



Republic of the Philippines  
**House of Representatives**  
Batasan Hills, Quezon City

Eighteenth Congress  
First Regular Session

HOUSE BILL NO. 5391



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Introduced by Representative Florencio Gabriel "Bem" G. Noel

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### EXPLANATORY NOTE

The chronically overworked state of public-school teachers in the Philippines is well-known. The workload of public-school teachers is not only limited to teaching but also to other nonteaching tasks. Given this workload, actual teaching is increasingly being sidelined by the multitude of other responsibilities and roles that teachers play resulting to depression or worst, suicide.

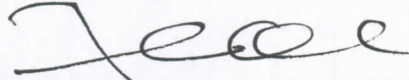
Public school teachers lack the institutional support in standards and the permissible and effective methods of instilling discipline, guidance counselors to serve as support personnel. Considering all these, it is now appropriate to ensure a nurturing and safe school environment not only for all students, but for our educators as well.

As teacher protection is as indispensable as child protection. To this end, this bill seeks to amend Republic Act 7610, otherwise known as the *Special Protection of Children Against Abuse, Exploitation and Discrimination Act*. As long as any act committed by teacher or school personnel is pursuant to the disciplinary rules and procedures prescribed by the DepEd, it shall not be deemed as "*child abuse*".

This bill further seeks to institutionalized 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.

This bill was approved on its third and final reading in the 17<sup>th</sup> Congress. Therefore, approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'F. Noel', with a stylized, cursive script.

**FLORENCIO GABRIEL "BEM" G. NOEL**  
**An WARAY Partylist Representative**



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**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:*

Section 1. **Short Title.** - This Act shall be known as the "*Teachers' Protection Act*"

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

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

To this end, the State shall 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.

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



It is hereby also declared that the State shall 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.

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

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

- a) The rights and responsibilities of teachers with respect to student discipline and classroom management, to the end of fostering a positive school climate and safe environment conducive to instruction and learning.  
School administrators and teachers shall exercise special parental authority over their students while under their supervision, instruction, and custody. As such, the Guidelines to be produced by DepEd shall recognize their authority in the schools and in-school sanctioned events, and the need to conduct their classes in an organized manner that is conducive to learning. Thus, teachers are authorized to ensure that their students behave, respond and treat their teachers and classmates in a respectful manner. They shall call out disorderly or disrespectful behavior and deal with the same consistent with the law and the Guidelines to be issued by DepEd;
- b) Permissible, appropriate, and effective responses and interventions that will address violation of school rules and regulations to be administered by teachers, the school head, and other school staff; and
- c) A clear description of the disciplinary procedure and clear designation of the competent authorities to investigate, propose, and apply the responses and interventions.

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

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

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

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

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

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

Sec. 9. ***Support Personnel.*** - The DepEd, with the Department of Budget and Management, shall also ensure that there is a sufficient number of Items for guidance counsellors, who will serve as support personnel to teachers and school administrators in matters of student discipline. For purposes of this Act, DepEd shall endeavor to meet the recommended ratios of one guidance counsellor for every 200 students in public elementary and high schools.

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

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

The DepEd shall ensure that respondents, in all stages of the disciplinary proceedings, are amply represented by the accredited union, or registered union, or registered union, where there is no existing accredited union, of teachers or non-teaching employees, as the case may be. Violation of this Section is a violation of due process and shall render the proceedings void and hold all responsible persons administratively, civilly, and criminally liable.

Sec. 12. ***Confidentiality of Identity of Parties and Proceedings under this Act.*** - No person, whether public or private and whether a party to the case or otherwise, shall publicize a case during its pendency. In no case shall the identity of complainants and respondents, or any information that may reasonably identify them, be disclosed to the public during the pendency of the proceedings. Violation of this Section shall subject the person to the appropriate administrative, civil, criminal, and other liabilities.

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



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

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

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

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

Approved,