



Legal Bases of Philippine Educational System

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THE 1987 CONSTITUTIONS

- **Article XIV Sections 1-5(5)**

Section 1. The state shall protect and promote the right of all the citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.

- Section 2. The state shall:

1. Establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the people and society;

2. Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural rights of parents to rear their children, elementary education is compulsory for all children of school age;

3. Establish and maintain a system of scholarship grants, student loan programs, subsidies and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged;

4. Encourage non- formal, informal and indigenous learning system, as well as self-learning independent and out-of-school study programs particularly those that respond to community needs; and

5. Provide adult citizens, the disabled and out-of-school youth with training in civics, vocational efficiency and skills.

- Section 3.

1. All educational institutions shall include the study of the Constitution as part of the curricula.

2. They shall inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge and promote efficiency.

3. At the option expressed in writing by the parent or guardians, religion shall be allowed to be taught to their children or wards in the public elementary and high schools within the regular class hours by instructors designated or approved by the religious authorities of the religion to which the children or wards belong, additional cost to the Government.

- Section 4.

1. The state recognizes the complementary roles of the public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.

2. Educational institutions, other than those established by religious groups and mission boards, shall be allowed solely by citizens of the Philippines or corporations or associations at least sixty per centum of the capital of which is owned by such citizens.

- The Congress may, however, require increased Filipino equity participation in all educational institutions. The control and administration of educational institutions shall be vested in citizens of the Philippines. No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one third of the enrollment in any school. The provisions of this subsection shall not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.

3. All revenues and assets of non- stock, non-profit educational institutions used actually, directly and exclusively for educational purposes shall be exempt from taxes and duties. Upon the dissolution or cessation of the corporate existence of such institutions, their assets shall be disposed of in the manner provided by law. Proprietary educational institutions, including those cooperatively owned, may likewise be entitled to such exemptions subject to the limitations provided by law including restrictions on dividends and provisions for reinvestment.

4. Subject to conditions prescribed by law, all grants endowments, donations or contributions used actually, directly and exclusively for educational purposes shall be exempt from tax.

- Section 5.

1. The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs.

2. Academic freedom shall be enjoyed in all institutions of higher learning.

3. Every citizen has a right to select a profession or course of study, subject to fair, reasonable and equitable admission and academic requirements.

4.The State shall enhance the right of teachers to professional advancement. Non-teaching academic and non-academic personnel shall enjoy the protection of the State.

5.The State shall assign the highest budgetary priority to education and 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.



RIGHTS OF STUDENTS IN SCHOOL

(Section 9)

1. The right to receive competent instruction, relevant quality education.
2. The right to freely choose their field of study subject to the existing curricula and continue their course up to graduation, except in cases of academic deficiency or violations of disciplinary regulations.
3. The right to school guidance and counseling services.

4.The right to access to his owns school records and the confidentiality of it.

5.The right to issuance of official certificates, diplomas, transcript of records, grades, transfer credentials and similar document within thirty days from request.

6.The right to publish a student newspaper and invite resource persons during symposia, assemblies and other activities.

7. The right to free expression of opinions and suggestions and to effective channels of communication with appropriate academic and administrative bodies of the school or institutions.

8. The right to form or establish, join and participate in organizations and societies recognized by the school..., or to form, join and maintain organizations and societies for purposes not contrary to law.

9. The right to be free from involuntary contributions except those approved by their organizations and societies.



SPECIAL RIGHTS and/or PRIVILEGES OF TEACHING OR ACADEMIC STAFF (Section II)

1. Right to be free compulsory assignment not related to their duties defined in their appointment or employment contracts unless compensated thereof. (additional compensation Sec. 14 R.A. 4670- at least 25% his regular remuneration)
2. Right to intellectual property.....

3. Teachers are persons in authority when in lawful discharge of duties and responsibilities... shall therefore be accorded due respect and protection (Commonwealth Act No. 578)

4. Teachers shall be given opportunity to choose career alternatives for advancements.



Reference

- <https://www.teacherph.com/legal-bases-of-philippine-educational-system/>

