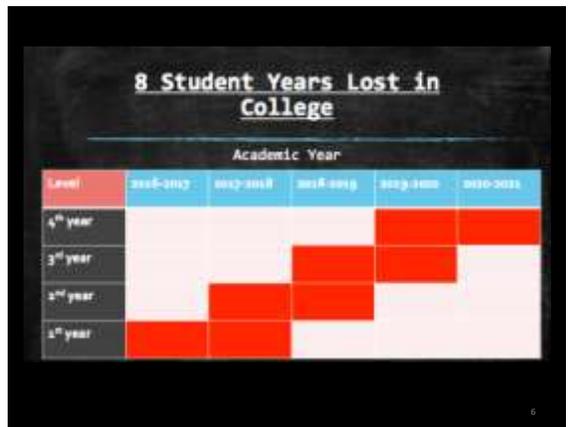


Republic Act 10533 =12  
Enhanced Basic Education Act of 2013





**NO MINISTERIAL GRANT** to Existing Educational Institutions  
the **AUTHORITY** to offer the Senior High School Program



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**Requirements:**

- DepEd Favorable Endorsement to SEC
- Tuition Fees
- List of Faculty and Personnel to be Assigned to SHS
- Inventory of Equipments & Laboratories
- Ownership of Site
- Memorandum of Agreements & Partnerships

(See DepEd Memo 4, s. 2014)



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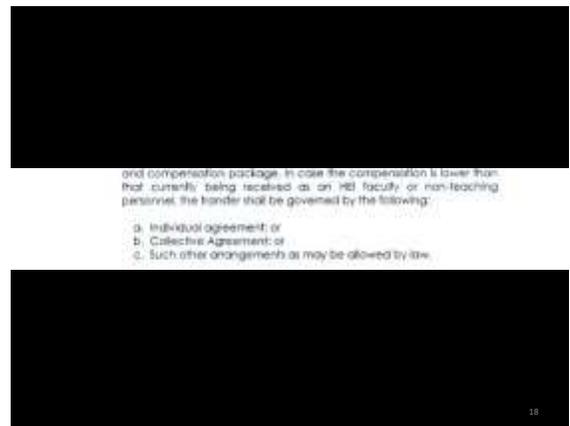
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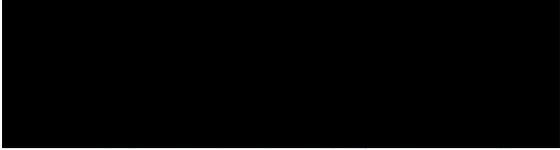
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8. Without prejudice to existing collective bargaining agreements or institutional policies, HEI faculty and non-teaching personnel who may not be considered based on the established criteria of the HEI in the secondary level within the same institution, may avail of the retraining program pursuant to the provisions of the Labor Code, as amended, or such other remedies as may be provided by law or mutual agreement of the parties.



While the government should be vigilant in protecting labor from exploitation during the transition period of the K to 12 Program, it should not lose sight that private educational institutions have legal rights too under the law, and on top of these rights is the right of survival and self-preservation.





- RA 10627 does not criminalize “bullying”.
- The onus is on the schools, not on the bully.

### Obligations of Private Schools under the Law & IRR

- 1) Adopt Anti-Bullying Policies;
- 2) Adopt Intervention and Prevention Programs;
- 3) Create an Anti-Bullying Committee in relation to the Child Protection Committee under DepEd Order No. 40, S. of 2012. (Sec. 9, Rule VI, IRR);
- 4) Submit to the monitoring of DepEd on compliance with the IRR;

- 5) Keep records and statistics of bullying incidents;
- 6) Observe due process in Disciplinary Measures involving incidents of bullying;

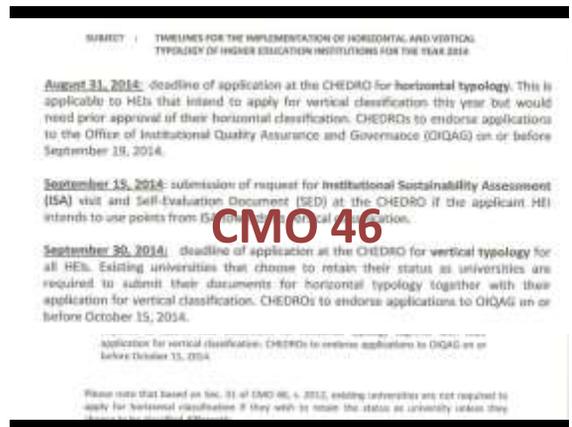
- 7) Initiate and conduct training and development programs and activities that provide opportunities for administrators, teachers, school personnel, teachers, service providers, and other stakeholders to enhance their knowledge and skills in preventing and responding to incidents of bullying or retaliation.

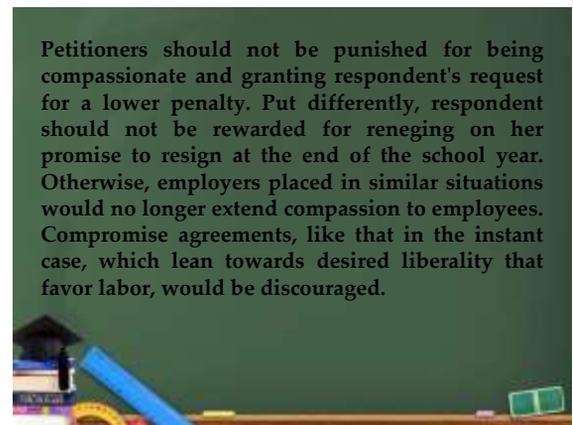
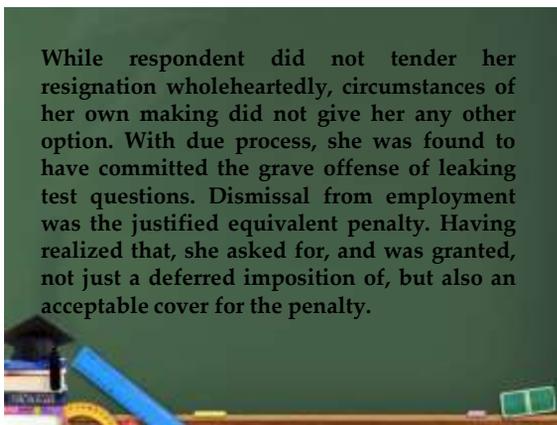
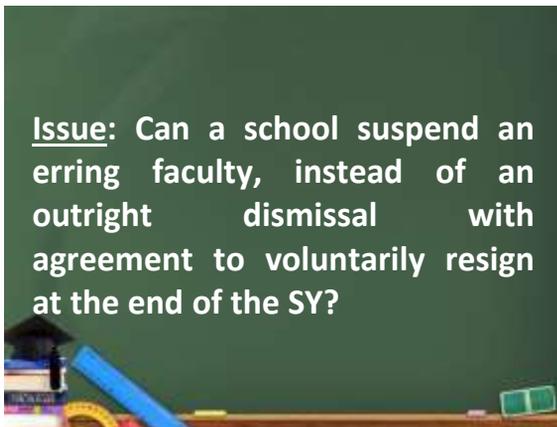
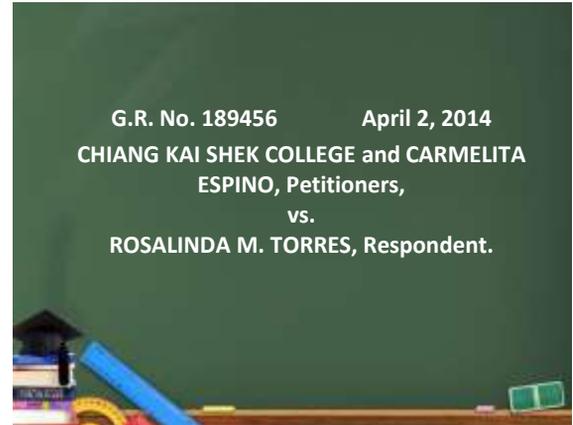
- The School recognizes that with the advancement of modern technologies, acts of bullying may be perpetrated outside the campus which leads to further bullying inside the campus.

## Cyberbullying

- Text Messages, Internet and Social Media. Bullying of students in Text Messages, Emails, Chat rooms, Facebook, Instagram, Twitter, and other social media sites regardless whether the administrator of the same allows foul or explicit language or content or otherwise does not require any particular standard of use, shall likewise be prohibited.

ANTI-BULLYING POLICY TEMPLATE FOR CEAP SCHOOLS MAY BE DOWNLOADED FROM THE CEAP WEBSITE OR EMAIL: [jnmestrada@geattorneys.com](mailto:jnmestrada@geattorneys.com)





G.R. No. 193897                      January 23, 2013  
 UNIVERSITY OF THE EAST, DEAN  
 ELEANOR JAVIER, RONNIE GILLEG0 and  
 DR. JOSE C. BENEDICTO, Petitioners,  
 vs.  
 ANALIZA F. PEPANIO and MARITI D.  
 BUENO, Respondents.

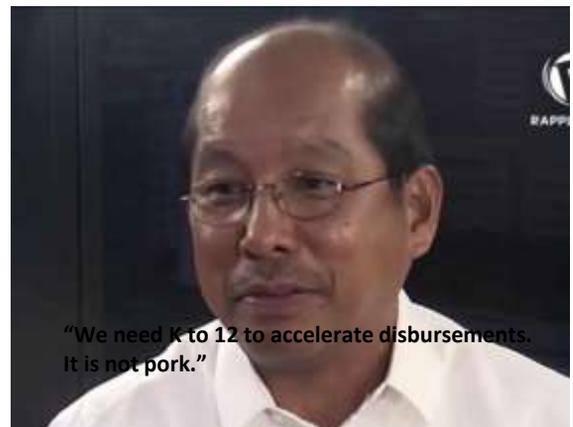
- Facts: Bueno and Pepanio were hired on a semester-to-semester basis because they lack the relevant MA degrees.
- They were later extended probationary contracts with the condition to acquire the MA within the probationary period.
- Bueno and Pepanio requested that they be granted regular status at the end of the probationary period despite not having acquired the academic qualification

- UE was willing to extend the probationary period for 2 semesters for their compliance.
- Bueno and Pepanio complained of illegal dismissal.

• **ISSUE: CAN FACULTY BE DEEMED TO HAVE ACQUIRED PERMANENT STATUS IF THEY HAVE SATISFIED ALL REQUIREMENTS OF PROBATIONARY EMPLOYMENT EXCEPT ACADEMIC QUALIFICATION?**

- **DECISION: NO.** The Court held in *Escorpizo v. University of Baguio*, a school CBA must be read in conjunction with statutory and administrative regulations governing faculty qualifications. Such regulations form part of a valid CBA. Stipulations, clauses, terms and conditions, and the right to contract is still subject to the limitation that the agreement must not be contrary to law or public policy.

- The requirement of a masteral degree for tertiary education teachers is not unreasonable.
- 1992 Manual
- Joint Order No. 1, s. 1996
- MORPHEI





QUESTIONS?

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