19th Regular Session

QUEZON CITY ORDINANCE NO. SP-2269, S-2014, March 18, 2014

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Introduced by Councilor JESUS MANUEL C. SUNTAY.

Co-introduced by Councilors Dorothy A. Delarmente, Lena Marie P. Juico, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Estrella C. Valmocina, Franz S. Pumaren, Jaime F. Borres, Vincent DG. Belmonte, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Candy A. Medina, Diarella Maria G. Sotto, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, Section 2 (2) and (3) of Article XIV - Education, Science and Technology, Arts, Culture and Sports of the 1987 Constitution of the Republic of the Philippines provides that it is the State's unequivocal obligation:

"Section 2. The State shall:

XXX

(2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of the parents to rear their children, elementary education is compulsory for all children of school age ;
(3) Establish and maintain a system of scholarship grants, Student loan programs, subsidies and other incentives which shall be available to deserving students in both public and private schools, especially the underprivileged."

WHEREAS, Sections 16, 17 (b) (4) (ii) and 458 (5) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", provides for the City's Power to enact measures to promote General Welfare and Basic Services and Facilities to their constituents:

"Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as power necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, and local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their, residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

XXX

(4) For a City:

All the services and facilities of the municipality and province, and in addition thereto, the following:

XXX

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(ii) Support, for education, police and fire services and facilities

XXX

(5) Approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of this Code ..."

WHEREAS, it is recognized that despite earnest efforts on the part of both the national government and the local government units in order to make both primary and secondary education accessible to all persons, most importantly to the underprivileged, the prohibitive cost of non- tuition and matriculation fees component of educational expenses still deter them from availing free primary and secondary public education;

WHEREAS, there is a need to bridge the gap between existing efforts in providing quality and free education to a greater number of people not just by construction of infrastructures and provision of conducive learning environment but also in terms of school materials, implements and miscellaneous subsidies to further reduce the cost of education on the part of the citizens;

WHEREAS, faithful to their mandate to act not just as conduits for delivering basic services and facilities to their constituents and in protecting the constitutionally protected rights of the people to education, it is now incumbent upon the City Government to give full fruition to the law by ensuring that its constituents are not only afforded the opportunities to study but to have the basic means to avail of it.

NOW, THEREFORE,

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

SECTION 1. TITLE - This ordinance shall be known as "The Basic Education Enhancement Program of Quezon City."

SECTION 2. DECLARATION OF POLICY - It is the policy of the Quezon City Government to provide its constituents with basic educational materials in order to alleviate the financial burden on the part of the indigent families who are bona fide residents of Quezon City.

The City Government shall promote the right of every individual to relevant quality education, regardless of sex, age, and economic status. The City Government shall promote and maintain equality of access to education as well as basic educational materials.

SECTION 3. DEFINITION OF TERMS - For the purpose of this ordinance, the following terms shall mean:

a)

Alternative Learning System (ALS) - this is a module based educational program implemented by the Department of Education (DepEd) affording free education to the marginalized members of the community which includes but is not limited to out of school youth, inmate, persons with disability, industry based workers, members of the cultural minorities and the economically challenged people who cannot avail of formal schooling.

b).

Barangay Officials - shall refer to elected Barangay Officials.

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c).

Beneficiaries - applicants who met the minimum requirements as set forth in the ordinance.

d).

Contingency Educational Supplies - this pertains to the educational find. miscellaneous supplies to be provided by the Quezon City government to each public school at the beginning of every school year for purposes of easier distribution during the same period as the need for the supplies arises.

e).

Educational Materials, Implements - benefits to be received by the beneficiaries depending on their respective grade or year levels. The benefits stated herein are as follows:

i).

Regular School Uniform

ii).

Physical Education Uniform

iii).

Prescribed Workbooks

iv).

School Bags

v).

School Supplies

f).

Guardian - refers to the person exercising parental authority over the student in the absence of his/her parent.

g).

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Local School Authorities - shall pertain to individuals having direct supervision over the students and exercises parental control within the school premises.

h).

Miscellaneous Needs - refers to the incidental needs of the students for schooling such as but not limited to rain coats, rain boots, umbrellas, laboratory gowns, recommended meals for the daily nutritional needs of a child, and graduation toga.

i).

Proof of Enrollment - refers to any document issued by the duly authorized school official showing that the student is enrolled for that particular academic year.

j).

Receiving Offices / Departments - pertains to the Social Services Development Department (SSDD); Office of the Mayor, Office of the Vice Mayor; and Offices of the City Councilors in the District where the requesting party resides who will receive the request letters.

k).

Requesting Party - shall refer to the (1) students themselves who intends to avail of the benefits under this Ordinance; (2) parents or legal guardian exercising parental supervision over the student; (3) proper local school authorities; (4) Barangay Officials and other local governing authorities; and (5) any individual having personal knowledge of the financial capability of the applicant and/or his family.

l).

SSDD - Social Services Development Department of Quezon City.

m).

Students - those enrolled in and who regularly attend in an educational institution.

n).

Underprivileged student - individuals with net family monthly income of not more than ten thousand (Php10, 000.00) pesos.

SECTION 4. QUALIFICATIONS OF STUDENT APPLICANTS - The benefits provided in the succeeding section shall be given to the underprivileged public school students of Quezon City if the following requirements are satisfied:

- That the student is enrolled in a public school of Quezon City;

- That the student is a bona fide resident of Quezon City;

- That the total net income per month of his/her family, guardian, or any person who has parental authority over them is not more than fifteen thousand pesos (PHP15,000 00)

SECTION 5. SCOPE OF BENEFITS - The student beneficiaries of this Ordinance will be entitled to:

1)

For Kindergarten Students

i)

Regular School Uniforms with socks and shoes

ii)

Physical Education Uniform - One set of P.E. uniform with shoes

iii)

Prescribed Work Books

iv).

School Bags

v).

School Supplies including, but not limited to crayons, eraser, ruler, protractor, pencils, sharpener, long and short folders and envelopes, pad paper, and notebook

vi).

Miscellaneous Needs - Rain coats, rain boots and towels

vii).

Nutritional Meals

2).

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For Elementary and High School Students

i.

Regular School Uniforms - Two set of uniforms with socks and shoes per applicant to be provided by the City Government annually.

ii.

Physical Education Uniform - One set of P.E. uniform with shoes.

iii.

Prescribed Work Books - Only for the four core subjects namely Science, Math, Filipino, and English.

iv.

School Bags

v.

School Supplies

vi.

Miscellaneous Needs - rain coats, rain boots, umbrellas, laboratory gowns and towels.

For elementary: including but not limited to double crayons, eraser, ruler, protractor, pencils, sharpener, long and short folders and envelopes, pad paper, and notebook

For high school: including but not limited to spiral notebook, pad paper, ballpen, ruler, pencil.

Additional for Graduating students

i.

Lending of Graduation Toga (including hood and cap)

3).

For the learners of Alternative Learning System (ALS)

i).

Regular School Uniforms which shall be consist of printed white shirts bearing the logo of ALS and Quezon City

ii).

Reproduction of modules prescribed by DepEd for the program

iii).

Identification cards

iv).

School Bags

iv).

School Supplies including but not limited to eraser, ruler, pencils, ball pens, sharpener, long and short folders and envelopes, pad papers, and notebooks

vi).

Miscellaneous Needs - Rain coats, rain boots and towels

vii).

Nutritional Meals

SECTION 6. PROCEDURE - The requesting party may qualify as a beneficiary in any of the following manners:

1.

he/she submits his/her personal request;

2.

request is submitted by the student's parents and/or legal guardian or the head of institution or foster home which has custody of the student;

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3.

endorsement by the proper local school authorities (principal, teacher, officials of the Parent Teacher Association);

4.

endorsement from the Barangay Officials ;

5.

endorsement by any individual having personal knowledge of the financial capability of the requesting party and/or his family.

II. The requesting party shall submit a request letter stating the intention to avail of the benefits under this Ordinance in any of the following offices / departments:

1).

Social Services Development Department (SSDD);

2).

Office of the City Mayor;

3).

Office of the Vice Mayor;

4).

Offices of the members of the City Councilors in the district where the requesting party resides

III. The request letter must be accompanied by supporting documents that would establish the family's financial circumstances that would justify the grant of the benefits.

a).

personal request

i).

Letter signed by the student;

ii).

Certification of Indigency from any of the fallowing: (1) the Barangay where the student is residing; (2) the principal of the school where the student is entitled; (3) former or present teacher of the student; (4) any

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individual having personal knowledge of the financial capability of the requesting party and/or his family; and

iii).

Proof of enrollment.

b).

Request by the student's parents and/or legal guardian or the head of institution or foster home which has custody of the student

i).

Letter signed by the requesting party stating the intention to avail of the benefits for a student and indicating their relationship;

ii).

Certification of Indigency from any of the following: (1) the Barangay where the student is residing; (2) the principal of the institution where the student is enrolled; (3) former or present teacher of the student; (4) any individual having personal knowledge of the financial capability of the requesting party and/or his family; and

iii).

Proof of enrollment,

c).

Endorsement from the proper local school authorities where the student is enrolled (principal, teacher, officials of the Parent Teacher. Association)

i).

Cover letter signed by the requesting party stating intention to avail of the benefits for and in behalf of the student/s:

ii).

List of students that the requesting party is endorsing. The list must include (1) the names; (2) addresses; (3) other important general profile of the students (4) age group of the class or list;

iii)

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Certification of Indigency from any of the following: (1) the Barangay where the school is located; (2) the principal of the institution where the students are enrolled; (3) any individual having personal knowledge of the financial capability of the applicant and/or his family; and

iv)

Proof of enrollment.

d.

endorsement from the Barangay Officials;

i)

Cover letter signed by the requesting party stating intention to avail of the benefits for and in behalf of the student/s;

ii)

List of students that the requesting party is endorsing. The list must include (1) the names; (2) addresses; (3) other pertinent general profile of the students (4) age group of the class or list;

iii)

Certification of Indigency from any of the following: (1) the Barangay where the school is located; (2) the principal of the institution where the students are enrolled; (3) former or present teacher of the student; and (4) any individual having personal knowledge of the financial capability of the requesting party and/or his family; and

iv).

Proof of enrollment.

e.

endorsement by any individual having personal knowledge of the financial capability of the requesting party and/or his family

i.

Letter signed by the requesting party stating intention to avail of the benefits for a student and indicating their relationship;

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ii.

General Profile of the student such as (1) full name; (2) address; (3) parents name; (4) school where the student is enrolled;

iii.

Certification of Indigency from any of the following: (1) the Barangay where the school is located; (2) the principal of the institution where the students are enrolled; and (3) former or present teacher of the student; and

iv.

Proof of enrollment.

SECTION 7. DEPARTMENT TASKED TO IMPLEMENT THIS ORDINANCE - The Office of the City Administrator of Quezon City shall be in charge of the following duties and responsibilities:

- To coordinate between the Requesting Party/ies and the Receiving Offices with regard to the proper implementation of the provisions of this ordinance;

- To coordinate with the Receiving Offices/Department enumerated in Section 6 (ii) whenever a request for any of the benefits provided herein had been communicated to the former, provided that the requesting parties complied with the requirements set forth by this ordinance;

- To formulate a complementary framework for the procurement and acquisition of the educational materials defined herein in accordance with the mandates set forth in R.A. No. 9184; and

- To make quarterly reports to the City Council regarding the available funds for the implementation of this ordinance, taken from the General Appropriations Fund of 2014 and every year thereafter in order to make a proper assessment of the school supplies to be purchased for the next succeeding school years.

SECTION 8. LIQUIDATION - The Office of the City Administrator shall provide the City Council with a liquidation of the expenses incurred for the procurement of the supplies provided herein every quarter of the year subject to proper auditing and accounting procedure.

SECTION 9. APPROVAL OF THE APPLICATION - There shall be no minimum grade requirement in order to avail of the benefits. It is enough that the proper authorities tasked to implement this ordinance are satisfied that the applicant has complied with the requirements set forth herein

SECTION 10. AVAILMENT OF THE BENEFITS IN THE MIDDLE OF THE ACADEMIC YEAR. The public schools in Quezon City shall be provided with contingency educational supplies. These contingency supplies will be officially turned over to the designated property custodian of each school who shall be in charge of storing end safekeeping of the same. The quantity at such supplies shall vary from school to school depending on the total number of enrolled student beneficiaries for each academic year.

At the beginning of every school year, these supplies shall be provided to all public schools in Quezon City. This will address the continuing needs of the students for such supply during the said period. Furthermore, this will ensure that educational materials shall be readily available to the students as the need arises.

Students or those acting for and/or in their behalf may avail of the educational materials provided in Section 5 at any time during the course of the academic year.

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Request letters are to be submitted by the requesting party to the designated property custodian of the school who shall at the same time be responsible for the dispensation of the requested supplies to the beneficiaries.

For auditing purposes, the Property Custodian is tasked to submit all the accumulated and recorded request letters received during the academic year to the receiving offices for information and appropriate action.

SECTION 11. RENEWAL OF THE APPLICATION - After every school year, the qualified requesting party may renew their application and continue to be in the list of beneficiaries. Provided, that the applicant must continue to possess the qualifications and none of the disqualification as enumerated in Section 4 of this Ordinance. Provided, further that documentary requirements in Section 6 must be attached to the request for renewal.

SECTION 12. DISQUALIFICATION - A student determined eligible under Section 4 of this Ordinance shall continue to be eligible; unless, proven through a sworn statement and/or other evidence that the qualifications no longer exist.

SECTION 13. PURCHASE OF EDUCATIONAL MATERIAL -

All purchases made in accordance with this ordinance by the City Administrator, as the implementing agency, shall be in accordance with Republic Act No. 9184 (An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and for other Purposes).

SECTION 14. APPROPRIATION - The necessary amount shall be appropriated and be included in the 2015 General Appropriations Budget and every year thereafter.

SECTION 15. AUDITING PROCEDURE - The use of the allocated funds, purchase and distribution of Educational Materials shall be subjected to the required auditing procedure.

SECTION 16. ANNUAL REPORT - The Division of City School is tasked to prepare and submit annually to the City Council the data/statistics of the total number of students who may be beneficiaries of this program. Prepare and submit reports to the City Council for the purpose of budget allocation needed in the next fiscal year necessary for the continuous Implementation of the program. Further, the Barangay Officials and the Social Services Development Department are also tasked to submit a written report regarding the current number of beneficiaries in their respective areas of responsibility. They are also assigned to come up with data projections specifying the potential number of beneficiaries of the program in preparation for the procurement of educational supplies for the succeeding year. The City Administrator is tasked to prepare and submit quarterly to the City Council the available funds allotted for the implementation of this program.

SECTION 17. REPEALING CLAUSE -All ordinances, resolutions, local executive orders, rules and regulations or any part thereof inconsistent herewith are deemed repealed, modified or amended accordingly.

SECTION 18. SEPARABILITY CLAUSE - In case any provision of this Ordinance is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall continue in full force and effect.

SECTION 19. EFFECTIVITY CLAUSE - This Ordinance shall take effect immediately upon its approval.

ENACTED: February 17, 2014.

(Sgd.) DOROTHY A. DELARMANTE
President Pro-Tempore
Acting Presiding Officer

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ATTESTED:

(Sgd.) ATTY. JOHN THOMAS S. ALFEROS III
City Gov't Asst. Dept. Head III

APPROVED : 18 MAR2014

(Sgd.) HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 17, 2014 and we PASSED on Third/Final Reading on February 24, 2014.

(Sgd.) ATTY. JOHN THOMAS S. ALFEROS III
City Gov't Asst. Dept. Head III

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