

CP - Senate

TCM - Education, Arts and Culture
Ways and Means and Finance
(TWG)

Date - Dec. 10, 2007

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**COMMITTEE ON EDUCATION, ARTS AND CURLTURE joint with
COMMITTEES ON CIVIL SERVICE AND GOVERNMENT
REORGANIZATION; COOPERATIVES, ENVIRONMENT AND
NATURAL RESOURCES; LABOR, EMPLOYMENT AND HUMAN
RESOURCES DEVELOPMENT; NATIONAL DEFENSE AND SECURITY;
PUBLIC ORDER AND ILLEGAL DRUGS; PUBLIC SERVICES; SCIENCE
AND TECHNOLOGY; TRADE AND COMMERCE; TOURISM; YOUTH,
WOMEN AND FAMILY RELATIONS; WAYS AND MEANS and
FINANCE
(TECHNICAL WORKING GROUP)**

Date : Monday, December 10, 2007

Time : 1:3 p.m.

Venue : Senator Padilla Room
2nd Floor, Senate, GSIS Bldg.
Financial Center, Roxas Blvd.
Pasay City

Agenda : SENATE BILLS RELATED TO CURRICULUM
DEVELOPMENT AND MAGNA CARTA FOR PUBLIC
SCHOOL TEACHERS

A T T E N D A N C E

SENATORS' STAFF PRESENT:

Mr. Ricardo T. Sibug	-	Office of Sen. Alan Cayetano
Atty. Jay Miranda	-	Office of Sen. Alan Cayetano
Mr. Jorge Bocobo	-	Office of Sen. Alan Cayetano
Ms. Bek Evangelista	-	Office of Sen. Legarada

Ms. Lanie Ramos	-	Office of Sen. Trillanes
Ms. Rosevic Sevilla	-	Office of Sen. Alan Cayetano
Mr. Ranjit Rye	-	Office of Sen. Alan Cayetano
Mr. Rene Lopos	-	Office of Sen. Alan Cayetano
Mr. Marco delos Reyes	-	Office of Sen. Madrigal
Ms. Michelle Estor	-	Office of Sen. Gordon
Ms. Angelica Pinlac	-	Office of Sen. Gordon
Mr. Xerxes Nitafan	-	Office of Sen. Villar
Ms. Aliya Hajan	-	Office of Sen. Angara

RESOURCE PERSONS/WITNESSES:

Ms. Simeona T. Ebol, BEE, Department of Education (DepEd)
 Ms. Marion Grace Murillo, Education Program Specialist, DepEd
 Dr. Thelma M. Cruz, Bse, DepEd
 Ms. Luisa S. Roberto, OIC, Mgt. Division, DepEd
 Ms. Leonila Joson, OIC, Personnel Division, DepEd
 Ms. Jemima Anzorah Pacasum, DepEd
 Atty. Imelda Tarhata Macarambon, Legal Consultant, DepEd
 Ms. Lorena C. Sarmiento, DLLS, Office of Asec. Malaya
 Mr. Antonio Tinio, ACT
 Ms. Francisca Castro, OCPSTA

SENATE SECRETARIAT:

Mr. Philip M. Lina	-	Committee Secretary
Ms. Rachel Ywayan	-	Committee Secretary
Mr. Rino Baltazar	-	Assisting Staff
Mr. Eric Caña	-	- do -
Ms. Araceli D. Masicap	-	Committee Stenographer
Ms. Ma. Emperatriz L. Novero	-	- do -
Ms. Lolita P. Pamorca	-	- do -
Ms. Cleofe P. Caturla	-	- do -
Ms. Gina Rowena T. Nortez	-	Legislative Page
Mr. Hizar B. Sarmiento	-	Audio Technician

(For complete list, please see attached attendance sheet)



Republic of the Philippines
CONGRESS OF THE PHILIPPINES
SENATE
Pasay City

COMMITTEE ON EDUCATION, ARTS AND CULTURE

joint with the

Committees On Civil Service And Government Reorganization; Cooperatives; Environment And Natural Resources; Labor, Employment And Human Resources Development; National Defense And Security; Public Order And Illegal Drugs; Public Services; Science And Technology; Trade And Commerce; Tourism; Youth, Women And Family Relations; Ways And Means And On Finance

Technical Working Group Meeting

10 December 2007, 1:30 p.m. Monday
Sen. Ambrosio T. Padilla Room, 2ndF,
Senate of the Philippines, Pasay City

AGENDA: SBNS 55, 170, 194, 343, 455, 532, 571, 599, 670, 684, 759, 769, 795, 909, 950, 957, 959, 1097, 1135, 1151, 1318, 1462, 1494, 1556, 1561, 1579, 1582, 1603, 1635, 1642, 1688, 1737, 1814, 1831, and 1907; Senate Bills Related to CURRICULUM DEVELOPMENT; and SBNS 69, 72, 137, 156, 166, 756, 881, 1088, 1102, 1544, 1548, and 1611; Senate Bills Related to MAGNA CARTA FOR PUBLIC TEACHERS.

ATTENDANCE

MEMBERS	REPRESENTED BY
1. SEN. ALAN PETER COMPANERO S. CAYETANO Chairman, Committee on Education, Arts and Culture	
2. SEN. BENIGNO SIMEON C. AQUINO III	
3. SEN. JUAN PONCE ENRILE	
4. SEN. EDGARDO J. ANGARA	
5. SEN. JOKER P. ARROYO	
6. SEN. MIRIAM DEFENSOR SANTIAGO	
7. SEN. COMPAÑERA PIA S. CAYETANO	
8. SEN. FRANCIS G. ESCUDERO	
9. SEN. RICHARD "Dick" J. GORDON	
10. SEN. GREGORIO B. HONASAN II	
11. SEN. JUAN MIGUEL F. ZUBIRI	
12. SEN. MANUEL "Lito" M. LAPID	
13. SEN. ROMON "Bong" REVILLA, JR.	
14. SEN. RODOLFO G. BIAZON	
15. SEN. PANFILO M. LACSON	
16. SEN. LOREN B. LEGARDA	
17. SEN. M.A. MADRIGAL	
18. SEN. MAR ROXAS	
19. SEN. ANTONIO F. TRILLANES IV	
20. SEN. JINGGOY EJERCITO ESTRADA, <i>Ex-Officio Member</i>	
21. SEN. FRANCIS N. PANGILINAN, <i>Ex-Officio Member</i>	
22. SEN. AQUILINO Q. PIMENTEL, JR. <i>Ex-Officio Member</i>	

SENATE SECRETARIAT

SENATE SECRETARIAT		
NAME	DESIGNATION/OFFICE	SIGNATURE
1. Philip M. Lina	LegComSec	
2. Rino Baltazar	LegComClerk	
3. Eric Cana	LegComClerk	
4. Araceli D. Masicap	} Committee Stenographers	(B. Masicap)
5. Ma. Emperatriz L. Novaro		
6. Lolita P. Pamorca		
7. Cleofe P. Caturla		
8. ALVARO B. SARMIENTO	Audio Tech.	
9. Gina Rowena T. Nolasco	OSAA / Page	
10. Aliya Hagan	Sen. Angara	
11. Jasper Balibute	Committee "C"	
12. Nicamor dela Cruz Jr.	Comm "C"	
13. JAYSON G. MILLOR	"ETEC" "C"	
Rachel Yuayan		

SENATORS STAFF

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**AT 1:47 P.M., MR. PHILIP M. LINA, PRESIDING
OFFICER, CALLED THE TECHNICAL WORKING GROUP
MEETING TO ORDER.**

THE PRESIDING OFFICER. Good afternoon everyone. We start now. For the others who still haven't occupied their seats, their respective seats, please do so.

Let me introduce the ones beside me. To my left is Attorney Dr. Sibug, he is with the Office of Senator Alan Peter Cayetano and the next is Atty. Jay Miranda, he is also with the Office of Senator Alan Peter Cayetano. To my right is Ms. Rachel Ywayan, she is the Committee Secretary just like me on the Committee on Youth, Women and Family Relations.

This technical working group meeting is about the Senate bills on two subject matters: first, the Curriculum Development; and second, the Magna Carta for Teachers. For the body's information, we held a small group discussion earlier on these issues. Though it was a formal, informal discussion, I mean, we decided to call for a formal technical

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working group and this is the one to discuss in this forum these two subject matters. But there was an agreement that before we hold this technical working group, the Department of Education should first finish or come up with the result of the consultation on the Magna Carta, so that is why we decided to hold this technical working group.

So, the question is, do you have the final outcome of your consultation?


MS. MACARAMBON. Can we request Mrs. Gelly, as the head of the Secretariat, for the status of the – result of the consultation?

THE PRESIDING OFFICER. I'm sorry, before we continue...

MS. MACARAMBON. By the way...

THE PRESIDING OFFICER. ...kindly introduce yourselves first.

MS. MACARAMBON. Yes. This is Atty. Macarambon, Legal Consultant for Legal Division of the Department of Education. Thank you.

MS. PACASUM. I am Atty. Jemima Pacasum, EA III, I am also assigned to the Legal Division. 

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MS. JOSON. Magandang hapon po. Ms. Leonila Joson, Officer-in-Charge of the Personnel Division, one of the members of the Secretariat.

MS. ROBERTO. Good afternoon po. I am Lulu Roberto from Management Division, also a member of the Secretariat of the Magna Carta.

MS. SARMIENTO. Good afternoon po. I am Ms. Lorena Sarmiento and I am from the Office of the Assistant Secretary for Special Projects and Legislative Liaison, Asec. Malaya.

THE PRESIDING OFFICER. Dr. Thelma M. Cruz.

MS. CRUZ. I am representing Dr. Estrellita Evangelista, our Director III.

MS. EBOL. I am Mrs. Ebol, I am representing Dr. Quijano, our director of the Bureau of Elementary Education.

MS. MURILLO. Magandang hapon, my name is Marion Grace Murillo, also from the Bureau of Elementary and I'm working with the Curriculum Development Division. *RM*

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THE PRESIDING OFFICER. We first tackle the Curriculum Development. Okay.

In our informal meeting, the one I mentioned earlier, we agreed – no, there was sort of an agreement that we set aside this proposal because it does not require legislation to enrich the existing curricular program of the DepEd. I don't know if this holds true for you, for the representatives of the DepEd who are here now. Kindly say so if such is correct so that if indeed it is not necessary to have legislation for it, then we could finally put this thing to rest.

MS. EBOL. Okay. Specifically on Senate Bill No. 1494, which is Public Safety Awareness and also on Senate Bills No. 170, 571 and Senate Bill No. 55, okay, and Senate Bills No. 591 and 1561, otherwise called the Humanities Excellence and Teacher Training Act.

Well, actually, if you looked—as we reviewed all these bills, we found out that there is no need of additional expense anyway. But what we think is only to integrate them in some of the subject areas. I am referring to the elementary school curriculum. Okay. *ARM*

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For example, in the case of Senate Bill No. 1494, Crime Prevention and Public Safety Awareness are basically integrated in the *Makabayan* subject, okay. Specifically in HEKASI Grade VI and *Edukasyong Pagpapakatao* in Grade V. Now, in Senate Bills 170, 571 and 55, this is otherwise known as Disaster Preparedness and Mitigation, are actually already lessons in the present curriculum of the elementary. Now, these are found in the curricular subjects like Science and *Makabayan*, specifically in HEKASI and Character Education.

And I would like to mention that the Department of Education is currently involved in video production on Disaster Preparedness with the ABS-CBN Foundation, Incorporated, production services group disaster management TV program with some international NGOs. This is actually an ongoing project, which started last school year and we have just finished one episode on earthquake. Presently, we are in the initial stage on our next episode, which is the tropical cyclone.


This school year, 2007 and 2008, a task force on Disaster Preparedness was formed and we have come up with the resource *ARM*

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material entitled, "Disaster Risk Reduction Resource Manual." Okay.
These materials are intended for our teachers and its content will be
topics for discussion from Grades I to VI pupils.

So, aside from these latest developments, the Department of
Education has already implemented evacuation drill memorandum to the
field wherein all schools are required to conduct emergency drill two
times every semester of the year.

Senate Bill Nos. 591 and 1561, the Humanities Excellence and
Teacher Training Act is more on teacher training. Maybe it is in this case
where probably we need some kind of, you know, budget on this. In one
bill here.../admasicap 

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MS. EBOL. ... In one bill here which is Senate Bill No. 950, it is more addressed—it is more to address the compulsory community service in the elementary level where I think the proposal is involving our elementary pupils to do some community service.

That is so far.

THE PRESIDING OFFICER. Ms. Ywayan, any question?

THE COMMITTEE SECRETARY (MS. YWAYAN). Good afternoon, ma'am.

Ma'am, I'm just curious, is the sex education or sexual education already incorporated or are you planning to incorporate it in the—meron na po ba?

MS. EBOL. Actually, this is really part of the science curriculum in the higher level. When I say higher level, upper grades, that's starting Grade 4.

THE COMMITTEE SECRETARY (MS. YWAYAN). Ah, okay, Grade 4.

Thank you.



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THE PRESIDING OFFICER. Dr. Cruz.

MS. CRUZ. The programs which have already been mentioned by the representatives from the Bureau of Elementary Education regarding disaster task force formed in the department has been—is true also with the Secondary Education Bureau and we have representatives from our bureau, education program specialists to do the tasks.

With regards to crime prevention and public safety which has been earlier mentioned, we have also included that in the curriculum already. It has something to do with the criminal justice system and this would involve discussion on crime prevention and public safety.

With regards to the last question that was given by Ms. Ywayan, we don't exactly have sex education but we have placed into the curriculum the Adolescent Reproductive Health, 'no. This is the terminology that we have used and not focusing only on sex education. It would be more on Adolescent Reproductive Health.

This was handed to me earlier by our Director III, in connection with House Bill No. 331, "An act institutionalizing the Open High School

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System." It was reviewed and read by the Bureau and there is only one correction that we have to make. It is in Section 15, Curriculum Content, wherein it says, "The system shall adopt the national, secondary education curriculum." We would like to change this into "the current Secondary Education Curriculum."

THE PRESIDING OFFICER. Dr. Cruz and Ms. Ebol, you're saying that the bills on curriculum which are now under consideration, all of them do not need to be passed into law because, as it is, the BSE and the BEE levels are already implementing these concerns?

MS. EBOL. For example, Senate Bill 1151, "An Act Requiring the Teaching of Human Rights as Mandatory in All Public and Private Schools," this has already been integrated into the curriculum. This is specifically discussed in *Makabayan*, *Araling Panlipunan* in particular. I believe that the elementary group had also this in your curriculum and Social Studies also in *Hekasi*.

THE PRESIDING OFFICER. And just to—sige, ma'am.



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MS. EBOL. Looking into the list, 'no, of the different bills, I don't think that not all of them need to be passed into law. It's just too unfortunate that we were not able to bring with us the comments on other bills like the IT education, computer education, and I think the bill that I mentioned earlier on, which is the Humanities Excellence and Teachers' Training Act, I think this is very important. And I think this needs to be passed as well, Excellence and Teachers Training Act.

THE PRESIDING OFFICER. That's Senate bill number?

MS. EBOL. 5921 and 1561. And looking back into the list, I think there's a need for computer education to be considered. Computer Education, and we have also one here which is on Information Technology, I don't know.

THE PRESIDING OFFICER. The Computer Education and the Humanities Excellence among teachers, couldn't you just incorporate these in the curriculum without needing any legislation at all?

MS. MURILLO. We already have incorporated the Information Technology Education or, specifically, the Computer Education in our

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Home Economics, one semester or, no, quarter for Computer Education, actually, for Grades 4, 5 and 6 so basically we don't need, I think, but siguro ano na lang 'to, for units in the—yun mismong system.

THE PRESIDING OFFICER. For that matter, whatever you think of that should enrich the curriculum wouldn't need any legislation at all.

MS. MURILLO. No need na to legislate.

THE PRESIDING OFFICER. No need na. Okay.

So with that, could we now end our discussion and transfer to the Magna Carta? Thank you very much.

Who wants to start the discussion on Magna Carta?

MS. JOSON. Good afternoon to the honorable panel.

In behalf of Secretary Jesli Lapus of the Department of Education, we wish to give you a backgrounder as to why the revisions to the Magna Carta became a major undertaking of the Department.

It has been since 1966 when the Magna Carta for Public School Teachers was first promulgated and, if we walk through history since in 1901 when the first department of public instructions was created during

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the American regime in 1901—I see Atty. Sibug here smiling because he is one of our very competent, capable regional director before—and so even before the arrival of Secretary Lapus in DepEd, there were already prior discussions brought about also by the numerous complaints, concerns raised already by not so much with the non-teaching but from the teaching group because they are really the sole beneficiary supposed to be of the benefits and the provisions of the Magna Carta.

And so, Secretary Lapus created a task force to look into possible, to review, revisit the Magna Carta and find out what really are the unimplemented provisions that have been the focus of some grave concerns. And also if to find out what are the provisions that may be added incorporated in line with the present initiatives and thrusts of the Department of Education. And so the task force, under the chairmanship of Undersecretary Franklin C. Sunga of the Legal services in tandem with our other undersecretaries like Undersecretary Ramon C. Bacani of the Regional Operations, he's the one handling our operations in the field and, of course, our teachers' concerns. There was also the secretariat to this



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task force and so I happen to be with it, I am from the personnel, of course, and Lulu from the Management, and our OIC, our chief from the Employees Welfare and Benefits Division which is also very much concerned on the teachers' benefits. .../meln



MS. JOSON. ... on teachers' benefit.

And so, we've long recognized that there are really unimplemented provisions in the magna carta. First and foremost are the benefits, especially on medical, owing to the hugeness of DepEd considering that they are at present, around half a million teachers not to mention our non-teaching force.

The problem really on financial capability of the department to provide -or the government in itself to provide the much needed financial resources has hampered really the effective implementation of major benefits under the magna carta.

So from a series of discussions where the task force put together the proposals/inputs which we gathered from all of the representatives of DepEd itself from its superintendents group, teachers group, all officials, including our supervisors, teachers and, of course, the presence also of our local government officials, there were some discussions where municipal mayors were in attendance, the members of the Sanggunian all of those who were really interested to, in looking after the welfare and what need to be done in order to uplift the present status of our teachers. It has long been declared a policy in the original version of the magna carta that the intention of

the law is really to promote the social status and the working conditions of our teachers. Make them proud of the professions as nurturers of our youth, the ones who are supposed to be on top of all of the other professions. And, in fact, RA 7836, which professionalized teaching, is also one of those significant laws that really looked into the status of teachers.

And so I would like to inform our honorable body that-- panel that the proposed revisions as completed by the task force are now in the office with Secretary Lapus, in fact, for his necessary view.

But I think we are allowed at this time to present to you some salient points or significant aspects that were incorporated in the revisions to the existing magna carta. But Attorney Sibug, when I mentioned earlier that our magna carta is now supposed to include our non-teaching personnel in DepEd, because that was the clamor and that was the result of the initiatives that we did in --among the regional offices.

So first on the title, if I may say it, it is now proposed to be a "Magna Carta For Public Schoolteachers And Personnel Of The Department of Education."

And in this Memorandum dated December 6, 2007 from the office of Assistant Secretary Jonathan Malaya to the Honorable Secretary of Education, it is said here that the proposed amendment or revision and/or revisions presented would include, of course, the inclusion of the non-teaching, the provision for a probationary period. In the old magna carta, teachers are not subjected to a probation period to which non-teaching personnel according to Civil Service Rules, have always been subjected.

It also provided that formal investigation of teachers/ personnel charged with administrative cases shall be heard by a committee that has been organized for the purpose.

Also one major change in response also to the continuing clamor of teachers, to clarify really what are the real number of actual teaching hours –working hours of teachers.

In the original version, it was already so provided that there shall be no more than six hours of actual classroom teaching. No, not-
- no more, it is six hours with any excess hour to be paid with overtime pay, to be properly compensated. The six hours would mean actual classroom teaching including the preparation of lesson plans. The conflict has arisen out of a civil service ruling that in addition to

the six hours of actual classroom teaching, teachers are required to stay in the schools for eight hours, in abeyance with the eight-hour teaching or working hours law –Civil Service.

But presently, the representation of the task force is that, the six hours should mean inclusive of the preparation. So that teachers after six hours may be allowed to leave the school and finish or do the other work that they need to be done in their own residences.

Salaries of locally funded teachers shall be equal to those of the nationally paid teachers. The shortage of teachers, national items for teachers prompted our local government counterparts to hire teachers in order to serve the needs of the students. And so local government officials pay the salaries of what we call, the locally-funded teachers, ranging from, say, P3,000; P6,000 and so on.

While some are able to give those which are equal to the national salary scale which is now at Grade 10 under the present Civil Service Salary Wage Schedule, most of them are not able to give the full pay. And so the proposed revision says that, "Locally-funded teachers should be paid where the national government shall provide a subsidy to cover the difference." But, locally-funded teachers, the hiring—the appointments should be out of the hiring guidelines

promulgated by the department. There is actually now our DepEd order providing for the criteria and the process by which we hire teachers on the basis of merit and fitness competence and the ability to really cater to the teaching requirements.

Next would be the creation of a trust fund for teachers and personnel to serve as a source of financial assistance in times of dire need. There shall be guidelines, however, regarding the entitlement and the benefits that shall go into those who are deemed to be recipients.

The Department shall also provide free annual medical, dental, psychological examination to teachers and personnel who shall likewise be provided with additional health insurances.

We have also proposed to expand the study leave privilege to include undergraduate studies, bar/board review in addition to the masteral/doctoral degree.

Presently, what is allowed in the magna carta is a study leave to complete the masteral thesis and to pursue those courses which are education related. But there are many in DepEd who say or argue that those who take bar and board courses—courses requiring bar and board should also be supported by way of study leave when they

already undertake the review. Even if they are not education-related, they are also to the benefit of DepEd if they are done with these courses.

The establishment of the mutual benefit system for DepEd teachers and personnel. And also one very, shall we say, very good proposal is the grant of two-salary grades of the same step six months before the retirement date which shall be the basis of GSIS in computing the retirement benefits.

Presently, under our Retirement Law, RA 8291, if we increase – when we increase the salary scale of a teacher—of a retiring teacher, it does not have any significant effect on the retirement benefits of the GSIS, unless they retire under the RA 1616 where the Department of Education pays their retirement lump sum benefits.

The national organization of teachers and DepEd personnel shall participate in the formulation of national education policies, professional standards and policies.... /lpp

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MS. JASON. ... professional standards and policies for purposes of social security.

Now, you may ask us where do we get the funds. One reason that we gave for the non-implementation of the benefits especially on medical is the lack of funds. And so, we proposed that funds to implement the provisions of revised Magna Carta shall be appropriated annually in the GAA, General Appropriations, with the additional funding to be sourced from 10 percent of taxes imposed on cigar, liquor and other similar goods; 5 percent of the annual income of Pagcor; 2 percent of real property taxes; and 2 percent from the annual income of the PCSO. Wishful thinking, but we know that this can be done. We in DepEd believe that with our strong support beneficiaries to this initiative and, of course, the increase in penalty. Well, if you would really like to implement, if you would really want to implement, then there must be penal provisions to those who violate any of the provisions. Usec. Sunga was saying that the penalty before P100 but in 1966. One hundred pesos now is not even a cent. *ase*.

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So, these are—I have presented the very significant—presented the revisions to the Magna Carta.

Thank you very much.

THE PRESIDING OFFICER. Questions, clarifications from the staff?

MR. SIBUG. With respect to the inclusion of the non-teaching personnel, there is already a definition found on Section 2 of the Magna Carta as to those who are teachers. So, in effect, you will delete that provision from the Magna Carta for Public School Teachers.

Now, another point on the equalization of pay of the locally funded and the national funded teachers. Don't you think we are stepping beyond the bounds of law because these are two different funds, local and national funds> Can the Department of Education compel the local government officials to equalize the pay although you have a provision for giving the difference? But how many billions are needed? Because we have a lot of locally funded teachers. And its true from Luzon to Mindanao. And there are municipalities that are giving only 3,000 pesos a

ee.

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month. So, if the difference is 7,000, and you have a lot of teachers, that will require so many billions of pesos.

Please look into other source of funding or would you just recommend for the—formerly, the school board fund is a national fund. But it was localized under Executive Order 192 but institutionalized under the Local Government Code. Don't you think there is a need to amend the provision of the Local Government Code insofar as the special education fund is involved?

The Magna Carta has been in effect since 1956, but the Department of Education never implemented the pre-medical and dental examination of our teachers. Now, when you are talking only of psychological examination assistance, what about psychiatric cases of our teachers? We have a lot. And what will you do with those teachers who are having lucid intervals? Ang ibig sabihin, dumarating kung minsan 'yong pagka baliw, pero pag kakausapin mo there are times when they have lucid intervals kasi maraming mga kaso tayo ganyang mga teachers, what will you do? Papaano ang gagawin natin sa mga 'yon? Kasi they affect our

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students. Kasi in one school, pagka dumating 'yong interval ng teacher ay naghuhubad sa harap ng klase. Yeah, we have, we have. So, most probably you can place a treat on this now.

With respect to the provision of Magna Carta on study leave. Under the present Magna Carta, it's only for masteral—for graduate program. Now, what safeguard can we institute to include those who are taking board examination, and the bar examination. So, there must be some safeguards that must be instituted so that the interest of the Department of Education will be properly protected. Because we will be investing a lot of fund and after passing the bar or after passing the board, they will leave us. What safeguard can we institute?

Now, you are talking of mutual benefit system for teachers and you have enumerated the source. But I am more puzzled with the 2 percent real estate tax. Why will you—why should we burden our people to pay the salary increases of teachers, di ba? 'Yon 'yong mutual benefit, I mean. Because if you will increase the real estate tax, it did not change the character of the fund it is still a local government fund. So, you are

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increasing the funds of the local government which is not controlled by the national government, it is still controlled by the local government. So, will you please look into this concern? Because even if we keep on increasing our real estate taxes, it is still local. And you're giving a lot of money to the local government.

So, with respect to Pagcor and Philippine Charity Sweepstakes, I don't know how you can – maybe there are innovative or creative way of doing it.


So now, what will be the effect of the two salary grades of the same step before retirement, ano? So, kung halimbawa, Salary Grade 10, Step 8, so magre-retire siya Salary Grade 12, Step 8. So, ilang percent 'yan? Kasi ang isang salary grade—salary step, I think that's about 5 percent, e. Ang difference niyan mga 5 percent, e. So, kung 'yong first step up to the 8th step, 40 percent ano. So, times three, 120 percent ang kanyang retirement. So, how shall we source that? Kasi malaki 'yan, oo. But the Department of Education does not approve retirement under 1616 because you don't have even salary savings because it should be sourced

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from salary savings. And the DBM does not appropriate funds anymore under Republic Act 1616. So, where will you source your fund for retirement under 1616 when there is no more appropriation coming from the Department of Budget and Management? It is no longer included in the GAA. How shall we source that? It's not really wishful thinking. There may be some innovative way of doing it. There are always several ways of skinning a cat. Definitely, there is a better way of skinning it.

So, 'yon lang ho, Ma'am, ang ano namin. Baka 'yong sinabi niyo they are all very good for our teachers. Ang duda lang namin maski naman si Senator, ang duda nga namin kung papaanong pagsasamahin 'yong teaching and non-teaching in a Magna Carta for Public School Teachers unless you amend—you propose another law...cpc .

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MR. SIBUG. ...unless you amend—you propose another law.
Sige, Ma'am Macarambon.


MS. MACARAMBON. Actually, the idea of—the present idea now is not to amend the Magna Carta for Public School Teachers but to revise the whole law 'no. And one of the consensus that we were able to gather from the field is that the clamor of the DepEd personnel is to include the non-teaching staff, why? In 1966 perhaps, our legislators were not able to – siguro hindi masyadong iniisip na lalaki ang DepEd. But after several years, decades, 'no, DepEd has grown into the largest department of the country, 'no, sa Executive Department. And we have come to realize after consultations, 'no, several consultations from the other regions that it is not only the teachers whom we consider in giving benefits—to our retirees, to our employees, hindi lang po iyong teachers, iyong sinisigaw ng mga nasa field kundi pati iyong empleyado, why? Because if the teachers, according to our reports from the field, if the teachers are considered the – no, no, kasi we consider 'no, in the field we consider the 

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students as the lifeblood of basic education. And we consider our teachers as the front-liners of basic education, iyong personnel po, kami po iyong backbone. So, we do not find any conflict in attempting to move for the inclusion of the DepEd personnel in the Magna Carta and I think the changes that this world has introduced to us since 1966 would justify our move to include the personnel of the DepEd. So, that's the sentiment from the field po and I guess, lahat naman tayo naniniwala doon, 'no.

Doon naman po sa locally-funded teachers, the DepEd, of course, sa department po, we are aware that we cannot impose higher than what is granted under the Local Government Code, iyong financial assistance ng mga local governments units sa DepEd, iyon po iyong educational funds.


So, dito po sa Magna Carta, we would like to include sana to impose upon the department to subsidize the portion that the local government units cannot allocate or cannot grant to our locally-funded teachers. After all, the locally-funded teachers, the requirements that we require is 

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the – are the requirements that we also require with the teachers having position items, teacher position items, so hindi – ang pakiramdam ng mga locally-funded awang-awa sila. Ganoon naman po ang sentimiyento sa field, to give the locally-funded teachers same benefita with the national-funded teachers. So, iyon po iyong action ng DepEd doon, position ng DepEd sa ngayon.

Iyong sa pre-medical examination, it is true that hindi po namin naipapatupad iyong annual pre-medical examination of all teachers dahil po iyong penalty nga ho namin ay P1 lang under the present Magna Carta. So ngayon, kaya we are moving sana na i-increase namin iyong penalty provisions, so para naman lahat ng mga important provisions kung saka-sakali mang ma-implement—mai-enact natin iyong bill na ito eh, iyon po.

And then, iyong Study Leave Grants Safeguards, we were able to consider iyong sinasabi naming after naka-pass iiwanan tayo sa DepEd. Mayroon ho kaming inilagay na criteria that those who can only avail are 

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those who have rendered at least three years service at the DepEd. Ibig sabihin ho regalo na ho namin iyon. Na-accumulate na nila iyon na right. Hindi na ho nila babayaran, ibibigay na benefit po iyon including po doon sa monthly salary nila or other benefits. Iyon po ang naisip namin. Magna Carta nga eh, kaya nga isinusulong namin ito na ibigay talaga what is due to all public school teachers and DepEd – hindi ho naiiwasan may mga teachers tayong nag-aaral talaga ng law and eventually they become lawyers. Like we have – I have a good friend na superintendent, ngayon lawyer na siya.

And iyong mutual benefit, si Ma'am naman po sa iba. Baka may mai-add po si Ma'am, iyong...

MR. SIBUG. By the way, are you through, Pañera? Are you through?

MS. MACARAMBON. Yes po.

THE PRESIDING OFFICER. May we recognize Mr. Rye from the Office of Senator Cayetano. 

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MR. RYE. Okay, good afternoon. First of all, iyong technical working groups can be really cumbersome and sometimes, you know, very cutting and I'm here to really reiterate the support of my principal, Senator Cayetano, for greater state subsidy for education in general and for teachers. So, I mean, it's—without empirical, 'no for everyone, it's actually empirical when you look at the bills, the number of senators would believe in terms of consensus, we have consensus on the Magna Carta. And the problem with being Chair of the Education Committee is how do we make this from rhetoric into reality. It's really something that Dr. Sibug is also trying to reiterate, but in principle, I think, it will be important for you to go back to the Department to reiterate the strong support of the chairman of this Committee for the idea, the principle of the Magna Carta.

Now, going to specifics for the benefit of the technical working group, you know, I am also a public school teacher although I am also unhappy with my salary, 'no. But I really can't complain given the *psm*

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research we have on this done this bill, I cant believe Salary Grade 10, 'no. I work at the University of the Philippines and we just get a little higher than that, but still, much lower than most of our counterparts in the private sector. So, there is really a great need to pass the Magna Carta. But before we pass this expanded version, which is basically the essence of the bill and looking at all the versions. Do we have a study in DepEd looking at, number one, the compliance of the DepEd with the first version of the bill—the first law, the 1966 version? I know this is really a product of the problems associated with that first law, but could we have or do you have in DepEd a study that we can use in the Committee as important background to helping us see how this law can be feasibly pushed forward?

And second, of the things that you are asking and there are quite a number of them, 'no and Dr. Sibug has reiterated some of the challenges associated with asking for those specific but very important revisions. What are your minimums and as far as the DepEd is concerned, what are 

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the elements of this proposed bill that you are strongly pushing for and some of the elements that maybe, there are some reservations with and that you yourself feel that there are administrative hindrances for, 'no—had administrative hindrances on, 'no.

And third, if you have creative suggestions and ideas about how we can further, you know, operationalize these particular proposals, 'no, it will be—these are coming from the senators, of course, 'no. But if you have proposals to improve how we can operationalize this particular, specific legislative proposal, it will be—and submit in writing to the Committee, it will be very beneficial at least to the cause of the Magna Carta. Mahirap iyong pag-operationalize.../admasicap *plm*

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MR. RYE. ... Mahirap yung pag-operationalize na now that we have expanded eh, I think I share the sentiment of Dr. Sibug na, although we agree in principle that it is something that we should do, funding the expansion of Magna Carta will be, you know, something of a cumbersome process altogether. So if we can get, first, an analysis of the first Magna Carta how the compliance of the DECS was with it or if a study of how it was implemented and problems, lessons learned, maybe the Committee can move forward with some of these proposals.

Thank you.

THE PRESIDING OFFICER. Ms. Rachel has a question also.

THE COMMITTEE SECRETARY (MS. YWAYAN). Good afternoon po.

I just have a question with regard to—well, we're talking about Magna Carta so that means were supposed to also show that the teachers who would be benefiting from this bill would be—they can also show to us that they really deserve the benefit. Because I couldn't forget, in 2001, we had this study. I was one of those who conducted the study on why



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the students—no, no, no, why are the elementary students, that's from Grades 1 to 6, are one of the worst when it comes to English, Math and Science. So I was one of that group who conducted—and it was very heart-wrenching to discover the problems with the DepEd, with—not necessarily DepEd but the Elementary Education as a whole.

And the primary problem was—I'm not sure if it's still, I mean, I don't know if it has improved over the years, but one is core competency. So if the teacher is a graduate, is a major of, let's say, Math but when she will be assigned to an area where she was made to teach in English or Science, so it destroys the cycle. The effect is, the students—they didn't learn anything, well, to really—I mean, the figures showed. Okay, the figure showed. So, let's say, the teacher is a graduate of Major of English and she was made to teach Science, I mean, how can she impart, you know, the right education to her students when she doesn't have the core competency? So how can we address that? I mean, if the concern of Attorney-- is on the psychiatric problems of some teachers, my concern is more of the core competency because it's really heart-wrenching kasi 'pag

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grumaduate (graduate) yung bata, she doesn't even know how to write and speak grammatically correct sentences. So that's really a problem especially now that we are into call centers industry, we're into IT and they lack—it's like the gap is widening over the years.

Thank you.

MR. SIBUG. We will request the Bureau of Elementary Education to comment on the observation of one of the members of the panel.

MS. EBOL. Well, I understand that observation was true many years ago. I would like to inform this honorable body that we are so happy this year in the last National Achievement Test that actually we have overshoot, okay, per target, okay.

Secretary Lapus has imposed some kind of target that by 2010, we will be able to, at least, surpass the target which we expect at a 30 percent and it happened that this year we surpassed. It's a good news for all of us and so all the people, all those from the Department were so happy. And this is nationwide, result of the National Achievement Test. Now, if ever there are some teachers who fail to, you know, the



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performance is not really that much, I'm talking about the Elementary, insofar as our teachers are concerned, we don't have teachers having majors in English or whatever subjects. More on the general, you know, aspect. If we talk about majors and minors, well, we're referring to teachers from the high school.

Unfortunately, in some areas where there are shortage of teachers, some local government units are hiring secondary teachers to handle even the Elementary which is supposed to be not correct.

MR. SIBUG. Excuse me, I'll give a background why it's like that.

Prior to Executive Order 192, there are only very, very few national high schools. All the high schools have been operated by the local government. So all of a sudden, in Executive Order 192, they were all nationalized. Under Republic Act No. 6655, they were all nationalized. So the teachers who were nationalized were formerly paid by the local government. And the national government has no more way to choose who are the qualified. That is why it was a wholesale absorption of the national government—of teachers who were locally funded and most of

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the locally funded teachers before Republic Act 6655 were all relatives or friends of the mayor or the governor. That is why you have no way to cleanse it except by giving pre-service training to our teachers. So that is the real answer to the question insofar as Secondary Education is concerned. But in the Elementary, it's not really a problem because our teachers in the Elementary are generalist. Okay.

So, Rene, do you want to make any comment?

MR. LOPOS. Konti lang po, Doc.

May ilan lang akong tanong tungkol dun sa non-teaching personnel. Mga ilan kaya ngayon? How many do we have? We have around half a million teachers but how many do we have as non-teaching personnel?

MS. JASON. Well, Lulu have the actual figure.

MR. LOPOS. Pero—

MS. JASON. It's almost 37,000.

MR. LOPOS. Ah, maliit lang, 37,000.

MS. JASON. Ah, okay, 31,911.



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MR. LOPOS. Ah, okay. Okay. So, ito yung 32,000 po. Roughly, around 32,000.

MS. JOSON. Yeah, 32.

MR. LOPOS. Non-teaching personnel.

MS. JOSON. Nationwide.

MR. LOPOS. Nationwide na ito.

MS. JOSON. All of those in the administrative support service.

MR. LOPOS. Ah, okay. Thank you very much.

I-reiterate ko lang yung sinabi ni Professor Rye kanina, kami kasi sa office ni Senator Allan, we really would like to support the Magna Carta, definitely, both the teaching and the non-teaching but you also have to help us with the data kasi sa amin on the legislative point of view, when we defend it, when we—definitely, aabot ito sa DBM level kasi, at the end of the day, it's a question of how much. I think among the policy consideration is how much.

Of course, the very basic question then is—the very basic consideration is, of course, of the existing Magna Carta, why is it that it



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was not fully implemented? And I think one of the reason is the money.

Am I correct with that?

And if we already have a problem with regards to money as regards the existing Magna Carta which is limited to teachers, if we expand it and if we increase the benefits, how much would it entail? And third consideration is—you also help us kasi I think kayo sa DepEd mas alam ninyo din ito—so mas maganda sana, halimbawa, you're proposing that this so and so benefit be included, given the current numbers sa DepEd and the projected numbers in the years to come, how much is the projected computation in terms of budget? Kasi at the end of the day, we have to defend it to the DBM and we have to make sure that it is funded in the GAA.

Kasi, of course, I think we already have around 300 or more unfunded laws and ang hirap naman if after all these TWG, hearings and all that, napasa yung Magna Carta, then at the end of the day, mahihirapan tayo kasi hindi naman funded. So what I would like to request sana with the DepEd is aside from the study that is—I was made

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to understand that it is currently with Secretary Lapus—can we also request for some sort of a projected computation granting that these additional benefits are also included in the Magna Carta? How much would it entail? Kasi that would help us to—granting, granting there are 10 additional benefits and if we are to prioritize, granting na hindi maigagant lahat, alin doon yung realistic na puwedeng i-grant? Say, on the first three years, then the next five years.../meIn



MR. LOPOS. ...and the next five years, et cetera, puwede kasing staggered eh. So thank you very much.

MR. SIBUG. At saka ilan ho ang ating local government teachers? I'm very sure you—the Department of Education do not know the number.

MS. JOSON. Sir, for your information, po, we have come up with a calculated data. This is quite reliable, it came from schools division- 34,462 locally funded-teachers...

MR. SIBUG. Thirty-four thousand.

MS. JOSON. ...per the basic education information system.

MR. SIBUG. Kung ang average niyan-- eh kasi, ang average niyan eh wala pang 5,000 eh, kanilang suweldo eh.

MS. JOSON. Average monthly pay per locally paid teacher, 97,490. We have here...

MR. SIBUG. Average? Pati 'yong mga municipal?

MS. JOSON. Average monthly, po.

MR. SIBUG. Kasi ang alam lang ng superintendents iyon lang provincial. What about our district offices, mga district supervisors? I know that there are teachers who are now receiving about 3,000 or less than 5,000. So on the average baka 5,000 lang iyan. So kung

5,000 a month at 10,000 ang ating basic pay, so you are dealing with a difference of 5,000, that is 60,000 a year times 34,000, wow, that's a large amount.

MS. JOSON. Sir, we have here the indicators from each region. Say, from Region I, it's 3,629 on the average....

MR. SIBUG. That's it. Okay.

MS. JOSON. ... while the biggest come from NCR at 10,149.

MR. SIBUG. That's only NCR?

MS. JOSON. We got—we prepared really this based on our available BEIS data. We are more than ready to provide the final figures when we present the final draft of the...

MR. SIBUG. Sige Ma'am, thank you po.

MS. JOSON. We have also, sir—sorry, sir. We have-- also have the estimated annual funding requirements for the implementation of the existing RA 4670. For year 2008, we will require 40,010,069,000(forty billion, ten million and sixty-nine thousand) billion...

MR. SIBUG. That will eat up the whole budget of the Department of Education. (Laughing)

MR. LOPOS. Magkano iyong pino-propose ng DepEd for 2008 for the magna carta alone? You need 40 but how much is currently being proposed for 2008?

MS. JOSON. The budget people are not here but I would suppose that when we really push through with the revisions and come with the figures that are really that accurate, then these are, as we are saying, very close estimates - 40.10 billion.

MR. SIBUG. Forty billion.

MS. JOSON. For 2008, which shall constitute the payment of overtime pay. For those years...

MR. SIBUG. In excess of the six hours?

MS. JOSON. Yes, sir.

MR. SIBUG. Okay.

MS. JOSON. The equality --that's 29.98 billion.

MR. SIBUG. Twenty- nine billion, overtime pay 'yan?

MS. JOSON. Opo.

MR. SIBUG. In excess of the six hours actual... 

MS. JOSON. Two hours lang po.

MR. SIBUG. Two hours 'yan.

MS. JOSON. Opo.

MR. SIBUG. Okay.

MS. JOSON. Then the equality in scale if we're going to come up with a ...

MR. SIBUG. Iyong 30 million ba iyong una -10 billion n'yo?

MS. JOSON. Forty, total.

MR. SIBUG. Forty billion 'yong una eh, 40 billion.

MS. JOSON. That's the total for three requirements only....

MR. SIBUG. Total 'yan.

MS. JOSON. Overtime payable, equality in salary scales, medical and dental treatment, including health insurance, sir.

MR. SIBUG. Overtime, equality, medical and dental. So, that is 40 billion, the total of that amount.

MS. JOSON. Opo, 40 billion po.

MR. SIBUG. Okay.

So we would like to recognize Mr. Antonio...

THE PRESIDING OFFICER. The 10 million?

MR. SIBUG. Ah, sandali. The 10 billion? Forty billion ang total eh.

MS. JOSON. Forty billion, ten million, sixty-nine thousand and sixty-five pesos. ➤

THE PRESIDING OFFICER. Ah, okay.

MR. SIBUG. Okay. Total, 10 billion--breakdown 'yong kanyang 10 billion.

MS. JOSON. Forty, point, billion, okay.


THE PRESIDING OFFICER. Clarification. This is only for the existing magna carta?

MS. JOSON. Yes, sir.

THE PRESIDING OFFICER. Eh what about the-- implement a better magna carta? So how much would you need now?

MR. SIBUG. Kung kasama ang non-teaching personnel, gaano karami?

MS. JOSON. While we realize, sir, that this is really our staggering figures, but this is reality. Our assumption is that total personal services would run to 79,485,650,000 which is only 70 percent of the total PS covering the total number of positions. We've done some work...

THE PRESIDING OFFICER. Madam, I reiterate earlier—I emphasize the earlier proposal or suggestion of Mr. Rije and Mr. Lopos to come up with a study on the implementation of the present magna carta. That's one. 

Second, is to provide all the necessary data because otherwise, we cannot continue with what we are doing now, coming up with a new magna carta, if we don't understand what happened to the present and the old one. So I hope this would be included in your final report.

MR. SIBUG. Okay, we would like to recognize Mr. Antonio Tinio, the National Chairman of the Alliance of Concerned Teachers. We are now giving the floor to Mr. Tinio.

MR. TINIO. Thank you, sir, Mr. Chair.

Well, our interest in attending this technical working group—we thank the Committee for inviting us is, of course, also mainly the proposed changes to the magna carta. Obviously, it's a very important piece of legislation for teachers.

We have some points to make with regard to that. First of all, well the magna carta was enacted in 1966 'no, and at that time and even up to now it's a very important piece of legislation in terms of expanding the protection for the rights of teachers. However, you were –someone was asking earlier about the status of implementation. One very glaring fact here is that—because its such a—relatively, it's an old law compared to other magna cartas. Many of its provisions

have already been superseded by other laws, particularly the provisions on the salaries and allowances of teachers, the salary scales—the prescribed salary scales, the cost of living allowance mechanism provided for in the magna carta. These are obviously already been superseded or repealed by the Salary Standardization Law.

So if we are talking about additional benefits which require funding, then mainly this have to do with leave privileges, medical privileges, yeah, and some others. So I guess what we're trying to say is there is indeed a need to come up with, to amend or to come up with a new Magna Carta for Teachers in order to adjust to the, you know, these new laws that have been enacted since it was first passed in 1966. And we, the light of concerned teachers are, in fact, also in the process of coming up with a concrete proposal which we will submit to friendly or helpful legislators. And as far as we know the DepEd is also in that same process.

And in general, we would like to say that our position is that, any new amendment to the magna carta should not take away any benefits, rights or privileges that have already been granted in the existing magna carta.

Secondly, for our proposed magna carta, the one that we're trying to come up with, we're taking two documents, international documents into consideration. And I hope that this Committee will also refer to this. I'm talking about the 1966 recommendation concerning the status of teachers, which is, you know, a UNESCO and ILO document and the 1997 recommendation concerning the status of higher education teaching personnel. So this is a much more recent document talking about the rights and privileges of education-- workers in higher education. In fact, our magna carta-- the existing magna carta... /lpp

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MR. TINIO. ... existing Magna Carta.

Secondly, for our proposed Magna Carta, the one that we're trying to come up with, we're taking two documents, international documents into consideration. And I hope that this committee will also refer to this, 'no. So, I am talking about the 1966 recommendation concerning the status of teachers which is, you know, a UNESCO and ILO document, and the 1997 recommendation concerning the status of higher education teaching personnel. So, it is a much more recent document talking about the rights and privileges of education workers—workers in higher education. In fact, our Magna Carta, the existing Magna Carta was largely based on the 1966 document, 'no.

And our position is that the new—whatever new Magna Carta should as much as possible approximate any and all of the recommendations that are in these two international documents -- so, the objective of those two documents was to establish like international standards—to set like an international baseline for all teaching personnel throughout the world. *ce.*

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So, our position is that, we would like to incorporate more of the rights and privileges that are in these two international documents.

For instance, you know, we can talk about union rights, the right to unionize, the right to strike, rights of teachers as women which are not really in the current Magna Carta, and expanding the definition of academic freedom and so on.

And last point that I would like to make at this point is, we feel that the current proposal of the Department of Education takes away many of the rights that have already been granted in the current Magna Carta. So, for instance, it takes away the teacher's right to give consent for transfer, diminishes academic freedom granted in the Magna Carta, imposes more teaching hours on teachers, and so on. So, we can—unfortunately, we did not have much time to prepare for this hearing. So, we will submit...

MR. SIBUG. You'll just submit your position paper.

MR. TINIO. ...position paper to your committee, yes. *de*

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THE PRESIDING OFFICER. We do not only need your position paper. This is a collective undertaking, and we want to continuously hear your insights on this matter until we finally come up with the final legislative proposal.

MR. TINIO. So, we would be happy to work with your group.

THE PRESIDING OFFICER (MR. LINA). Yeah, yeah. Our effort is not limited only to the DepEd people. We want to enlist the broadest participation of different sectors, stakeholders in education.


MR. SIBUG. Okay. We recognize the president of the Quezon City Public School Teachers Association.

MS. JOSON. Can I first request permission before Frans?

MR. SIBUG. Okay.

MS. CASTRO. Okay. Thank you po.

MR. SIBUG. Please.

MS. JOSON. Mr. Tinio mentioned that among those which they believe has been deleted in the revised proposal of the department is the consent for transfer. But we say that it has even been strengthened by .

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adding even the reassignment aspect. And it is except for cause, no teacher or DepEd personnel shall be transferred or reassigned without his consent from one station to another. That's the first opening statement. Okay. So, it's even a long discussion on that kind of provision on personnel movement.

Yes, sir.

MR. SIBUG. Okay. Madam Castro, you have the floor.

MS. CASTRO. In addition to what Mr. Tinio have said a while ago, another very important point that we would like to raise here is the consideration of the class size because we're talking of quality education, we are always blaming the teachers if our students flank in some competitions, national or international. So, we have to give emphasis on the new Magna Carta on the class size. Because as of now, sir, the situation is, for example, in Quezon City alone, we have 60 to 80 students per class while the standard or international class size supposed to be is 35 to 40. So, that is one of the most consideration that we would like to include. *See*.

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MS. JOSON. Again, may I respond to that, sir.

MR. SIBUG. Yes, Ma'am, please.

MS. JOSON. We must be aware that our enrollment increases every year. And so even the department is successful in getting 10,000 teaching positions every year since 2002, that is not enough to provide for the increase in enrollment and to answer the already existing discrepancy. However, we must say in the department, the leadership is really trying its best to really support or strongly recommend the creation of more teaching positions. And that is the main reason why our local government officials have to pitch in with their help in terms of hiring teachers. Also the problem, Frans, on classroom requirements, buildings that we need to put up. And so if only our funds—Usec Sunga used to mention that before the budget for education was 10 to 12 percent.

MR. SIBUG. No, it's 33 percent during the time of President Marcos.

MS. JOSON. So, if—it's really a question of funding. The department is really very serious in presenting its shortages, its report on *Ca.*

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classroom-teacher shortage. And so, I say that the idea, Frans, is very ideal. The classroom size should really be achieved, the required ideal ratio of one is to 40.

THE PRESIDING OFFICER. Actually, for the information of the Alliance of Concerned Teachers --- QCPSTA, this is only one of the issues we are tackling these days. We also have the school building...

MR. SIBUG. May we have a TWG on school building program.

THE PRESIDING OFFICER. So, thank you for your presence here and we hope that you will still be with us for the other issues to discuss. So, we will keep on inviting you.

Let me recognize the presence of Mr. Xerxes Nitafan. He is the representative from the Office of the Senate President.

MR. NITAFAN. Mr. Chair, at the same time, ako po 'yong committee secretary ng Public Order and Illegal Drugs. I understand some of the bills were secondarily referred to the committee in coordination with your committee as the primary committee.

Thank you po. *ee*.

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MR. SIBUG. We will schedule a technical working group for school building and we assure you that you will be invited.

THE PRESIDING OFFICER. We recognize that these problems in education are tied up with each other. So, we treat them one by one, but without losing the broader picture of the problem. So, mayroon pa?

So, Madam, Ms.—yes...

MR. TINIO. One important—one thing that's lacking from the current Magna Carta is that it does not extend protection to private school teachers. So, we're happy to note that a number of proposed bills here in the Senate amending the Magna Carta also include private school teachers. In other words, they're proposing for a Magna Carta that will cover all members of the teaching profession. So, we just wanted to mention that.

MR. SIBUG. Yes, Ma'am Macarambon.

MS. MACARAMBON. During the consultation, we also considered and we also actually gathered information from the field that there are moves from the private sector to include teachers from private .

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institutions. However, when the office of Usec. Sunga were trying to draft the revised Magna Carta, it was decided not to include...cpc *lee*.

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MS. MACARAMBON. ...it was decided not to include the private sectors, why? Because the teachers from the private institutions or private schools are governed by Labor Code and it is the policy of the department na, I mean, there was already a decision by the Supreme Court that the Department of Education has no control, over private institution, only reasonable supervision lang po iyong kaya ng DepEd na gawin sa mga private schools.

MR. SIBUG. That's a constitutional provision, reasonable supervision and regulation.

THE PRESIDING OFFICER. Rene.

MR. SIBUG. Rene.

MR. LOPOS. With regard to that, I am – I know for a fact that, for instance, unionize public school teachers when they engage in collective bargaining with their school owners, they in fact refer to the Magna Carta even though it does not really apply to them. They refer to the provisions of the Magna Carta as a basis for their negotiations of 

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benefits, 'no. So, that is a fact and these teachers also feel that they would—it would be of more benefit to them if the law extended to them as well.

MR. SIBUG. Siguro, Rene, insofar as a negotiation, a collective bargaining agreement and strike of private school teachers, they are covered by the Labor Code but not under the Magna Carta for Public School Teachers. There is a move to draft a Magna Carta for Private School Teachers and we will see to it that it will also move in order to protect also the counterpart of the public school teachers, which are the private school teachers.

THE PRESIDING OFFICER. Sige, Rene.

MR. LOPOS. I just remember, iyong usapan kasi natin kanina touched on the SEF. And I remember that in the last TWG, I think Asec. Malaya made a promise to the Committee and I think he is represented by Ms. Sarmiento, that he is coming up actually with the draft bill on the utilization of the SEF so that it won't be abused by the local chief *utan*

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executives. So, now that Ms. Sarmiento is here, may I just follow up on the draft bill because a while ago we are discussing that some of the teachers are just getting so much charged to the SEF, but inasmuch as many are actually underpaid, the SEF is actually is being used for supplying school children with bags with the face of the mayor at the back of it, with notebooks with the face of the mayor at the back of it, so sometimes it is not really a question of the absence of funds in the SEF or local school boards but the proper utilization of the SEF. So, through you, Ms. Sarmiento, may we follow up on the draft bill that Asec. Malaya is actually preparing, because I think that may answer the question a while ago regarding teachers being underpaid. Because if we can come up with the bill and eventually and hopefully if it becomes a law, that in as much as the mayors would basically be the one to identify the teachers subject to certain criteria, the salary should not go down—go below a certain amount. So I think that's more realistic—that is a more realistic answer rather than a national government again creating another subsidy *asm*

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because actually, the SEF as a backgrounder is coming from the 1 percent RPT. And even the DepEd, I think, even Asec. Malaya admitted, that even the DepEd does not have a data as to how much is the SEF. I think, we have to closely monitor that because that's the only way we can increase funding for education and respond to underpayment of teachers. So...

MR. SIBUG. The utilization of the Local School Board Fund is found in the Local Government Code. They are properly enumerated in the Local Government Code.

MS. SARMIENTO. Mr. Chairman, can I be recognized? Okay. The Office of the Assistant Secretary for Special Projects and Legislative Liaison is actually preparing a legislative agenda relative to that matter, sir. And for record purposes, we will be submitting the legislative agenda comes December 12, 2007 in the Mancom meeting. And after that, we will be conducting a study and a technical group relative to that matter. *ms*

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and that will be the time that we will be submitting the proposed draft or rather the draft bill relative to the SEF, sir.

Thank you.

MR. LOPOS. Thank you very much for looking forward to have a copy...

MR. SIBUG. December 12, Lorna?

MS. SARMIENTO. December 12.

MR. SIBUG. Okay. After this—no, no, sa Mancom pala iyon ano?

MS. SARMIENTO. The Mancom meeting will be on December 12.

MR. SIBUG. Yes, yes. After the December 12 Mancom meeting.

MS. SARMIENTO. Yes.

MR. SIBUG. Okay.

THE PRESIDING OFFICER. Going, going?

MR. SIBUG. Any comments?

THE PRESIDING OFFICER. Reiterate natin...


MR. SIBUG. Sige. 

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THE PRESIDING OFFICER. Sir, Madam Chair, together with the final report, which should be submitted to us soon, the comprehensive study on how the existing Magna Carta has been implemented, what are the problems, how are these problems addressed by the Department of Education.

MR. SIBUG. The financial requirement for equalization of pay of the Local Government—of teachers' pay by the Local Government Code vis-à-vis the national and then the financial requirement needed for honorarium of teachers in excess of six hours class on teaching, the financial requirements for medical and dental examination of our teachers. So, and all other benefits which are provided for by the present Magna Carta for Public School Teachers and then other financial requirements insofar as raising the salary grades of teachers.

THE PRESIDING OFFICER. The funding source and this is in conjunction with the fund. Kindly tie this up with the existence of the 

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fund because the sources for – doon sa SEF, so kindly tie that two concerns up.

Madam, Ms. Joson, kindly fast-track the discussion because we in the Committee are very much ready to tackle that.

MR. LOPOS. One last point, ito madali lang ito eh. I requested for this data 10 years ago and I'll reiterate another request for this. Ten years ago, we requested—I was working with another senator before. We requested for a listing of teachers welfare and benefits. Listing lang, listing lang. And then, the DepEd then came up with six pages. Then, of course, the logical question then for us is to ask which of these six pages are actually being implemented. So, I will request for the same thing, a listing of the teachers welfare and benefits. Nakalista lang, madali lang ito and then paki indicate lang doon sa isang column whether it is being funded or implemented or not. Ganoon lang kasimple I think that is a good starting point for the Committee as we consider the amendments to the Magna Carta after which, then we can discuss other things. At least *ARM*

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makita man lang namin doon sa – on a broader picture, ito iyong Magna Carta, ito iyong list ng mga benefits and then ilan dito, alin dito ang currently being implemented. I don't know if thing has improved because 10 years ago, if I remember it correctly, of the six pages, when we asked for those that are implemented, the DepEd came up with only one page. I hope it has improved.

Thank you very much.

MR. SIBUG. It will be now one page na, one half page.

Okay, Ranjit.

MR. RYE. Given that act, 'no, has played a key role in the discourse for a greater state subsidy for education and improvement of the welfare of teachers, can we ask for more.../admasicap *PRM*

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MR. RYE. ... Can we ask for more than a position paper? May we have your own—you did mention Professor Tinio that you give proposed legislation to favorable senators, 'no—senators favorable in your life. The senator chairing this Committee is an ally of act and its broad advocacy, so if you have proposed legislation in support of and position papers that could clarify some of the issues, the Committee would be very happy to accept and coordinate with or act on these issues. I think we should broaden our network beyond the standard institutions like the DECS also. So the Committee can have a different perspective altogether. Malay mo, we might have some coherence and consensus built overtime when we work together. That's all.

Thank you.

THE PRESIDING OFFICER. Okay, so, we adjourn this meeting.

MR. SIBUG. Okay, thank you for your attendance.

THE PRESIDING OFFICER. Thank you.

THE MEETING WAS ADJOURNED AT 3:19 P.M. .../meIn

