AN ACT

EXPLANATORY NOTE

Education is a primordial need of any functioning society. No less than the Constitution recognizes its importance in fostering patriotism and nationalism, accelerating social progress, and promoting total human liberation and development.\(^1\) Therefore, it guarantees the right of all citizens to quality and accessible education in all levels.\(^2\) One of the pillars of the educational system in the country is the Local School Board (LSB). The city, provincial, or municipal LSB’s primary function is to allocate the Special Education Fund (SEF) to meet the supplementary needs of the local public school system.\(^3\) The SEF is an additional 1% levy that is collected together with real property taxes paid to the local government.\(^4\)

In an article prepared by late statesman and leader Jesse M. Robredo, together with Synergeia Foundation, they argued that while the LSB seems well-represented, given

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1 CONST. art. II, § 17.
2 CONST. art. XIV, § 14.
3 LOCAL GOVT CODE, title IV, § 99.
its composition, its actual operations tell a different story. At least in their case study (i.e., in Naga City), decision making has been “confined to this eight-person board where most often, ‘educational priorities’ are being defined by its two most powerful members: the local chief executive and the division superintendent. Because of its limited involvement, the LSB budget is used mostly for discrete and disparate activities, particularly infrastructure (where the possibility of corruption is strong) and regular sports events.”

From the brief introduction of the LSB above, the main issues of their existence are already evident: **limited functions** and **limited members**. These niches in the educational system have been overlooked because decision-makers and existing policies are often directed towards improvement of the basic education curriculum to meet international standards, increase of compensation for teachers, and now, possible distance learning strategies, given the on-going Covid-19 pandemic. While these decision-makers and policies are right to give attention to such pressing issues, I believe, it is also high time to put the spotlight on institutions, such as the LSB, who ultimately play a decisive role on whether or not the public schools in their territorial jurisdiction will be able to access quality education.

Under this bill, the existing LSBs are empowered beyond their traditional function (i.e. allocating the SEF for the supplementary budgetary support to local public schools) through the following policy innovations:

_First, it expands the eight-member board to involve other relevant actors in the community and stakeholders of education whose participation is critical to decision-making on issues such as the state and quality of public education within its local jurisdiction and the participation of parents in the education of their children;_

_Second, it purposively adds extensive functions for the LSBs, such as formulation of policies; institution of educational reforms and programs; introduction of interventions based on empirical results that focus on quality; communication in_

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5 [1] Chaired by the city mayor; [2] co-chaired by the schools division superintendent; and made up of the following members: (3) the chair of the education committee of the Sangguniang Panlungsod (city council); (4) the city treasurer; (5) a representative of the Sangguniang Kabataan (youth council); (6-8) and duly elected representatives of the city PTA league, the city teachers' organization, and the non-academic personnel of city public schools.

6 CONST. art. II, § 17.
the barangay and school-levels of such policies, reforms, programs, and interventions; and implementation of the alternative learning program, inter alia;

Third, it supports the expanded functions of LSBs through the broadened utilization of the SEF. More specifically, it shall include salaries or wages of SEF-paid teaching and non-teaching personnel; construction, repair, and maintenance of public school buildings, facilities, and other equipment; and formulation and implementation of locally oriented non-formal and distance education classes and training programs, inter alia;

Fourth, it seeks to establish a School Governing Council in every public and private basic educational institution to ensure a continuous, efficient and effective basic education service and develop collaborative partnership among the stakeholders in the education community; and

Finally, it mandates the budget process to be executed in a participatory and transparent manner. Hence, two (2) new sections are further introduced: one, on the institutionalization of greater transparency in the school board’s operations and its utilization of the SEF; two, the development of a manual to guide the allocation and utilization of the SEF and the efficient functioning of the school board.

In view of the foregoing considerations, approval of this bill is earnestly sought.

HON. WES GATCHEALIAN
Representative, 1st District of Valenzuela
AN ACT
STRENGTHENING THE INVOLVEMENT OF LOCAL COMMUNITIES AND LOCAL
GOVERNMENT UNITS IN BASIC EDUCATION GOVERNANCE BY EMPOWERING
THEM AS PARTNERS IN EDUCATING THE LEARNERS, ENGAGING THEIR
PARTICIPATION IN THE DELIVERY OF BASIC EDUCATION SERVICES AND
ASSESSMENT OF THE EFFECTIVITY AND EFFECTIVENESS THEREOF, AND
INTEGRATING THEIR INTERVENTIONS TO ACHIEVE THE SHARED GOAL OF
QUALITY INCLUSIVE EDUCATION, AMENDING FOR THE PURPOSE SECTIONS
98, 99, 100, 101 AND 272 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN
AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED,
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 “21st Century School
Boards Act”.

SEC. 2. Section 98 of Republic Act (RA) No. 7160, otherwise known as the
“Local Government Code of 1991”, as amended, is hereby amended to read as
follows:

“Sec. 98. Creation, Composition, and Compensation. –
(a) There shall be established in every province, city, or
municipality a provincial, city, or municipal school board,
respectively.
(b) The composition of local school boards shall be as follows:
(1) The provincial school board shall be composed of the
governor and the division superintendent of schools as co-
chairmen; the chairman of the education committee of the
sangguniang panlalawigan, the provincial treasurer, THE
PROVINCIAL BUDGET OFFICER, THE PROVINCIAL
PLANNING AND DEVELOPMENT OFFICER, the representative of the “pederasyon ng mga sangguniang kabataan” in the sangguniang panlalawigan, the duly elected president of the provincial federation of parents-teachers associations, the duly elected representative of the teachers’ organizations in the province, [and] the duly elected representative of the non-academic personnel of public schools in the province, ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE PRIVATE ELEMENTARY SCHOOLS HEADS OR PRINCIPALS IN THE PROVINCE, ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE PRIVATE SECONDARY SCHOOLS HEADS OR PRINCIPALS IN THE PROVINCE, THE DIVISION ALTERNATIVE LEARNING SYSTEM (ALS) PROGRAM SUPERVISORS IN THE PROVINCE, A REPRESENTATIVE FROM AN ACCREDITED NONGOVERNMENTAL OR CIVIL SOCIETY ORGANIZATION INVOLVED IN NON-FORMAL EDUCATION AND/OR TRAINING PROGRAMS, A RELIGIOUS LEADER, AND ONE (1) REPRESENTATIVE FROM EACH OF THE FOLLOWING GROUPS: PRIVATE INDUSTRY/BUSINESS, SENIOR CITIZENS, YOUTH, MEDIA, MILITARY, AND INDIGENOUS PEOPLES, as members;

(2) The city school board shall be composed of the city mayor and the city superintendent of schools as co-chairmen; the chairman of the education committee of the sangguniang panlungsod, the city treasurer, THE CITY BUDGET OFFICER, THE CITY PLANNING AND DEVELOPMENT OFFICER, the representative of the “pederasyon ng mga sangguniang kabataan” in the sangguniang panlungsod, the duly elected president of the city federation of parents-teachers associations, the duly elected representative of the teachers’ organizations in the city, [and] the duly elected representative of the non-academic personnel of public schools in the city, ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE
PRIVATE ELEMENTARY SCHOOLS HEADS OR PRINCIPALS IN THE CITY, ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE PRIVATE SECONDARY SCHOOLS HEADS OR PRINCIPALS IN THE CITY, THE DIVISION ALS PROGRAM SUPERVISORS IN THE CITY, A REPRESENTATIVE FROM AN ACCREDITED NONGOVERNMENTAL OR CIVIL SOCIETY ORGANIZATION INVOLVED IN NON-FORMAL EDUCATION AND/OR TRAINING PROGRAMS, A RELIGIOUS LEADER, AND ONE (1) REPRESENTATIVE FROM EACH OF THE FOLLOWING GROUPS: PRIVATE INDUSTRY/BUSINESS, SENIOR CITIZENS, YOUTH, MEDIA, MILITARY, AND INDIGENOUS PEOPLES, as members; and

(3) The municipal school board shall be composed of the municipal mayor and the district supervisor of schools as co-chairmen; the chairman of the education committee of the sangguniang bayan, the municipal treasurer, THE MUNICIPAL BUDGET OFFICER, THE MUNICIPAL PLANNING AND DEVELOPMENT OFFICER, the representative of the “pederasyon ng mga sangguniang kabataan” in the sangguniang bayan, the duly elected president of the municipal federation of parent-teacher associations, the duly elected representative of the teachers’ organizations in the municipality, [and] the duly elected representative of the non-academic personnel of public schools in the municipality, ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE PRIVATE ELEMENTARY SCHOOLS HEADS OR PRINCIPALS IN THE MUNICIPALITY, ONE REPRESENTATIVE EACH FROM THE PUBLIC AND THE PRIVATE SECONDARY SCHOOLS HEADS OR PRINCIPALS IN THE MUNICIPALITY, THE DISTRICT ALS PROGRAM COORDINATORS IN THE MUNICIPALITY, A REPRESENTATIVE FROM AN ACCREDITED NONGOVERNMENTAL OR CIVIL SOCIETY ORGANIZATION INVOLVED IN NON-FORMAL EDUCATION AND/OR TRAINING
PROGRAMS, A RELIGIOUS LEADER, AND ONE (1) REPRESENTATIVE FROM EACH OF THE FOLLOWING GROUPS: PRIVATE INDUSTRY/BUSINESS, SENIOR CITIZENS, YOUTH, MEDIA, MILITARY, AND INDIGENOUS PEOPLES, as members.

(c) In the event that a province or city has two (2) or more school superintendents, and in the event that a municipality has two (2) or more district supervisors, the co-chairman of the local school board shall be determined as follows:

(1) The Department of Education [Culture and Sports] shall designate the co-chairman for the provincial and city school boards; and

(2) The division superintendent of schools shall designate the district supervisor who shall serve as co-chairman of the municipal school board.

(d) The performance of the duties and responsibilities of the abovementioned officials in their respective local school boards shall not be delegated."

SEC. 3. Section 99 of RA No. 7160, as amended, is hereby amended to read as follows:

"Sec. 99. Functions of Local School Boards. – The provincial, city or municipal school board shall:

(A) ESTABLISH A VISION FOR QUALITY INCLUSIVE EDUCATION, AS ANCHORED ON NATIONAL DEVELOPMENT PLANS AND LONG-TERM AND MEDIUM-TERM GOALS, WITHIN THE TERRITORIAL JURISDICTION OF THE LOCAL GOVERNMENT UNIT CONCERNED AND SET MEASURABLE GOALS SUPPORTING THIS VISION TO ENSURE ACCOUNTABILITY FOR PERFORMANCE. Determine, in accordance with the criteria set by the Department of Education, Culture and Sports, the annual supplementary budgetary needs for the operation and maintenance of public schools within the province, city, or
municipality, as the case may be, and the supplementary local
cost of meeting such as needs, which shall be reflected in the
form of an annual school board budget corresponding to its
share of the proceeds of the special levy on real property
constituting the Special Education Fund and such other sources
of revenue as this Code and other laws or ordinances may
provide;

(B) FORMULATE POLICIES, INSTITUTE EDUCATION REFORMS
AND PROGRAMS, ALLOCATE RESOURCES, AND INTRODUCE
INTERVENTIONS BASED ON EMPIRICAL RESULTS THAT
EMPHASIZE AND FOCUS ON QUALITY AS A MAJOR OUTCOME
variable, to be measured through the following:
PARTICIPATION RATES OF STUDENTS; NUMBER OF DROP-
OUTS AS WELL AS OUT-OF-SCHOOL YOUTHS; COHORT
SURVIVAL RATES; ACHIEVEMENT SCORES AS MEASURED BY
NATIONAL TESTS OR ASSESSMENT TOOLS AND OTHER
STANDARDIZED TEST SCORES; AND ESTABLISHMENT OF
CHILD DEVELOPMENT CENTERS, SUPPORT TO SPECIAL
EDUCATION AND THE ALTERNATIVE LEARNING SYSTEM,
AND PARENT EFFECTIVENESS SERVICE PROGRAM;

(C) COMMUNICATE AT THE BARANGAY AND SCHOOL LEVELS
SUCH VISION, POLICIES, REFORMS, PROGRAMS AND
INTERVENTIONS TO FACILITATE COLLABORATIVE ACTION
AND DEVELOP PARTNERSHIPS WITH THE COMMUNITY
STAKEHOLDERS IN ORDER TO MAKE THE DELIVERY OF
BASIC EDUCATION SERVICES AND THE HOLISTIC
EDUCATION AND DEVELOPMENT OF SCHOOL CHILDREN A
SHARED RESPONSIBILITY;

(D) CONDUCT EDUCATION SUMMITS AT LEAST ONCE A YEAR TO
REPORT TO THE COMMUNITY THE PROGRESS IN THE
IMPLEMENTATION OF ITS EDUCATION REFORMS,
PROGRAMS AND INTERVENTIONS, AND CONSULT
COMMUNITY MEMBERS ON ISSUES IN BASIC EDUCATION TO
FURTHER GUIDE ITS PRIORITIZATION IN THE ALLOCATION
OF THE SPECIAL EDUCATION FUND;

(E) INTRODUCE TIMELY, ORGANIZED AND LOCALIZED
INTERVENTIONS IN THE DELIVERY OF BASIC EDUCATION
SERVICES DURING TIMES OF CALAMITIES, DISASTERS,
EMERGENCIES, CATASTROPHES, AND OTHER SIMILAR
CAUSES, THAT MAY DISRUPT THE REGULAR SCHOOL
CALENDAR AND ACTIVITIES;

(F) STRATEGICALLY ALLOCATE THE SPECIAL EDUCATION FUND
AND OTHER SOURCES OF REVENUE AS THIS CODE AND
OTHER LAWS OR ORDINANCES MAY PROVIDE IN A
PARTICIPATORY AND TRANSPARENT MANNER AS
PRESCRIBED UNDER SECTION 100 (B) OF THIS CODE, AND
ENSURE THAT THE BUDGETARY ALLOCATIONS ARE BASED
ON NEED AND ANCHORED ON ITS VISION AND GOALS;

(G) (b) Authorize the provincial, city or municipal treasurer, as the
case may be, to disburse funds from the Special Education Fund
pursuant to the budget prepared and in accordance with existing
rules and regulations;

(H) (e) Serve as an advisory committee to the sanggunian concerned
on educational matters such as, but not limited to, the necessity
for and the uses of local appropriations for educational
purposes; [and]

(I) COORDINATE THE IMPLEMENTATION OF THE ALTERNATIVE
LEARNING SYSTEM (ALS) PROGRAM WITH THE DEPED AT
THE CITY OR MUNICIPAL LEVEL, INCLUDING THE
IDENTIFICATION OF PRIORITY ALS PROGRAMS,
ESTABLISHMENT, OPERATION AND MAINTENANCE OF ALS
COMMUNITY LEARNING CENTERS, PROVISION OF
TECHNICAL ASSISTANCE TO ALS TEACHERS, PROGRAM
MONITORING AND EVALUATION INCLUDING PARALLEL
ASSESSMENTS, AND COORDINATION WITH GOVERNMENT
AND NONGOVERNMENT PARTNERS FOR POST-PROGRAM SUPPORT ACTIVITIES; AND (J) (d) Recommend changes in the names of public schools within the territorial jurisdiction of the local government unit for enactment by the sanggunian concerned.

The Department of Education [Culture and Sports] shall consult SEEK THE CONCURRENCE OF the local school board on the appointment, ASSIGNMENT AND/OR TRANSFER of division superintendents, district supervisors, school principals, and other school officials.”

SEC. 4. Section 100 of RA No. 7160, as amended, is hereby amended to read as follows:

“Sec. 100. Meetings and Quorum; Budget. –

(a) The local school board shall meet at least once a month or as often as may be 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 a 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,] LOCAL SCHOOL BOARD shall prepare [the] ITS 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 the majority of all the members shall be necessary to approve the budget.] AS FOLLOWS:

INCOME FOR THE INCOMING BUDGET YEAR BY AUGUST 15, AND
2. THE SCHOOL BOARD SHALL REVIEW THE BUDGET PROPOSAL
PREPARED BY THE SCHOOLS DIVISION SUPERINTENDENTS AND
PUBLIC SCHOOLS DISTRICT SUPERVISORS AND APPROVE THE
SAME BY THE AFFIRMATIVE VOTE OF THE MAJORITY OF ALL ITS
MEMBERS. THE BUDGET RESOLUTION FOR THE INCOMING
BUDGET YEAR SHALL BE ISSUED ON OR BEFORE DECEMBER 31.
(e) 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; and
(3) Sports activities at the division, district, municipal, and
barangay levels."

SEC. 5. A new section designated as Section 100-A of RA No. 7160,
as amended, is hereby added to read as follows:
"SEC. 100-A. TRANSPARENCY IN OPERATIONS AND
UTILIZATION OF THE SEF. – TO INSTITUTIONALIZE GREATER
TRANSPARENCY IN ITS OPERATIONS AND UTILIZATION OF THE
SEF, EVERY LOCAL SCHOOL BOARD IS HEREBY MANDATED TO
HAVE A TRANSPARENCY BOARD AND MAINTAIN A WEB PORTAL
THAT WILL BEAR ALL REPORTS ON THE FOLLOWING
INFORMATION DURING THE BUDGET YEAR:
(A) THE FUNDS AND OTHER RESOURCES THAT SCHOOLS
RECEIVE FROM THE DEPED BUDGET;
(B) THE ACTUAL SEF COLLECTIONS AND ITS UTILIZATION
DURING THE BUDGET YEAR;
(C) A QUARTERLY REPORT OF REALIZED SEF INCOME,
EXPENDITURES, AND BALANCES NOT LATER THAN ONE
MONTH AFTER THE REFERENCE QUARTER;
(D) THE ACTUAL SEF INCOME AND EXPENDITURES IN THE PRECEDING FISCAL YEAR AND ACTUAL INCOME AND EXPENDITURES OF THE FIRST TWO QUARTERS OF THE CURRENT YEAR;

(E) THE AMOUNT OF RESOURCES THAT INDIVIDUAL SCHOOLS RECEIVE UNDER THE GENERAL APPROPRIATIONS ACT, INCLUDING SCHOOL-LEVEL MAINTENANCE AND OTHER OPERATING EXPENSES DOWNLOADED TO SCHOOLS;

(F) SCHEDULE OF CONSTRUCTION OF CLASSROOMS BY SCHOOL UNDER THE SCHOOL BUILDING PROGRAM; AND

(G) INDICATORS OF SCHOOL PERFORMANCE INCLUDING NATIONAL ACHIEVEMENT TEST (NAT) RESULTS, OTHER STANDARDIZED TEST SCORES, PARTICIPATION RATES OF STUDENTS, DROP-OUT RATES, COHORT SURVIVAL RATES, AND OTHER RELEVANT MEASURES OF PERFORMANCE ON THE QUALITY OF EDUCATION.”

SEC. 6. A new section designated as Section 100-B of RA No. 7160, as amended, is hereby added to read as follows:

SEF EXPENDITURES THAT ARE ALLOWABLE OR NOT, THE BUDGET
CALENDAR, THE TRANSPARENCY MECHANISMS, AND THE EFFECTIVE
PROCESSES FOR THE OPERATION OF THE SCHOOL BOARD. THE
MANUAL SHALL BE FORMULATED AND RELEASED TO THE SCHOOL
BOARDS NOT LATER THAN SIXTY (60) DAYS AFTER THE
PROMULGATION OF THE IMPLEMENTING RULES AND REGULATIONS
OF THIS ACT.”

SEC. 7. Section 101 of RA No. 7160, as amended, is hereby amended to read
as follows:

“Sec. 101. Compensation and Remuneration. – The co-chairmen and
members of the provincial, city or municipal school board shall perform
their duties as such without compensation or remuneration. Members
thereof who are not government officials or employees shall be entitled to
necessary traveling expenses and allowances chargeable against the funds
of the local school board concerned, subject to existing accounting and
auditing rules and regulations.”

SEC. 8. Section 272 of RA No. 7160, as amended, is hereby amended to read
as follows:

“Sec. 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,
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] FOR
THE FOLLOWING PURPOSES:

(A) SALARIES OR WAGES OF SEF-PAID TEACHERS
ASSIGNED TO PUBLIC ELEMENTARY AND SECONDARY
SCHOOLS;
(B) SALARIES OR WAGES OF NON-TEACHING PERSONNEL,
INCLUDING UTILITY AND SECURITY PERSONNEL,
ASSIGNED TO PUBLIC ELEMENTARY AND SECONDARY
SCHOOLS;
(C) SALARIES OR WAGES OF PRE-SCHOOL TEACHERS, AND
CAPITAL OUTLAYS FOR PRE-SCHOOLS;
(D) CONSTRUCTION, REPAIR, AND MAINTENANCE OF
PUBLIC ELEMENTARY AND SECONDARY SCHOOL
BUILDINGS, EQUIPMENT, AND OTHER FACILITIES,
INCLUDING WORKSHOPS, LABORATORIES, SCHOOL
FENCES, SCHOOL TOILETS, AND SCHOOL FURNITURE;
(E) ACQUISITION OR PROCUREMENT OF BOOKS,
INSTRUCTIONAL OR LEARNING MATERIALS, AND
INFORMATION AND COMMUNICATIONS TECHNOLOGY
PACKAGES;
(F) EDUCATIONAL RESEARCH;
(G) EDUCATION SUMMITS, COMMUNITY TOWNHALL
MEETINGS, DISCUSSIONS, AND CONSULTATIONS ON
INFORMATION, ISSUES, AND CONCERNS RELATED TO
EDUCATION;
(H) COMMUNITY MAPPING OF DATA RELATED TO
EDUCATION;
(I) OPERATION AND MAINTENANCE OF ALS PROGRAMS
WITHIN THE CITY OR MUNICIPALITY AND THE
SUPPLEMENTARY LOCAL COST OF IMPLEMENTING SUCH
PROGRAMS, INCLUDING BUT NOT LIMITED TO THE
HIRING AND PAYMENT OF SALARIES OF ADDITIONAL ALS
TEACHERS WITHIN THE LGU’S AREA OF JURISDICTION;
(J) FORMULATION AND IMPLEMENTATION OF LOCALLY
ORIENTED NON-FORMAL AND DISTANCE EDUCATION
CLASSES AND TRAINING PROGRAMS, AND OTHER
SIMILARLY RELATED PROGRAMS, PROJECTS, AND
ACTIVITIES;
ESTABLISHMENT AND MAINTENANCE OF EXTENSION
AND/OR REMEDIAL CLASSES WHERE NECESSARY;

HONORARIUM AND ALLOWANCES FOR TEACHERS AND
OTHER NON-TEACHING SCHOOL PERSONNEL,
WHETHER NATIONALLY OR LOCALLY COMPENSATED, TO
BE GIVEN IN ADDITION TO THEIR SALARIES FOR
ADDITIONAL SERVICES RENDERED OUTSIDE OF
REGULAR SCHOOL HOURS;

SCHOOL SPORTS ACTIVITIES AND OTHER DEPED-
RELATED AND CO-CURRICULAR ACTIVITIES; AND
MAINTENANCE AND OTHER OPERATING EXPENSES OF
THE LOCAL SCHOOL BOARD, INCLUDING SUPPLIES,
MATERIALS, EQUIPMENT, AND RELATED EXPENSES.”

SEC. 9. The School Governing Council. – To ensure collaborative partnership
among the educational community stakeholders, every public and private basic
educational institution shall establish and maintain a School Governing Council
(SGC) to ensure a continuous, efficient and effective basic education service towards
the improvement of learning and promotion of the welfare of the learners. It shall be
guided by the principles of shared leadership, commitment and accountability.

Giving due consideration to geographical location and student demographics,
the SGC shall be composed of such members from the private and public
stakeholders as follows:

(A) The school head as the Chief Executive Officer;

(B) One (1) representative from the Parent-Teacher Association (PTA) to be
elected by the members of the PTA;

(C) One (1) teacher representative to be elected by the teaching and non-
teaching staff of the school;

(D) One (1) representative from the alumni association;

(E) The barangay captain or the Chair of the Education Committee of the
barangay;

(F) The president or head of the Student Council Organization; if there is no
such organization in the school, one (1) student representative to be elected
by the student population;
(G) One (1) representative from a non-government organization operating in the community, to be selected by the other members of the SGC; and

(H) Such other necessary members as the local school board may determine.

The members of the SGC shall elect among themselves the Chairperson, Vice-Chairperson, Secretary, Treasurer and Auditor of the SGC.

To achieve its mandate, the SGC shall have the following powers and functions:

(A) Determine the general policies of the school on student welfare, discipline and well-being;

(B) Participate in the development of the School Improvement Plan (SIP);

(C) Adopt a Constitution and By-laws to guide its decisions;

(D) Conduct its affairs in keeping with the school’s decision-making processes;

(E) Assist in the planning and setting direction for the school;

(F) Organize committees to support the school head and staff in the implementation of the SIP;

(G) Regularly conduct consultation as an avenue for multi-level and multi-stakeholder assessment of the school’s state of education;

(H) Monitor and evaluate the implementation of the SIP, and develop such monitoring and evaluation tools;

(I) Report the progress of SIP Implementation to the Schools Division Superintendent and the community;

(J) Generate resources to support the implementation of the SIP;

(K) Manage its resources; and

(L) Such other powers and functions as may be necessary for its effective performance.

The school head as Chief Executive Officer shall:

(A) Implement the SIP which includes delegating responsibilities to other staff and setting up processes to monitor progress, collecting and analyzing data, and documenting relevant information;

(B) Implement policies developed in partnership with the SGC;

(C) Provide accurate and timely information to include progress reports about the SIP, government requirements and initiatives, and financial reports on school expenditure; and

(D) Perform such other functions as the SGC may deem necessary.
For purposes of this section, the Department of Education shall adopt existing
guidelines on the SGC or promulgate such implementing guidelines and/or
limitations for its governance.

SEC. 10. Implementing Rules and Regulations. – Within sixty (60) days after the
effectivity of this Act, the Department of Interior and Local Government, Department
of Education, Commission on Higher Education, Technical Education and Skills
Development Authority, Department of Social Welfare and Development, Philippine
Statistics Authority, Union of Local Authorities of the Philippines, National Economic
and Development Authority, Department of Finance, Department of Budget and
Management, and other education stakeholders, shall promulgate the rules and
regulations for the effective implementation of this Act. The IRR issued pursuant to
this section shall take effect thirty (30) days after its publication in a newspaper of
general circulation.

SEC. 11. Transitory Provision. – All existing local school boards established
pursuant to the provisions of RA No. 7160, as amended, shall continue to operate
pursuant to, and shall be covered by, the provisions of this Act and its IRR.

SEC. 12. Separability Clause. – If any part, section or provision of this Act is
declared invalid or unconstitutional, the other parts thereof not affected thereby
shall remain in full force and effect.

SEC. 13. Repealing Clause. – Sections 98, 99, 100, 101 and 272 of Republic
Act No. 7160, otherwise known as the Local Government Code of 1991, as amended,
are hereby amended. All laws, acts, presidential decrees, executive orders,
administrative orders, rules and regulations, or parts thereof inconsistent with or
contrary to the provisions of this Act are hereby modified, amended, or repealed
accordingly.

SEC. 14. Effectivity. – This Act shall take effect fifteen (15) days after its
publication in the Official Gazette or in a newspaper of general circulation.

Approved,