



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
19th City Council

PO19CC-059

26th Regular Session

ORDINANCE NO. SP- **2294**, S-2014

AN ORDINANCE PROHIBITING THE SCHOOL AUTHORITIES AND MEMBERS OF PARENT-TEACHER ASSOCIATION (PTA) IN PUBLIC SCHOOLS IN QUEZON CITY FROM REQUIRING THE PAYMENT OF ANY FEE OR VOLUNTARY CONTRIBUTION PRIOR TO OR AS A CONDITION PRECEDENT FOR THE ENROLLMENT AND/OR GRADUATION OF STUDENTS.

Introduced by Councilor RANULFO Z. LUDOVICA.

Co-Introduced by Councilors Julienne Alyson Rae V. Medalla, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ramon P. Medalla, Estrella C. Valmocina, Anthony Peter D. Crisolago, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Marvin C. Rillo, Vincent DG. Belmonte, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Diorella Maria G. Sotto, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, under Section 17, Article II of the 1987 Philippine Constitution, it is the declared policy of the State to give priority to education, x-x-x to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development;

WHEREAS, Section 1, Article XIV of the same Constitution likewise provides that "the State shall protect and promote the right of the citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all;

WHEREAS, Paragraph (2), Section 2, Article XIV of the same Constitution clearly mandates that "the State shall establish and maintain a system of free public education in the elementary and high school levels. x-x-x";

WHEREAS, despite the aforesaid Constitutional provisions making education accessible to all and establishing the system of free public education in the elementary and high school levels, the parents, particularly those belonging to the poor families, are still hesitant and afraid to send their children to school for fear that they might incur exorbitant expenses because there are school authorities and members of Parent-Teacher Association (PTA) in public school who are continually collecting fees or contributions in a mandatory manner and requiring the payment thereof as a condition precedent for the enrollment and/or graduation of students;

WHEREAS, there are contributions allowed by the Department of Education (DepEd) to be collected from parents or students such as the Boy/Girl Scouts membership, Anti-TB Fund Drive, PTCA, School Publication and Membership in Student Organizations, but the same must be on a voluntary basis and cannot be used as a condition precedent for the admission or graduation of students in a given school year;

WHEREAS, to thwart the said practices of some erring school authorities and PTA officers/members, the Department of Education issued DepEd Order No. 19, S-2008 mandating the implementation of "No Collection Policy" in all public elementary and secondary schools which was reiterated in subsequent DepEd Order No. 40, S-2009; and DepEd Order No. 40, S-2009;

WHEREAS, cognizant of the aforementioned DepEd Orders, some school authorities and PTA Officers/Members remain uncurbed in their practice of collecting the authorized contribution in compulsory manner, thereby creating the impression that even the public education is not truly for the poor, but for the middle class and affluent families. Consequently, giving rise to the numerous complaints in the barangay government and other concerned offices;

WHEREAS, the school authorities, being the subordinates of the Department of Education, shall faithfully comply and cause the implementation of the latter's DepEd Orders;

WHEREAS, pursuant to DepEd Order No. 54, S-2009, the PTA, as an organization operating in the school, shall adhere to all existing policies and implementing guidelines issued or hereafter may be issued by the Department of Education and that includes the implementation of "No Collection Policy" in all public elementary and secondary schools;

WHEREAS, these nefarious and illegal activities of some school authorities and PTA officers/members have resulted in the continued increase in the number of out-of-school youth vitally affecting public order and safety and contributing to the influx of street children in the metropolis;

WHEREAS, to make public education accessible to all and to wipe out all conceivable forms of graft and corruption in public schools, there is a need to penalize those persons who serve as an obstacle to the dreams and aspirations of persevering students and parents;

WHEREAS, under Section 458 (a)(1)(v) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the City Council may approve ordinances and resolutions necessary for an efficient and effective city government and in this connection shall enact ordinances intended to prevent, suppress and impose appropriate penalties for x-x-x fraudulent devices and ways to obtain money or property, x-x-x.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. The school authorities and the officers and members of Parent-Teacher Association (PTA) in public schools in Quezon City are hereby prohibited from requiring the payment of any fee or voluntary contribution prior to or as a condition precedent for the enrollment and/or graduation of students.

SECTION 2. For the purpose of this ordinance, the following terms shall be defined as follows:

“School Authorities” – refers to the School Head, Principal, Teachers, Non-Teaching Personnel and other personnel under the supervision or control of the said school head or connected in the said school, either as directly employed, detailed or assigned therein.

“Parent-Teacher Association (PTA)” – refers to the school organizations of parents and teachers, whether SEC registered or merely recognized/accredited by the school concerned.

“PTA Members” – refers to the parents and teachers who are members of the school organization, regardless of position held, and whose children are duly enrolled students of the school concerned.

“Authorized/Voluntary Contribution” – refers to the voluntary contributions allowed by the DepEd to be collected from students or parents.

SECTION 3. *The School Head, Principal and PTA President are hereby required to post in a Bulletin Board conspicuously placed within the school premises the school fees and authorized voluntary contributions to be paid by or collected from students or parents, with a notification underneath written in bold letters that said fees and voluntary contributions are "ON VOLUNTARY BASIS".*

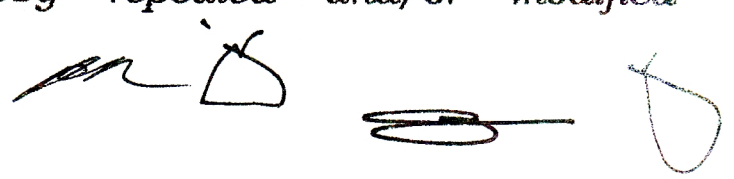
SECTION 4. *The City Schools Superintendent of Quezon City shall oversee/monitor the faithful compliance of all public elementary and high schools in this ordinance.*

SECTION 5. *A violation of Section 1 of this ordinance shall be penalized by a fine of Five Thousand Pesos (P5,000.00) or an imprisonment of one (1) year, or both such fine and imprisonment at the discretion of the court, without prejudice to the filing of an appropriate administrative case.*

In case of violation of Section 3 hereof, the School Head, Principal and PTA President shall be fined One Thousand Pesos (P1,000.00) each.

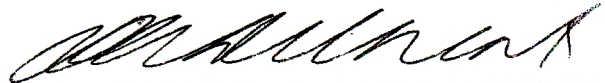
SECTION 6. *If, for any reason, any section or provision of this ordinance is declared invalid or unconstitutional by a competent court, the other sections or provisions hereof not affected by such declaration shall remain in full force and effect.*

SECTION 7. *All existing city ordinances, resolutions, local executive orders, rules and regulations or administrative issuances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed and/or modified accordingly.*




SECTION 8. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

ENACTED: June 9, 2014.



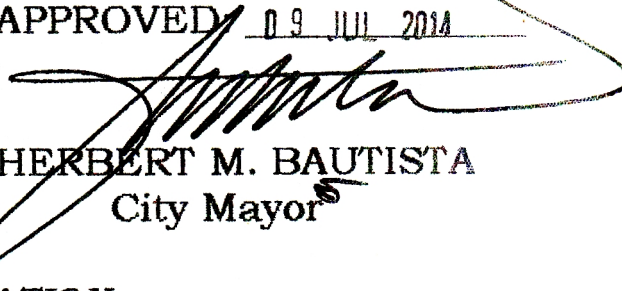
DOROTHY A. DELARMENTE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III


APPROVED 09 JUL 2014



HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 9, 2014 and was PASSED on Third/Final Reading on June 16, 2014.



Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III