

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

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6684



Introduced by Representative Roman T. Romulo

Explanatory Note

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 and 272.

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 Department deems it necessary. Through this amendment, the salaries, allowances, and other benefits of our teaching, teaching-related, and non-teaching personnel will be addressed and secured. Most importantly, we will ensure that the responsive programs for our learners will be implemented and thoroughly executed.

The proposed amendment includes the hiring and employment by the LGU's of administrative and non-teaching personnel who will be assigned to public schools. Presently our public school teachers are burdened in doing administrative work, instead of devoting their time teaching and preparing lesson plans.

Moreover, the amendment to Section 272 of RA7160 will expand the coverage of the SEF to include the Alternative Learning System through an express provision which requires the Local School Boards to set aside a portion of the SEF for the implementation of the ALS programs of our government.

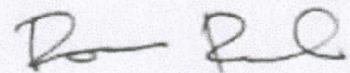
The proposed amendments will undoubtedly improve our ability to respond to the current paradigm at the manner of speed which it calls for. The responsiveness that this bill will

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', is positioned above the printed name.

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. 6684

Introduced by Representative Roman T. Romulo

**AN ACT AMENDING THE SALIENT PROVISIONS OF THE LOCAL
GOVERNMENT CODE ON THE SPECIAL EDUCATION FUND (SEF), 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;

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

(4) "THE HIRING AND EMPLOYMENT OF ADMINISTRATIVE AND NON-TEACHING STAFF; AND

(5) 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. *Provision for the ALS in the SEF* - Section 272 of RA 7160 or the Local Government Code of 1991, as amended is hereby amended to read as follows:

Section 272. *Application of Proceeds of the Additional One Percent SEF Tax.* - The proceeds from the additional one percent (1%) tax on real property accruing to the Special Education Fund (SEF) shall be automatically released to the local school boards: Provided, That, in case of provinces, the proceeds shall be divided equally between the provincial and municipal school boards: Provided, however, That the proceeds shall be allocated for the operation and maintenance of public schools **INCLUDING THE HIRING AND EMPLOYMENT OF ADMINISTRATIVE AND NON-TEACHING PERSONNEL**, construction and repair of school buildings, facilities and equipment, educational research, purchase of books and periodicals, and sports development as determined and approved by the Local School Board. **FURTHERMORE, THE LSB SHALL SET ASIDE A PORTION OF THE PROCEEDS OF THE SPECIAL EDUCATION FUND FOR THE UTILIZATION OF THE ALTERNATIVE LEARNING SYSTEM (ALS) PROGRAM WITHIN THE LOCAL GOVERNMENT UNITS' RESPECTIVE AREAS OF JURISDICTION.**

SECTION 5. *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 ninety (60) days after its effectivity.

SECTION 6. *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 fifteen (15) days after its publication in the *Official Gazette* and/or in at least two (2) national newspapers in general circulation.

Approved,