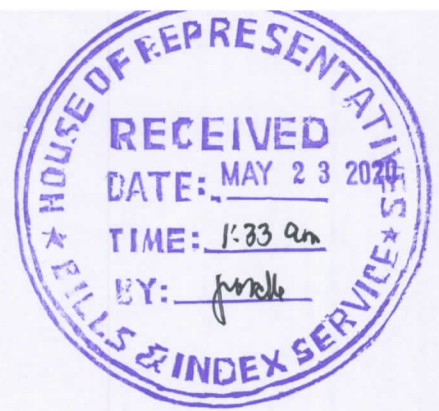


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6791



Introduced by **HON. KRISTINE ALEXIE B. TUTOR**
3rd District, Bohol

EXPLANATORY NOTE

Our public school teachers are at the forefront of the delivery of basic education to millions of Filipino students everyday. However, with the every increasing size classes, the numerous shifts each day, instilling discipline in our classrooms have become increasingly difficult. While the State has taken appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity, the State should likewise provide protection to our teachers in appreciation of their vital role in shaping the lives of young Filipinos.

This bill therefore aims to institutionalize measures to implement in all public schools clearly defined regulations on appropriate student behavior towards other students, teachers, and school staff, during classes, and within and outside school premises.

Under this measure, the State shall endeavor to promote and improve the working conditions of public school teachers and other school personnel, which are understood to determine whether or not the physical and emotional environments of children and teachers are conducive to learning and teaching.

The bill further provides support mechanisms by giving teachers free legal assistance and trainings in matters involving classroom management and discipline.

It is high time for us to ensure a nurturing and safe school environment not only for our students, but for our educators as well.

In view of the foregoing, immediate passage of this measure is earnestly sought.


HON. KRISTINE ALEXIE B. TUTOR

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Introduced by **HON. KRISTINE ALEXIE B. TUTOR**
3rd District, Bohol

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

*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 Act.*”

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

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

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

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

1 It is hereby also declared that the State shall promote and improve the working
2 conditions of public school teachers and other school personnel, which are understood to
3 determine whether or not the physical and emotional environments of children and teachers
4 are conducive to learning and teaching.
5

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

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

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

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

- 22 b) Permissible, appropriate, and effective responses and interventions that will address
23 violation of school rules and regulations to be administered by teachers, the school
24 head, and other school staff; and
25 c) A clear description of the disciplinary procedure and clear designation of the
26 competent authorities to investigate, propose, and apply the responses and
27 interventions.
28

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

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

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

10 At the beginning of each school year, copies of the Guidelines shall be provided to
11 each student as well as their parents or legal guardians.
12

13 **Sec. 7. Training of Teachers and School Personnel on the Guidelines.** – All
14 employees of the Division shall also annually receive instructions related to the specific
15 contents of the Guidelines.
16

17 **Sec. 8. Professional Development relating to Student Discipline and Classroom**
18 **Management.** – The DepEd shall provide teachers the appropriate pre-service and in-service
19 trainings on child behavior and psychology, classroom management techniques, positive
20 discipline, and other related fields, as well as on the Guidelines and the scope of their duties
21 and responsibilities with respect to student discipline and classroom management.
22

23 **Sec. 9. Support Personnel.** – The DepEd, with the Department of Budget and
24 Management, shall also ensure that there is a sufficient number of items for guidance
25 counsellors, who will serve as support personnel to teachers and school administrators in
26 matters of student discipline.

27 For purposes of this Act, DepEd shall endeavor to meet the recommended ratios of
28 one guidance counsellor for every 200 students in public elementary and high schools.
29

30 **Sec. 10. Other Support Mechanisms for Student Discipline and Classroom**
31 **Management.** – The DepEd shall provide such other mechanisms necessary to capacitate its
32 teachers and other personnel on matters regarding child behavior and psychology, classroom
33 management techniques, positive discipline, and other related fields. These measures shall

1 include the conduct of periodic seminars and formulation of primers and other explanatory
2 materials.

3
4 **Sec. 11. *Protection for Teachers and School Personnel in Charges Related to***
5 ***Student Discipline and Classroom Management.*** – In all cases related to student discipline
6 and classroom management, including criminal and administrative charges of child abuse,
7 DepEd shall extend to its teachers and other personnel the necessary protection, including
8 legal assistance and representation.

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

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

15
16 **Sec. 12. *Confidentiality of Identity of Parties and Proceedings under this Act.*** – No
17 person, whether public or private and whether a party to the case or otherwise, shall publicize
18 a case during its pendency. In no case shall the identity of complainants and respondents, or
19 any information that may reasonably identify them, be disclosed to the public during the
20 pendency of the proceedings.

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

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

25
26 **Sec. 13. *Implementing Rules and Regulations.*** – Within ninety (90) days from the
27 effectivity of this Act, DepEd shall promulgate the rules and regulations necessary to
28 implement the provisions of this Act.

29
30 **Sec. 14. *Separability Clause.*** – If any portion or provision of this Act is subsequently
31 declared invalid or unconstitutional, other provisions hereof which are not affected thereby
32 shall remain in full force and effect.

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

5
6 **Sec. 16. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
7 in the *Official Gazette* or in a newspaper of general circulation.

Approved,