regulations on appropriate student behavior towards other
14 students, teachers, and school staff during classes, and within and outside school
15 premises.

1 The State is also hereby bound to establish and maintain support systems,
2 including training on classroom management and child discipline and legal assistance
3 for teachers and school staff, who interact daily with students and thus find
4 themselves in situations that could expose them to allegations of child abuse in the
5 course of the discharge of their duties.

6 It is hereby also declared that the State shall promote and improve the
7 working conditions of public school teachers and other school personnel, which are
8 understood to determine whether or not the physical and emotional environments of
9 children and teachers are conducive to learning and teaching.

10 *Sec. 3. Guidelines on the Implementation of Teacher Protection.* – The
11 Department of Education (DepEd) is hereby tasked to issue the Guidelines on the
12 Implementation of Teacher Protection, hereinafter referred to as “Guidelines”, within
13 one hundred and twenty (120) days from the effectivity of this Act.

14 For purposes of this Act, the Guidelines shall, among others, detail the
15 following:

- 16 a) The rights and responsibilities of teachers with respect to student discipline
17 and classroom management, to the end of fostering a positive school climate
18 and safe environment conducive to instruction and learning.

19 School administrators and teachers shall exercise special parental
20 authority over their students while under their supervision, instruction and
21 custody. As such, the Guidelines to be produced by DepEd shall recognize
22 their authority in the schools and in school-sanctioned events, and the need
23 to conduct their classes in an organized manner that is conducive to learning.
24 Thus, teachers are authorized to ensure that their students behave, respond
25 and treat their teachers and classmates in a respectful manner. They shall call
26 out disorderly or disrespectful behavior and deal with the same consistent
27 with the law and the Guidelines to be issued by DepEd;

- 28 b) Permissible, appropriate, and effective responses and interventions that will
29 address violation of school rules and regulations to be administered by
30 teachers, the school head, and other school staff; and

1 c) A clear description of the disciplinary procedure and clear designation of the
2 competent authorities to investigate, propose, and apply the responses and
3 interventions.

4 *Sec. 4. Acts Pursuant to the Guidelines Not Deemed As Child Abuse.* – Any act
5 committed by a teacher or school staff pursuant to the disciplinary rules and
6 procedures issued by DepEd shall not be deemed as child abuse, cruelty, or
7 exploitation as defined in Republic Act No. 7610 or the “Special Protection of
8 Children Against Abuse, Exploitation and Discrimination Act”.

9 *Sec. 5. Consultation of Involved Sectors in the Drafting of Guidelines.* –
10 Students, parents, teachers, other school personnel, and the community,
11 represented by their respective organizations, as well as professionals in child
12 behavior and social work, shall each have meaningful involvement in the formulation
13 of the Guidelines

14 *Sec. 6. Information Dissemination of the Guidelines.* – The DepEd shall
15 provide explanations, trainings, and workshops in order to familiarize students and
16 families with the Guidelines, explain the expectations of various sectors involved,
17 and describe the various preventive and positive responses and interventions that
18 may be used.

19 At the beginning of each school year, copies of the Guidelines shall be
20 provided to each student as well as their parents or legal guardians.

21 *Sec. 7. Training of Teachers and School Personnel on the Guidelines.* – All
22 employees of the Division shall also annually receive instructions related to the
23 specific contents of the Guidelines.

24 *Sec. 8. Professional Development relating to Student Discipline and Classroom*
25 *Management.* – The DepEd shall provide teachers the appropriate pre-service and
26 in-service trainings on child behavior and psychology, classroom management
27 techniques, positive discipline, and other related fields, as well as on the Guidelines
28 and the scope of their duties and responsibilities with respect to student discipline
29 and classroom management.

30 *Sec. 9. Support Personnel.* – The DepEd, with the Department of Budget and
31 Management, shall also ensure that there is a sufficient number of items for

1 guidance counsellors, who will serve as support personnel to teachers and school
2 administrators in matters of student discipline.

3 For purposes of this Act, DepEd shall endeavor to meet the recommended
4 ratios of one guidance counsellor for every 200 students in public elementary and
5 high schools.

6 *Sec. 10. Other Support Mechanisms for Student Discipline and Classroom*
7 *Management.* – The DepEd shall provide such other mechanisms necessary to
8 capacitate its teachers and other personnel on matters regarding child behavior and
9 psychology, classroom management techniques, positive discipline, and other related
10 fields. These measures shall include the conduct of periodic seminars and
11 formulation of primers and other explanatory materials.

12 *Sec. 11. Protection for Teachers and School Personnel in Charges Related to*
13 *Student Discipline and Classroom Management.* – In all cases related to student
14 discipline and classroom management, including criminal and administrative charges
15 of child abuse, DepEd shall extend to its teachers and other personnel the necessary
16 protection, including legal assistance and representation.

17 The DepEd shall ensure that respondents, in all stages of the disciplinary
18 proceedings, are amply represented by the accredited union, or registered union, or
19 registered union, where there is no existing accredited union, of teachers or non-
20 teaching employees, as the case may be.

21 Violation of this Section is a violation of due process and shall render the
22 proceedings void and hold all responsible persons administratively, civilly, and
23 criminally liable.

24 *Sec. 12. Confidentiality of Identity of Parties and Proceedings under this Act.*
25 – No person, whether public or private and whether a party to the case or otherwise,
26 shall publicize a case during its pendency. In no case shall the identity of
27 complainants and respondents, or any information that may reasonably identify
28 them, be disclosed to the public during the pendency of the proceedings.

29 Violation of this Section shall subject the person to the appropriate
30 administrative, civil, criminal, and other liabilities.

31 The DepEd shall issue its guidelines for the media with regard to the handling
32 of cases within the contemplation of this Act.

1 Sec. 13. *Implementing Rules and Regulations.* – Within ninety (90) days from
2 the effectivity of this Act, DepEd shall promulgate the rules and regulations
3 necessary to implement the provisions of this Act.

4 Sec. 14. *Separability Clause.* – If any portion or provision of this Act is
5 subsequently declared invalid or unconstitutional, other provisions hereof which are
6 not affected thereby shall remain in full force and effect.

7 Sec. 15. *Repealing Clause.* – Republic Act No. 7610 is hereby modified
8 accordingly. All other laws, acts, presidential decrees, executive orders, presidential
9 proclamations, issuances, rules and regulations, or parts thereof which are contrary
10 to or inconsistent with any of the provisions of this Act are hereby repealed,
11 amended, or modified accordingly.

12 Sec. 16. *Effectivity.* – This Act shall take effect fifteen (15) days after its
13 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,