

'22 JUL 13 P 4 :36

**SENATE**  
**S. No. 540**

RECEIVED BY: 

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Introduced by Senator Grace Poe

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**AN ACT**  
**INSTITUTIONALIZING SUPPORT MECHANISMS ON MATTERS OF STUDENT**  
**DISCIPLINE AND CLASSROOM MANAGEMENT FOR TEACHERS AND**  
**PERSONNEL IN THE PUBLIC SCHOOL SYSTEM**

EXPLANATORY NOTE

Our public schools shoulder the crucial role of providing education to millions of students every year. The classroom serves as a venue of formation for the children where teachers spend their careers teaching not only knowledge but values as well.

A disorganized classroom without procedures and expectations makes it difficult for our teachers to do their job. The ambiguity of permissible teacher conduct in the context of student discipline and classroom management hurts the school system. This difficulty is worsened by the fact that many teachers do not receive institutional training in the right strategies that will allow them to properly manage student-behavioral troubles. The lack of licensed guidance counselors who act as support personnel and legal assistance and representation also compound the problem.

Through mandating the issuance of a teacher's manual and provision of pre-service and in-service training on child behavior and psychology, effective classroom management and appropriate disciplinary techniques, the bill seeks to lay down an overdue institutionalized support mechanism for our public school teachers and personnel.

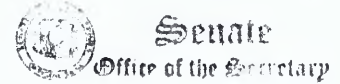
In addition to the provisions of guidance and support for proper classroom management, this bill seeks to amend Republic Act 7610, commonly known as the Child Abuse Law, insofar as any act committed by a teacher or school personnel complying with the multi-stakeholder teacher's manual shall not be deemed as "child abuse." To complement this, legal assistance is provided to teachers and personnel in cases related to student discipline and classroom management.



GRACE POE



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



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

- 1           Section 1. *Title.* — This Act shall be known as the “Teacher Protection Act”.
- 2           Sec. 2. *Declaration of Policy.* – It is the declared policy of the State to protect
- 3 and promote the right of all citizens to quality education. It is likewise declared that
- 4 the State has the duty to establish and maintain a complete and adequate system of
- 5 public basic education geared towards the holistic development of a child.
- 6           To this end, the State shall institutionalize measures to implement in all public
- 7 schools clearly defined regulations for teachers on student discipline and classroom
- 8 management.
- 9           The State is also hereby bound to establish and maintain support system,
- 10 including training on classroom management and child discipline and legal assistance
- 11 for teachers and school staff, who stand in direct contract with students in the
- 12 course of the discharge of their duties.

1           Sec. 3. *Coverage.* – This Act shall be applicable to all teaching personnel of all  
2 public school institutions, including non-teaching personnel who stand in direct  
3 contact with students in the course of the discharge of their duties.

4           Sec. 4. *Guidelines for Teachers.* – The Department of Education (hereinafter  
5 the Department) is hereby tasked to issue policies and principles on student  
6 discipline and classroom management.

7           For purposes of this Act, a teacher’s manual is a written document detailing:

8           (1) The school’s rules and regulation to be observed by teachers with respect  
9           to students, whenever inside its premises or outside it;

10          (2) Permissible, appropriate, and effective responses and interventions that  
11          will address violations of school rules and regulations, including but not  
12          limited to communications to parents, counseling, reprimand, and  
13          detention, at each level and repetition of offense, to be administered by  
14          teachers, the school head, and other school staff; and

15          (3) A clear description of the disciplinary procedure and clear designation of  
16          the authorities competent to investigate, purpose, and apply the  
17          responses and interventions.

18          The Department shall formulate a teacher’s manual to be implemented in all schools  
19          under its jurisdiction. This manual shall set out, among others the disciplinary action  
20          to be taken against students who are found to have made malicious accusations of  
21          child abuse against teacher and school staff.

22          Sec. 5. *Act pursuant to teacher’s manual not deemed as child abuse.* – Any  
23          act committed by a teacher or school staff pursuant to the disciplinary rules and  
24          procedure issued by the Department shall not be deemed as child abuse, cruelty,  
25          exploitation as denied in Republic Act No. 7610 or the Special Protection of Children  
26          Against Abuse, Exploitation and Discrimination Act.

27          Sec. 6. *Consultation of involved sectors in the drafting of student manual.* –  
28          Students, parents, teachers, other school personnel, and the community,  
29          represented by their respective organizations, as well as professionals in child  
30          behavior and social work, shall each have meaningful involvement in the formulation  
31          of the guidelines and the teacher’s manual.

1            *Sec. 7. Information dissemination of the student manual.* – The Department  
2 shall provide explanations, training, and workshops in order to familiarize students  
3 and families with the student manual, explain the expectations of various sectors  
4 involved, and describe the various preventive and positive responses and  
5 interventions that may be used.

6            At the beginning of each school year, copies of the student manual shall be  
7 provided to each student as well as their parents or legal guardians.

8            *Sec. 8. Support personnel.* – The Department, in coordination with the  
9 Department of Budget and Management, shall also ensure that there is a sufficient  
10 number of items for licensed guidance counselors, who will serve as support  
11 personnel to teachers and school administrators in matters of student discipline.

12            For purposes of this Act, the Department shall implement the recommended  
13 ratio of one guidance counselor for every 200 students in both public and private  
14 primary and secondary schools.

15            *Sec. 9. Other support mechanisms for student discipline and classroom*  
16 *management.* – The Department shall provide such other mechanisms necessary to  
17 capacitate its teachers and other personnel on matters regarding child behavior and  
18 psychology, classroom management techniques, positive discipline, and other related  
19 fields. These measures shall include but not limited to the conduct of periodic  
20 seminars and formulation of primers and other explanatory materials.

21            *Sec. 10. Protection to teachers and school personnel in charges related to*  
22 *student discipline and classroom management.* – In all cases related to student  
23 discipline and classroom management, including criminal and administrative charges  
24 of child abuse, the Department shall extend to its teachers and other personnel the  
25 necessary protection, including but not limited to legal assistance and representation.

26            The Department shall ensure that respondents, in all stages of the disciplinary  
27 proceedings, are amply represented by the accredited union, or registered union,  
28 where there is no existing accredited union, of teachers or non-teaching employees,  
29 as the case may be.

30            Violation of this section shall render the administrative proceedings void and  
31 all responsible persons administratively liable for gross neglect of duty.

1           Sec. 11. *Confidentiality of identity of parties and proceedings under this Act.* –  
2 No person, whether public or private and whether a party to the case or otherwise,  
3 shall publicize a case during its pendency. In no case shall the identity of complaints  
4 and respondents, or any information that may reasonably identify them, be disclosed  
5 to the public during the pendency of the proceedings.

6           Violation of this Section shall subject the person to the appropriate  
7 administrative, civil, criminal, and other liabilities.

8           The Department shall issue its guidelines for the media with regard to the  
9 handlings of cases within the contemplation of this Act.

10          Sec. 12. *Rules and Regulations.* – Within ninety (90) days from the effective  
11 date of this Act, the Department shall promulgate the manual, rules and regulations  
12 necessary to implement the provisions of this Act.

13          Sec. 13. *Separability Clause* – If any portion or provision of this Act is held  
14 unconstitutional, the remainder of this Act or any provisions not affected thereby shall  
15 remain in force and effect.

16          Sec. 14. *Repealing Clause.* – Republic Act No. 7610 is hereby modified  
17 accordingly. Any law, presidential decree or issuance executive order, letter of  
18 instruction, rule or regulation inconsistent with the provisions of this Act is hereby  
19 repealed or modified accordingly.

20          Sec. 15. *Effectivity.* – This Act shall take effect after fifteen (15) days  
21 following its complete publication in the Official Gazette or a newspaper of general  
22 circulation.

Approved,