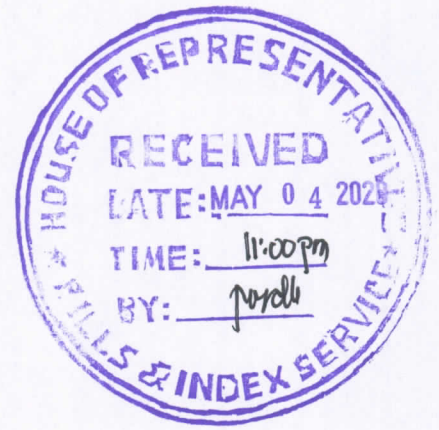


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6685



Introduced by Representative Roman T. Romulo

Explanatory Note

We are living in a unique and peculiar time in history where our actions will dictate the tenor of the lives of our people moving forward. The times indeed call for wisdom and prudence from all sectors of our society, including the legislative which possesses a unique capacity to heavily influence the public sector response to such a crisis.

Although the Department of Education (DepEd) has reportedly recalibrated and reprioritized its programs and budget for Fiscal Year 2020-2021. Despite these courses of action, the department finds it necessary to request additional funding for the proper implementation of the preemptive and responsive measures that they have crafted to address the exigencies of the COVID-19 crisis. This representation sees that it is necessary to supplement the budget of DepEd for the continuity of the educational programs for our learners, all while ensuring their safety. Some of these programs are the Learning Continuity Program and the Feeding Programs for our nutritionally deprived learners.

In this light, this bill seeks to amend the salient provisions of the Local Government Code on the Special Education Fund (SEF), amending for the purpose RA7160 or the Local Government Code of 1991 (LGC), as amended. Particularly, we are amending Sections 100.

The amendment to Section 100 of RA7160 will provide the DepEd the power to levy funds from the SEF in times of national emergencies or when the executive deems it necessary. Through this amendment, the salaries, allowances, and other benefits of our teaching, teach-

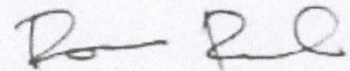
ing-related, and non-teaching personnel will be addressed and secured. The hiring of necessary personnel, teaching or otherwise will not be hindered. Most importantly, we will ensure that the responsive programs for our learners will be implemented and thoroughly executed.

The proposed amendments will undoubtedly improve our ability to respond to the current paradigm at the manner of speed which it calls for. The responsiveness that this bill will provide will not only be applicable to the current national emergency, but to our adaptability to future emergencies of this magnitude.

It cannot be gainsaid that the welfare of our learners is of paramount importance. Although we are keen on continuing the education of our learners within a paradigm of the COVID-19 crisis, we are intent on making sure that the quality of education that we deliver is competent even under normal circumstances. As always, let us ensure that we do not simply provide mere access to education but quality education.

The educational sector and our learners require our support and we shall provide it.

In view of the foregoing, the approval of this bill is earnestly sought.

A handwritten signature in dark ink, appearing to read 'Roman T. Romulo', with a stylized flourish at the end.

ROMAN T. ROMULO
Lone District, Pasig City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6685

Introduced by Representative Roman T. Romulo

AN ACT ALLOWING THE DEPED TO LEVY FUNDS FROM THE SPECIAL EDUCATION FUND (SEF) FOR PREEMPTIVE AND RESPONSIVE MEASURES IN TIMES OF NATIONAL EMERGENCIES OR WHEN THE EXECUTIVE DEPARTMENT DEEMS IT NECESSARY, AMENDING FOR THE PURPOSE RA 7160 OR THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED.

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

SECTION 1. ***Title*** - This Act shall be known as the "*Special Education Fund Amendments of 2020*",

SECTION 2. ***Declaration of Policy*** - It is the policy of the State to protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all. Furthermore, it is the policy of the state to provide a safe and healthy environment for students, more so in times of national emergencies.

SECTION 3. ***Emergency Levy of the SEF*** - Section 100 of RA 7160 or the Local Government Code of 1991, as amended is hereby amended to read as follows:

"Sec. 100 Meeting and Quorum; Budget. -

(a) The local school board shall meet at least once a month or as often as necessary.

(b) Any of the co-chairmen may call a meeting. A majority of all its members shall constitute a quorum. However, when both co-chairmen are present in the meeting, the local chief executive concerned, as a matter of protocol, shall be given preference to

preside over the meeting. The division superintendent, city superintendent, or district supervisor, as the case may be, shall prepare the budget of the school board concerned. Such budget shall be supported by programs, projects, and activities of the school board for the ensuing fiscal year. The affirmative vote of all the members shall be necessary to approve the budget.

(c) The annual school board budget shall give priority to the following:

(1) Construction, repair, and maintenance of school buildings and other facilities of public elementary and secondary schools;

(2) Establishment and maintenance of extension classes where necessary; and

(3) Sports activities at the division, district, municipal, and barangay levels.

(d) IN THE EVENT OF A NATIONWIDE DECLARED EMERGENCY OR WHEN THE EXECUTIVE DEPARTMENT DEEMS IT NECESSARY, THE DEPARTMENT OF EDUCATION (DEPED), IN COORDINATION WITH THE RESPECTIVE LOCAL GOVERNMENT UNITS (LGUs), UPON SHOWING THE NECESSITY AND UPON APPROVAL OF THE LOCAL SCHOOL BOARD (LSB), MAY LEVY FUNDS FROM THE SPECIAL EDUCATION FUND (SEF) FOR THE PREEMPTIVE AND/OR RESPONSIVE MEASURES INCLUDING BUT NOT LIMITED TO THE PAYMENT OF SALARIES, ALLOWANCES, AND OTHER BENEFITS OF TEACHING AND NON-TEACHING PERSONNEL; CREATION OF TEMPORARY TEACHER ITEMS ON CONTRACTUAL EMPLOYMENT, AS WELL THE HIRING OF ADMINISTRATIVE AND NON-TEACHING PERSONNEL: PROVIDED, THAT THE HIRING OF TEACHERS THEREFOR SHALL BE IN ACCORDANCE WITH THE SELECTION AND PROMOTION SYSTEM OF THE DEPARTMENT OF EDUCATION SUCH AS RANKING AND LOCALIZATION: PROVIDED, FURTHER, THAT THE TEACHER HIRED SHALL BE PAID A SALARY EQUIVALENT TO THAT RECEIVED BY A NATIONALLY PAID SCHOOL TEACHER, PROVIDED FURTHERMORE, THAT THE SAID TEACHER SHALL BE ENTITLED, WHENEVER POSSIBLE, TO THE SAME ALLOWANCES RECEIVED BY THE LATTER; REMUNERATION OR HONORARIA OF VOLUNTEER SCHOOL TEACHERS; RESEARCH STUDIES; TRAINING OF TEACHERS; AND ALL OTHER PURPOSES NECESSARY FOR THE PROPER IMPLEMENTATION OF THE PREEMPTIVE AND RESPONSIVE PROGRAMS OF THE DEPARTMENT OF EDUCATION FOR THE DURATION OF THE PUBLICLY DECLARED EMERGENCY OR UNTIL THE EXECUTIVE DEPARTMENT AND DEPED DEEM NECESSARY.

DEPED SHALL REPORT TO THE LSB AS TO THE USE AND DISBURSMENT OF THE LEVIED FUNDS, AS OFTEN AS MAY BE REQUIRED BY THE LSB.”

SECTION 4. *Implementing Rules and Regulations.* – The Department of Interior and Local Government (DILG) and the Department of Education (DepEd) shall promulgate the necessary rules and regulations to implement this Act not later than TEN (10) days after its effectivity.

SECTION 5. *Separability Clause.* - Should any part of this Act be declared unconstitutional, the rest of the provisions of this Act shall continue to be in effect and subsisting.

SECTION 7. *Repealing Clause.*- All other laws, decrees, executive orders, and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby modified, amended, superseded or repealed accordingly.

SECTION 8. *Effectivity.*- This Act shall take effect TEN (10) days after its publication in the *Official Gazette* and/or in at least ONE (1) national newspapers in general circulation.

Approved,