

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 12 P5:23

SENATE
S. No. 432

RECEIVED BY: _____

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

AN ACT
PROVIDING INCENTIVE ALLOWANCE TO PUBLIC SCHOOL TEACHERS WHO
ARE ASSIGNED OUTSIDE OF THEIR CITIES, MUNICIPALITIES, AND
PROVINCES APPROPRIATING FUNDS THEREFORE, AND FOR OTHER
PURPOSES.

EXPLANATORY NOTE

History has been clear, that the teaching profession is a significant body that helps to create nation builders for generations, teaching students how to build peaceful communities to attain a wonderful country to live in. The willingness and determination to do their duty and fulfill their passion for imparting their knowledge and experiences through teaching strongly undermines the daily struggles of being in this noble profession. Currently, there are a total of 865,658 teaching personnel and 61,420 teaching related personnel who are now greatly involved with the implementation of the comeback of face-to-face classes after a long time of its hiatus due to the pandemic.¹ Many concerns surround our public-school teachers, some of them are low salaries, being overworked and given teaching load over the maximum allowed by law, struggle in the current learning set-up, and being assigned to teach outside their place of residence².

Article XIV, Section 5 of the Philippine Constitution says that: "(1) The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs; and (2) The

¹ <https://www.teacherph.com/depd-basic-education-statistics-school-year-2020-2021/>

² <https://mb.com.ph/2021/04/29/overworked-undersupported-stressed-out-teachers-seek-help-from-the-govt/>

State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment."³ Supporting our educational sector does not speak for the students alone but also of the significance that we give the best environment for our public-school teachers.

Republic Act 8190, entitled "An Act Granting Priority to Residents of the Barangay, Municipality or City Where the School Is Located in the Appointment or Assignment of Classroom Public Schoolteachers", was passed to address the issue of teaching work assignments. In particular, Section 1 of the law states that "In the appointment or assignment of teachers to public elementary or secondary schools, priority shall be given to bona fide residents of the barangay, municipality, city or province where the school is located: Provided, that the teacher possesses all the minimum qualifications for the position as required by law."⁴

However, notwithstanding the law, there are still situations wherein teachers are assigned outside their place of residence, and that comes with additional transport expenses on the part of the teachers and will, in turn, affect quality education, especially at this time where the Department of Education (DepEd) is set on a 100% resumption of in-person classes next school year⁵.

This Bill seeks to support our public-school teachers that are assigned outside of their cities, municipalities, and provinces by providing monthly incentive allowance. This measure is introduced to increase the trust and confidence of our public-school teachers in the state by providing them additional incentives to support the quality of education for both the students and teachers.

For the above reasons, the passage of this bill is earnestly sought.


RONALD "BATO" DELA ROSA

³ <https://www.officialgazette.gov.ph/constitutions/1987-constitution/>


⁴ https://laws.chanrobles.com/republicacts/82_republicacts.php?id=8146

⁵ <https://www.pna.gov.ph/articles/1175435#:~:text=DepEd%20eyes%20100%25%20resumption%20of%20in%20person%20classes%20next%20school%20year,-By%20Stephanie%20Sevillano&text=MANILA%20%E2%80%93%20The%20Department%20of%20Education,var%20depending%20on%20their%20locations.>

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'22 JUL 12 P5 :23

SENATE

RECEIVED BY: 

S. No. 432

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

AN ACT
PROVIDING INCENTIVE ALLOWANCE TO PUBLIC SCHOOL TEACHERS WHO
ARE ASSIGNED OUTSIDE OF THEIR CITIES, MUNICIPALITIES, AND
PROVINCES APPROPRIATING FUNDS THEREFORE, AND FOR OTHER
PURPOSES.

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

1 SECTION 1. *Short Title.* - This Act shall be known as the "Distance Incentive
2 Allowance for Public School Teachers Act."

3
4 SEC. 2. *Declaration of Policy.* - It is the policy of the state to provide incentives
5 to public school teachers who are assigned to teaching jobs outside of their respective
6 cities, municipalities, and provinces. As much as possible, public-school teachers shall
7 be assigned to the cities or municipalities of their residence.

8
9 SEC. 3. *Assignment to Another Town Within the Same Province.* - Any public-
10 school teacher who is assigned to a city, municipality, or province outside of the city,
11 municipality, or province of their place of residence, shall in addition to his basic salary
12 and benefits under the Salary Standardization Law, be entitled to Two Thousand
13 (P2,000.00) Pesos monthly as incentive allowance.

14
15 SEC. 4. *Assignment to Another Province.* - Any public-school teacher who is
16 assigned to a city or municipality of another province, other than their own, shall in

1 addition to their basic salary and benefits under the Salary Standardization Law be
2 entitled to receive Four Thousand (P4,000.00) Pesos a month as incentive allowance.

3
4 SEC. 5. *Transferees.* - The provisions of this Act shall apply to any public-school
5 teacher who is officially transferred from their original assignment in accordance with
6 the lawful orders of their superiors.

7
8 SEC. 6. *End of Benefit.* - A public-school teacher who has received benefits
9 under this Act but is eventually transferred to their city or municipality of residence
10 shall cease to be entitled to the incentive allowance therein.

11
12 The establishment of residence by a public-school teacher in the
13 city/municipality where they are assigned shall have the same effect as being
14 transferred to their own city/municipality as provided in the previous paragraph.

15
16 SEC. 7. *Tax Exemption.* - Incentive allowance received under the provisions of
17 this Act shall be exempt from tax liability.

18
19 SEC 8. *Proof of Residence.* - For purposes of determining the city, municipality,
20 or province of origin of a public-school teacher, the scholastic records filed in the
21 Department of Education shall be consulted; otherwise, the sealed certification from
22 the city/municipal mayor or the provincial governor shall be used.

23
24 SEC. 9. *Emergency Assignment.* - The incentive allowance provided in this Act
25 shall not be availed of by public school teachers who are assigned to a different city,
26 municipality, or province in the event of a national disaster or national emergency.

27
28 SEC. 10. *Funding.* - The President is hereby authorized to realign or transfer
29 any item of appropriation within the Department of Education and/or utilize any
30 savings therein to carry out the purpose of this Act during the first year of its
31 effectivity. Thereafter, the amounts required for the implementation of this Act shall
32 be included as a separate item in the General Appropriations Act.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

SEC. 11. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of his Act, the Secretary of the Department of Education shall, in coordination with other stakeholders, issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 12. *Separability Clause.* – If for any reason, any provision of this Act is declared unconstitutional or invalid, parts of provisions of this Act that are not affected shall continue to be in full force and effect.

SEC. 13. *Repealing Clause.* - All laws, executive orders, presidential decrees, Implementing Rules and Regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,