

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH (18TH) CONGRESS
First Regular Session



House Bill No. 1049

Introduced by:

RUDY S. CAOAGDAN
Province of Cotabato Second District Representative

EXPLANATORY NOTE

Education is a step away from poverty.

Aware of this inescapable reality, the state vigorously promotes education and allocates substantial resources to make it free at all levels.

Yet, data from the Department of Education on participation and completion rates of learners, especially in the lower and intermediate stages of formal education show a dismal fact. Parents or guardians have miserably failed in their principal function to send their minor children or wards to school, or otherwise ensure that they complete what they have started.

RA 7610, while covering the major aspects of societal ills affecting the child, omits considering as a form of child abuse the parent's or guardian's failure to send their minor child or ward to school. Thus, this bill proposal.

RUDY S. CAAGDAN
Representative
Second District
Province of Cotabato

An Act Declaring the Failure of parents or guardians to send their minor child or ward to school as a form of Child Abuse defined in R.A. 7610, as amended, providing the penalty therefor, and for other purposes

Section 1. The failure of parents or guardians to send to school their minor child or ward, either intentionally or by neglect, shall be considered a form of child abuse as defined in Section 3. (b) of R.A. 7610, as amended, and shall be penalized, as follows:

- a. First Offense: Fine not exceeding Five Thousand Pesos and school - related community service of six months;
- b. Second Offense: Fine not exceeding Ten Thousand Pesos and school - related community service of twelve months;
- c. Third Offense: Fine not exceeding Fifteen Thousand Pesos, school - related community service of eighteen months, and deprivation of parental control over the affected minor;

Section 2. Complaints for violation of the act defined herein may be filed by the officer or representative of the Department of Education;

Section 3. A violation of this act shall be deemed an act of moral turpitude. It will have the effect of forfeiture of benefits if the offender is a recipient of any grant from a government program. It will be a ground for administrative discipline for misconduct if the offender is a public officer.

Section 4. The original jurisdiction over cases involving this act is vested in the family courts; Provided that in cities or provinces where there are no family courts, the regional trial courts shall have original jurisdiction. The courts shall give preference to the hearing or disposition of cases involving violations of this Act.

Section 5. The provisions of R.A. 7610, as amended, shall apply in suppletory character to this Act;

Section 6. Separability Clause. If any provision of this Act is declared invalid or unconstitutional, the remaining provisions not otherwise declared shall continue in full force and effect;

Section 7. Repealing Clause. All laws decrees, or rules inconsistent with the provisions of this Act are hereby repealed or modified.

Section 8. Effectivity Clause. This Act shall take effect upon completion of its publication in at least two (2) newspapers of general circulation.