

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4232

Introduced by: **HON. KRISTINE ALEXIE B. TUTOR**

AN ACT
ESTABLISHING THE SCHOOL HEALTH AND SAFETY OFFICE
IN EVERY PUBLIC SCHOOL IN THE COUNTRY, PROVIDING ITS
MANDATES, MANPOWER COMPLEMENT, AND FUNDING, AND
FOR OTHER PURPOSES

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

Section 1. **Short Title.** - This Act shall be known as the “*School Health and Safety Act*”.

Section 2. **Declaration of Policy.** - It is the declared policy of the State, protect the right to health of the people and instill health consciousness among them and to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

Section 3. **School Health and Safety Office.** There is hereby established a School Health and Safety Office, hereinafter referred to as SHSO, in every public school, including state universities and colleges and public technical-vocational schools.

The SHSO shall be attached to the Office of the School Head for the basic education schools, and to the Vice President/Assistant Dean or Director for Administration for the technical-vocational and higher education schools.

Section 4. Roles, Functions, Responsibilities, and Accountabilities. The SHSO shall have these primary roles, functions, responsibilities, and accountabilities:

1. formulate, recommend to the school head for approval, and implement the following policies, programs and projects involving and affecting the students, faculty, and non-teaching personnel of the school: (1) Comprehensive School Health Management Program; (2) Child Protection Policy; and (3) School Security, Safety, and Disaster Preparedness Management Program;
2. participate in the formulation and implementation of the Campus Crisis Management Plan;
3. lead implement all school nutrition, immunization, dental extraction, reproductive health, and other on-campus health care activities;
4. lead implement the Child and Youth Welfare Code (Presidential Decree 603), Anti-Bullying Act of 2013 (Republic Act 10627), Republic Act 7877 (Anti-Sexual Harassment Act of 1995), Republic Act 9262 (Anti-Violence Against Women and Their Children Act of 2004), and Republic Act 11313 (Safe Streets and Public Spaces Act), and other laws protecting and promoting the rights of children and other minors;
5. implement the Mental Health Law (Republic Act 11036), the HIV-AIDS Policy Act (Republic Act 11166); nutrition laws of the Philippines including Presidential Decree No. 491;
6. implement anti-illegal drug abuse, fire prevention, and disaster management campaigns and related laws, including the Comprehensive Dangerous Drugs Act (Republic Act 9165), Fire Code of the Philippines of 2008 (Republic Act 9514), and the Philippine Disaster

Risk Reduction and Management (DRRM) Act of 2010 (Republic Act No. 10121);

7. serve as first responders to medical, safety, and security emergencies and incidents on campus and within the immediate one hundred meters vicinity of the campus, and conduct first aid training and drills;
8. manage, supervise, or operate the school canteen;
9. maintain and secure health, consultation, and counseling records according to standards set by the Department of Education, National Privacy Commission, Department of Health, and Department of Social Welfare and Development;
10. oversee the secure safekeeping of any hazardous chemicals and flammable liquids;
11. protect the campus from any security threats and intruders;
12. manage the daily operation of the campus closed-circuit television (CCTV) system and emergency communications devices;
13. conduct daily fire safety and hazards checks throughout the campus;
14. supervise and coordinate fire, earthquake, evacuation, and campus lockdown drills;
15. implement security and safety searches for firearms, bladed weapons, and devices that can cause serious physical injuries, illegal drugs, alcoholic beverages, and other contraband;
16. call for response units from the local barangay office, Philippine National Police and Bureau of Fire Protection;
17. conduct research and surveys relevant and related to the functions of the SHSO;

- 18.assist in the classroom teaching of subjects and modules within the competencies and specializations of the SHSO personnel;
- 19.participate in the administration of educational tests mandated by the Department of Education;
- 20.attend professional development training and competencies updating/upgrading courses;
- 21.prepare the budget of the SHSO, recommend to the school head its approval, and implement the approved budget; and
- 22.strictly follow government accounting and auditing rules and regulations, to maintain, safekeep, and account for all funds, equipment, furnitures, fixtures, supplies, and other inventory items entrusted to, assigned to, and used by the SHSO; and
- 23.perform such other related or secondary functions as may be assigned to them by the principal, acting principal, or officer in charge of the school.

Section 5. **Complement of SHSO personnel.** Professional personnel of the SHSO must possess the requisite civil service qualifications and license to practice their profession from the Professional Regulation Commission. Personnel not required to possess PRC license must have appropriate competencies certification from duly-accredited or authorized institutions. The number of full-time SHSO personnel in a public school shall be determined by student population size as follows:

For a public school, extension campus, and branch with student population of up to one thousand:

1. one (1) medical doctor
2. one (1) nurse;
3. one (1) dental hygienist;
4. one (1) nutritionist;
5. one (1) guidance counselor or psychologist;

6. one (1) electrician;
7. one (1) plumber;
8. two (2) security guards; and
9. two (2) utility workers.

For a public school with student population ranging from more than one thousand but no more than three thousand:

1. one (1) medical doctor
2. two (2) nurses;
3. two (2) doctors of dental medicine;
4. one (1) nutritionist;
5. one (1) social worker;
6. one (1) guidance counselor or psychologist;
7. one (1) psychiatrist;
8. one (1) electrician;
9. one (1) plumber
10. three (3) security guards; and
11. two (2) utility workers.

For a public school with student population of more than three thousand:

1. two (2) medical doctors;
2. three (3) nurses;
3. two (2) doctors of dental medicine;
4. two (2) nutritionists;
5. two (2) social workers;
6. one (1) guidance counselor;
7. one (1) psychologist;
8. one (1) psychiatrist;
9. one (1) psychometrician;
10. three (3) emergency medical technicians;
11. four (4) security guards;
12. two (2) electricians;
13. two (2) plumbers;
14. three (3) utility workers; and
15. three (3) volunteer firefighters.

For a Special Needs Education (SPED) School, the minimum complement of SHSO personnel:

1. one (1) psychiatrist
2. one (1) ophthalmologist
3. one (1) nurse
4. one (1) physical therapist
5. one (1) speech therapist
6. one (1) psychometrician
7. one (1) social worker
8. one (1) guidance counselor
9. two (2) security guards
10. one (1) electrician
11. one (1) plumber
12. two (2) utility workers

Subject to availability of funds and absolute necessity, the school head may augment, but not decrease the number of SHSO personnel provided in this Act, through job order or contract of service.

Section 6. Structure and Staffing Pattern. – Subject to the approval of the Department of Budget and Management, the Department of Education and Commission on Higher Education shall determine the organizational structure of the SHSO and create new divisions or units as may be deemed necessary, and shall appoint officers and employees of the SHSO in accordance with the civil service law, rules, and regulations.

Implementation of the SHSO school plantilla may be carried out in phases over a four-year period: the mega schools in Year One; the large schools in Year Two; the medium-sized schools in Year Three; and the small schools in Year Four.

Section 7. Separation and Retirement from Service. – Employees who are separated from service within six (6) months from the effectivity of this Act as a result of the consolidation and/or reorganization under the provisions of this Act shall receive separation benefits to which they may be entitled under

Executive Order No. 366, s. 2004: Provided, That those who are qualified to retire under existing retirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws and issuances.

Section 8. Appropriations. The funds needed for the implementation of this Act shall be from the annual appropriations and augmented as may be deemed necessary with funds from other relevant sources, including discretionary funds of the Office of the President and remittances of government owned or controlled corporations to the National Treasury;

Section 9. Implementing Rules and Regulations. The Department of Education, the Commission on Higher Education, and the Department of Health, and Department of Budget and Management, in consultation with the Civil Service Commission and Commission on Audit, shall jointly issue the implementing rules and regulations of this Act not later than sixty (60) days after the effectivity of this Act.

Section 10. Repealing Clause. - All laws, executive orders, and administrative orders or parts thereof inconsistent with any provision of this Act are hereby repealed or amended accordingly.

Section 11. Separability. - If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall continue to be in full force and effect.

Section 12. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the online version of the *Official Gazette* or in two (2) newspapers of general circulation or with established internet website presence.

Approved.

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EXPLANATORY NOTE

At the time of filing, among the most urgent and widespread health issues affecting children of schooling age are dengue, mental health, and nutrition.

Dengue reached epidemic proportions. Suicide and depression have and continue to cut short many young lives of high potential. Lack of nutrition and malnutrition have spawned both stunted growth and obesity.

This bill establishes the School Health and Safety Office in each public school. The SHSO shall be manned by qualified, licensed, and certified personnel. An earlier version of this bill was filed in the 17th Congress by registered nurse, Rep. Harlin Neil Abayon III. The undersigned author has modified that earlier version to incorporate some improvements.

The SHSO is envisioned to be a potent front line health care delivery center strategically placed within schools to serve students, their parents, and their teachers.

This bill seeks to unburden public school teachers and faculty of state universities and colleges of non-teaching responsibilities heaped upon them by regulations of the Department of Education, Technical Education and Skills Development Authority, and Commission on Higher Education.

With this bill, primary responsibility for the school canteen, school nutrition program, immunization campaigns, campus security, and many other related non-teaching roles and functions will be vested upon the School Health and Safety Office of each public school, including state universities and colleges and public technical-vocational schools.

The number and mix of SHSO personnel shall be determined by student population size per school.

School health, security, and safety manpower in our public schools is grossly inadequate. At the DepEd, the school nurse to student ratio they are following is 1:5000 and the allocation of the school nurse items is not by school, but by school division which means by province or by city. With this kind of policy, many schools have no school nurses on duty to take charge of the many school health and nutrition activities that riddle the school calendar every year.

The DepEd public schools have at least two million children who are of wasted or severely wasted nutritional status. Several malnutrition among Filipino children is why there are school feeding programs.

There is also an oral health crisis afflicting millions of Filipino children. The 2006 National Oral Health Survey (NOHS) revealed that 97.1% of six-year-old children suffer from tooth decay. More than four out of every five children of this subgroup manifested symptoms of dentinogenic infection. In addition, 78.4% of twelve-year-old children suffer from dental caries and 49.7% of the same age group manifested symptoms of dentinogenic infections.

The Advisory Council for the Education of Children and Youth with Disabilities estimates that by Year 2020 there will be 2.23 million children aged 5 to 14 with disabilities or 19 percent of that age group.

In higher education, the Commission on Higher Education has guidelines on health, guidance/counseling, and other services for students. However, in 2013, the Philippine Institute of Development Studies published a study on health care in private colleges and universities. That study discovered that back then, five years ago: (a) only 28 percent (generally the large schools) had a doctor,

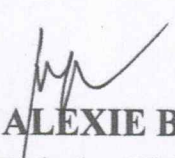
dentist, and nurse; (b) only 18 percent had a nurse only; and (c) only 10 percent had a doctor and dentist.

In the state universities and colleges, security guards/watchmen are usually outsourced from security agencies. Utility workers have either contractual or casual items in the school organizational structure. Few SUCs have a University Health Service like that of the University of the Philippines.

The scourge of crime has spread to schools. There have been incident of fatal shootings and stabbings and physical assaults involving students and teachers inside and just outside school premises. Robbers and thieves have invaded schools, stealing computer equipment, CCTV equipment, cash, and other valuable items. Illegal drugs is both a health and security problem. There is a need to implement the random drug testing policy for students and mandatory drug testing for all school personnel, in accordance with the Comprehensive Dangerous Drugs Act. There is also the urgent need to keep illegal drugs from physically entering campuses and being used and sold to students and school personnel. Moreover, it has become necessary to strengthen preventive anti-drug abuse campaigns among students, their parents, and their teachers.

This bill seeks to address these crucial school health, safety, and security issues and situations in our education system.

Considering all the foregoing, urgent passage of this bill is sought.



HON. KRISTINE ALEXIE B. TUTOR
Representative, Bohol - Third District