

RECORD OF THE SENATE

WEDNESDAY, APRIL 20, 1994

OPENING OF THE SESSION

At 10:35 a.m., the Honorable Edgardo J. Angara, President of the Senate, called the session to order.

The President: The 73rd session of the Senate is called to order.

Senator John H. Osmeña will lead us in prayer.

Everybody rose for the opening prayer.

PRAYER

Senator Osmeña:

Heavenly Father, our Almighty God, we thank Thee for all the blessings that You have given us, for our health, and our wisdom.

We in this Chamber are humbling ourselves that, in the process of our lives, we sometimes offend You, dear Lord—and we are sorry.

In spite of our unfaithfulness, You are always in our midst to guide us with Your will to resolve issues for the betterment of our Nation.

May the glory and honor of Thy Name be magnified and glorified.

For all of these we ask and praise in the name of our Lord Jesus Christ.

Amen.

ROLL CALL

The President: The Secretary will now call the roll.

The Secretary:

- Senator Heherson T. Alvarez Present
Senator Agapito A. Aquino Present
Senator Rodolfo G. Biazon Present*
Senator Anna Dominique Coseteng Present
Senator Neptali A. Gonzales Present
Senator Ernesto F. Herrera Present

* Arrived after the roll call
** On official mission

- Senator Jose D. Lina, Jr. Present
Senator Gloria Macapagal Present
Senator Ernesto M. Maceda Present
Senator Orlando S. Mercado Present*
Senator Blas F. Ople **
Senator John H. Osmeña Present
Senator Santanina T. Rasul Present
Senator Ramon B. Revilla Present*
Senator Raul S. Roco Present
Senator Alberto G. Romulo Present
Senator Leticia Ramos Shahani Present
Senator Vicente C. Sotto III Present
Senator Wigberto E. Tañada Present
Senator Francisco S. Tatad **
Senator Arturo M. Tolentino Present
Senator Freddie N. Webb Present
The President Present

The President: With 18 Senators being present, the Chair declares the presence of a quorum.

THE JOURNAL

Senator Romulo: Mr. President, I move that we dispense with the reading of the Journal of the previous session and consider the same as approved.

The President: Is there any objection? [Silence.] Hearing none, the reading of the Journal of the previous session is dispensed with and the same is considered approved.

The Secretary will now read the Order of Business.

REFERENCE OF BUSINESS

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The Secretary:

April 19, 1994

Mr. President:

I have been directed to inform the Senate that the House of Representatives on April 19, 1994, passed House Bill No. 12240, entitled

AN ACT CONVERTING THE MUNICIPALITY OF MAKATI INTO A HIGHLY URBANIZED CITY TO BE KNOWN AS THE CITY OF MAKATI,

to which it requests the concurrence of the Senate.

leadership in science and math education, social studies and humanities may initially form a network in one region.

These Centers, Mr. President and esteemed Colleagues, aim to attract, through scholarships and other incentives, students from among the best and the brightest from among high school graduates with an aptitude for teaching. This strategy will ensure that the teaching profession will always have a share of the best minds and best attitudes in the country.

Through this bill, Mr. President, we envisage the development in the country of a Teacher Education System whose mission is to educate and train teachers who are committed to their continuing professional growth as well as to their obligation in guiding our children to grow as responsible, socially conscious and useful citizens of the Philippines and of the world.

In conclusion, Mr. President, in view of the critical role of teachers in the formation of our young, whose education and preparation for this role is, in turn, largely dependent on teacher education institutions, may I end with an appeal for this Chamber to approve unanimously the proposed bill.

The approval of this proposed bill could be the first major step needed to turn around the performance of our school system in raising the quality of Philippine education and in attaining genuine empowerment of every Filipino, regardless of social class, ethnicity, gender, residence, and religion,

Thank you, Mr. President.

The Presiding Officer [Senator Aquino]: The Majority Leader is recognized.

Senator Shahani: Mr. President.

The Presiding Officer [Senator Aquino]: Yes, Senator Shahani.

MANIFESTATION OF SENATOR SHAHANI
(Senator Romulo as Sponsor of Senate Bill No. 1352)

Senator Shahani: While I have the Floor, I should like to manifest that Senator Romulo, our distinguished Majority Leader, would like to manifest his interest to be a Sponsor of this bill.

The Presiding Officer [Senator Aquino]: It is so noted.

SUSPENSION OF CONSIDERATION
OF SENATE BILL NO. 1352

Senator Romulo: Mr. President, I move that we suspend consideration of Senate Bill No. 1352 until tomorrow.

The Presiding Officer [Senator Aquino]: Is there any objection? [*Silence*] Hearing none, the motion is approved.

BILL ON SECOND READING
Senate Bill No. 1452 - Strengthening the Regulations
Governing the Practice of Teaching

Senator Romulo: For the third education bill, Mr. President, I move that we consider Senate Bill No. 1452 as reported out under Committee Report No. 242.

The Presiding Officer [Senator Aquino]: Consideration of Senate Bill No. 1452 is now in order.

With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

The Secretary: Senate Bill No. 1452, entitled

AN ACT TO STRENGTHEN THE REGULATIONS GOVERNING THE PRACTICE OF TEACHING IN THE PHILIPPINES AND PRESCRIBING A LICENSURE EXAMINATION FOR TEACHERS, REVISING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1006, AS AMENDED, AND FOR OTHER PURPOSES.

The following is the full text of Senate Bill No. 1452:

SENATE BILL NO. 1452

(In substitution of Senate Bill No. 466)

Prepared by the Committee with Senators Angara, Herrera, Rasul, Shahani, Sotto III and Tañada as authors

AN ACT TO STRENGTHEN THE REGULATIONS GOVERNING THE PRACTICE OF TEACHING IN THE PHILIPPINES AND PRESCRIBING A LICENSURE EXAMINATION FOR TEACHERS, REVISING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1006, AS AMENDED AND FOR OTHER PURPOSES

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

SECTION 1. *Title.* - This Act shall be known as the "Teachers Professionalization Act of 1993."

SEC. 2. *Objectives.* - The objective of this Act is to set up rules and regulations leading to the professionalization of teaching. This Act shall provide for a licensure examination for beginning teachers and subsequent periodic assessments for promotion purposes.

SEC. 3. *Definition of Terms.* - As used in this Act:

(a) "Teaching" refers to the profession concerned primarily with classroom instruction, at the elementary and secondary levels, in accordance with the curriculum prescribed by the Department of Education, Culture and Sports, whether on part-time or full-time basis in the private and public schools.

(b) "Teacher" refers to all persons engaged in teaching at the preschool, elementary and secondary levels, whether on full-time or part-time basis, including industrial arts or vocational teachers and all other persons performing instructional supervisory functions in all schools in the aforesaid levels and qualified to teach under this Act.

(c) "Board" refers to the professional Board for Teachers duly established and constituted under this Act.

SEC. 4. *Creation and Composition of the Professional Board for Teachers.* - There is hereby created a Professional Board for Teachers, under the Professional Regulations Commission, hereinafter called the Board, composed of five (5) members. Two (2) shall be ex officio members: the director of elementary education and the director of secondary education of the Department of Education, Culture and Sports. The three (3) others shall be appointed by the President of the Philippines: one (1) eminent teacher educator and two (2) from nationally recognized professional organizations of teachers; upon recommendation of their respective institutions/associations/organizations.

The Chairman and Vice Chairman shall be appointed from these five (5) members by the President of the Philippines.

SEC. 5. *Powers and Functions of the Board.* - The Board shall have the following powers and functions:

(a) Set the criteria for the selection of examiners for every examination, and appoint for every examination a set of examiners who shall determine and prepare the contents of the Board examination for teachers in the elementary and secondary levels;

(b) Determine and fix the frequency, dates and places of examinations; appoint supervisors, proctors and other personnel as needed who shall be entitled to a daily allowance to be fixed by the Board for every examination day actually attended; use buildings and facilities of public or private schools for examination purposes;

(c) Approve applications to take examinations and approve the release of examination results;

(d) Prescribe and collect examination and other fees as it may deem proper;

(e) Administer oaths of office to qualified teacher professionals, and issue, replace or reissue, and after due process, suspend or revoke, certificates of registration for the practice of the teaching profession;

(f) Promulgate such rules and regulations and exercise such other powers and functions as may be necessary to carry out effectively the purposes and objectives of this Act.

SEC. 6. *Term of Office.* - The members of the Board shall hold office for a term of three (3) years from the date they assume office: *Provided*, That the first appointees to the Board under this Act shall hold office according to the following terms: one (1) member shall serve for one (1) year; one (1) member for two (2) years. The Chairman, Vice Chairman and one (1) member for three (3) years. Vacancies shall be served for the unexpired term only. No person who has served for two (2) successive terms shall be eligible for reappointment. Appointment to fill an expired term is not to be considered as a complete term. They shall take oath before assuming office.

SEC. 7. *Compensation of the Board.* - The Chairman, Co-Chairman and the members of the Board shall each receive *per diems* in the amount of One thousand pesos (P1,000.00) for every board meeting attended: *Provided*, That the *per diem* shall not exceed Four thousand pesos (P4,000.00) per month. Proportionate increases shall be allowed based on current government across-the-board adjustments.

SEC. 8. *Executive Officer and Secretary of the Board.* - The Chairman of the Board shall be the Executive Officer of the Board and shall cause the conduct of the examinations given by the Board. The Secretary of the Professional Regulations Commission shall act as *ex officio* Secretary of the Board. All records of the Board, including examination payments, minutes of deliberations and records of administrative proceedings and investigations, shall be kept by the Professional Regulations Commission under the direct custody of the Secretary.

SEC. 9. *Secretariat and Support Services.* - The Philippine Regulations Commission, thru its Chairman, shall provide the Secretariat and other support services to implement effectively the provisions of this Act.

SEC. 10. *Removal of a Board Member.* - Any member of the Board may be removed after due process by the President of the Philippines upon recommendation of the Professional Regulation Commission for neglect of duty, incompetence, unprofessional, unethical, immoral or dishonorable conduct, or toleration of irregularities in any examination.

SEC. 11. *Appointment of Examiners.* - For every examination, the Board shall appoint a set of examiners who are recognized authorities in pertinent disciplines and fields included in the examination, and whose names shall not be disclosed until after the release of the examination results.

The examiners shall be compensated according to rates determined by the Board but in no case shall each examiner receive more than Forty thousand pesos (P40,000.00). any provision of law to the contrary notwithstanding, any examiner who is in the service of the Government shall receive the compensation herein provided in addition to his regular salary.

SEC. 12. *Fees for Examination and Registration.*
- Applicants for an examination shall each pay an examination fee of not less than Three hundred pesos (P300.00). A successful applicant shall pay a registration fee of Two hundred pesos (P200.00). All such fees shall be paid to the appropriate authority of the professional Regulations Commission. Such authority shall disburse from the receipts thereof all the authorized expenses of the Board, including the compensation of Chair, Vice-chair, and members.

SEC. 13. *Qualification Requirements of Applicants.* - No applicant shall be admitted to take the examination unless, on the date of the filing of the application, he shall have complied with the following requirements:

- (a) A citizen of the Philippines;
- (b) At least eighteen (18) years of age;
- (c) In good health and of good moral character; and
- (d) A holder of an appropriate degree from a government-recognized educational institution.

SEC. 14. *Scope of Examination.* - The examinations for the elementary and secondary school teachers shall be separate. The examination for teachers in the elementary level shall consist of two (2) parts, namely: professional education and general education. The examination for teachers in the secondary level shall consist of three (3) parts, namely: professional education, general education and field of specialization.

SEC. 15. *Ratings in the Examination.* - A candidate may be deemed to have successfully passed the examination if he obtains a general average of at least seventy-five percent (75%) in all subjects, with no rating below seventy percent (70%) in any subject, except for the field of specialization which shall not be lower than seventy-five percent (75%).

SEC. 16. *Report of the Results of the Examination.*
- The Board shall, within one hundred twenty (120) days after the examination, report the ratings obtained by each candidate to the Professional Regulations Commission for appropriate action.

SEC. 17. *Issuance of Certificates.* - Certificates of registration as teachers shall bear the signatures of the members of the Board, duly authenticated with the official seal of the Board.

SEC. 18. *Periodic Re-Certification for Teachers.*
- For purposes of merit promotion and continuing professional growth and development, the Board shall conduct a periodic re-certification of permanent teachers every five (5) years.

SEC. 19. *Revocation and Suspension of*

Certificates. - The Board shall have the power, after due notice and hearing, to revoke and suspend the certificate of registration of a teacher for any of the following causes: conviction by a court of competent jurisdiction of any criminal offense involving moral turpitude, unprofessional or dishonorable conduct, malpractice, incompetence, or serious ignorance or negligence in the practice of the teaching profession or for any fraud, deceit or falsification in obtaining a certificate of registration.

SEC. 20. *Replacement of Lost Certificates.* - The Board may issue for reasons of equity and justice, upon proper application and submission of an affidavit of loss, another copy of the certificate of registration upon payment of the prescribed fee.

A new certificate of registration to replace any certificate lost, destroyed or mutilated may be issued subject to the rules promulgated by the Board upon payment of One hundred pesos (P100.00).

SEC. 21. *Registration by Reciprocity.* - No foreign teacher shall be admitted to the examination, or be given a certificate of registration, or be entitled to any of the rights and privileges provided under this Act unless the country or State which he is a subject permits Filipino teachers to practice within its territorial limits on the same basis as the subjects or citizens of said country or State: *Provided*, That the requirements of certification of teachers with said foreign State or country are substantially the same as those required and contemplated under this Act: *Provided, further*, That the laws of such State or country grant the same privilege to Filipino teachers on the same basis as the subjects or citizens of such foreign country or State.

SEC. 22. *Roster of Teachers.* - A roster of teachers containing the names and addresses of certified teachers, dates of registration of issuance of certificates, and other data which in the opinion of the Board may appear pertinent shall be maintained. Copies of the roster shall be provided the Department of Education, Culture and Sports, the Professional Regulation Commission, and those nationally recognized teachers organization.

SEC. 23. *Prohibition and Exception.* - Tow (2) years after the effectivity of this Act, no teacher shall be hired in the pre-school, elementary or secondary level, unless he is holder of a Professional Teacher Certificate provided for under this Act.

SEC. 24. *Penal Provisions.* - The following shall be punishable by a fine of not less than Five thousand pesos (P5,000.00) nor more than Twenty thousand pesos (P20,000.00) or imprisonment of not less than six (6) months nor more than five (5) years, or both, at the discretion of the court:

(a) Any person who practices the teaching profession in the Philippines without being certified in accordance with the provisions of this Act;

(b) Any person who represents or attempts to use as his own certificate of registration that of another's;

(c) Any person who gives any false, or fraudulent evidence of any kind to the Board or any member thereof in obtaining a certificate of registration as teacher;

(d) Any person who impersonates any registrant of the same or different name;

(e) Any person who, in connection with his name, otherwise assumes, uses or advertises any title or description tending to convey or conveys the impression that he is a teacher without holding a valid certificate; and

(f) Any person who violates or who abets the violation of any provision of this Act.

The penalty of fine or imprisonment or both, as provided in this Section, shall also apply to any school or school official who shall cause or be responsible for the commission of any of the above-enumerated acts.

SEC. 25. *Appropriation.* - The amount of One million pesos (P1,000,000.00) shall be appropriated for the first year of operation of the Board.

SEC. 26. *Separability Clause.* - If, for any reason, any section of this Act or the application of such section or provision to any person or circumstance is declared unconstitutional or invalid, no other section or provision of this Act shall be affected thereby.

SEC. 27. *Repealing Clause.* - For purposes of this Act, the professional Board Examinations for Teachers under P.D. No. 1006 is hereby repealed. All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the

provisions of this Act are hereby repealed or modified accordingly.

SEC. 28. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation.

Approved,

Senator Romulo: Mr. President, for the sponsorship speech, I ask that the Chairman of the Committee on Education, Arts and Culture, Senate President Pro Tempore Leticia Shahani, be recognized.

The Presiding Officer [Senator Aquino]: Senator Shahani is recognized.

I hope we are not overworking our Senate President Pro Tempore.

Senator Shahani: No danger, Mr. President.

The Presiding Officer [Senator Aquino]: All right.

SPONSORSHIP SPEECH OF SENATOR SHAHANI

Senator Shahani: Thank you, Mr. President.

May I submit for the consideration of the Chamber Senate Bill No. 1452, under Committee Report No. 242, entitled

AN ACT TO STRENGTHEN THE REGULATIONS GOVERNING THE PRACTICE OF TEACHING IN THE PHILIPPINES AND PRESCRIBING A LICENSURE EXAMINATION FOR TEACHERS, REVISING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1006, AS AMENDED, AND FOR OTHER PURPOSES.

Mr. President, like the two other bills which I had just sponsored, this bill is also part of the Social Pact for Economic Empowerment and Development or SPEED.

This proposed Act is based on an EDCOM recommendation to give basic education the highest priority in our collective efforts to achieve quality in the delivery of education to our people and to raise teaching to the level of a profession.

Mr. President, basic education in our country can only be as efficient and as effective as its teachers. The teacher is the most single, the most important factor in the teaching-learning pro-

cess. Physical facilities, libraries, laboratories, and all other material resources for education purposes can only influence learning positively if there are teachers who have the imagination and the competence to make these inanimate resources serve the learning requirements of our young people.

The current policy requiring elementary and secondary school teachers to qualify in the Professional Board Examinations for Teachers, better known as PBET, administered by the Civil Service Commission, reveals serious inadequacies:

The first is that the content of the PBET is the same for both elementary and secondary schoolteacher aspirants. It is a fact that secondary school teaching requires a major in a specific discipline included in the secondary school curriculum such as Science, Mathematics, Social Science, English, Filipino, and Practical Arts. Yet, the PBET does not measure nor certify the secondary schoolteacher candidate's competence in any of the aforementioned disciplines.

The second inadequacy, Mr. President, is that failure in the PBET does not, in practice, disqualify teachers from teaching nor is it used as a basis for promotion.

Lastly, because the Professional Board Examinations for Teachers or PBET is not under the supervision of the Professional Regulations Commission, popularly known as PRC, those who pass it does not earn the same professional status and prestige as the other professional board examinations given under the supervision of the PRC.

Civil Service examinations are generally understood as those required of rank-and-file government employees and therefore as qualifying examinations for positions in the bureaucracy.

This bill, Senate Bill No. 1452, therefore aims to correct these major deficiencies related to PBET.

Mr. President, the proposed bill requires that beginning teachers or new recruits to schoolteaching positions must first pass a licensure examination for either elementary teaching or secondary schoolteaching.

The examination for beginning elementary schoolteachers shall consist of two parts, namely, professional educational and general education.

The examination for high school teachers shall consist of three parts, namely, professional education, general education and the field of specialization.

Under this bill, there shall be a professional board of teachers with five members, that is, the Director of the Bureau of Elementary Education and the Director of the Bureau of Secondary Education of DECS as the two ex-officio members; and three other members who will be one eminent teacher-educator and two representing nationally recognized professional organizations of teachers.

The three non-ex-officio members shall be appointed by the President of the Philippines. The Board shall operate under the PRC. The term of office of the members shall be three years, with the first two appointees serving on a staggered term of one, two and three years. For every examination, the Board shall appoint a set of examiners who are recognized authorities in teacher education and in a pertinent discipline included in the examination. Complete secrecy of the identity of examiners shall be observed.

Mr. President, to prevent possible adverse consequences in implementing the provisions of the proposed bill, the Professional Teacher Certificate shall be required only of every teacher who shall be hired for the first time in the preschool, elementary or secondary levels, public and private, two years after the effectivity of this Act.

For purposes of promotion and of motivating continuing professional growth and development of basic education teachers, this bill also mandates that a periodic recertification of permanent teachers be conducted by the Board every five years.

In conclusion, I would like to emphasize that the passage of this bill will go a long way in raising the salary levels for teachers towards professionalizing teaching, attracting and retaining better teachers, and ensuring quality education, particularly at the basic education levels in both public and private sectors.

Mr. President, I would also like to manifest that the Majority Leader is also a sponsor of this bill.

Thank you, Mr. President.

The Presiding Officer [Senator Aquino]: It is so noted.

Senator Romulo: Mr. President.

The Presiding Officer [Senator Aquino]: Senator Romulo is recognized.

SUSPENSION OF CONSIDERATION
OF SENATE BILL NO. 1452

Senator Romulo: Mr. President, I move that we suspend

consideration of Senate Bill No. 1452 until tomorrow.

The Presiding Officer [Senator Aquino]: Is there any objection? [Silence] Hearing none, the motion is approved.

CONSIDERATION OF SENATE RESOLUTION NO. 828

Senator Romulo: Mr. President, I move that we consider Proposed Senate Resolution No. 828.

The Presiding Officer [Senator Aquino]: Consideration of Proposed Senate Resolution No. 828 is now in order.

With the permission of the Body, the Secretary will read only the title of the Resolution, without prejudice to inserting in the *Record* the whole text thereof.

The Secretary: Proposed Senate Resolution No. 828, entitled

RESOLUTION EXPRESSING THE DEEP
SYMPATHY AND PROFOUND CONDOLENCE
OF THE SENATE ON THE DEATH OF FORMER
SENATOR MANUEL P. MANAHAN.

The following is the full text of Proposed Senate Resolution No. 828:

PROPOSED SENATE RESOLUTION NO. 828

Introduced by Senator Romulo

RESOLUTION EXPRESSING THE DEEP
SYMPATHY AND PROFOUND CONDOLENCE
OF THE SENATE ON THE DEATH OF FORMER
SENATOR MANUEL P. MANAHAN

WHEREAS, the Honorable Manuel P. Manahan, former member of the Senate, passed away on April 18, 1994;

WHEREAS, Senator Manahan, a member of this august chamber from 1962 to 1967 has been aptly hailed as "an embattled activist, a duke of commerce, a champion of education for the Filipino youth, a gentleman, and a defender of the faith";

WHEREAS, his very deep sense of patriotism fueled him to rise and become an active member of the Resistance Movement, thus, he was awarded the Legion of Honor, Officer's Rank and a lifetime member of the Philippine Legion;