



HOUSE OF REPRESENTATIVES

H. No. 9065

BY REPRESENTATIVES TINIO, CASTRO (F.L.), DURANO, FORTUN,
TAN (A.), PANOTES, ALONTE, MALAPITAN, NIETO, SALO,
BORDADO, CORTUNA, LABADLABAD, CALALANG, LACSON,
GONZALES (A.D.), GONZALEZ, ALEJANO, QUIMBO, LOYOLA AND
BELARO, PER COMMITTEE REPORT NO. 1223

AN ACT INSTITUTIONALIZING SUPPORT MECHANISMS AND
PROTECTION FOR PUBLIC SCHOOL TEACHERS AND
PERSONNEL IN MATTERS OF STUDENT DISCIPLINE FOR
CLASSROOM MANAGEMENT

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

1 SECTION 1. *Short Title.* – This Act shall be known as the
2 “Teacher Protection Act”.

3 SEC. 2. *Declaration of State Policies.* – In all actions relating
4 to children, the State shall accord special protection to children from
5 all forms of abuse, exploitation, cruelty, and other conditions
6 prejudicial to their development. Furthermore, the State has the
7 duty to establish and maintain a complete and adequate system of
8 public basic education geared towards the holistic development of a
9 child.

10 These policies are henceforth understood to encompass the
11 State’s responsibility to provide appropriate instructions to students
12 about school discipline, their duties and responsibilities with respect

1 to their peers, their teachers and other persons of authority, and
2 members of their community.

3 To this end, the State shall institutionalize measures to
4 implement in all public schools clearly defined regulations on
5 appropriate student behavior towards other students, teachers, and
6 school staff, during classes, and within and outside school premises.

7 The State is also hereby bound to establish and maintain
8 support systems, including training on classroom management and
9 child discipline and legal assistance for teachers and school staff,
10 who interact daily with students and thus find themselves in
11 situations that could expose them to allegations of child abuse in the
12 course of the discharge of their duties.

13 It is hereby also declared that the State shall promote and
14 improve the working conditions of public school teachers and other
15 school personnel, which are understood to determine whether or not
16 the physical and emotional environments of children and teachers
17 are conducive to learning and teaching.

18 SEC. 3. *Guidelines on the Implementation of Teacher*
19 *Protection.* - The Department of Education (DepEd) is hereby
20 tasked to issue the Guidelines on the implementation of Teacher
21 Protection, hereinafter referred to as "Guidelines" within one
22 hundred twenty (120) days from the effectivity of this Act.

23 For purposes of this Act, the Guidelines shall, among others,
24 detail the following:

25 (a) The rights and responsibilities of teachers with respect to
26 student discipline and classroom management, to the end of
27 fostering a positive school climate and safe environment conducive
28 to instruction and learning.

1 School administrators and teachers shall exercise special
2 parental authority over their students while under their
3 supervision, instruction and custody. As such, the guidelines to be
4 produced by the DepEd shall recognize their authority in the schools
5 and in school-sanctioned events, and the need to conduct their
6 classes in an organized manner that is conducive to learning. Thus,
7 teachers are authorized to ensure that their students behave,
8 respond and treat their teachers and classmates in a respectful
9 manner. They shall call out disorderly or disrespectful behavior and
10 deal with the same consistent with the law and the Guidelines to be
11 issued by the DepEd;

12 (b) Permissible, appropriate, and effective responses and
13 interventions that will address violation of school rules and
14 regulations to be administered by teachers, the school head, and
15 other school staff; and

16 (c) A clear description of the disciplinary procedure and clear
17 designation of the competent authorities to investigate, propose, and
18 apply the responses and interventions.

19 SEC. 4. *Acts Pursuant to the Guidelines Not Deemed As Child*
20 *Abuse.* – Any act committed by a teacher or school staff pursuant
21 to the disciplinary rules and procedures issued by the DepEd shall
22 not be deemed as child abuse, cruelty, or exploitation as defined in
23 Republic Act No. 7610 or the “Special Protection of Children Against
24 Abuse, Exploitation and Discrimination Act”.

25 SEC. 5. *Consultation of Involved Sectors in the Drafting of*
26 *Guidelines.* – Students, parents, teachers, other school personnel,
27 and the community, represented by their respective organizations,
28 as well as professionals in child behavior and social work, shall each
29 have meaningful involvement in the formulation of the Guidelines.

1 SEC. 6. *Information Dissemination of the Guidelines.* – The
2 DepEd shall provide explanations, trainings, and workshops in
3 order to familiarize students and families with the guidelines,
4 explain the expectations of various sectors involved, and describe
5 the various preventive and positive responses and interventions
6 that may be used.

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

10 SEC. 7. *Training of Teachers and School Personnel on the*
11 *Guidelines.* – All employees of the Division shall also annually
12 receive instructions related to the specific contents of the
13 Guidelines.

14 SEC. 8. *Professional Development Relating to Student*
15 *Discipline and Classroom Management.* – The DepEd shall provide
16 teachers the appropriate preservice and in-service trainings on child
17 behavior and psychology, classroom management techniques,
18 positive discipline, and other related fields, as well as on its
19 Guidelines and the scope of their duties and responsibilities with
20 respect to student discipline and classroom management.

21 SEC. 9. *Support Personnel.* – The DepEd, with the
22 Department of Budget and Management, shall also ensure that
23 there is a sufficient number of items for guidance counselors,
24 who will serve as support personnel to teachers and school
25 administrators in matters of student discipline.

26 For purposes of this Act, the DepEd shall endeavor to meet
27 the recommended ratio of one (1) guidance counselor for every two
28 hundred (200) students in public elementary and high schools.

1 SEC. 10. *Other Support Mechanisms for Student Discipline*
2 *and Classroom Management.* – The DepEd shall provide such
3 other mechanisms necessary to capacitate its teachers and other
4 personnel on matters regarding child behavior and psychology,
5 classroom management techniques, positive discipline, and other
6 related fields. These measures shall include the conduct of periodic
7 seminars and formulation of primers and other explanatory
8 materials.

9 SEC. 11. *Protection for Teachers and School Personnel in*
10 *Charges Related to Student Discipline and Classroom Management.*

11 – In all cases related to student discipline and classroom
12 management, including criminal and administrative charges of
13 child abuse, the DepEd shall extend to teachers and other personnel
14 the necessary protection, including legal assistance and
15 representation.

16 The DepEd shall ensure that respondents, in all stages of the
17 disciplinary proceedings, are amply represented by the accredited
18 union, or registered union, where there is no existing accredited
19 union, of teachers or nonteaching employees, as the case may be.

20 A violation of this section is a violation of due process and
21 shall render the proceedings void and hold all responsible persons
22 administratively, civilly, and criminally liable.

23 SEC. 12. *Confidentiality of Identity of Parties and Proceedings*
24 *Under this Act.* – No person, whether public or private and
25 whether a party to the case or otherwise, shall publicize a case
26 during its pendency. In no case shall the identity of complainants
27 and respondents, or any information that may reasonably identify
28 them, be disclosed to the public during the pendency of the
29 proceedings.

1 Violation of this section shall subject the person to the
2 appropriate administrative, civil, criminal, and other liabilities.

3 The DepEd shall issue its guidelines for the media with
4 regard to the handling of cases within the contemplation of this Act.

5 SEC. 13. *Implementing Rules and Regulations.* – Within
6 ninety (90) days after the effectivity of this Act, the DepEd shall
7 promulgate the rules and regulations necessary to implement the
8 provisions of this Act.

9 SEC. 14. *Separability Clause.* – Should any provision herein
10 be declared unconstitutional, the same shall not affect the validity
11 of the other provisions of this Act.

12 SEC. 15. *Repealing Clause.* – Republic Act No. 7610 is
13 hereby modified accordingly. All laws, decrees, orders, rules and
14 regulations, or other issuances or parts thereof inconsistent with
15 the provisions of this Act are hereby repealed or modified
16 accordingly.

17 SEC. 16. *Effectivity.* – This Act shall take effect fifteen (15)
18 days after its publication in the *Official Gazette* or in a newspaper of
19 general circulation.

Approved,