

[BATAS PAMBANSA BLG. 232, September 11, 1982]

**AN ACT PROVIDING FOR THE ESTABLISHMENT AND
MAINTENANCE OF AN INTEGRATED SYSTEM OF EDUCATION.**

Be it enacted by the Batasang Pambansa in session assembled:

I. GENERAL PROVISIONS

Chapter 1

Preliminary Matters

SECTION 1. *Title.*—This Act shall be known as the "Education Act of 1982."

SEC. 2. *Coverage.*—This Act shall apply to and govern both formal and non-formal systems in public and private schools in all levels of the entire educational system.

Chapter 2

Declaration on Basic State Policy and Objectives

SEC. 3. *Declaration of Basic Policy.*—It is the policy of the State to establish and maintain a complete, adequate and integrated system of education relevant to the goals of national development. Toward this end, the government shall ensure, within the context of a free and democratic system, maximum contribution of the educational system to the attainment of the following national developmental goals:

1. To achieve and maintain an accelerating rate of economic development and social progress;
2. To assure the maximum participation of all the people in the attainment and enjoyment of the benefits of such growth; and
3. To achieve and strengthen national unity and consciousness and preserve, develop and promote desirable cultural, moral and spiritual values in a changing world.

The State shall promote the right of every individual to relevant quality education, regardless of sex, age, creed, socio-economic status, physical and mental conditions, racial or ethnic origin, political or other affiliation. The State shall therefore promote and maintain equality of access to education as well as the enjoyment of the benefits of education by all its citizens.

The State shall promote the right of the nation's cultural communities in the exercise of their right to develop themselves within the context of their cultures, customs, traditions, interests and belief, and recognizes education as an instrument for their maximum participation in national development and in ensuring their involvement in achieving national unity.

SEC. 4. *Declaration of Objectives.*—The educational system aims to:

1. Provide for a broad general education that will assist each individual in the peculiar ecology of his own society, to (a) attain his potentials as a human being; (b) enhance the range and quality of individual and group participation in the basic functions of society; and (c) acquire the essential educational foundation of his development into a productive and versatile citizen;
2. Train the nation's manpower in the middle-level skills required for national development;
3. Develop the professions that will provide leadership for the nation in the advancement of knowledge for improving the quality of human life; and
4. Respond effectively to changing needs and conditions of the nation through a system of educational planning and evaluation.

Towards the realization of these objectives, and pursuant to the Constitution, all educational institutions shall aim to inculcate love of country, teach the duties of citizenship, and develop moral character, personal discipline, and scientific, technological, and vocational efficiency.

Furthermore, the educational system shall reach out to educationally deprived communities, in order to give meaningful reality to their membership in the national society, to enrich their civic participation in the community and national life, and to unify all Filipinos into a free and just nation.

II. THE EDUCATIONAL COMMUNITY

Chapter 1

Preliminary Provisions

SEC. 5. *Declaration of Policy and Objectives.*—It is likewise declared government policy to foster, at all times, a spirit of shared purposes and cooperation among the members and elements of the educational community, and between the community and other sectors of society, in the realization that only in such an atmosphere can the true goals and objectives of education be fulfilled.

Moreover, the State shall:

1. Aid and support the natural right and duty of parents in the rearing of the youth through the educational system.
2. Promote and safeguard the welfare and interests of the students by defining their rights and obligations, according them privileges, and encouraging the establishment of sound relationships between them and the other members of the school community.
3. Promote the social and economic status of all school personnel, uphold their rights, define their obligations, and improve their living and working conditions and career prospects.
4. Extend support to promote the viability of those institutions through which parents, students and school personnel seek to attain their educational goals.

SEC. 6. *Definition and Coverage.*—"Educational community" refers to those persons or groups of persons as such, or associated in institutions involved in organized teaching and learning systems.

The members and elements of the educational community are:

1. "Parents" or guardians or the head of the institution or foster home which has custody of the pupil or student.
2. "Students," or those enrolled in and who regularly attend an educational institution of secondary or higher level or a person engaged in formal study. "Pupils" are those who regularly attend a school of elementary level under the supervision and tutelage of a teacher.
3. "School personnel," or all persons working for an educational institution, which includes the following:
 - a. "Teaching or academic staff," or all persons engaged in actual teaching and/or research assignments, either on full-time or part-time basis, in all levels of the educational system.
 - b. "School administrators," or all persons occupying policy implementing positions having to do with the functions of the school in all levels.
 - c. "Academic non-teaching personnel," or those persons holding some academic qualifications and performing academic functions directly supportive of teaching, such as registrars, librarians, guidance counsellors, researchers, research assistants, research aides, and similar staff.
 - d. "Non-academic personnel," or all other school personnel not falling under the definition and coverage of teaching and academic staff, school administrators and academic non-teaching personnel.
4. "Schools," or institutions recognized by the State which undertake educational operations.

SEC. 7. *Community Participation*.—Every educational institution shall provide for the establishment of appropriate bodies through which the members of the educational community may discuss relevant issues, and communicate information and suggestions for assistance and support of the school and for the promotion of their common interest.

Representatives from each subgroup of the educational community shall sit and participate in these bodies, the rules and procedures of which must be approved by them and duly published.

Chapter 2

Rights

SEC. 8. *Rights of Parents*.—In addition to other rights under existing laws, all parents who have children enrolled in a school shall have the following rights:

1. The right to organize by themselves and/or with teachers for the purpose of providing a forum for the discussion of matters relating to the total school program, and for ensuring the full cooperation of parents and teachers in the formulation and efficient implementation of such programs.
2. The right to access to any official record directly relating to the children who are under their parental responsibility.

SEC. 9. *Rights of Students in School*.—In addition to other rights, and subject to the limitations prescribed by law and regulations, students and pupils in all schools shall

enjoy the following rights:

1. The right to receive, primarily through competent instruction, relevant quality education in line with national goals and conducive to their full development as persons with human dignity.
2. The right to freely choose their field of study subject to existing curricula and to continue their course therein up to graduation, except in cases of academic deficiency, or violation of disciplinary regulations.
3. The right to school guidance and counselling services for making decisions and selecting the alternatives in fields of work suited to his potentialities.
4. The right of access to his own school records, the confidentiality of which the school shall maintain and preserve.
5. The right to the issuance of official certificates, diplomas, transcript of records, grades, transfer credentials and other similar documents within thirty days from request.
6. The right to publish a student newspaper and similar publications, as well as the right to invite resource persons during assemblies, symposia and other activities of similar nature.
7. The right to free expression of opinions and suggestions, and to effective channels of communication with appropriate academic and administrative bodies of the school or institution.
8. The right to form, establish, join and participate in organizations and societies recognized by the school to foster their intellectual, cultural, spiritual and physical growth and development, or to form, establish, join and maintain organizations and societies for purposes not contrary to law.
9. The right to be free from involuntary contributions, except those approved by their own organizations or societies.

SEC. 10. *Rights of all School Personnel.*—In addition to other rights provided for by law, the following rights shall be enjoyed by all school personnel:

1. The right to free expression of opinion and suggestions, and to effective channels of communication with appropriate academic and administrative bodies of the school or institution.
2. The right to be provided with free legal service by the appropriate government office in the case of public school personnel, and through the school authorities concerned in the case of private school personnel, when charged in an administrative, civil and/or criminal proceedings by parties other than the school or regulatory authorities concerned for actions committed directly in the lawful discharge of professional duties and/or in defense of school policies.
3. The right to establish, join and maintain labor organizations and/or professional and self-regulating organizations of their choice to promote their welfare and defend their interests.
4. The right to be free from involuntary contributions except those imposed by their own organizations.

SEC. 11. *Special Rights and/or Privileges of Teaching or Academic Staff.*—Further to the rights mentioned in the preceding Section, every member of the teaching or academic staff shall enjoy the following rights and/or privileges :

1. The right to be free from compulsory assignments not related to their duties as defined in their appointments or employment contracts, unless compensated therefor, conformably to existing law.

2. The right to intellectual property consistent with applicable laws.
3. Teachers shall be deemed persons in authority when in the discharge of lawful duties and responsibilities, and shall, therefore, be accorded due respect and protection.
4. Teachers shall be accorded the opportunity to choose alternative career lines either in school administration, in classroom teaching, or others, for purposes of career advancement.

SEC. 12. *Special Rights of School Administrators.*—School administrators shall, in accordance with existing laws, regulations and policies of the Ministry of Education, Culture and Sports, be accorded sufficient administrative discretion necessary for the efficient and effective performance of their functions.

School administrators shall be deemed persons in authority while in the discharge of lawful duties and responsibilities, and shall therefore be accorded due respect and protection.

SEC. 13. *Rights of Schools.*—In addition to other rights provided for by law, schools shall enjoy the following:

1. The right of their governing boards or lawful authorities to provide for the proper governance of the school and to adopt and enforce administrative or management systems.
2. The right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be the subjects of the study and research.

Chapter 3

Duties and Obligations

SEC. 14. *Duties of Parents.*—In addition to those provided for under existing laws, all parents shall have the following duties and obligations:

1. Parents, individually or collectively, through the school systems, shall help carry out the educational objectives in accordance with national goals.
2. Parents shall be obliged to enable their children to obtain elementary education and shall strive to enable them to obtain secondary and higher education in the pursuance of the right formation of the youth.
3. Parents shall cooperate with the school in the implementation of the school program curricular and co-curricular

SEC. 15. *Duties and Responsibilities of Students.*—In addition to those provided for under existing laws, every student shall:

1. Exert his utmost to develop his potentialities for service, particularly by undergoing an education suited to his abilities, in order that he may become an asset to his family and to society.
2. Uphold the academic integrity of the school, endeavor to achieve academic excellence and abide by the rules and regulations governing his academic responsibilities and moral integrity.
3. Promote and maintain the peace and tranquility of the school by observing the rules of discipline, and by exerting efforts to attain harmonious relationships with fellow students, the teaching and academic staff and other school personnel.