

RECORD OF THE SENATE

TUESDAY, MAY 17, 1994

OPENING OF THE SESSION

At 10:00 a.m., the Honorable Edgardo J. Angara, President of the Senate, called the session to order.

The President: The 80th session of the Senate is hereby called to order.

Senator Shahani will lead us in prayer.

Everybody rose for the opening prayer.

PRAYER

Senator Shahani:

We thank Thee, Lord, for this opportunity to be again of service to Thee and to the Nation.

As we approach the first year of the Ninth Congress, continue to give us the moral courage, the patriotism and the physical stamina to discharge our duties with honor, dignity and pride.

All this we ask in Jesus' Name.

Amen.

The President: The Secretary will now call the roll.

ROLL CALL

The Secretary:

Senator Heherson T. Alvarez	Present*
Senator Agapito A. Aquino	Present*
Senator Rodolfo G. Biazon	Present
Senator Anna Dominique M.L. Coseteng .	Present*
Senator Neptali A. Gonzales	Present
Senator Ernesto F. Herrera	Present
Senator Jose D. Lina, Jr.	Present
Senator Gloria Macapagal	Present
Senator Ernesto M. Maceda	Present
Senator Orlando S. Mercado	Present*
Senator Blas F. Ople	Absent
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	Present*
Senator Arturo M. Tolentino	Present*
Senator Freddie N. Webb	Present*
The President	Present

The President: With 15 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*] The Chair hears none; the reading of the *Journal* of the previous session is dispensed with and the same is considered approved.

The Secretary will now proceed with the reading of the Order of Business.

REFERENCE OF BUSINESS

BILL ON FIRST READING

The Secretary: Senate Bill No. 1737, entitled

AN ACT AMENDING SECTION 12, ARTICLE VIII OF REPUBLIC ACT NO. 7610, AS AMENDED, FOR THE PURPOSE OF PROVIDING PROTECTION TO CHILDREN EMPLOYED IN THE ENTERTAINMENT OR ADVERTISING INDUSTRY AS PERFORMERS, ACTORS, OR MODELS FOR MOVIE, TELEVISION, RADIO, AUDIO RECORDING, OR FILM OR PRINT ADVERTISEMENT, OR OTHER SIMILAR OR LIKE MEDIUM.

Introduced by Senator Coseteng.

The President: Referred to the Committee on Women and Family Relations.

Senator Lina: Mr. President.

The President: Senator Lina is recognized.

* Arrived after the roll call

MOTION OF SENATOR LINA

(Referral of Senate Bill No. 1737 to the Constitutional Amendments, Revision of Codes and Laws Committee)

Senator Lina: By the very title of Senate Bill No. 1737 amending Section 12, Article VIII of Republic Act No. 7610, it clearly appears that this falls within the jurisdiction of the Committee on Constitutional Amendments, Revision of Codes and Laws. Therefore, I move that this be referred to the Committee on Constitutional Amendments, Revision of Codes and Laws as the primary Committee.

Senator Romulo: I have no objection, Mr. President.

The President: It is so referred.

COMMITTEE REPORT

The Secretary: Committee Report No. 447, submitted by the Committee on Health and Demography on Senate Bill No. 1738 with Senators Angara, Webb, Maceda, Shahani, Coseteng, Sotto III, Aquino, Romulo, Roco, Herrera, Rasul, Tatad, Alvarez, Romulo, Gonzales, Lina, Jr., and Revilla as authors thereof, entitled

AN ACT INSTITUTING A NATIONAL HEALTH INSURANCE PROGRAM FOR ALL FILIPINOS AND ESTABLISHING THE NATIONAL HEALTH INSURANCE CORPORATION FOR THE PURPOSE,

recommending its approval in substitution of Senate Bill Nos. 645, 753, 867, 988 and 1605.

Sponsors: Senators Angara, Webb, Maceda, Shahani, Coseteng, Sotto III, Aquino, Biazon, Roco, Herrera, Rasul, Tatad, Alvarez, Biazon, Gonzales, Lina, Jr., and Revilla

The President: To the Calendar for Ordinary Business.

SPECIAL ORDERS

Senator Romulo: Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders Committee Report No. 447 on Senate Bill No. 1738.

The President: 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
(Continuation)

Senator Romulo: Mr. President, I move that we resume consideration of Senate Bill No. 1452, as reported out under

Committee Report No. 242.

The President: Resumption of consideration of Senate Bill No. 1452 is now in order.

Senator Romulo: Mr. President, we are still in the period of interpellations.

I ask that the distinguished Chairperson of the Committee on Education, Culture and Sports, the Senate President Pro Tempore, Leticia Ramos Shahani, be recognized with the Minority Leader to interpellate.

The President: Senator Shahani and the Minority Leader are recognized.

Senator Tañada: Mr. President, I am one of the coauthors of this measure, but will the distinguished Sponsor yield to some clarificatory questions?

Senator Shahani: I would be very happy to do so, Mr. President, to our distinguished Colleague who represents the Minority in the Chamber.

Senator Tañada: Mr. President, under Section 13 of this bill, it is provided that: "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."

Mr. President, my question is: What would be the meaning of this term "appropriate degree?" Would this mean that the degree should directly and exclusively relate to the teaching profession?

Senator Shahani: Mr. President, I wonder whether the Minority Leader has the latest version of the bill.

Senator Tañada: I am holding a copy of Committee Report No. 242 to which is attached Senate Bill No. 1452 in substitution of Senate Bill No. 466, Mr. President.

SUSPENSION OF THE SESSION

Senator Shahani: Mr. President, may I ask for a one minute

suspension of the session?

The President: The session is suspended for one minute, if there is no objection. *[There was none.]*

It was 10:07 a.m.

RESUMPTION OF THE SESSION

At 10:08 a.m., the session was resumed.

The President: The session is resumed.

Senator Shahani: Mr. President, a holder of an appropriate degree from a government-recognized institution would mean a Bachelors Degree in Elementary Education. That is what we call BSED or its equivalent.

For teachers at the secondary level, a Bachelors Degree in Education or its equivalent. It could be a Bachelor of Arts, for instance, in Literature or Bachelor of Arts in Sciences.

Senator Tañada: Would it have to directly relate to the teaching profession, Mr. President?

Senator Shahani: As I said, it can be a BS Education or it can be a Bachelor of Arts with, let us say, major in Literature and, maybe, with some units in Education. After all, when one goes into BSED, it is not only the subject matter he is dealing with but with the actual professional skill of teaching which is where the education comes in.

Senator Tañada: I ask this question, Mr. President, because it is admitted by all of us — and we are very much aware of this — that there is a great lack of good public school teachers.

In the public hearing on this measure, it was brought out that public schools need an average of 8000 new teachers to meet the increased enrollment each year. It was also known that good schools like the University of the Philippines and the Philippine Normal University graduate less than 5500 teachers per year.

So I was thinking, Mr. President, about the possibility of considering deregulating the teaching profession. I think, at present, this is being done in the tertiary level by several educational institutions.

Mr. President, could it not be that an education degree is not going to be a primary requirement for one to be able to teach? If one is a Statistics major and is qualified to teach Algebra and Calculus, should that person not be allowed to teach those subjects?

Similarly, Mr. President, if one is a retired public or private employee but, let us say, he is a holder of an engineering degree, can this person not be allowed to take the licensure examination? If that person passes the examination, can he teach Science and Mathematics subjects?

Senator Shahani: The distinguished Minority Leader has raised an important point.

In the substitute bill which we are now discussing, subletter (d) states, "A holder of an appropriate degree from a government-recognized educational institution." I think that is flexible enough to meet the comments of the distinguished Minority Leader.

In the original bill, Mr. President, we actually specified what these degrees are. Then in the end, there was a kind of general clause. But we decided, as indicated in subparagraph (d), that it shall be an appropriate degree in order that we would not confine ourselves only to those who have had a BSED.

In order that this will be clearer, we can ensure in the implementing guidelines that there will be a mention of specific cases. Let us say, a BS Statistics, BS Biology, or BS Engineering could also apply for the examination. Of course, if they pass it, they can have their license to be teachers. I think this is also a good mid-career arrangement while, maybe, a young person is deciding in what area of professional career he would like to pursue.

Senator Tañada: I am glad to hear that, Mr. President.

That explanation would already meet the concerns that I have raised in my question.

Now, one other requirement, Mr. President, under Section 13 is that the applicant must be in good health and of good moral character.

May I just know who will certify to the good health and the good moral character of the applicant?

Senator Shahani: I suppose, Mr. President, that a physician will have to state the applicant's good health. The good moral character, maybe, will be certified by somebody who knows the applicant. It could be someone in Government, a respected member of the community, or who is known in the neighborhood or community from which the applicant comes.

Senator Tañada: Will this be indicated in this measure, Mr. President? Or will this just be left to the implementing rules and regulations?

Senator Shahani: I think that would be best left to the implementing rules and regulations, Mr. President. But naturally, if there are some comments on this during the debate, those who would have to make the implementing rules and guidelines will have to take into account what is said in our debate in this Chamber.

Senator Tañada: I note, Mr. President, that the licensure examinations are going to be addressed only to the elementary and secondary school teachers. May we know why the tertiary school teachers have not been included in this measure?

Senator Shahani: Mr. President, our distinguished Colleague will recall that about three weeks ago, we just passed the bill on Third Reading creating the Commission on Higher Education. The tertiary level of education is now removed from the Department of Education, Culture and Sports. DECS, in essence, in accordance with the educational commission's report, becomes a department for elementary and secondary education including preschool. But we did not put the examination for preschool in the final version of this bill, because it would be just too expensive and maybe, there is no need at this stage for the preschool teachers to be included.

The vocational education also will be under the Technical Education Skills Development Authority (TESDA). The Council on Higher Education will now decide what are some of the standards. But, Mr. President, as we are aware, it is really the universities with their specific charters which have the right to decide on who should be part of the faculty. That is part of the academic freedom which is enshrined in the charters of the state colleges and universities and the private institutions also reserve the right to be able to choose their own faculty members.

Senator Tañada: Moving on to another point, Mr. President, and this is with respect to Section 18 of the measure which provides for the periodic re-certification for teachers. It states here that, "For purposes of merit and promotion and continuing professional growth and development, the Board shall conduct a periodic re-certification of permanent teachers every five (5) years."

Would this periodic re-certification include new examinations, Mr. President?

Senator Shahani: It could, but more by way of a general information and, maybe, judgment. I do not think it will be as detailed as the entrance examination, but certainly it would include a performance evaluation of the teacher, a kind of a merit evaluation of how the teacher stands. I would say a kind of an examination of general information. This will be part of the implementing rules and guidelines, but the way I see it, it should

not really be a new examination.

We will recall that a similar provision was included when we drafted the Revised Foreign Service Act.

As we know, anyone who wishes to enter the foreign service has to pass a fairly tough entrance examination known as the "Foreign Service Officers Examination."

Before the officer attains ambassadorial rank — that is, at the end of the rank of the foreign service officer — he is given class one; he is given an examination in a way to really judge his competence, whether he can be promoted to the next rank before he becomes a chief of mission.

This examination really is for promotion. I suppose the teacher now will want to be ranked Teachers 10 to 17. This really is to encourage the teachers to remain as teachers. In other words, he does not have to be a principal or a supervisor to gain recognition among the educational authorities. He can be a teacher at a highest level and have a salary equivalent to a principal or supervisor but he stays in the teaching profession. This is for purposes of merit promotion.

I suppose, Mr. President, they will not be asking on "when did the Philippines join the Social Development Summit Conference," but rather questions of judgment. This is how I would see it.

Senator Tañada: If this will not really involve new examinations, Mr. President, and that, mainly, this will be for purposes of merit promotion and continuing professional growth and development, may we know what would happen if, let us say, the permanent teacher underperforms in this recertification exercise? Would that mean that he will not be promoted?

Senator Shahani: That would be the implication, Mr. President.

Senator Tañada: But he will not be removed.

Senator Shahani: He will not be removed.

I am glad that this point was brought up in Section 18 because I believe we should give a chance to our teachers.

If, for instance, the re-certification is not granted or the examination has not been passed, maybe, a provision here should be made that the teacher be given a second chance. That would be important.

I share the point of view of Senator Mercado during the

debate yesterday that this should not really be too regulatory or too punitive a bill, or too bureaucratic in its approach.

The intent of the bill is to raise the status of the teaching profession. But there must also be incentives and encouragement for those who join the system, and once they are in and they prove to have the right attitude, the right values for being a teacher, they should be encouraged to remain.

Senator Tañada: Yes, Mr. President. Perhaps, in the period of amendments, we can propose some amendments along this direction — how many times should we really allow a teacher to take these examinations, and should there be a limit to this number of times that the teacher can take these examinations?

So that if after a number of times, let us say, two or three times and the teacher still does not pass the examination, then the teacher may be required to take a refresher course, Mr. President, before said teacher can be allowed to take the examination again.

Senator Shahani: That would be most welcome, Mr. President.

Senator Tañada: I have one last question, Mr. President.

Under Section 15 of the measure, it is provided that, "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%)

I would like to ask on the matter of the candidate not receiving a rating below 70 percent in any subject. What could have been the reason that was fixed at a rating not below 70 percent in any subject?

In the Bar examinations, Mr. President, as long as the candidate does not get a grade lower than 50 percent in any subject and he still attains a general average of 75 percent, that candidate is considered to have passed the Bar and would be allowed to take his oath as a lawyer.

In this particular case, the candidate must not receive a rating below 70 percent in any subject, except for the field of specialization where he is in. May we be clarified on this, Mr. President?

Senator Shahani: Mr. President, of course, 75 percent is the passing grade in our educational system. I think that figure was chosen because we are dealing here with teachers. And 70

percent was chosen because that is the passing grade in civil service examinations.

Senator Tañada: So, if he gets 65 percent or 69 percent in any subject, that candidate would already be disqualified?

Senator Shahani: Well, a line has to be drawn somewhere, Mr. President.

Senator Tañada: Even if the candidate's general average would be 85 percent or even 90 percent, but because the candidate has gotten a rating of, say, 69 percent in one of the subjects, then automatically that candidate would be disqualified.

Senator Shahani: Yes, that makes it a bit arbitrary. I would be for making that 75 percent more flexible. That is a general average. I will be happy just to leave it at that, considering the variety in regional opportunities among our students.

Senator Tañada: Thank you very much, Mr. President.

Senator Romulo: Mr. President, the following have made reservations to interpellate — Senators Lina and Coseteng.

I ask that Senator Lina be recognized.

The President: Senator Lina is recognized.

Senator Lina: Thank you, Mr. President.

Will the distinguished Senator from Pangasinan yield for some questions?

Senator Shahani: With pleasure, Mr. President. I would be willing to entertain questions from the "Benjamin" of the Chamber.

Senator Lina: In Presidential Decree No. 1006, entitled "PROVIDING FOR THE PROFESSIONALIZATION OF TEACHERS, REGULATING THEIR PRACTICE IN THE PHILIPPINES AND FOR OTHER PURPOSES," a board called "National Board for Teachers" has been created with powers and duties almost identical with the powers and functions of the Professional Board for Teachers, as suggested in the bill under consideration.

May we know, Mr. President, what is the status now of this National Board for Teachers created under PD No. 1006?

Senator Shahani: As I said in my statement, Mr. President, this National Board for Teachers is in charge of organizing and

evaluating the Professional Board Examination for Teachers (PBET) and this is a general examination for both the elementary and high school teachers. This is within the jurisdiction of the Civil Service Commission.

As we explained last time, although the functions, in a way, are similar with this body we are now creating, which will supervise and administer the licensure examination for teachers, this bill has been deemed necessary because it separates the teaching profession from the civil service.

In other words, we have the Civil Service examination for government bureaucrats and that is what the Civil Service Commission is all about.

We want to give a new status in this bill to the teacher; that to be a teacher is a profession in itself. In the same way that one needs special skills to be a doctor and he is examined by the Board of Examiners in Medicine of the Professional Regulations Commission; when one wants to be a dentist he is examined by the Board of Dentistry in the Professional Regulations Commission. In the same way that a teacher now, someone who wishes to teach our young people, must also be provided with the authority to be able to practice that profession.

That, in essence, is what is important. That the examination is removed from the Civil Service Commission and given to an independent body whose mandate in our Government is to regulate the entrance of candidates into professional fields in our country.

Senator Lina: Mr. President, referring again to PD No. 1006. In the enumeration of the powers and duties of the National Board for Teachers and the Board specifically named "National Board for Teachers" and which, I believe, is still in existence up to this point, the number one in the list of powers and duties of the Board is to appoint a set of examiners for every examination, who will determine and prepare the contents of the Board examination for teachers hereinafter referred to as "examination."

Then, there is mention of the examination in the elementary and secondary levels of instruction. So the examination that is being administered by the Board is one specifically for teachers and not a general examination for government personnel.

In short, this National Board for Teachers is mandated to specifically administer an examination for teachers. Section 15 of Presidential Decree No. 1006 also says:

Three years after the effectivity of this Decree, no person shall engage in teaching and/or act as a teacher

as defined in this Decree, whether in the public or private elementary or secondary school unless he is a holder of a professional teacher certificate or is considered a professional teacher under this Decree.

The thrust of this Presidential decree, which is still a good law, unless repealed or amended, is precisely to separate the class of teachers from the class of lawyers, doctors, and other professionals by providing an examination for teachers. No one can practice the teaching profession unless he is a holder of a professional teacher certificate, which, by the way, is the same certificate that will be granted by the Professional Board for Teachers that will be created under this proposed legislation.

I am a little unsure, Mr. President, whether there is going to be a basic difference between PD No. 1006 and Senate Bill No. 1432, if enacted into law, because the thrust of PD No. 1006 is precisely to professionalize the teaching profession, to administer the examination of teachers, to regulate the teaching profession by requiring that only holders of professional teachers certificate can teach. This is why I rose to ask this clarificatory question.

Senator Shahani: Mr. President, this bill is to show that the present system does not work. I am sure our Colleague knows that the EDCOM in the Eighth Congress made a very wide survey of our educational system. The weakness in the preparation of the teacher was identified as one of the main reasons for the ineffectivity of the educational system.

It is not that we are blaming the teacher. Precisely, there are many reasons for the weakness of the teaching profession. First, of course, is the very low salary; second, it is not recognized as a specific profession despite the provisions of Presidential Decree No. 1006.

And so, this is an attempt to look anew at the teaching profession; see how the standards can be tightened; how implementation can be more regulated; and how to give a higher status to the teaching profession.

We can see that PD No. 1006 has made the entrance examination more of a routinary affair, and there is really no supervisory attempt on the part of the Civil Service Commission to see how these teachers are evolving in their career. After all, teaching is one of those professions, no matter how isolated a barangay might be, which will demand that the teacher who transmits knowledge to the minds of these young citizens will have to be up-to-date.

Mr. President, this is precisely what this bill is all about. It rectifies the weaknesses of the present examination system; it

makes the rules more stringent; and it makes the profession of the teacher more distinct and recognized.

Senator Lina: Mr. President, again under PD No. 1006, the National Board for Teachers is composed of the following: (1) the Secretary of Education, Culture and Sports as co-chairman; (2) the Chairman of the Civil Service Commission as member; (3) the Commissioner of the Professional Regulations Commission as member; and (4) two members representing the private sector to be appointed by the President. That is the system of the Board in PD No. 1006.

The Senate bill under consideration, Mr. President, the Professional Board for Teachers, shall be composed of five members, and they will be as follows: "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."

Mr. President, there is no mention under PD No. 1006 that the National Board for Teachers is under the Civil Service Commission. The chairman is still the Secretary of Education, Culture and Sports under the National Board for Teachers. In the Professional Board for Teachers, the two ex officio members are also from the DECS — the director of elementary education and the director of secondary education of the Department of Education, Culture and Sports; two officials of Government who are directly under the Department of Education, Culture and Sports, and therefore, will still report to the Secretary of Education, Culture and Sports.

Mr. President, even in the composition of the Board, there will be no basic difference between the National Board for Teachers and the Professional Board for Teachers. So I am not sure where the weakness lies — whether it is in the composition of the Board, or when compared with each other, the powers and functions of the Board in the Senate bill under consideration and the powers and duties of the Board under PD No. 1006 are basically the same. Much leeway is given to the Board in improving the set of examination because the details of what examinations to give, the level of difficulty are not specified both in PD No. 1006 and in the Senate bill that we are considering.

This is borne out by the text or the document that we have — PD No. 1006 and the Senate bill under consideration. So, I am still wondering if the distinguished Sponsor will be patient enough in answering my questions which may sound repetitive:

Where does the weakness lie?

In PD No. 1006, the Board is given the power to promulgate rules and regulations and exercise such other powers, functions and duties as may be necessary to carry into effect the purposes of this Decree. I said again, the standards, the degree of difficulties, are all within the province of the National Board for Teachers and, therefore, even under the PD, if we want to improve, we just have to call on the National Board for Teachers to attend to their task at hand under the law so that the examination will be such that only those who are qualified to teach are given the professional certificate.

Senator Shahani: Mr. President, the important feature of this bill is that the two ex officio members are the director of elementary education of the DECS and the director of secondary Education. In other words, there is an attempt here to recognize that the requirements for elementary education and the requirements for high school education are different and, therefore, should be made more specific.

If we put the Secretary of Education, busy as he is — I think that is part of the difficulty; there are so many duties burdening the Secretary himself, there is not enough time to pay attention to these specific requirements. This is why this approach has been made.

This has been the approach of the EDCOM Report, which is to get out from a too general structure for the specific problems are not given attention to — to divide them now and make them more specific so that we shall be able to identify the problems which our pupils, our students meet at every step of their education.

Senator Lina: Mr. President, are we made to understand then that this Professional Board for Teachers will be run as an independent agency and that the Secretary of Education, Culture and Sports will have nothing to do with this task of seeing to it that the licensure examination is done properly? That the quality of teachers, which is a main concern of the head of the agency in charge of the education of the youth, will have nothing to do with this very crucial, sensitive and critical matter of professionalizing the teaching profession?

Senator Shahani: Mr. President, the Board is not an independent body. It is part of the Professional Regulations Commission which falls under the President of the Philippines. But certainly the role of the DECS is pervasive throughout the career of a teacher. First of all, the two ex officio members of Board are already from the DECS, but it is like decentralizing or maybe a devolution of powers giving them to the heads of the bureaus which are component parts of the DECS.

After all, in the implementing rules and guidelines, it will be the DECS which will be supervising the activities of these teachers as they perform their duties on a day-to-day basis. Certainly, it is they who will decide on merit promotion and on the kind of professional advancement to which these teachers will be subjected to.

Senator Lina: On another point, Mr. President. I just want to be enlightened on the status of the present teachers. Will they be made to undertake another set of examination under this bill, if enacted into law, to continue practicing their profession?

Senator Shahani: Mr. President, our Colleague will recall that the same question was raised last night. And the reply I gave to that question was that, in accordance with this bill, if signed into law, it will take effect only after two years.

However, there will be those teachers who will have to take the PBET. Maybe some of them are still quite young and still have a long way to go in their teaching course. I believe these teachers who enter the teaching profession in the present system should not be discriminated against.

So, we could have a grandfather clause in this bill to pay attention to the particular situation of these teachers in the present system. And maybe some kind of qualifying examination again — general in nature — could be administered to them to justify now their entrance into this new system which we are creating and which would make them equal to those who will now take the formal examination as mandated in this bill.

Senator Lina: Most of our teachers, Mr. President, have taken the examination given by the National Board of Teachers. Is that an accurate statement?

Senator Shahani: That is correct, Mr. President.

Senator Lina: How about on the matter of substitutes? Are substitutes exempted from the examination given by the National Board for Teachers? Are there exemptions given for emergency purposes, for example, Mr. President?

Senator Shahani: In principle, Mr. President, substitutes are also regular teachers because there are many qualified teachers who have passed the examination but are not employed. Those are the statistics given by the DECS. Maybe we can get the number of unemployed but qualified teachers.

So, in order to regularize the profession, substitute teachers should be part of the regular teaching force.

Our distinguished Colleague raised an important issue in

terms of emergency. Maybe — as we saw in the first months of the eruption of Mt. Pinatubo, they had to be in makeshift classroom classes — we could think, Mr. President, of meeting situations like those in cases of extreme emergency. Maybe there could be an amendment which would respond to that situation.

Senator Lina: Will the distinguished Sponsor consider, during the period of amendments, an exempting provision to require or to make the law prospective in its application? And that those who are already holders of a valid Professional Teacher Certificate shall be exempted from the examination to be given under the proposed legislation? That whatever examination will be given to them will only be for matter of merit and promotion?

I think it will be quite unfair for those who have been teaching for a long time and have taken the licensure examination under the old system. If some of them have been teaching for 20 years and they will be asked again to take the examination, this may wreak havoc in some quarters.

Senator Shahani: That would be most welcome, Mr. President. I am sure my Colleagues in this Chamber have noticed that most of the bills emanating now from the Committee on Education, Arts and Culture are really bills of restructuring. This is a political attempt to respond to the critical problems of our educational system. Of course, there will be those who might be adversely affected by the change in structure.

Any provision which would minimize injustice, distress or obstacles for professional advancement on the part of those who are already in the teaching system itself would be most welcome. When we drafted these bills, we have in mind some of the displacements which might occur as we begin to implement these bills if they are signed into law.

Senator Lina: I thank the distinguished Lady Senator for the positive response to the points raised by this Representation.

Senator Shahani: Before our distinguished Colleague proceeds, I have some interesting data here, Mr. President.

For 1992, there were 4807 who passed the PBET but are still unemployed. So there is a pool of teachers who have passed the examination but have no position items.

In relation to the substitute teachers and the teachers who might be hired in times of emergency, I believe we will not disrupt this education system but certainly, a provision on situation of extreme emergency would help in this bill.

Senator Lina: Another point, Mr. President.

In Section 6 of PD No. 1006, an exception was provided for a certain group of individuals who have been engaged in teaching for at least five years in schools in the Philippines. They were not required to take the licensure examination anymore under the present system.

As I said, they have been engaged in teaching for at least five years, and it is their experience as teachers for five years that is given an equivalence of an examination. Will that exception be respected under the proposed legislation? Will they also be excepted from taking the examination?

Senator Shahani: I believe they should be, Mr. President. If they have already been accepted in the previous system, that decision has to be respected. However, as I have said, they will be subject to this qualifying examination which will now make them part of the present system.

In other words, they did not take the PBET. So, they are now part of the teaching system in accordance with the present system. As I said, those who are members of the present system should be subjected to some kind of a general examination, maybe not the same examination as would take place when this law will come into force after two years. But I think it would be good management and good administration to subject them to a kind of general examination of judgment, of decision, instead of making it very specific.

If this provision will seem to be important enough, that could figure also in this bill, Mr. President, because it could affect so many teachers, that for the sake of justice and fair play, I think these transitory provisions would better figure in the law itself rather than just in the implementing rules and guidelines which, by the way, we do not sometimes even see them as they are made by the Executive.

Senator Lina: The qualifying examination for these exempted teachers will not be for the purpose of their entrance into the teaching profession, but more for purposes of merit and promotion because they are already in the teaching profession. Is that right, Mr. President?

Senator Shahani: That is correct, Mr. President. As a Sponsor of this bill, I would give very high priority to this interpretation because we would not want to prejudice the career prospects of those who have been teachers before this bill will be enacted into law.

Senator Lina: Thank you very much.

Will the two ex officio members who will come from the DECS receive additional emoluments or compensation, Mr. President?

Senator Shahani: There are *per diems* for the members of the Board, Mr. President. This comes under Section 7: "they shall each receive *per diems* in the amount 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."

Senator Lina: And that will not conflict with any existing rules and regulations just to be on the safe side, Mr. President.

Senator Shahani: I do not think so, Mr. President.

Senator Lina: That will be all, Mr. President.

I would like to thank the distinguished Sponsor for the answers given so patiently.

Thank you very much.

The President: Senator Coseteng and then Senator Rasul in that order.

SUSPENSION OF THE SESSION

Senator Romulo: Mr. President, may I ask for a one-minute suspension of the session.

The President: The session is suspended, if there is no objection. [*There was none.*]

It was 11:04 a.m.

RESUMPTION OF THE SESSION

At 11:05 a.m., the session was resumed.

The President: The session is resumed.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1452

Senator Romulo: Mr. President, after consultation with the Sponsor and our other Colleagues, I move that we, in the meantime, suspend consideration of Senate Bill No. 1452.

The President: Is there any objection? [*Silence*] Hearing none, the motion is approved.