

**TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session**



Senate
Office of the Secretary

25 JUL 10 P2:05

SENATE

RECEIVED BY:

S.B. No. 363

Introduced by SENATOR WIN GATCHALIAN

**AN ACT
FULFILLING THE RIGHTS AND STRENGTHENING THE PRIVILEGES OF
PUBLIC SCHOOL TEACHERS UNDER REPUBLIC ACT NO. 4670,
OTHERWISE KNOWN AS THE "MAGNA CARTA FOR PUBLIC SCHOOL
TEACHERS", AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

This bill seeks to amend Republic Act (RA) No. 4670, otherwise known as the "Magna Carta for Public School Teachers" which was signed into law on June 18, 1966. The 59-year old law was enacted to promote and improve the social and economic status of public school teachers, their living and working conditions, their terms of employment and career prospects, it being recognized that advance in education depends on the qualifications and ability of the teaching staff and that education is an essential factor in the economic growth of the nation as a productive investment of vital importance.

The proposed amendments under this bill aim to address both old and new challenges faced by public school teachers brought about by the volatility and complexity of the education sector.

To ensure that the State shall respect, promote, and uphold the rights

of public school teachers, the bill provides the following substantial amendments: 1) the minimum educational qualifications for teacher-applicants; 2) the salaries, benefits, and conditions of work of probationary teachers shall be the same or not less favorable as those of an entry-level teacher; 3) non-termination of permanent teachers without just cause and due process, and their entitlement to reinstatement and backwages in case of unjust dismissal; 4) non-extendible period of one (1) week from the receipt of appeal, for the Regional Director of the Department of Education (DepEd) to decide on the station transfer of teachers; 5) confidentiality of the disciplinary action against a teacher; 6) partnership between the DepEd and the Public Attorney's Office on the legal services to be extended to teachers facing complaints and lawsuits in relation to their teaching duties and responsibilities; 7) prohibition on discrimination; 8) gender equality; 9) reduction of hours of actual classroom teaching per day from six (6) hours to four (4) hours; 10) prohibition of teachers being assigned to tasks unrelated to teaching; 11) temporary hiring of a substitute teacher when an incumbent teacher is on leave; 12) enhancement of the criteria for salaries; 13) the circumstances and conditions when the provision of special hardship allowances shall be granted; 14) protection of teachers from out-of-pocket expenses; 15) improved working conditions; and 16) grant of calamity leave, educational benefits, and longevity pay, among others.

During the 18th Congress, the Senate Committee on Basic Education, Arts and Culture filed Proposed Senate Resolution No. 522 on September 14, 2020, which conducted an inquiry, in aid of legislation, on the status of the implementation of RA No. 4670 to provide a comprehensive and critical review and identify the gaps, issues, and challenges in advancing the welfare and rights of teachers as professionals and improving the conditions for effective teaching and learning, to craft policy recommendations and initiate complementary and amendatory legislation to further strengthen the law and fulfill the goals enshrined therein.

Four long and intense public hearings were conducted to discuss the said resolution. Based on the findings in the committee report, out of the thirty (30) sections for compliance under RA No. 4670, only seven sections are compliant, 18 sections are partially compliant, three sections are not compliant, and two sections have been superseded by latter laws.

As implementation is at issue, this bill seeks to uphold the rights enshrined under the 59-year old law, with the government fulfilling its duty to ensure that the rights and welfare of our public school teachers are protected, respected, and realized.

In light of the foregoing, I earnestly seek the support of this Congress for the immediate passage of this bill.



WIN GATCHALIAN

25 JUL 10 P2:05

SENATE

S.B. No. 363

RECEIVED BY: 

Introduced by SENATOR WIN GATCHALIAN

AN ACT
FULFILLING THE RIGHTS AND STRENGTHENING THE PRIVILEGES OF
PUBLIC SCHOOL TEACHERS UNDER REPUBLIC ACT NO. 4670,
OTHERWISE KNOWN AS THE "MAGNA CARTA FOR PUBLIC SCHOOL
TEACHERS", AND APPROPRIATING FUNDS THEREFOR

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Revised Magna*
2 *Carta for Public School Teachers Act.*"

3
4 Sec. 2. Section 1 of Republic Act No. 4670, entitled the "Magna Carta
5 for Public School Teachers", is hereby amended to read as follows:

6 "SECTION 1. *Declaration of Policy.* – It is hereby declared to be
7 the policy of this Act to promote and improve the social and
8 economic status of public school teachers, their living and working
9 conditions, their terms of employment and career prospects in
10 order that they may compare favorably with existing opportunities
11 in other walks of life, attract and retain in the teaching profession
12 more people with the proper qualifications, it being recognized that
13 [~~advance in~~] **A QUALITY** education depends on the qualifications
14 and ability of the teaching staff and that education is an essential

1 factor in the economic growth of the nation as a productive
2 investment of vital importance.

3 **THE STATE SHALL ALSO RESPECT, PROMOTE, PROTECT,**
4 **AND UPHOLD THE POLITICAL RIGHTS OF TEACHERS,**
5 **CONSISTENT WITH INTERNATIONAL AND NATIONAL LAWS**
6 **DECLARING THAT THE ECONOMIC AND SOCIAL RIGHTS OF**
7 **PERSONS CAN BE SECURED ONLY THROUGH THE GENUINE**
8 **OBSERVANCE OF CIVIL AND POLITICAL RIGHTS.”**
9

10 Sec. 3. Section 2 of Republic Act No. 4670 is hereby amended to read
11 as follows:

12 “SEC. 2. ~~[Title Definition]~~ **COVERAGE.** – This Act ~~[shall be known~~
13 ~~as the "Magna Carta for Public School Teachers" and]~~ shall apply
14 to ~~[all public school]~~ teachers ~~[except those in the professorial staff~~
15 ~~of state colleges and universities]~~ **IN ALL PUBLIC BASIC**
16 **EDUCATION INSTITUTIONS.**

17 ~~[As used in this Act, the term "teacher" shall mean all persons~~
18 ~~engaged in classroom teaching, in any level of instruction, on full-~~
19 ~~time basis, including guidance counselors, school librarians,~~
20 ~~industrial arts or vocational instructors, and all other persons~~
21 ~~performing supervisory and/or administrative functions in all~~
22 ~~schools, colleges and universities operated by the Government or~~
23 ~~its political subdivisions; but shall not include school nurses,~~
24 ~~school physicians, school dentists, and other school employees.]”~~
25

26 Sec. 4. Insert a new section designated as Section 3 of Republic Act No.
27 4670 to read as follows , and renumber the succeeding sections accordingly:

28 **“SEC. 3. DEFINITION OF TERMS. – AS USED IN THIS ACT, THE**
29 **FOLLOWING TERMS ARE DEFINED AS FOLLOWS:**

30 **(A) EXIGENCIES OF THE SERVICE REFER TO SITUATIONS**
31 **WHERE EDUCATION SERVICE IS URGENTLY NEEDED**
32 **AND WHERE ANY DELAY IN ITS EXECUTION AND**
33 **DELIVERY WILL ADVERSELY AFFECT THE EFFECTIVE**

1 AND EFFICIENT DELIVERY OF THE SERVICE AND ITS
2 OUTCOME. IN NO CASE SHALL THE EXIGENCIES OF
3 THE SERVICE BE INVOKED FOR ANY PERSONNEL
4 ACTION THAT WILL RESULT IN DIMINUTION OF RANK,
5 STATUS, SALARIES, OR BENEFITS, OR IN ANY MANNER
6 PREJUDICE A TEACHER.

7 (B) STATION REFERS TO THE SCHOOL WHERE THE
8 TEACHER IS ASSIGNED.

9 (C) TEACHER REFERS TO A PERSON QUALIFIED TO
10 PRACTICE TEACHING UNDER THE LAW AND ENGAGED
11 IN THE TEACHING OF ANY SUBJECT, INCLUDING
12 TECHNICAL-VOCATIONAL EDUCATION AND TRAINING
13 (TVET), AT THE BASIC EDUCATION LEVEL IN ALL
14 PUBLIC BASIC EDUCATION INSTITUTIONS.

15
16 Sec. 5. Section 3 of Republic Act No. 4670 is hereby amended to read
17 as follows:

18 “SEC. ~~[3]~~ 4. *Recruitment and Qualification*~~S.~~ – ~~[Recruitment~~
19 ~~policy with respect to the selection and appointment of teachers~~
20 ~~shall be clearly defined by t]~~The Department of Education (DEPED)
21 **SHALL DEFINE THE RECRUITMENT POLICY WITH RESPECT**
22 **TO THE SELECTION AND APPOINTMENT OF TEACHERS:**
23 *Provided, [however,] That [effective upon the approval of this Act,]*
24 the following shall constitute the minimum educational
25 qualifications for teacher-applicants:

26 (A) FOR TEACHERS IN THE EARLY CHILDHOOD AND
27 KINDERGARTEN LEVELS, BACHELOR’S DEGREE IN EARLY
28 CHILDHOOD EDUCATION OR ITS EQUIVALENT;

29 ([a] B) For teachers in the ~~[kindergarten and]~~ elementary grades,
30 Bachelor's degree in Elementary Education ~~[(B.S.E.ED.)];~~

31 ([b] C) For teachers ~~[of]~~ IN the secondary ~~[schools]~~ GRADES,
32 Bachelor's degree in **SECONDARY** Education or its equivalent
33 ~~[with a major and a minor;]~~ or a Bachelor's degree in Arts or

Science with ~~[at least eighteen professional units in Education.]~~
**THE REQUIRED UNITS IN PROFESSIONAL EDUCATION AS
DETERMINED BY THE TEACHER EDUCATION COUNCIL (TEC);**

~~[(e) D) For teachers of [secondary vocational] TVET and [two
years technical] TWO-YEAR~~ courses, Bachelor's degree in the field
of specialization ~~[with at least eighteen professional units in
education;]~~ **OR ITS EQUIVALENT, WITH THE REQUIRED UNITS
IN PROFESSIONAL EDUCATION AS DETERMINED BY THE
TEC; AND**

~~[(d) For teachers of courses on the collegiate level, other than
vocational, master's degree with a specific area of specialization:]~~

**(E) FOR TEACHERS IN SPECIAL NEEDS EDUCATION
PURSUANT TO R.A. NO. 11650, OR THE “INSTITUTING A
POLICY OF INCLUSION AND SERVICES FOR LEARNERS WITH
DISABILITIES IN SUPPORT OF INCLUSIVE EDUCATION ACT”,
A BACHELOR’S DEGREE IN SPECIAL NEEDS EDUCATION OR
ITS EQUIVALENT:**

*Provided, further, That, in the absence of applicants who possess
the minimum educational qualifications as hereinabove provided,
the [s]Schools DIVISION [s]Superintendent may appoint, under a
temporary status, applicants who do not meet the minimum
qualifications: Provided, further, That should teacher-applicants,
whether they possess the minimum educational qualifications or
not, be required to take competitive examinations, preference in
making appointments shall be in the order of their respective ranks
in said competitive examinations: [And] Provided, finally, That the
results of the examinations shall be made public and every
applicant shall be furnished with his OR HER score and rank in
said examinations.”*

Sec. 6. Section 4 of Republic Act No. 4670 is hereby amended to read
as follows:

“SEC. [4] 5. Probationary Period. – When recruitment takes place

1 after adequate training and professional preparation in any school
2 recognized by the [G]Government, no probationary period
3 preceding regular appointment shall be imposed if the teacher
4 ~~[possesses the appropriate civil service eligibility]~~ **PASSES THE**
5 **LICENSURE EXAMINATION UNDER REPUBLIC ACT NO. 7836**
6 **OR THE “PHILIPPINE TEACHERS PROFESSIONALIZATION**
7 **ACT OF 1994”, AS AMENDED, PURSUANT TO REPUBLIC ACT**
8 **NO. 1080 OR “AN ACT DECLARING THE BAR AND BOARD**
9 **EXAMINATIONS AS CIVIL SERVICE EXAMINATIONS”:** *Provided,*
10 *however,* That where, due to the exigencies of the service, it is
11 necessary to employ as teacher a person who possesses the
12 minimum educational qualifications herein above set forth but
13 ~~[lacks the appropriate civil service eligibility]~~ **FAILED THE**
14 **LICENSURE EXAMINATIONS WITH A RATING OF NOT LOWER**
15 **THAN FIVE PERCENTAGE POINTS FROM THE PASSING**
16 **GENERAL AVERAGE RATING,** such person shall be **ELIGIBLE**
17 **AS PARA-TEACHER IN ACCORDANCE WITH REPUBLIC ACT**
18 **NO. 9293 OR “AN ACT AMENDING CERTAIN SECTIONS OF**
19 **REPUBLIC ACT NUMBERED SEVENTY-EIGHT HUNDRED AND**
20 **THIRTY-SIX (R.A. NO. 7836), OTHERWISE KNOWN AS THE**
21 **‘PHILIPPINE TEACHERS PROFESSIONALIZATION ACT OF**
22 **1994”**, AND BE appointed on a provisional status, and shall
23 undergo a period of probation for not less than one (1) year from
24 and after the date of [his] **THE** provisional appointment[-]:
25 **PROVIDED, FURTHER, THAT THE SALARIES, BENEFITS, AND**
26 **CONDITIONS OF WORK OF PARA-TEACHERS HIRED UNDER**
27 **THIS SECTION SHALL BE THE SAME OR NOT LESS**
28 **FAVORABLE AS THOSE OF AN ENTRY-LEVEL TEACHER.”**
29

30 Sec. 7. Section 5 of Republic Act No. 4670 is hereby amended to read
31 as follows:

32 “SEC. [5] **6. [Tenure of Office.] SECURITY OF TENURE. –**
33 ~~[Stability on employment and security of tenure]~~ **TEACHERS** shall

1 be assured ~~[the teachers]~~ **OF SECURITY OF TENURE** as provided
2 under existing laws.

3 ~~[Subject to the provisions of Section three hereof, teachers~~
4 ~~appointed on a provisional status for lack of necessary civil service~~
5 ~~eligibility shall be extended permanent appointment for the~~
6 ~~position he is holding after having rendered at least ten (10) years~~
7 ~~of continuous, efficient and faithful service in such position.]~~

8 **NO TEACHER HOLDING A PERMANENT POSITION SHALL BE**
9 **TERMINATED EXCEPT FOR JUST CAUSE AND AFTER BEING**
10 **ACCORDED DUE PROCESS. A TEACHER WHO IS DISMISSED**
11 **FROM SERVICE BUT LATER FOUND AS UNJUSTLY DISMISSED**
12 **SHALL BE ENTITLED TO REINSTATEMENT AND**
13 **BACKWAGES."**

14
15 Sec. 8. Section 6 of Republic Act No. 4670 is hereby amended to read
16 as follows:

17 "SEC. ~~[6]~~ **7. ~~[Consent for Transfer Transportation Expenses]~~**
18 **PROCEDURE FOR STATION TRANSFER OF TEACHERS. -**
19 Except for cause and as herein otherwise provided, no teacher
20 shall be transferred without his **OR HER WRITTEN** consent from
21 one station to another.

22 Where the exigencies of the service require the transfer of a
23 teacher from one station to another, such transfer may be effected
24 by the ~~[s]~~**Schools DIVISION** ~~[s]~~**Superintendent** who shall
25 previously notify the teacher concerned of the transfer and the
26 reason or reasons therefor. If the teacher believes there is no
27 justification for the transfer, he **OR SHE** may appeal ~~[his case]~~
28 to the **REGIONAL** Director ~~[of Public Schools or the Director of~~
29 ~~Vocational Education, as the case may be]~~ **WHO SHALL RENDER**
30 **A DECISION IN WRITING WITHIN A NON-EXTENDIBLE PERIOD**
31 **OF ONE (1) WEEK UPON RECEIPT OF THE APPEAL.** Pending
32 ~~[his]~~ **THE** appeal and the decision thereon, ~~[his]~~ **THE** transfer shall
33 be held in abeyance: *Provided, however,* That no transfers

1 [whatever] shall be made three (3) months before any local or
2 national election.

3 Necessary transfer expenses of the teacher and his **OR HER**
4 family shall be paid for by the [G]Government if his **OR HER**
5 transfer is finally approved.

6 **A TEACHER MAY ALSO TRANSFER UPON HIS OR HER**
7 **WRITTEN REQUEST PURSUANT TO GROUNDS AND**
8 **PROCEDURE UNDER PERTINENT LAWS, RULES, AND**
9 **REGULATIONS.”**

10
11 Sec. 9. Section 7 of Republic Act No. 4670 is hereby amended to read
12 as follows:

13 “SEC. [7] **8. Code of**~~[Professional Conduct]~~ **ETHICS** for Teachers.
14 – Within six (6) months from the approval of this Act, the [Secretary
15 of Education] **DEPED** shall formulate and prepare a Code of
16 ~~[Professional Conduct]~~ **ETHICS** for Public School Teachers,
17 **HEREINAFTER REFERRED TO AS THE CODE**. A copy of the
18 Code shall be furnished each teacher: *Provided, however,* That
19 where this is not possible by reason of inadequate fiscal resources
20 of the ~~[Department of Education]~~ **DEPED**, at least three (3) copies
21 of the [same] Code shall be deposited with the office of the school
22 principal or head teacher where they may be accessible for use by
23 the teachers. **THE DEPED SHALL ALSO ELECTRONICALLY**
24 **PUBLISH THE SAME IN ITS OFFICIAL WEBSITE AND MAKE**
25 **AVAILABLE AND ACCESSIBLE FOR TEACHERS TO VIEW,**
26 **READ AND DOWNLOAD.”**

27
28 Sec. 10. Section 8 of Republic Act No. 4670 is hereby amended to read
29 as follows:

30 “SEC. [8] **9. Safeguards in Disciplinary Procedure.** – Every
31 teacher shall enjoy equitable safeguards at each stage of any
32 disciplinary procedure and shall have:

33 [a.] **(A)** the right to be informed, in writing, of the [charges]

1 **ALLEGATIONS AND THE GROUNDS THEREOF;**

2 ~~[b.]~~ **(B)** the right to full access to the evidence in the case;

3 ~~[c.]~~ **(C)** the right to defend himself **OR HERSELF** and to be
4 defended by a representative of his **OR HER** choice, and~~[/or]~~ by
5 his **OR HER** ~~[organization,]~~ **UNION OR, IN THE ABSENCE**
6 **THEREOF, ORGANIZATION, WITH** adequate time being given to
7 the teacher for the preparation of his **OR HER** defense; and

8 ~~[d.]~~ **(D)** the right to ~~[appeal to clearly designated authorities.]~~ **BE**
9 **INFORMED IN WRITING OF THE DECISION AND THE**
10 **REASONS THEREOF; AND**

11 **(E) THE RIGHT TO APPEAL TO CLEARLY DESIGNATED**
12 **COMPETENT AUTHORITIES OR BODIES.”**

13 ~~[No publicity shall be given to any disciplinary action being~~
14 ~~taken against a teacher during the pendency of his case].~~

15 **ANY DISCIPLINARY ACTION BEING TAKEN AGAINST A**
16 **TEACHER DURING THE PENDENCY OF HIS OR HER CASE**
17 **SHALL REMAIN CONFIDENTIAL. THE RIGHT OF TEACHERS**
18 **TO THE PRIVACY OF THEIR EMPLOYMENT OR SERVICE**
19 **RECORDS SHALL BE OBSERVED EXCEPT AS PROVIDED**
20 **UNDER EXISTING LAWS.**

21 **THE DEPED SHALL ENTER INTO AN AGREEMENT WITH**
22 **THE PUBLIC ATTORNEY’S OFFICE FOR LEGAL SERVICES TO**
23 **BE EXTENDED TO TEACHERS FACING COMPLAINTS AND**
24 **LAWSUITS IN RELATION TO THE PERFORMANCE AND**
25 **CONDUCT OF THEIR TEACHING DUTIES AND**
26 **RESPONSIBILITIES.”**

27
28 Sec. 11. Section 9 of Republic Act No. 4670 is hereby deleted and
29 replaced with a new section to read as follows:

30 “SEC. ~~[9]~~ **10.** ~~[Administrative Charges. Administrative charges~~
31 ~~against a teacher shall be heard initially by a committee composed~~
32 ~~of the corresponding School Superintendent of the Division or a~~
33 ~~duly authorized representative who should at least have the rank~~

1 of a division supervisor, where the teacher belongs, as chairman,
2 a representative of the local or, in its absence, any existing
3 provincial or national teachers' organization and a supervisor of
4 the Division, the last two to be designated by the Director of Public
5 Schools. The committee shall submit its findings and
6 recommendations to the Director of Public Schools within thirty
7 days from the termination of the hearings: *Provided, however,* That
8 where the school superintendent is the complainant or an
9 interested party, all the members of the committee shall be
10 appointed by the Secretary of Education.]

11 **PROHIBITION ON**
12 **DISCRIMINATION. - A TEACHER SHALL NOT BE**
13 **DISCRIMINATED AGAINST WITH REGARD TO GROUNDS SUCH**
14 **AS SEX, CIVIL STATUS, CREED, RELIGIOUS OR POLITICAL**
15 **BELIEF OR AFFILIATION, ETHNIC GROUPINGS, OR**
16 **ANALOGOUS REASONS. THERE SHALL BE NO**
17 **DISCRIMINATION WHATSOEVER IN THE ENTRANCE TO THE**
18 **TEACHING PROFESSION, OR DURING ITS EXERCISE, OR IN**
19 **THE TERMINATION OF SERVICES BASED ON ANY GROUND**
20 **OTHER THAN PROFESSIONAL CONSIDERATION.**
21 **EXPRESSION AND EXERCISE OF RELIGIOUS BELIEF AND**
22 **PARTISAN POLITICAL ACTIVITIES BY TEACHERS SHALL BE**
23 **REGULATED BY THE CIVIL SERVICE COMMISSION.**

24 **TO ELIMINATE ALL FORMS OF DISCRIMINATION AGAINST**
25 **TEACHERS, THE STATE SHALL PURSUE INITIATIVES AND**
26 **PROGRAMS THAT SEEK TO ENABLE AN ENVIRONMENT FREE**
27 **OF STIGMA AND DISCRIMINATION. THE STATE SHALL**
28 **DIRECT ITS MACHINERY AND RESOURCES TO PROMOTE**
29 **NON-DISCRIMINATION AND SHALL ENCOURAGE OTHER**
30 **SECTORS OF THE SOCIETY TO ENGAGE AND PARTICIPATE IN**
31 **THESE EFFORTS."**

32 Sec. 12. Section 10 of Republic Act No. 4670 is hereby deleted and
33 replaced with a new section to read as follows:

1 “SEC. [10] 11. [~~No Discrimination.~~ There shall be no
2 ~~discrimination whatsoever in entrance to the teaching profession,~~
3 ~~or during its exercise, or in the termination of services, based on~~
4 ~~other than professional consideration.]~~ **GENDER EQUALITY. –**
5 **THE STATE, THE SCHOOL, AND THE DEPED LEADERSHIP**
6 **SHALL ENDEAVOR TO PROVIDE EQUAL OPPORTUNITIES TO**
7 **ALL TEACHERS.”**

8
9 Sec. 13. Section 11 of Republic Act No. 4670 is hereby amended to read
10 as follows:

11 “SEC. [11] 12. *Married Teachers.* – [~~Whenever possible,~~] [t]The
12 proper authorities shall take all steps to enable married couples,
13 both of whom are [~~public school~~] teachers, to be employed in the
14 same locality.”

15
16 Sec. 14. Section 12 of Republic Act No. 4670 is hereby amended to read
17 as follows:

18 “SEC. [12] 13. *Academic Freedom.* – Teachers shall enjoy
19 academic freedom in the discharge of their professional duties,
20 particularly with regard to teaching and classroom methods,
21 **SUBJECT TO STANDARDS SET BY THE DEPED FOR THE K TO**
22 **12 BASIC EDUCATION PROGRAM.”**

23
24 Sec. 15. Section 13 of Republic Act No. 4670 is hereby amended to read
25 as follows:

26 “SEC. [13] 14. *Teaching Hours.* – [~~Any~~] **NO** teacher engaged in
27 actual classroom instruction shall [~~not~~] be required to render more
28 than [~~six~~] **FOUR (4)** hours of actual classroom teaching a day,
29 which shall be so scheduled as to give him **OR HER** time for the
30 preparation and correction of exercises and other work incidental
31 to his **OR HER** normal teaching duties: *Provided, however,* That
32 where the exigencies of the service so require, [~~any~~] **A** teacher may
33 be required to render more than [~~six~~] **FOUR (4)** hours but not

1 exceeding eight **(8)** hours of actual classroom teaching a day upon
2 payment of additional compensation at the same rate as his **OR**
3 **HER** regular remuneration plus at least twenty-five [~~per-cent~~]
4 **PERCENT (25%)** of his **OR HER** basic pay.”

5
6 Sec. 16. Section 14 of Republic Act No. 4670 is hereby amended to read
7 as follows:

8 “SEC. ~~[14]~~ **15. Additional Compensation.** – Notwithstanding any
9 provision of existing law to the contrary, co-curricula**R**, [~~and out of~~
10 ~~school~~] **OUT-OF-SCHOOL** activities, and any other activities
11 outside of what is defined as normal duties of any teacher shall be
12 paid an additional compensation of at least twenty-five [~~per-cent~~]
13 **PERCENT (25%)** of his **OR HER** regular remuneration after the
14 teacher has completed at least [~~six~~] **FOUR (4)** hours of actual
15 classroom teaching a day.

16 [~~In the case of other teachers or school officials not engaged in~~
17 ~~actual classroom instruction, any work performed in excess of~~
18 ~~eight hours a day shall be paid an additional compensation of at~~
19 ~~least twenty five per cent of their regular remuneration.]~~

20 The agencies utilizing the services of teachers shall pay the
21 additional compensation required under this section. [~~Education~~
22 ~~authorities~~] **THE SECRETARY OF THE DEPED** shall refuse to
23 allow the rendition of services of teachers for other government
24 agencies without the assurance that the teachers shall be paid the
25 remuneration provided for under this section.

26 **THIS SECTION SHALL BE WITHOUT PREJUDICE TO LAWS,**
27 **RULES, AND REGULATIONS PROVIDING FOR HIGHER**
28 **COMPENSATION OR FOR VOLUNTARY SERVICE OF**
29 **TEACHERS.”**

30
31 Sec. 17. A new section designated as Section 16 of Republic Act No.
32 4670 is hereby inserted to read as follows:

33 **“SEC. 16. PROHIBITION ON ASSIGNMENT TO TASKS**

1 **UNRELATED TO TEACHING. – NO TEACHER SHALL BE**
2 **ASSIGNED TASKS OR ACTIVITIES UNRELATED TO**
3 **TEACHING, EXCEPT AS MAY BE PROVIDED BY LAW. FOR**
4 **THIS PURPOSE, THE DEPED SHALL FILL UP ALL NON-**
5 **TEACHING POSITIONS AND, IN COLLABORATION WITH THE**
6 **DEPARTMENT OF BUDGET AND MANAGEMENT, ENDEAVOR**
7 **TO MEET IDEAL RATIOS BETWEEN TEACHING AND NON-**
8 **TEACHING POSITIONS.”**

9
10 Sec. 18. A new section designated as Section 17 of Republic Act No.
11 4670 is hereby inserted to read as follows:

12 **“SECTION 17. SUBSTITUTE TEACHERS. – WHEN AN**
13 **INCUMBENT TEACHER IS ON MATERNITY, PATERNITY,**
14 **PARENTAL, STUDY, OR EXTENDED LEAVE, THE DEPED MAY**
15 **HIRE A TEMPORARY REPLACEMENT FOR THE DURATION OF**
16 **SAID LEAVE. THE SUBSTITUTE MUST BE QUALIFIED FOR AT**
17 **LEAST A TEMPORARY APPOINTMENT.”**

18
19 Sec. 19. Section 15 of Republic Act No. 4670 is hereby amended to read
20 as follows:

21 **“SEC. [15] 18. Criteria for Salaries. – [Teachers’ salaries] THE**
22 **SALARY OF TEACHERS** shall correspond to the following criteria:

23 **(A) REFLECT THE IMPORTANCE TO SOCIETY OF THE**
24 **TEACHING FUNCTION AND, HENCE, THE IMPORTANCE OF**
25 **TEACHERS AS WELL AS THEIR RESPONSIBILITIES FROM**
26 **THE TIME OF ENTRY INTO THE SERVICE;**

27 **[(a)](B) [they shall]** compare favorably with those paid in other
28 occupations requiring equivalent or similar qualifications, training
29 and abilities;

30 **[(b)](C) [they shall be such as to i)]E**nsure teachers a reasonable
31 **AND DECENT** standard of life for themselves and their families;
32 and

33 **[(c)](D) [they shall be properly]** graded **PROPERLY** [so as] to

1 recognize the fact that certain positions require higher
2 qualifications and greater responsibility than others: *Provided,*
3 *however,* That the general salary scale shall **REFLECT** ~~[be such~~
4 ~~that]~~ the relation between the lowest and highest salaries paid in
5 the profession ~~[will]~~ **TO** be of reasonable order. Narrowing the
6 salary scale shall be achieved by raising the lower end of the salary
7 scales relative to the upper end.”

8
9 Sec. 20. Section 16 of Republic Act No. 4670 is hereby amended to read
10 as follows:

11 “SEC. ~~[16]~~ **19. Salary Scale.** – Salary scales of teachers shall
12 provide for a gradual progression from a minimum to a maximum
13 salary by means of regular increments, granted automatically after
14 three **(3)** years: *Provided,* That the efficiency rating of the teacher
15 concerned is at least satisfactory. ~~[The progression from the~~
16 ~~minimum to the maximum of the salary scale shall not extend over~~
17 ~~a period of ten years.]”~~

18
19 Sec. 21. Section 17 of Republic Act No. 4670 is hereby amended to read
20 as follows:

21 “SEC. ~~[17]~~ **20. Equality in Salary Scales AND BENEFITS.** – The
22 salary scales **AND BENEFITS** of teachers whose salaries are
23 ~~[appropriated]~~ **PAID** by a city, municipal, municipal district, or
24 provincial government, shall not be less than those provided for
25 teachers ~~[of the]~~ **EMPLOYED BY THE [N]National [G]Government.**”

26
27 Sec. 22. Section 18 of Republic Act No. 4670 is hereby amended to read
28 as follows:

29 “SEC. ~~[18]~~ **21. Cost of Living Allowance.** – ~~[Teachers’ salaries]~~
30 **THE SALARY OF TEACHERS** shall, at the very least, keep pace
31 with the rise in the cost of living by the payment of a ~~[cost of living]~~
32 cost of living allowance **(COLA)** which shall automatically follow
33 changes in a cost of living index. The Secretary of ~~[Education]~~ **THE**

1 **DEPED** shall, in consultation with the proper government entities,
2 recommend to Congress, at least annually, the appropriation of the
3 necessary funds for the ~~[cost-of-living-allowances]~~ **COLA** of
4 teachers employed by the ~~[N]~~**N**ational ~~[G]~~**G**overnment. The
5 determination of the ~~[cost-of-living-allowances]~~ **COLA** by the
6 Secretary of ~~[Education]~~ **THE DEPED** shall, upon approval of the
7 President of the Philippines, be binding on the city, municipal or
8 provincial government, for the purposes of calculating the ~~[cost-of-~~
9 ~~living-allowances]~~ **COLA** of teachers under its employ.”
10

11 Sec. 23. Section 19 of Republic Act No. 4670 is hereby amended to read
12 as follows:

13 “SEC. ~~[19]~~ **22. Special Hardship Allowances.** – ~~[In areas in which]~~
14 ~~[t]~~**T**eachers ~~[are]~~ exposed to hardship, **PERIL**, ~~[such as]~~ **OR**
15 **EXTREME** difficulty in ~~[commuting to]~~ the place of work, ~~[or other~~
16 ~~hazards peculiar to the place of employment, as determined by the~~
17 ~~Secretary of Education, they shall be compensated special~~
18 ~~hardship allowances equivalent to at least twenty five per cent of~~
19 ~~their monthly salary.]~~ **TEACHERS ASSIGNED TO HANDLE**
20 **MULTI-GRADE CLASSES, MOBILE TEACHERS, AND**
21 **ALTERNATIVE LEARNING SYSTEM COORDINATORS SHALL**
22 **BE COMPENSATED WITH SPECIAL HARDSHIP ALLOWANCES**
23 **BASED ON THE CRITERIA PRESCRIBED BY THE DEPED:**
24 **PROVIDED, THAT PRIORITY SHALL BE GIVEN TO TEACHERS**
25 **ASSIGNED TO HARDSHIP POSTS CHARACTERIZED BY**
26 **HAZARDS TO LIFE AND HEALTH, A STATE OF CALAMITY,**
27 **HOSTILITIES BETWEEN AND AMONG ARMED ELEMENTS,**
28 **TRANSPORT INACCESSIBILITY OR INCONVENIENCE, AND**
29 **OTHER HAZARDS PECULIAR TO THE PLACE OF ENJOYMENT:**
30 **PROVIDED, FURTHER, THAT THE AGGREGATE AMOUNT OF**
31 **ALLOWANCE TO BE GIVEN TO SAID TEACHERS SHALL NOT**
32 **EXCEED TWENTY-FIVE PERCENT (25%) OF THEIR TOTAL**
33 **BASIC SALARY FOR THE YEAR.”**

1 Sec. 24. A new section designated as Section 23 of Republic Act No.
2 4670 is hereby inserted to read as follows:

3 **“SEC. 23. PROTECTION FROM OUT-OF-POCKET EXPENSES.**
4 **– NO TEACHER SHALL BE REQUIRED TO PAY OUT OF THEIR**
5 **PERSONAL FINANCES FOR MATERIALS, FACILITIES,**
6 **SERVICES, OR ANY OTHER OBJECTS OR ACTIVITIES**
7 **NECESSARY AND RELATED TO THE PERFORMANCE OF**
8 **THEIR DUTIES.”**

9
10 Sec. 25. Section 20 of Republic Act No. 4670 shall be renumbered as
11 Section 24.

12
13 Sec. 26. Section 21 of Republic Act No. 4670 is hereby amended to read
14 as follows:

15 **“SEC. [24] 25. PROHIBITION ON Deductions [Prohibited].** – No
16 person shall make any deduction whatsoever from the salaries of
17 teachers except under specific authority of law authorizing such
18 deductions: *Provided, however,* That upon written authority
19 executed by the teacher concerned, ~~[(1)]~~ lawful dues and fees owing
20 **TO UNIONS OF TEACHERS AND [te]** the Philippine Public School
21 Teachers Association, and ~~[(2)]~~ premiums properly due on
22 insurance policies, shall be considered deductible[.]: **PROVIDED,**
23 **FURTHER, THAT DEDUCTIONS UNDER THE SALARY**
24 **DEDUCTION SCHEME SHALL NOT BE CHARGED WITH**
25 **COMPOUNDED INTERESTS AND PENALTIES.”**

26
27 Sec. 27. A new subtitle designated as Subtitle IV of Republic Act No.
28 4670 is hereby inserted to read as follows:

29 **“IV. WORKING CONDITIONS”**

30
31 Sec. 28. A new section designated as Section 26 of Republic Act No.
32 4670 is hereby inserted to read as follows:

33 **“SEC. 26. GUARANTEE OF CONDUCTIVE WORKING**

1 **CONDITIONS FOR TEACHERS. – THE STATE SHALL ENSURE**
2 **THAT TEACHERS HAVE HUMANE WORKING CONDITIONS IN**
3 **THEIR PLACES OF ASSIGNMENT. FOR THIS PURPOSE, THE**
4 **DEPED SHALL PROVIDE AND MAINTAIN ADEQUATE SPACE,**
5 **VENTILATION, LIGHTING, AND SECURITY CONDITIONS IN**
6 **PUBLIC SCHOOLS TO FOSTER A CONDUCIVE ENVIRONMENT**
7 **FOR TEACHING AND LEARNING. SPACES MUST LIKEWISE**
8 **ABIDE WITH MINIMUM HEALTH AND SAFETY PROTOCOLS,**
9 **AND BE PROVIDED WITH MEDICALLY-PROVEN AND**
10 **SCIENTIFICALLY-PROVEN TOOLS AND EQUIPMENT THAT AIM**
11 **TO MINIMIZE RISK OF EXPOSURE.”**
12

13 Sec. 29. A new section designated as Section 27 of Republic Act No.
14 4670 is hereby inserted to read as follows:

15 **“SEC. 27. PROHIBITION ON UNDERSTAFFING AND**
16 **OVERLOADING TEACHERS. – UNDERSTAFFING AND**
17 **OVERLOADING OF TEACHERS SHALL BE PROHIBITED.**
18 **TEACHER-TO-LEARNER RATIOS SHALL BE REASONABLY**
19 **EFFECTED TO SUSTAIN DELIVERY OF QUALITY EDUCATION**
20 **AT ALL TIMES WITHOUT OVERWORKING THE TEACHER AND**
21 **OVEREXTENDING HIS OR HER DUTY AND SERVICE.”**
22

23 Sec. 30. A new section designated as Section 28 of Republic Act No.
24 4670 is hereby inserted to read as follows:

25 **“SEC. 28. PROTECTION FROM UNREGULATED CLASS SIZES.**
26 **– TEACHERS ARE ENTITLED TO PROTECTION FROM**
27 **UNMANAGEABLE CLASS SIZES AS WELL AS TO**
28 **COMPENSATION COMMENSURATE TO THEIR ACTUAL**
29 **WORKLOAD. THE DEPED SHALL DETERMINE THE STANDARD**
30 **CLASS SIZE FOR EACH GRADE LEVEL IN ACCORDANCE WITH**
31 **INTERNATIONAL STANDARDS AND THE CORRESPONDING**
32 **HONORARIUM FOR TEACHERS HANDLING LARGE CLASSES.”**
33

1 Sec. 31. A new section designated as Section 29 of Republic Act No.
2 4670 is hereby inserted to read as follows:

3 **“SEC. 29. *TEACHER’S PROTECTION.* – THE DEPED SHALL**
4 **INSTITUTIONALIZE SUPPORT MECHANISMS AND**
5 **PROTECTION FOR TEACHERS IN MATTERS OF LEARNER**
6 **DISCIPLINE OR CLASSROOM MANAGEMENT, THEREBY**
7 **FOSTERING A POSITIVE SCHOOL CLIMATE AND SAFE**
8 **ENVIRONMENT CONDUCIVE TO INSTRUCTION AND**
9 **LEARNING. THE DEPED SHALL PROMULGATE RULES ON**
10 **PERMISSIBLE, APPROPRIATE, AND EFFECTIVE RESPONSES**
11 **AND INTERVENTIONS THAT WILL ADDRESS VIOLATIONS OF**
12 **SCHOOL RULES AND REGULATIONS, AMONG OTHERS.**

13 **ANY ACT COMMITTED BY A TEACHER ACCORDING TO THE**
14 **DISCIPLINARY RULES AND PROCEDURES ISSUED BY THE**
15 **DEPED SHALL NOT BE DEEMED AS CHILD ABUSE, CRUELTY,**
16 **OR EXPLOITATION AS DEFINED IN REPUBLIC ACT NO. 7610**
17 **OR THE “*SPECIAL PROTECTION OF CHILDREN AGAINST***
18 ***ABUSE, EXPLOITATION AND DISCRIMINATION ACT.*”**

19
20 Sec. 32. Subtitle IV of Republic Act No. 4670 is hereby amended to read
21 as follows:

22 **“~~[IV.]~~ V. HEALTH MEASURES AND INJURY BENEFITS”**
23

24 Sec. 33. Section 22 of Republic Act No. 4670 is hereby amended to read
25 as follows:

26 **“SEC. ~~[22]~~ 30. *Medical Examination and Treatment.* –**
27 **Compulsory medical examination shall be provided free-of-charge**
28 **for all teachers before they take up teaching, and shall be repeated**
29 **not less than once a year during the teacher's professional life.**
30 **Where medical examination, INCLUDING MENTAL HEALTH**
31 **EXAMINATION, shows that medical treatment and/or**
32 **hospitalization is necessary, THE same shall be provided free by**
33 **the government [~~entity paying the salary of the teachers~~].**

1 In regions where there is scarcity of medical facilities, teachers
2 may obtain elsewhere the necessary medical care with the right to
3 be reimbursed for their travelling expenses by the ~~[government~~
4 ~~entity concerned in the first paragraph of this Section]~~ **DEPED.**"

5
6 Sec. 34. Section 23 of Republic Act No. 4670 is hereby amended to read
7 as follows:

8 "SEC. ~~[23]~~ **31. Compensation [F]For Injuries.** – Teachers shall be
9 protected against the consequences of employment injuries in
10 accordance with existing laws. The effects of the physical and
11 ~~[nervous]~~ **MENTAL** strain on ~~[the teacher's]~~ **THE** health **AND**
12 **WELL-BEING OF TEACHERS** shall be recognized as a
13 compensable occupational disease in accordance with existing
14 laws."

15
16 Sec. 35. Subtitle V of Republic Act No. 4670 is hereby amended to read
17 as follows:

18 "~~[V.]~~**VI. LEAVE, [AND] RETIREMENT, AND OTHER BENEFITS AND**
19 **PRIVILEGES**"

20
21 Sec. 36. Section 24 of Republic Act No. 4670 is hereby amended to read
22 as follows:

23 "SEC. ~~[24]~~ **32. Study Leave.** – In addition to the leave privileges
24 now enjoyed by teachers in the public schools, they shall be
25 entitled to study leave not exceeding one **(1)** school year after
26 ~~[seven]~~ **THREE (3)** years of service **TO PURSUE GRADUATE**
27 **STUDIES IN EDUCATION OR ALLIED COURSES.** ~~[Such leave~~
28 ~~shall be granted in accordance with a schedule set by the~~
29 ~~Department of Education.]~~ During the period of such leave, the
30 teachers shall be entitled to at least ~~[sixty per cent]~~ **EIGHTY**
31 **PERCENT (80%)** of their monthly salary: *Provided, however,* That
32 no teacher shall be allowed to accumulate more than one **(1)** year
33 **OF** study leave, unless he **OR SHE** needs an additional semester

1 to finish his **OR HER** thesis for a graduate study in education or
2 **ANY** allied courses: *Provided, further, That* ~~[no compensation shall~~
3 ~~be due the teacher after the first year of such leave. In all cases,~~
4 ~~the study leave period shall be counted for seniority and pension~~
5 ~~purposes]~~ **TO AVAIL OF THE BENEFITS UNDER THIS SECTION,**
6 **THE TEACHER SHALL ENTER INTO AN UNDERTAKING TO**
7 **CONTINUE RENDERING SERVICES IN THE INSTITUTION WITH**
8 **WHICH HE OR SHE IS CONNECTED FOR A PERIOD OF THREE**
9 **(3) YEARS FOR EVERY YEAR OF STUDY LEAVE. IN ALL CASES,**
10 **THE STUDY LEAVE SHALL BE COUNTED FOR SENIORITY AND**
11 **PENSION PURPOSES.**

12 The compensation allowed for one **(1)** year **OF** study leave as
13 herein provided shall be subject to the condition that the teacher
14 takes the regular study load and passes at least seventy-five ~~[per~~
15 ~~cent]~~ **PERCENT (75%)** of his **OR HER** course[s]. Study leave of
16 more than one **(1)** year may be permitted by the Secretary of
17 ~~[Education]~~ **THE DEPED** but without compensation.”

18
19 Sec. 37. Section 25 of Republic Act No. 4670 is hereby amended to read
20 as follows:

21 “SEC. ~~[25]~~ **33. Indefinite SICK Leave.** – An indefinite sick leave
22 of absence shall be granted to teachers when the nature of the
23 illness demands a long treatment that will exceed **AT LEAST** one
24 **(1)** year ~~[at the least].~~”

25
26 Sec. 38. A new section designated as Section 34 of Republic Act No.
27 4670 is hereby inserted to read as follows:

28 “**SEC. 34. CALAMITY LEAVE. – TEACHERS AFFECTED BY**
29 **NATURAL CALAMITY OR DISASTER SHALL BE ENTITLED TO**
30 **FIVE (5) DAYS SPECIAL EMERGENCY LEAVE WITH PAY. THE**
31 **BENEFIT SHALL BE AVAILABLE UPON THE DECLARATION OF**
32 **A STATE OF CALAMITY BY THE PRESIDENT OF THE**
33 **PHILIPPINES OR BY THE LOCAL SANGGUNIAN PURSUANT TO**

1 SECTION 16 OF REPUBLIC ACT NO. 10121 OR THE
2 "PHILIPPINE DISASTER RISK REDUCTION AND
3 MANAGEMENT ACT OF 2010". HOWEVER, IN CASE A
4 SPECIFIC AREA WAS NOT DECLARED UNDER A STATE OF
5 CALAMITY BUT WAS NONETHELESS SEVERELY AFFECTED
6 BY A NATURAL CALAMITY OR DISASTER, THE SCHOOLS
7 DIVISION SUPERINTENDENT, IN THE EXERCISE OF HIS OR
8 HER SOUND DISCRETION, MAY GRANT THE SPECIAL
9 EMERGENCY LEAVE TO AFFECTED TEACHERS BASED ON
10 PROOF OF EVIDENCE PRESENTED OR NEWS ACCOUNT.

11 THE SPECIAL EMERGENCY LEAVE CAN BE APPLIED FOR
12 FIVE (5) STRAIGHT WORKING DAYS OR ON STAGGERED
13 BASIS AND WILL NOT BE DEDUCTED FROM THE TEACHER'S
14 LEAVE CREDITS. THIS LEAVE MAY BE AVAILED OF BY
15 TEACHERS WITHIN TEN (10) DAYS FROM THE DATE WHEN
16 THE NATURAL CALAMITY OR DISASTER OCCURRED."
17

18 Sec. 39. A new section designated as Section 35 of Republic Act No.
19 4670 is hereby inserted to read as follows:

20 "SEC. 35. **LONGEVITY PAY.** – ANY PROVISION OF LAW TO
21 THE CONTRARY NOTWITHSTANDING, A LONGEVITY PAY
22 EQUIVALENT TO TEN PERCENT (10%) OF THEIR MONTHLY
23 BASIC PAY SHALL BE PAID TO TEACHERS FOR EVERY FIVE
24 (5) YEARS OF CONTINUOUS, EFFICIENT, AND MERITORIOUS
25 SERVICE."
26

27 Sec. 40. Section 26 of Republic Act No. 4670 is hereby amended to read
28 as follows:

29 "SEC. [26] **36. Salary Increase upon Retirement.** – [Public school]
30 [t]Teachers **WHO** [having] **HAVE** fulfilled the age and service
31 requirements of the applicable retirement laws shall be given one
32 (1) range salary raise upon retirement, which shall be the basis of
33 the computation of the lump sum of the retirement pay and the

1 monthly benefits thereafter.”

2
3 Sec. 41. Subtitle VI of Republic Act No. 4670 is hereby amended to read
4 as follows:

5 **“[VI.] VII. TEACHERS’ ORGANIZATION”**

6
7 Sec. 42. Section 27 of Republic Act No. 4670 is hereby renumbered as
8 Section 37.

9
10 Sec. 43. Section 28 of Republic Act No. 4670 is hereby amended to read
11 as follows:

12 “SEC. [28] **38. PROHIBITION ON** *Discrimination Against*
13 *Teachers [Prohibited]*. – The rights established in the immediately
14 preceding [S]Section shall be exercised without any interference or
15 coercion. It shall be unlawful for any person to commit any acts of
16 discrimination against teachers which are calculated to:

17 (a) make the employment of a teacher subject to the condition
18 that he **OR SHE** shall not join an organization, or shall relinquish
19 membership in an organization[.];

20 (b) [tø] cause the dismissal [øf] or otherwise prejudice a teacher
21 by reason of his **OR HER** membership in an organization or
22 because of participation in [organization] activities outside school
23 hours, or with the consent of the proper school authorities[.]; within
24 school hours[.]; and

25 (c) [tø] prevent [him] **A TEACHER** from carrying out the duties
26 laid upon him **OR HER** by **REASON OF** his **OR HER** position in
27 the organization, or to penalize him **OR HER** for an action
28 undertaken in that capacity.”

29
30 Sec. 44. Section 29 of Republic Act No. 4670 is hereby amended to read
31 as follows:

32 “SEC. [29] **39. National Teachers’ Organizations.** – National
33 teachers' organizations shall be consulted in the formulation of

1 national educational policies and professional standards, and in
2 the formulation of national policies governing the social security of
3 the teachers.

4 **UNIONS OF SCHOOL TEACHERS WHICH ARE GRANTED THE**
5 **STATUS AS SOLE AND EXCLUSIVE NEGOTIATING AGENT**
6 **(SENA) SHALL HAVE THE RIGHT TO REPRESENT ALL**
7 **TEACHERS IN THEIR RESPECTIVE NEGOTIATING UNITS IN**
8 **NEGOTIATIONS WITH THE DEPED FOR TERMS AND**
9 **CONDITIONS OF EMPLOYMENT OR IMPROVEMENTS**
10 **THEREOF, EXCEPT THOSE THAT ARE FIXED BY LAW. FOR**
11 **PURPOSES OF THIS ACT, THE SENA REFERS TO ANY**
12 **REGISTERED EMPLOYEES' ORGANIZATION WHICH HAS BEEN**
13 **ACCREDITED BY THE CIVIL SERVICE COMMISSION AS THE**
14 **NEGOTIATING AGENT OF ALL TEACHERS IN A GIVEN**
15 **NEGOTIATING UNIT, IN ACCORDANCE WITH ITS PERTINENT**
16 **RULES AND REGULATIONS.**

17 **THE DEPED SHALL ACCORD THE SENA, AS WELL AS ITS**
18 **OFFICERS AND MEMBERS, ALL RIGHTS AND BENEFITS**
19 **NECESSARY AND PERTINENT TO THE PERFORMANCE OF ITS**
20 **DUTIES AND FUNCTIONS, SUCH AS REPRESENTATION OF**
21 **TEACHERS IN ALL BODIES FOR POLICY-MAKING AND**
22 **TRIBUNALS FOR THE DISCIPLINE OF TEACHERS, AMONG**
23 **OTHERS."**

24
25 Sec. 45. Subtitle VII of Republic Act No. 4670 is hereby amended to
26 read as follows:

27 **"[VII.]VIII. ADMINISTRATION AND ENFORCEMENT"**
28

29 Sec. 46. A new section designated as Section 40 of Republic Act No.
30 4670 is hereby inserted to read as follows:

31 **"SECTION 40. RIGHTS AND BENEFITS OF TEACHERS**
32 **UNDER OTHER LAWS. – A TEACHER SHALL BE ACCORDED**
33 **THE RIGHTS AND BENEFITS UNDER OTHER LAWS,**

1 INCLUDING BUT NOT LIMITED, TO REPUBLIC ACT NO. 9710
2 OR "THE MAGNA CARTA OF WOMEN", REPUBLIC ACT NO.
3 9262 OR THE "ANTI-VIOLENCE AGAINST WOMEN AND THEIR
4 CHILDREN ACT", AND REPUBLIC ACT NO. 8972 OR THE
5 "SOLO PARENTS' WELFARE ACT OF 2000", AS APPLICABLE."
6

7 Sec. 47. Section 30 of Republic Act No. 4670 is hereby amended to read
8 as follows:

9 "Section [30] **41. IMPLEMENTING** *Rules and Regulations (IRR).*
10 – The [Secretary of Education] **DEPED** shall **ISSUE** [formulate and
11 prepare] the necessary rules and regulations [to implement the
12 provisions] **WITHIN NINETY (90) DAYS AFTER THE**
13 **EFFECTIVITY** of this Act. [Rules and regulations] **THE IRR** issued
14 pursuant to this Section shall take effect thirty days after
15 publication in a newspaper of general circulation [and by such
16 other means as the Secretary of Education deems reasonably
17 sufficient to give interested parties general notice of such
18 issuance]."
19

20 Sec. 48. Section 31 of Republic Act No. 4670 is hereby amended to read
21 as follows:

22 "Section [31] **42. Budgetary Estimates.** – The Secretary of
23 [Education] **THE DEPED** shall submit to Congress annually the
24 necessary budgetary estimates to implement the provisions of [the]
25 **THIS** Act concerning the **MONETARY AND NON-MONETARY**
26 benefits herein granted to [public school] teachers under the
27 employ of the [N]National [G]Government. **THE DUTY TO**
28 **PRESENT THE ANNUAL FUNDING REQUIREMENTS FOR THE**
29 **BENEFITS UNDER THIS ACT SHALL BE DISTINCT FROM THE**
30 **PRESENTATION OF THE BUDGET OF THE DEPED AND THUS**
31 **MAY BE FULFILLED DURING OR BEFORE DELIBERATIONS**
32 **FOR THE ANNUAL GENERAL APPROPRIATIONS."**
33

1 Sec. 49. Section 32 of Republic Act No. 4670 is hereby amended to read
2 as follows:

3 “Section ~~[32]~~ **43. Penal Provisions.** – A person who shall willfully
4 interfere with, restrain or coerce any teacher in the exercise of his
5 **OR HER** rights **OR THE RIGHTS OF TEACHERS’ UNIONS AND**
6 **ORGANIZATIONS** guaranteed by this Act, or who shall in any
7 other manner commit any act to defeat any of the provisions of this
8 Act shall, upon conviction, be punished by **IMPRISONMENT OF**
9 **NOT LESS THAN SIX (6) MONTHS, OR** a fine of not less than one
10 hundred **THOUSAND** pesos (**P100,000.00**) **BUT** nor more than
11 ~~[one]~~ **TWO HUNDRED** thousand pesos (**P200,000.00**), **OR BOTH,**
12 ~~[or by imprisonment, in]~~ **AT** the discretion of the court.

13 If the offender is a public official, the court shall order his **OR**
14 **HER** dismissal **WITH PERPETUAL DISQUALIFICATION** from
15 ~~[the]~~ **[G]Government** service. **THIS PROVISION SHALL COVER**
16 **THE ISSUANCE OF RULES CONTRARY TO THIS ACT OR**
17 **WHICH LEAD TO THE DEFEAT OR DIMINUTION OF RIGHTS**
18 **AND BENEFITS PROVIDED THEREIN.**

19 **THE LIABILITIES UNDER THIS SECTION SHALL BE**
20 **WITHOUT PREJUDICE TO CIVIL AND ADMINISTRATIVE**
21 **LIABILITIES AND OTHER PENAL LIABILITIES UNDER OTHER**
22 **APPROPRIATE LAWS.”**
23

24 Sec. 50. *Separability Clause.* – If any provision or part of this Act is
25 declared invalid or unconstitutional, the remaining provisions or parts not
26 affected shall remain in full force and effect.
27

28 Sec. 51. *Repealing Clause.* – All other laws, executive orders, presidential
29 decrees, administrative orders, rules and regulations, issuances, or parts
30 thereof inconsistent with or contrary to the provisions of this Act are hereby
31 repealed or amended accordingly.
32

33 Sec. 52. *Effectivity.* – Notwithstanding the non-issuance of the IRR,

- 1 this Act shall take effect fifteen (15) days after its publication in the Official
- 2 Gazette or in a newspaper of general circulation.

Approved,