

ORDINANCE NO. 2015-012
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**AN ORDINANCE CODIFYING THE POLICIES AND PROGRAMS ON
EDUCATION OF THE CITY OF NAGA: -**

Introduced by: Hon. Nelson S. Legacion - City Vice Mayor

Sponsored by: Hon. Gregorio Re Abonal
Hon. Elmer S. Baldemoro
Hon. Gabriel H. Bordado Jr.
Hon. Mila SD. Raquid-Arroyo
Hon. Ray-An Cydrick G. Rentoy

EXPLANATORY NOTE

The 1987 Constitution of the Republic of the Philippines clearly provides that it is the obligation of the State to protect and promote the right of all citizens to quality education at all levels, and to take appropriate steps to make such education accessible to all. Quality and accessible education, therefore, is among the key social services that the government should provide its constituencies.

In consonance with the aforementioned provision of the Constitution and in view of the H²ELP your CiTy agenda of the present administration, the City Government of Naga has put premium on pushing for a more effective and more responsive educational system in the city. Various policies and programs have been conceived and established to promote quality and accessible education in Naga.

These initiatives of the city government, however, should be well organized and properly harmonized to ensure that they bring forth their maximum benefit to society. A comprehensive code for education also serves as an easy reference for the public, enhancing their awareness and knowledge on the city's numerous programs and laws on education, improving their availment of the same, and, consequently, developing further the city's human resources for the attainment of sustainable and inclusive economic growth. Given this:

Be it ordained, therefore, by the Sangguniang Panlungsod of the City of Naga that:

TITLE I. BASIC PRINCIPLES

SECTION 1. - TITLE.- For brevity, this Ordinance shall be known as the "EDUCATION CODE OF NAGA CITY."

SECTION 2. - DECLARATION OF STATE POLICIES.- It is hereby the declared policies of the State and of the City Government of Naga to:

- a. recognize education as an instrument for an individual's maximum participation in development and governance and in ensuring his involvement in achieving equitable and sustainable economic growth and social progress;
- b. establish, maintain and support a complete, adequate, and integrated system of education relevant to the needs of the people, the country and society-at-large; and,

- c. 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.

SECTION 3. - COVERAGE.- The provisions of this code shall prescribe and regulate the multifarious programs and projects of the City Government of Naga on the improvement and development of quality and accessible education in the city. All concerned offices of the city government are hereby enjoined to observe the regulations in this code and to deliver efficiently and effectively the services provided herein to our constituencies, most especially the young Nagueños.

SECTION 4. - DEFINITION OF TERMS.- For the purposes of this Code, the following terms shall mean as follows:

- a. EDUCARE CENTER – refers to government-run schools or institutions of learning catering to the educational needs of children with ages ranging from 3 years old to 4 years and 7 months old;
- b. SCHOOLS FOR EARLY EDUCATION AND DEVELOPMENT(SEED) – refers to the Montessori-type schools established and being managed by the City Government of Naga which primarily cater to educational needs of pre-school children;
- c. CHILDREN WITH SPECIAL EDUCATIONAL NEEDS – refers to children with impaired physical, intellectual, social, emotional, linguistic, or other disabilities;
- d. INCLUSIVE – refers to the principle, policy, and practice of allowing full access to the services and facilities offered by schools to all children regardless of whether they are children with special needs or not;
- e. CSWDO – refers to the City Social Welfare and Development Office.
- f. QUEEN PROGRAM – means Quality Universal Education Empowerment in Naga. The use of the expressions Kindergarten Queen, Elementary Queen, or Secondary Queen for specific references is self-explanatory.
- g. QUEEN MANAGEMENT TEAM (QMT) – refers to that body herein created to oversee the implementation of the QUEEN program and address operational issues that may arise, with the end view of ensuring that its objectives are successfully carried out.
- h. PARENTS TEACHERS (COMMUNITY) ASSOCIATION (PTCA AND PTA) – refers to the private voluntary organization in all the public elementary and secondary schools under the Department of Education duly organized and existing pursuant to DepEd Order No. 23, s. 2002 and under other applicable laws and regulations.
- i. QUEEN PARENTS ASSOCIATION (QPA) – refers to the organization of parents of beneficiaries of the QUEEN program whether school-based or zone/community-based.
- j. QUEEN COORDINATOR – shall mean the person designated by the City Mayor in each barangay tasked with the duty to assist the city in the implementation of its QUEEN Program.

- k. SEED PROGRAM - refers to the establishment and management of the City Government of Naga of Montessori-type schools, which are geared towards the provision of world-class quality education to pre-school children of Naga.
- l. SEED MONTESSORI – refers to the schools established and being run by the City Government of Naga whose quality of education and methods of instructions are compliant with the standards set for Montessori-type schools
- m. SCHOLAR OR GRANTEE – refers to a poor but deserving college or technical vocational student who qualified as beneficiary and given the financial assistance herein provided;
- n. POOR – refers to an individual whose gross monthly income and that of his immediate family living with him or with whom he is living do not exceed Php15,000.00 per month;
- o. POOREST OF THE POOR – shall mean an individual whose gross monthly income and that of his immediate family do not exceed the amount of Three Thousand Pesos (Php3,000.00) and who does not own real property with a fair market value as stated in the current tax declaration of more than seventy five thousand (Php75,000.00) pesos, including the beneficiaries of the city's Sanggawadan Program and the national government's PantawidPamilyang Pilipino Program (4Ps) with the qualification to the latter duly verified by the City Social Welfare and Development Office; and
- p. GAINFUL EMPLOYMENT OR SOURCE OF LIVELIHOOD – shall mean work, business or undertaking of whatever nature that gives the earner a monthly income of at least triple the prescribed minimum wage in the City net of taxes and other statutory impositions.
- q. STUDENT – shall mean any elementary and high school student enrolled in a public or private school in the City of Naga;
- r. TRUANT – shall refer to a student who is absent from school without valid cause;
- s. SCHOOL - shall refer to any public and private elementary and secondary school in the City of Naga;
- t. SCHOOL HOURS – shall refer to the time that elementary and secondary schools (except night high schools) normally operate, i.e, from 7:00 a.m. to 12:00 noon and from 1:00 to 5:00 p.m. during weekdays (Monday to Friday), except when a weekday falls on a holiday;
- u. BUSINESS ESTABLISHMENT – shall refer to internet cafes, computer shops/centers, video shops/centers, billiard halls, movie houses and other similar entertainment establishments in the City of Naga;
- v. OPERATOR – shall mean the owner, manager, administrator, lessee or any person who operates and is responsible for the operation of a business establishment;
- w. PARENT - shall refer to a person who is a natural parent, adoptive parent, or step-parent of a minor;
- x. GUARDIAN – shall refer to any of the following:

- i. A person who, under court order, is the guardian of the person of a minor;
 - ii. A public or private agency with whom a minor has been placed for custody by a court;
 - iii. A person in charge of the custody or who is taking care of a minor, whether relative or not; or
 - iv. A person at least eighteen (18) years of age and authorized by a parent or guardian to accompany a minor in a public place or to have the care and custody over him/her.
- y. PUBLIC PLACE - shall mean a place located in the City of Naga where the general public, or a substantial group of people, have access, including, but not limited to, streets, highways, sidewalks, parking lots, vacant lots or any unsupervised place, parks, and the common areas in and about churches, apartment buildings, office buildings, hospitals, schools, shops and places of entertainment such as movie theaters and similar places and business establishments.
- z. LINGER OR STAY - shall mean to loiter or remain, or to refuse to leave when requested to do so by a police officer, or by the owner or other person in control of a public place. This term also encompasses activities which may be mobile, such as walking, driving, and riding about in a public place or business establishment.
- aa. EMERGENCY - shall refer to an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- bb. CHILD – shall refer to a person who is below eighteen (18) years of age, or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.
- cc. CORPORAL PUNISHMENT – shall refer to punishment or penalty for an offense or imagined offense, and/or acts carried out to discipline, train or control a child, inflicted by an adult or by another child, which result in or likely to result to physical maltreatment or psychological harm or suffering to the child.
- i. As used in the immediately preceding paragraph, physical maltreatment refers to punishment or penalty which causes bodily harm, including but not limited to the following:
 - 1. Blows to any part of the child's body, with or without the use of an instrument such as a cane, shoes, broom, stick, whip or belt, through acts such as but not limited to (1) beating, (2) kicking, (3) hitting, (4) slapping, or (5) lashing;
 - 2. Acts perpetrated as a form of punishment for an offense committed by the child, such as but not limited to (1) pinching, (2) pulling ears or hair, (3) shaking, (4) twisting joints, (5) cutting and shaving hair, or (6) dragging or throwing a child;
 - 3. Forcing a child, through the use of power, authority or threats, to perform physically painful or damaging acts, such as but not limited to (1) holding a weight or weights for an extended period, (2) kneeling on salt, seeds, stones or pebbles, (3) squatting, or (4) standing or sitting in a contorted position;
 - 4. Bringing the child in contact with or exposure to, as punishment or for the purpose of discipline, external substances, such as burning or freezing materials, water, smoke, pepper, alcohol, excrement, urine or other

- dangerous or unhygienic substances causing certain degree of suffering, however light;
5. Use of hazardous tasks as punishment or for the purpose of discipline, including those that are beyond a child's strength. Such tasks include but not limited to (1) sweeping, digging or standing under the (extreme) heat of the sun or under the (pouring) rain (for an extended period of time) or (2) unprotected cleaning of toilets;
 6. Confinement, including being shut in a confined space or material, tied up, hung in a sack or forced to remain in one position for an extended period of time; and,
 7. Any other physical act perpetrated on a child's body, for the purpose of punishment or discipline, intended to cause some degree of pain or discomfort, however light;
- ii. Psychological harm or suffering refers to acts or omissions causing mental or emotional suffering to the child, such as but not limited to:
1. Deliberate neglect of a child's mental, emotional, physical, social and spiritual needs when said neglect is intended as punishment;
 2. Verbal Abuse which consists of scolding, swearing, yelling, blaming, insulting, ridiculing, demeaning, and criticizing through the use of harsh, angry and derogatory words or remarks. (Provided, that the same is done in a constant, frequent and/or severe manner).
 3. Making a child look or feel foolish in front of one's peers and/or the public;
 4. Other acts or omissions which belittle, humiliate, blame, ignore or isolate the child.
- dd. FOSTER PARENTS – shall refer to persons duly licensed by the Department of Social Welfare and Development (DSWD) to provide planned, temporary, and substitute parental care to children.
- ee. PERSONS LEGALLY RESPONSIBLE FOR THE CHILD, INCLUDING THOSE EXERCISING SPECIAL OR SUBSTITUTE PARENTAL AUTHORITY - shall refer to the following, in default of parents or a judicially appointed guardian, and in the order indicated:
- i. The surviving grandparent;
 - ii. The oldest brother or sister, over twenty-one years of age, unless unfit or disqualified; and
 - iii. The child's actual custodian, over twenty-one years of age, unless unfit or disqualified.
- ff. POSITIVE DISCIPLINE – shall refer to an approach to parenting that teaches children and guides their behavior, while respecting their rights to healthy development, protection from violence and participation in their learning. The positive and non-violent approach of disciplining a child shall include, but not limited, to the following:
- i. Beat-the-Clock which refers to a motivational technique that uses the child's competitive nature to encourage completion of tasks on parent's timetable;
 - ii. Grandma's Rule which refers to a contractual agreement that allows a child to do what the child pleases as soon as what the parent wants has been accomplished;
 - iii. Neutral time which refers to the taking advantage of time that is free from conflict, such as the time after a tantrum has passed and the child is calm and receptive, to teach new behavior to the child;

- iv. Praise referring to a verbal recognition of a behavior that a parent wants to reinforce;
 - v. Reprimand referring to statements that include a command to stop the behavior, a reason why the behavior should stop, and an alternative to the behavior;
 - vi. Rule which refers to a pre-determined behavioral expectation that includes a stated outcome and consequence;
 - vii. Time Out or to take the child out of a situation because of inappropriate behavior, making the child face a blank wall for several minutes or until the child calms down;
 - viii. Responsibility Building which refers to making a child perform age-appropriate simple household chores.
- gg. SERVICE PROVIDERS – shall refer to any person who, in a residential or non-residential setting, provides services to children. These include social workers, center administrators and personnel, house parents, health service providers, day care workers, volunteers, security guards in schools and centers, guards in a youth detention home, law enforcement officers, barangay officials and tanods, and jail officers.
- hh. TEACHERS AND SCHOOL OFFICIALS AND ADMINISTRATORS – shall refer to persons exercising authority over students, including guidance counselors, prefects of discipline, physical education instructors, school personnel, scout masters and Citizen’s Advancement Training (CAT) and Citizen’s Military Training (CMT) or Reserved Officer’s Training Corps (ROTC) commandants, tactical officers and student officers.
- ii. YAYAS, HOUSEMAIDS AND CAREGIVERS – shall refer to domestic workers with direct contact to a child.
- jj. INSTITUTIONS – shall refer to residential and non-residential child-caring agencies, including youth homes, youth rehabilitation centers, drop-in centers, temporary shelters and orphanages, and churches or religious centers, including places of worship and parish centers.
- kk. NAGA CITY ESKWELA CENTER – shall refer to the already established Alternative Learning System’s (ALS) learning center attending to the educational concerns of out-of-school youths and adults (OSYAs) in the city which provides an ICT delivery platform for the Accreditation and Equivalency Program of the Department of Education giving OSYAs skills and knowledge to rejoin the formal education system and the opportunity for livelihood and employment;
- ll. BARANGAY ESKWELA CENTER – shall refer to the barangay-based e-learning center which complies with the basic infrastructure [at least 3 computer units (1 as a server unit, 2 for work stations) and a space/room for the eSkwelacenter] and personnel [at least one staff trained as an eSkwela learning facilitator] requirements;
- mm. ALTERNATIVE LEARNING SYSTEM– shall refer to the free basic education program for out-of-school youth (OSY) and out-of-school adult (OSA) being implemented by the Department of Education (DepEd) under the Bureau of Alternative Learning System which benefits those who cannot afford formal schooling and follows their available schedule. The program provides a viable alternative to the existing formal education instruction, encompassing both the non-formal and informal sources of knowledge and skills.

The program cuts the time needed to finish high school, hence, significantly cuts the expenses as well. Aside from giving hope to the less fortunate, it also provides opportunities to OSY and OSA elementary and secondary school drop-outs; industry-based workers; housewives; maids; factory workers; drivers; members of cultural minorities; indigenous people and the disabled/physically challenged.

Training for instructional managers and coordinators are also provided by the program and supports the learners' accreditation and equivalency (A&E) review.

TITLE II. EARLY EDUCATION

ARTICLE 1. THE EDUCARE PROGRAM

SECTION 5. – THE EDUCARE PROGRAM. – The EduCare Program is hereby institutionalized.

- a. It shall primarily strive to improve access to quality early education services for all pre-schoolers in Naga;
- b. To achieve the above-cited purpose, all EduCareCenters in the City of Naga are hereby declared as inclusive schools. They shall provide quality and accessible education to all pre-schoolers in Naga, regardless of their physical, mental and socio-economic conditions.

SECTION 6. – PROGRAM ADMINISTRATION. – All EduCareCenters in Naga shall be managed collaboratively and jointly by the city government, thru the Early Childhood Care and Development Division of the City Social Welfare and Development Office (ECCDD-CSWDO), and by the respective barangay government that has jurisdiction over the concerned EduCarecenter.

- a. The city government, thru the ECCDD-CSWDO, shall invest in the construction of EduCareCenters, equip each center with trained personnel, instructional equipment and learning devices required for its efficient and effective operation, oversee the over-all operations of the centers, including, among others, the performance of EduCare teachers and other personnel, and, finally, tap and match resources of the community, specifically the parents, the barangay council, national and local NGOs and national government agencies, for the continuous improvement of the centers.
- b. Barangay governments, meanwhile, shall be responsible for the upkeep of the structural integrity and conduciveness of the centers, the preservation of safety and order around and inside the centers, as well as the provision of financial and other necessary assistance for the sustained development of the EduCareCenters which shall include, among others, their respective counter-part in the monthly honoraria of EduCare teachers.

SECTION 7. – THE EDUCARE TEACHERS. – An EduCare teacher shall be endorsed by his respective punong barangay, screened and certified competent and hireable by the ECCDD-CSWDO, and hired and appointed by the barangay council of the EduCareCenter to which he/she will be finally assigned.

EduCare teachers are preferably residents of the barangay they will be assigned to, but residency shall not prohibit a barangay government from hiring qualified, proficient and efficient EduCare teachers from other barangays of Naga City. As a

matter of policy, however, all EduCare teachers should meet the following minimum criteria:

- a. Bonafide residents and registered voters of Naga City
- b. College graduate who has acquired at least 18 units of Education including credits in Methods of Teaching and/or Early Childhood Education;
- c. Not older than 35 years old on the date of application; and,
- d. Passer of the oral and written examinations conducted by the ECCDD-CSWDO

The duties and responsibilities of EduCare teachers shall include the following:

- a. Teach their students for a maximum of six (6) hours a day every weekdays;
- b. Devote at least two (2) hours each day for non-teaching tasks, such as classroom structuring, preparation of materials, session planning, documents and such other tasks necessary;
- c. Always maintain a friendly relationship with the pupils and their parents;
- d. Rate their pupils objectively;
- e. Submit required reports on time;
- f. Optimize utilization of school equipment, facilities and supplies;
- g. Maintain cleanliness and orderliness in the classroom and school campus;
- h. Groom and attire in a manner befitting the noblest profession;
- i. Strictly follow the Teachers' Code of Conduct and Ethics; and,
- j. Perform such other duties as the city and barangay officials may assign from time to time.

To compensate their time and effort, and to greatly appreciate their noble contribution to the development of the city, EduCare teachers shall be entitled to:

- a. Teacher's Honorarium

The honoraria of EduCare teachers shall be set by the CSWDO, per approval of the city mayor. To serve as counter-part in the implementation of the program, barangay councils are hereby mandated to provide additional honoraria of not less than P1,000/month to their respective EduCare teachers.

- b. Maternity and Sick Leaves

EduCare teachers shall be entitled to maternity and sick leaves with pay. In case of maternity leave or sick leave, the EduCare teacher shall still be entitled to receive the full amount of his/her honorarium from the city. His/Her barangay honoraria, however, shall be provided to his/her substitute teacher which shall be provided/assigned by the ECCDD-CSWDO.

Absence without leave (AWOL) or any kind of notification to the ECCDD-CSWDO shall not be covered by this provision, whether such is a result or consequence of maternity or sickness.

- c. Clothing Allowance

EduCare teachers are entitled to two (2) sets of uniform per school year.

- d. Pag-IBIG Benefit

EduCare teachers shall be enrolled to Pag-IBIG or the Home Development Mutual Fund. The city government shall automatically deduct P100 from the monthly honoraria of EduCare teachers to cover the latter's employee

contribution. The P100 employer's contribution of the city government shall be religiously remitted to the Pag-IBIG Fund.

e. Free Summer Training/Seminar

To develop further their competencies and skills, a one-time subsidy of P1,500/person shall be provided to teachers who will attend a seminar or training every vacation period/summer break.

f. 13th Month Pay

Each EduCare teacher shall be entitled to 13th Month Pay to be given by the city government every December. This benefit is only for every teacher who has served in the program for more than six (6) months prior to December, has satisfactory rating in his/her performance and has not committed any kind of grave offense detrimental to his/her individual dignity as educator, to the welfare of his/her clientele (i.e. the children), and to reputation of the institution he/she serves.

SECTION 8. – COVERAGE OF THE EDUCARE PROGRAM. – Consistent with its goals, the EduCare Program shall be open for all pre-schoolers whose parents are bonafide residents and registered voters of the City of Naga.

For the purpose of this section, the following grounds shall be considered insufficient to justify refusal to admit a child:

- a. Lack/absence of trained personnel;
- b. Lack/absence of facilities; and,
- c. Special educational needs

For each count of violation under this section, a fine of Five Thousand Pesos (P5,000.00) shall be imposed against the personnel who committed such offense.

SECTION 9. – FEES AND CHARGES. – There shall be no enrolment fee. Only monthly dues shall be collected from parents of enrolled pre-schoolers, following the schedule below:

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|--|---|------------|
| For those enrolled in upland barangays (Cararayan, Carolina, Panicuason, Pacol, San Felipe and San Isidro) | - | P 75/month |
| All other barangays not mentioned above | - | P100/month |

The City Treasurer's Office is, therefore, hereby mandated to establish an efficient and effective mechanism for the collection of the aforementioned fees and for the issuance of the necessary official receipt. For economy and efficacy, the City Treasurer's Office may deputize personnel of the CSWDO, provided that all regulations, issuances and statutes relevant thereto are strictly adhered to.

ARTICLE 2. SCHOOLS FOR EARLY EDUCATION AND DEVELOPMENT

SECTION 10. – THE SEED PROGRAM. – The Schools for Early Education and Development (SEED) Program is hereby institutionalized. It shall refer to the establishment and management of the City Government of Naga of Montessori-type schools, which are geared towards the provision of world-class quality of education to pre-kindergarten children of Naga.

SECTION 11. -BASIC ADMISSION REQUIREMENTS.- To be admitted to either SEED Montessori I (located in Barangay Tinago) or SEED Montessori II (situated in City Hall Compound), the following minimum requirements should be met:

- a. The child to be admitted should be aged 3 to 3.5 years old for Nursery I; 3.6 to 4.5 years old for Nursery II;
- b. The child should undergo both the oral and written diagnostic assessments;
- c. The child's parents should be registered voters of Naga City; and,
- d. The child's parents should express agreement with the conditions for admission set by the City Government of Naga, through the City Social Welfare and Development Office.

SECTION 12. - PRIORITY FOR CHILDREN OF NAGA CITY HALL EMPLOYEES.-Priority for admission to either SEED Montessori I or SEED Montessori II shall be given to children of Naga City Hall employees, provided that these children meet the basic admission requirements and enrol within the time prescribed for them.

SECTION 13. -KINDERGARTEN-AGED CHILDREN.- Conformably with RA 10157, otherwise known as the Kindergarten Education Act, children of kindergarten age, i.e., 5 years or older, shall no longer be accommodated to the SEED Program..

SECTION 14. -TUITION AND OTHER FEES.- The prescribed monthly tuition fee from SY June 2014 to March 2015 and the following years thereafter, unless amended by a subsequent ordinance, is P800.00, provided that:

- a. Children and grandchildren of City Hall employees shall be entitled to 25% discount payable in cash or charged to their parents or grandparents through salary deduction;
- b. All children shall be entitled to 5% discount for full payment at enrolment time;
- c. All children shall pay P3,235.00 Admission Fee for uniforms, workbooks, and other school supplies and materials;
- d. Within SY 2014-2015, the Sangguniang Panlungsod shall prepare the feasibility toward full cost recovery of Montessori I and II.

SECTION 15. -FULL TERM ENROLMENT.- When a child enrolls at the SEED Program, he/she enrolls for the full term June to March. His/Her parents must therefore pay the tuition for the full ten months even if the child discontinues attendance for whatever reason.

TITLE III. BASIC EDUCATION

ARTICLE 3. QUALITY UNIVERSAL EDUCATION EMPOWERMENT IN NAGA (QUEEN) PROGRAM

SECTION 16. -THE QUEEN PROGRAM.- QUEEN is a non-political initiative that seeks to mobilize all stakeholders of the public school system, particularly at the community level, to ensure that all Nagueño school children will be able to complete quality basic education.

SECTION 17. -OBJECTIVES.- The program aims to ensure that all school children in Naga City will be able to access and complete quality kindergarten, elementary and high school education. Specifically, it seeks to:

- a. Raise local consciousness about the challenges facing Naga in regard to completion of basic education among school children;

- b. Provide the required funding support to ensure the provision of free elementary and high school education to children especially the underprivileged or those coming from financially handicapped families in the city; and
- c. Mobilize local communities and other stakeholders in providing the necessary support system towards ensuring that no school children will be left behind.

SECTION 18. –PROGRAM COVERAGE.- The QUEEN program shall cover resident Nagueños enrolled in public kindergarten, elementary, and high schools in the city, especially the underprivileged or those coming from financially handicapped families; Provided, that they comply with standard DepEd school regulations, and provided further, that their parents or guardians faithfully abide by the reasonable conditions that may be imposed under the program, such as but not limited to, attendance in BrigadaEskwela, rabuz, and parenting seminars.

SECTION 19. –MECHANICS.-The QUEEN Program shall be guided by the following general implementation guidelines defining the respective role of each stakeholder:

- a. The Program shall be implemented by the city government through the QUEEN Management Team herein created.
- b. The Naga City School Board shall provide the necessary funding requirement under the QUEEN Program.
- c. The Division of City Schools, together with all the public elementary and high schools in Naga, shall intensify efforts to monitor and track all pupils entering the system. During enrolment, there shall be zero unclaimed report cards.
- d. The Barangay Councils shall coordinate with local schools within their respective jurisdiction and encourage all parents to send and maintain their children in school.
- e. The Parents Teachers and Community Association and the Naga City People’s Council shall find ways of helping financially handicapped parents overcome problems in regard to putting and maintaining their children in school.
- f. The QUEEN Parents Association – shall assist in program implementation and in ensuring that the entitlements of the beneficiaries are duly received by them;
- g. In joining the project, parents shall commit to see their children through elementary and high school, ensure their regular attendance, and refrain from sending them to work or on other errands during school hours.

SECTION 20. -ENROLLMENT IN AND PROCEDURE FOR PROGRAM AVAILMENT.- Those availing of the QUEEN program and the corresponding benefits herein provided must enroll or apply in the following manner, to wit:

- a. A parent applicant who must be a resident and registered voter of Naga City shall secure a QUEEN Application Form containing a Panunumpa/Pledge of Commitment from the QUEEN coordinator in the barangay where he resides and submits the same together with the photocopy of the birth certificate of the student as evidence that he/she is the biological and true parent of the student-beneficiary;
- b. In case the applicant is a guardian, who must also be a resident and registered voter of Naga City,he/she shall submit the duly accomplishedQUEEN Application Form together with (1) the Birth Certificate of the student/child, and (2) any proof that the student/child is his/her relative, or proof that the child/student is an orphan or abandoned by the biological parents as attested to by the Punong Barangay;
- c. The applicant must fill up only one prescribed form which must be carbonized and serialized whenever practicable containing such essential data of the applicant and the students-beneficiaries as well as the Panunumpa/Pledge of Commitment. The carbonized application form shall be distributed as follows: (1) the original [white] copy for the School Board, (2) the second copy for the Office of the

- QUEEN coordinator, and (3) the third [last] copy to be kept by the parent/guardian;
- d. The Office of the QUEEN coordinator, after verifying and determining that the applicant is a resident of the barangay and a registered voter of Naga City, shall issue QUEEN ID bearing the name of the children/students and name of school/s;
 - e. The QUEEN coordinator shall collate all duly accomplished application forms and bring the same to the Head of School for the latter's signature. It shall likewise be his obligation to ensure that the parents/guardians receive their respective copies of the Application Form.
 - f. When enrolling, the parent/guardian shall present the duly accomplished form to the school together with the QUEEN ID for verification of the school's enrolment committee;
 - g. The School Board shall provide the School Heads of the public schools the list of QUEEN beneficiaries enrolled in their school for record and reference purposes and as basis for fund allocation;
 - h. The School Heads shall submit to the Naga City School Board the list of pupils with the corresponding name of parents/guardians and their addresses who did not enrol the following school year.

SECTION 21. -MAINTENANCE OF MEMBERSHIP IN THE PROGRAM.- In order to maintain membership in and avail of the benefits under the QUEEN Program, the following must be observed:

- a. The student must comply with the standard DepEd school rules and regulations;
- b. The parent or guardian must faithfully comply with his parental obligations and the conditions imposed under the program which shall include:
 - 1) Enrolling his child or ward in school until he/she completes his/her elementary and high school education;
 - 2) Ensuring that his child or ward is regularly attending classes; and refraining from sending him/her for work or other errands;
 - 3) Helping, assisting and guiding his child or ward in his/her studies;
 - 4) Regularly attending and actively participating in meetings, seminars, and other activities called or sponsored by the PTCA/PTA, the school, the QPA or the City Government. In this regard:
- c. Parents or guardians shall be provided with QUEEN notebooks by the Naga City School Board, to be signed by the class adviser, principal, QUEEN coordinator or QUEEN president that will serve as proof of their attendance in the activities; and
- d. At the end of each school year, the QUEEN Parent's Association Officers shall check and determine the number of meetings/activities attended based on the QUEEN notebook;
- e. Parents or guardians who fail to attend at least three (3) of the following activities, namely: BrigadaEskwela, Rabuz, Parenting Seminar, PTA General Assembly, QUEEN Family Day, and QUEEN Assembly without valid reasons, shall render community service to be scheduled by the QUEEN Parent's Association Officers in coordination with the School Heads to offset their absences;
- f. A parent/guardian who fails to attend all activities or refuses to render community service shall be considered to have waived the rights and privileges being offered by the program. Consequently, his/her name and those of his children/wards shall be stricken off from the list of the QUEEN beneficiaries effective the ensuing school year without prejudice to reinstatement upon application after one year;

- g. If the QUEEN ID is lost, the parent or guardian must make a written request to the QUEEN coordinator who, upon ascertainment of its merits, shall re-issue a new QUEEN ID card.

SECTION 22. –THE CITY QUEEN MANAGEMENT TEAM.- A Management Team is hereby created to oversee the implementation of the QUEEN program and address operational issues that may arise, with the end view of ensuring that its objectives are successfully carried out. The City QUEEN Management Team shall be comprised of the following:

- a. The City Mayor, as program director;
- b. The Vice-Mayor, as deputy program director;
- c. The Chairperson of the Committee on Education of the Sangguniang Panlungsod, as executive officer;
- d. The Division of City Schools Superintendent, as member;
- e. The City PTA league president, as member;
- f. The NACITEA president, as member;
- g. The QUEEN Federation president, as member;
- h. The City Social Welfare and Development Officer, as member;
- i. The Association of Barangay Council president, as member;
- j. The Naga City People's Council chair, as member;
- k. The Naga City School Board Project Coordinator, as member.

It shall have the necessary support staff headed by the Naga City School Board Administrator which shall be in-charge of carrying out the action plans formulated by the City QUEEN Management Team.

SECTION 23. –SCHOOL-LEVEL QUEEN MANAGEMENT TEAM.- A school-level QUEEN Management Team shall also be organized to oversee implementation of the QUEEN initiatives thereat. It shall comprise of the school head as team leader, and the PTCA/PTA and faculty club presidents, representative of the barangay council and the QUEEN Parents' Association president, as members.

SECTION 24. -THE QUEEN PARENTS' ASSOCIATIONS.-There shall Queen Parents' Associations (QPAs):

- a. in every school which shall be organized under a city-wide QUEEN Federation to help assist in addressing program concerns; and
- b. in every zone or community in each barangay in the city, which shall likewise be organized for the same purpose and to assist in ensuring that the entitlements due the beneficiaries are duly received by them. To augment family income and to help empower QUEEN beneficiaries, relevant projects towards this end shall be initiated in coordination with appropriate offices of the city.

SECTION 25. -FUNDING.- Full funding support for the QUEEN Program shall be provided for under the annual budget of the Naga City School Board chargeable against the Special Education Fund (SEF). The School Board shall prioritize the programs pursuant to its mandate of providing operational support to the public school system under the Local Government Code.

SECTION 26. -FUND PER STUDENT.- The fund allocation for each student shall be computed and determined by the Office of the Naga City School Board based on the number of QUEEN beneficiaries enrolled in the program. Provided, that QUEEN beneficiaries have at least eighty (80%) percent school attendance. It shall include the following items with their corresponding amounts representing the benefits or entitlements that shall be granted under the program, to wit:

- a. Anti-Tuberculosis Fee - (P5.00);
- b. Phil. Nat'l. Red Cross Fee - (P35.00);
- c. BSP/GSP Fee - (P50.00);
- d. Escoda Thinking Day Fee - (P1.00);
- e. Test Paper Fees - (P25.00);
- f. Athletic Fee - (P5.00);
- g. School Publication Fee - (P25.00);
- h. SSG/SSC/Pupil's Government Fee - (P50.00); and
- i. Library/Laboratory Fee - (P10.00).

SECTION 27. -PAYMENT TO SUPPLEMENT BASIC OPERATIONAL NEEDS OF PUBLIC SCHOOLS.- In addition to the above items, the School Board shall allocate such amount herein stated or necessary for the following basic operational needs, to wit:

- a. For internet fee of P899.00 per month for each of the 27 public elementary and high schools in urban centers and P1,399.00 per month for each of the 9 public elementary and high schools in upper barangays;
- b. For security guard or utility worker of P5,000.00 per month per public elementary and secondary school; provided that the security guard or utility worker designated for each school has prior joint endorsement of the school principal and the presidents of the PTA and of the QPA;
- c. For school supplies including bags which must be distributed to Grade I QUEEN beneficiaries not later than the first month of any given year;
- d. For Empowerment Fund Assistance computed at P75.00 per beneficiary for school improvement projects including those that will improve the quality of performance of learners and their completion of basic education;
- e. For BrigadaEskwela Fund Assistance of P10,000.00 per school;
- f. For recognition fee assistance of P10,000.00 per school;
- g. For graduation fee assistance of P300.00 per graduating beneficiary for items such as but not limited to toga, yearbook, rental of sound system, and meals and snacks for guests and teachers;
- h. For class memorial fee counterpart assistance of up to P100.00 per graduating beneficiary;
- i. For rice distribution of at least four (4) kilograms every month of August, November and February of a given year in favor of all QUEEN members, subject to the attendance requirement provided in this Code;
- j. For parenting seminar and capability development in order to inculcate among the parents of public school children their obligations and the manner and ways to become effective parents, the sum of at least P5,000.00 per school;
- k. For Task Force Dunong and/or related school-based projects aimed at raising the level and quality of education in the city in the sum of P10,000.00 per school and/or DunongCenter;
- l. For meals and other expenses on the occasion of QUEEN meetings and assemblies called to evaluate, plan and address program concerns in the beneficiaries' respective schools or areas in the sum of P5,000.00 per school.

SECTION 28. -AUTHORITY TO INCREASE FUNDING ALLOCATION.- Upon the recommendation of the QUEEN Management Team herein referred to and when the fund source so permits, the School Board shall increase the fund allocation for each of the above items and include such items it deems essential.

SECTION 29. -CURRENT FUNDING.- The budget for the current year that the School Board had allocated for the above items shall be deemed as compliance with the herein mandate. For ensuing budget years, it shall ensure that all items enumerated above are given their corresponding budgetary allocations.

SECTION 30. -PROHIBITED ACTS.- The following acts are hereby declared prohibited and inconsistent with the policies of the program:

- a. Save for medical and valid reasons, it is unlawful for a parent, guardian or any person entrusted with the care and custody of a child of school age to forbid, prevent or disallow the latter to enrol and/or attend school in the elementary and high school.
- b. It is likewise unlawful for any person to demand payment and/or collect from the parents, guardians, pupils or students for the items and corresponding amounts stated in this Code.
- c. Finally, it is unlawful for any person to impose as condition for any examination and/or release of report cards the payment for such items and amounts mentioned in this Code as well as such other items and amounts that may be demanded of the pupils and students.

SECTION 31. -PENALTIES.- For committing any of the above prohibited acts, the violator shall be penalized as follows:

- a. For the first offense – a fine of One Thousand Pesos (P1,000.00) or an imprisonment of thirty (30) days, or both at the discretion of the Court;
- b. For the second offense – a fine of Three Thousand Pesos (P3,000.00) or an imprisonment of sixty (60) days, or both at the discretion of the Court; and
- c. For the third and succeeding offenses – a fine of Five Thousand Pesos (P5,000.00) or an imprisonment of ninety (90) days, or both at the discretion of the Court.

SECTION 32. –COMPROMISE.– The prosecution of any acts or offenses under the immediately preceding sections may be compromised upon application of the offender and the conformity of the City Mayor, subject further to the following conditions, to wit:

- a. the offender undertakes in writing within a period of fifteen (15) days from commission not to do the same offense;
- b. he shall render community service, such as planting trees, as may be directed by the School Board Administrator; and
- c. a majority vote of the city QUEEN Management Team is obtained for purposes of giving validity thereto.

SECTION 33. -PROGRAM IMPLEMENTATION REVIEW AND SUCCESS INDICATORS.- Every year before the start of the enrolment period, the QUEEN Management Team shall meet to review the detailed mechanics to identify problem areas, propose appropriate solutions, and promulgate revisions that will improve overall program implementation.

The primary indicators for measuring program success shall be the participation, cohort survival and completion rates which form part of the 2nd Millennium Development Goal. These indicators shall be computed annually by the Division of City Schools and shall be made available to the team prior to every review.

ARTICLE 4. SANGGAWADAN PROGRAM

SECTION 34. –THE SANGGAWADAN PROGRAM.- The Sanggawadan Program seeks to assist indigent in-school children, street children and potentially working children in the City of Naga to encourage and motivate them to finish their schooling from elementary up to high school. It aims to prevent the possibility of more school drop outs and reduce vulnerability of children in engaging into street activities.

SECTION 35. -PROGRAM COVERAGE.- The Sanggawadan Program shall cover children, aged 5 to 17 years old, who:

- a. belong to impoverished families registered in the PantawidPamilyang Pilipino Program (4Ps) of the Department of Social Welfare and Development;
- b. are identified by the City Social Welfare and Development Office (CSWDO) to spend around four to five hours a day on the streets, unprotected and unsupervised by their parents;
- c. have adopted the street as their abode and/or source of livelihood;
- d. usually get absent in their classes as a result of helping their family in working and earning income; and,
- e. are under the custody of the CSWDO as a result of other intervention programs implemented by the government, both local and national, and are in need of continues rehabilitation and care.

SECTION 36. – GENERAL GUIDELINES OF THE SANGGAWADAN PROGRAM.- The Sanggawadan Program shall be guided by the following general implementation guidelines defining the respective role of each stakeholder:

- a. The Program shall be implemented by the city government through the City Social Welfare and Development Office.
- b. The City Social Welfare and Development Office shall include in their annual budget the necessary funding requirement for the effective and efficient implementation of the Sanggawadan Program.
- c. The CSWDO shall be responsible for tracking and monitoring the children eligible of availing the program;
- d. The Barangay Councils shall coordinate with the CSWDO in tracking and monitoring children eligible foravailing the program and shall encourage said children’s parents who are living within their respective jurisdiction to send and maintain their children in school;
- e. The Parents, Teachers and Community Association of all public elementary and secondary schools in Naga and the Naga City People’s Council shall find ways of helping financially handicapped parents overcome problems with regard to putting and maintaining their children in school;
- f. The parents of the children-beneficiaries shall commit to fully cooperate with the city government and to see their children through elementary and high school, ensure their regular attendance, and refrain from sending them to work or on other errands; and,
- g. The social workers responsible for taking care of the children who are under the custody of the CSWDO shall ensure the children’s regular attendance inschool.

SECTION 37. –PROGRAM IMPLEMENTATION.- The Sanggawadan Program shall be implemented in accordance with the following:

- a. Only one child beneficiary per family can avail of the program.
- b. Children beneficiaries will be closely monitored by assigned social workers in their respective schools through the former’s respective class advisers, guidance counsellors and school heads which will be the basis for quarterly evaluation;
- c. Parents of the children beneficiaries are required to attend regular meetings and other related activities of the program; and,
- d. Payment of tuition fees and other school fees shall be coursed through the Naga City School Board upon consolidation of the complete list of children beneficiaries and submission of the complete list of enrolees per school.
- e. School supplies will be distributed two (2) weeks before the opening of classes.
- f. An equivalent of ½ kilo of rice is allocated per beneficiary for ever school day attended. Rice distribution will be done every quarter of the year.

- g. Parents of children beneficiaries may be granted financial assistance to venture in a livelihood project provided that a simple feasibility study and project proposal is submitted to and approved by the Metro Naga Public Employment Service Office (PESO) and the amount to be granted shall not be more than Five Thousand Pesos (P5,000). The Metro PESO shall ensure that the proposed livelihood project is implemented and shall provide technical assistance to the parent beneficiary, if necessary and warranted.
- h. Other activities, such as but not limited to values formation, tutorial, counselling and skills training, may be conducted by the CSWDO, per approval of the city mayor and subject to availability of funds.

SECTION 38. – PROGRAM DISQUALIFICATION.- A child beneficiary of the program will be automatically disqualified on the following grounds:

- a. Dropping from the rolls;
- b. Consecutive and habitual absenteeism;
- c. Transfer of residence; or,
- d. Absence of parents in three (3) meetings and/or program activities.

SECTION 39. -PROGRAM IMPLEMENTATION REVIEW AND SUCCESS INDICATORS.- Every year before the start of the enrolment period, the CSWDO shall submit to the city mayor and to the Sangguniang Panlungsod a report on the implementation of the Sanggawadan Program, problems encountered and proposed solutions that will improve overall program implementation.

The program will be deemed a success if there will be a decrease in the drop-out rate and the number of street children and working children. Other indicators that form part of the 2nd Millennium Development Goal, such as participation rate, cohort survival rate and completion rate, shall also be considered. These data shall be gathered by the Division of City Schools and by the City Social Welfare and Development Office and shall be submitted to the city mayor and to the Sangguniang Panlungsod a month before the start of classes.

SECTION 40. -FUNDING.- Full funding support for the Sanggawadan Program shall be provided for under the annual budget of the CSWDO.

ARTICLE 5. SUMMER ENHANCEMENT AND ENRICHMENT PROGRAM

SECTION 41. -THE SUMMER ENHANCEMENT AND ENRICHMENT PROGRAM.- The Summer Enhancement and Enrichment Program (SEEP) is a summer remedial class mainly for tool subjects - English, Mathematics and Science. It is open to all public schoolchildren especially those who, after the regular school year, have to undergo remedial on the said subjects. Enrichment classes may likewise be conducted upon the recommendation of the City Schools Division Superintendent and approval of the School Board.

SECTION 42. -RATIONALE.- Having full access to and being able to complete primary education is a recognized right of our school age children. More than this and given our changing complex and competitive environs, the need to raise the level and quality of education in the city is becoming an urgent and pressing concern. In this light, conducting at least remedial classes every summer in all public elementary and high schools within the city's territorial jurisdiction is imperative. Through this, it is expected that schoolchildren's knowledge will be enhanced and/or enriched in preparation for the academic challenges of the coming school year.

SECTION 43. -PROGRAM COVERAGE.- Only schoolchildren from Grade I to Grade 9 who have been identified by their class advisers may join the program free of any charge or fee.

SECTION 44. -PROGRAM DURATION.- The program shall be conducted every summer and shall last for one (1) month or at least twenty (20) learning hours per subject on a Monday to Friday schedule.

SECTION 45. -OBJECTIVES.- The Program aims to raise the level and quality of education in Naga City. Specifically, it seeks to:

- a. Remediate the difficulty of academically challenged learners;
- b. Enhance and/or enrich the pupils/students' learning aptitude without cost to parents;
- c. Encourage focus on academics;
- d. Utilize summer time for worthwhile activities; and
- e. Inspire school children to aspire and to dream big.

SECTION 46. -THE CITY SCHOOLS DIVISION, DEPARTMENT OF EDUCATION.- The program will not materialize and the objectives for which it was conceived will not be achieved without the indispensable cooperation and active participation of the City Schools Division, Department of Education. Having in mind that the program is not part of the agency's regular curriculum, the Department of Education's continuing involvement, as main program partner, shall be fervently sought. If warranted and whenever necessary, the city shall avail of the services of the locally funded teachers.

SECTION 47. -IMPLEMENTING GUIDELINES.- The following general guidelines, which are non-exclusive, shall be observed in the implementation of the program comes summer time, to wit:

- a. The City Schools Division, through its concerned responsible officials, shall:
 - 1) Identify the participating teachers who will handle the concerned subjects and conduct the prescribed summer classes. Preference must be given to teachers residing in the barangay where the concerned school is located;
 - 2) Identify the elementary pupils and high school students who have to undergo summer classes and notify them thereof not later than the end of the month of February of every applicable year;
 - 3) Require the parents of the participating schoolchildren to issue a written permit for their children and to undertake that they will oblige them to regularly attend the summer classes;
 - 4) Prepare and/or periodically review a syllabus for each of the subjects involved which shall be used by participating teachers;
 - 5) Conduct separate yearly orientation training for participating teachers in the summer enhancement program and summer enrichment program before the formal start thereof;
 - 6) Supervise the participating teachers and monitor actual conduct of summer classes;
 - 7) Prepare, formulate and administer pre-test before the start of the program every summer and post-test at the end thereof. Within a reasonable time, it shall prepare a summary report of the results of the tests administered copy furnish the School Board; and
 - 8) Prepare and submit to the School Board and the Committee on Education of the Sangguniang Panlungsod a yearly evaluation of the program.

- b. The School Board, through the School Board Administrator and the Chairman of the Committee on Education of the Sangguniang Panlungsod, and in addition to the directive specified in the other provision hereof, shall:
 - 1) Closely coordinate with concerned officials of the Department of Education for the effective implementation of the program;
 - 2) Make available to the participating pupils, students, teachers and DepEd officials such facilities and resources necessary in the conduct of activities related to the program; and
 - 3) Ensure due recognition of the voluntary nature of the hard work of the participating individuals, including the prompt payment of the teachers' honorarium.
- c. To ensure maximum learning effectiveness, a one (1) to twenty five (25) teacher-pupil ratio shall be strictly observed for remediation classes and a one (1) to forty (40) teacher-pupil ratio for other summer classes.
- d. The Division of City Schools of the Department of Education is advised to issue detailed operating guidelines for the more effective implementation of this program copy furnished the School Board and the Sangguniang Panlungsod. However, the absence of such implementing rules shall not delay the implementation hereof, this Code being self-executory.
- e. The twenty seven (27) barangays through their Punong Barangays, the Chairperson of the Committee on Education and the Sangguniang Kabataan are hereby directed to take active participation in the program by, among others, conducting an information dissemination campaign and ensuring that the identified academically challenged pupils and students actually attend their summer classes.

SECTION 48. -FUNDING.- Full funding support for the Summer Enhancement and Enrichment Program shall be provided for under the annual budget of the Naga City School Board. In the allocation of the required fund, the School Board shall favorably consider, among others, an honorarium of at least One Thousand Pesos (Php1,000.00) per subject per participating teacher.

In furtherance of the purposes herein provided, the concerned barangays and/or the Sangguniang Kabataan may allocate such fund as may be necessary to support or augment the funding requirement of this program in their respective territorial jurisdiction, subject to availability of funds.

ARTICLE 6. ALTERNATIVE LEARNING SYSTEM

SECTION 49. -THE eSKWELA PROJECT.- The eSkwela Project or community-based learning center in the City of Naga is hereby institutionalized. It shall refer to the provision of an ICT delivery platform to out-of-school youths and adults (OSYAs) in order to address their educational concerns. It shall complement the Department of Education's Alternative Learning System's Accreditation and Equivalency Program and shall help OSYAs to acquire relevant life skills and prepare them to rejoin the formal education system or review for the Accreditation and Equivalency Exam, which, upon qualification, will provide them with an equivalent of an elementary or a secondary level of education.

SECTION 50. -COMPOSITION OF THE NAGA CITY eSKWELA PROJECT MANAGEMENT COMMITTEE. – The Committee shall be composed of the following:

- a. The City Mayor, as Chairman;
- b. The Schools Division Superintendent, as Co-Chairman;
- c. The Sangguniang Panlungsod Chairman of the Committee on Education, as member;
- d. The Education Program Supervisor of Alternative Learning System (ALS), as member;
- e. The ABC President of Naga City, as member;
- f. The Sangguniang Kabataan Federation of Naga City, as member;
- g. The Administrator of the ESSO-Naga City School Board, as member;
- h. The Department Head of the City Social Welfare & Development Office, as member;
- i. Representative from the Naga City People's Council (NCPC), as member; and
- j. The Learning Facilitator and Network Administrator of the Naga City eSkwelaCenter, as member.

SECTION 51. -FUNCTIONS OF THE NAGA CITY ESKWELA PROJECT MANAGEMENT COMMITTEE. – The Committee shall have the following functions:

- a. issue guidelines for the creation or establishment of barangay-based e-learning center which can comply with the basic infrastructure and personnel requirements;
- b. require the Naga City eSkwelaCenter and the barangay eSkwelacenters to submit quarterly report of accomplishments;
- c. prepare a program aimed at encouraging committed groups and individuals to work side by side towards bringing ICT-enhanced alternative learning system to the community's out-of-school youths and adults;
- d. monitor the extent of OSYA's participation rate under the Project, and other relevant performance indicators to guide planning and budgeting by the Naga City School Board;
- e. meet at least on a quarterly basis, or as often as necessary, subject to the discretion of the Naga City eSkwela Project Development Committee Chairman;
- f. undertake planning, programming and evaluation sessions on an annual basis;
- g. undertake systematic consultations with the barangay residents and organizations;
- h. implement short-term and long-term plans, programs and projects;
- i. closely coordinate with line agencies and non-government organizations regarding the plans of action and programs approved by the Committee;
- j. monitor and maintain the necessary records on the effectiveness of the project and submit an annual summary report thereof to the Naga City School Board; and
- k. perform such other functions, necessary and proper, to effect the foregoing functions.

SECTION 52. -FUNCTIONS AND RESPONSIBILITIES OF THE NAGA CITY eSKWELA CENTER.– The Naga City eSkwelaCenter shall have the following functions:

- a. help and assist the Naga City eSkwela Project Management Committee in the implementation of the eSkwela Project in the city;
- b. submit to the Naga City eSkwela Project Management Committee the annual action plan and quarterly report of accomplishments;
- c. implement, monitor and evaluate the sustainability of the program and provide necessary recommendation;
- d. strengthen the recruitment, screening, and assessment methods; and
- e. closely coordinate with barangay officials, the designated learning facilitators, and all stakeholders in crafting mechanisms and in preparing strategies to further encourage the city's out-of-school youths and adults to enroll and complete the eSkwela Project.

SECTION 53. -SUPPORT MECHANISM FOR OUT-OF-SCHOOL YOUTHS AND ADULTS (OSYAs).– To encourage more if not all out-of-school youths and adults of the city to avail of the project and attain 100% completion rate, it is necessary to establish a support system which shall address the immediate concerns and basic needs of the enrollees, thus, strengthening the effectiveness and efficiency of the project implementation. The support which has also the objective of rewarding good performing OSYAs includes:

- a. medical and health care benefits (50% discount in the procurement of medicines in the Naga City Hospital);
- b. benefits (school supplies) from Queen of the children of out-of-school youth and adult who will avail of the program;
- c. incentives or benefits that can be provided by their respective barangays, including travel provisions during A & E examination; and
- d. Scholarship availment under the City's Tertiary Scholarship Program upon qualification and compliance with the requirements thereof.

SECTION 54. -SUPPORT MECHANISM FOR THE ESTABLISHMENT OF BARANGAY ESKWELA CENTERS.– The City of Naga through the Naga City eSkwelaCenter and with the support from the DepEd, ALS Division shall extend all the necessary equipment and technical assistance for the establishment of barangay based e-learning centers or barangay eSkwelacenters, to wit:

- a. two (2) computer units as city's counterpart for one (1) computer unit and a space/room that will be provided by the barangay;
- b. personnel/staff that will function as eSkwela learning facilitator; and
- c. other support that can be extended by the city for effective and conducive operation of the center.

The network administrator or the Naga City eSkwelaCenter manager in close coordination with DepEd, ALS Division shall determine the readiness of the barangay to establish eSkwelaCenter following the requirement herein provided.

SECTION 55. FUNDING REQUIREMENT. – The fund for the operation of the eSkwela Project shall be taken from or charged against the appropriation for Alternative Learning System in the Special Education Fund (SEF). For this purpose the School Board shall allocate the required fund in its annual budget. Aside from the fund to be appropriated by the city all twenty seven (27) barangays shall allocate at least one-half of one percent (.5%) of their respective annual budget as support fund for the operation of their barangay eSkwelacenter. Starting year 2012, no annual budget of the barangay shall be approved by the Sangguniang Panlungsod without showing compliance hereof.

TITLE IV. TERTIARY EDUCATION

ARTICLE 7. SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS

SECTION 56. –THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS.– **THE SPECIAL** Program for Employment of Students (SPES) aims to help poor but deserving students pursue tertiary education by providing them employment opportunities in SPES-registered private establishments and in the various departments of the City Government of Naga. SPES is in line with the provisions of Republic Act No. 7323, as amended by RA 9547.

SECTION 57. –QUALIFICATIONS.– The following shall be eligible to avail of the Special Program for Employment of Students:

- a. At least fifteen years of age but not more than twenty five (25) years old;

- b. A graduating fourth year high school student, a high school student who is currently out-of-school or a college student, regardless if he/she is enrolled or not in a college or technical-vocational school;
- c. With at least got an average grade of 85 in the last school/term ended;
- d. His/her parents or guardians are residents and registered voters of Naga City; and
- e. His/her parents' combined income, together with his/her own, if any, does not exceed Ninety Thousand Pesos (P 90,000.00) or the annual regional poverty threshold level for a family of six (6) for the preceding year as may be determined by the National Economic and Development Authority (NEDA), whichever is lower;

The program is conducted every year. Participants are assigned to work in SPES-registered private establishments, government institutions and departments. Work duration is a minimum of 20 days but not more than 52 days. Participants are entitled to at least a minimum wage. Of this, 60% is paid by the employer; 40% is paid by the Department of Labor and Employment (DOLE). Applications are screened at the Metro PESO Employment and Manpower Development Center.

SECTION 58. -PROCEDURE FOR PROGRAM AVAILMENT.- Those who wish to avail of SPES must apply in the following manner, to wit:

- a. Ask for copies of Registration Form at the Metro Naga Public Employment Service Office (Metro PESO) and fill it with complete and correct information;
- b. Provide the following attachments:
 - 1) One 1" x 1" picture taken not more than six months before the date of application;
 - 2) Any of the following to attest to the participant's age:
 - a) Birth/baptismal certificate
 - b) Joint Affidavit of two disinterested parties
 - 3) Certification by the School Registrar as to:
 - a) Last enrolment in the academic institution; and,
 - b) Academic grades or copy of the original class card or Form 138
 - 4) Any of the following to attest to the participant's family income.
 - a) Latest Income Tax Return of the Parent/Guardian
 - b) BIR Certification that parents are not filing Income Tax Return
 - c) Barangay Certification/Affidavit of Indigency
 - d) Voter's ID/ Affidavit of Parents
 - 5) For Out-of-School Youth, Certificate of Good Moral Character issued by the authorized barangay official where the OSY resides.
- c. Deliver in person the Registration Form and the attachments mentioned in the preceding section to Metro PESO and submit to a preliminary interview and screening at the said office;
- d. If selected, personally attend the SPES Orientation to be scheduled and conducted by Metro PESO. Those who are unable attend said orientation shall not be given a work assignment.

SECTION 59. -CONTRACT OF EMPLOYMENT.- Those qualified of availing the program shall be assigned to a private established registered with the Metro PESO or to one of the departments in the city government. The employment of students under the program shall be covered by an Employment Contract between the student and the owner of the private establishment, in case of the former, or the city mayor, in case of the latter.

SECTION 60. –PERIOD OF EMPLOYMENT.- SPES shall be conducted every Summer and SPES beneficiaries shall be employed during the months of March to May for a period of no less than twenty (20) days but no more than fifty two (52) days.

SECTION 61. –PAYMENT OF SALARY.- SPES beneficiaries will be paid no less than the prevailing minimum wage during the time of their employment. The sixty percent (60%) of their salary shall be paid by the private employer, in case they are assigned in an SPES-registered private establishment, or by the City Government of Naga, in case they are placed in one of the departments of the city government. The remaining forty percent (40%) shall be paid by the Department of Labor and Employment through education voucher, if the beneficiary is in school, or through cash, if the beneficiary is out of school. In case of the latter, the beneficiary should write a letter addressed to the regional director of DOLE Bicol, duly noted by the City Government of Naga, through Metro PESO, stating that he/she will not be enrolling in the coming semester/term and providing justifiable reasons why he/she will not do so.

SECTION 62. –DUTIES AND RESPONSIBILITIES OF PRIVATE EMPLOYERS.- Any private establishment that intendsto participate in the SPES shall be required to submit their pledges containing the number of vacancies, including the qualification requirements, to the Metro PESO, which, in turn, shall forward the same to DOLE.

In addition to other applicable labor rules and regulations, the private employer shall:

- a. Pay the SPES beneficiary in cash at least sixty percent (60%) of his/her salary and full payment of other applicable monetary benefits and incentives;
- b. Pay the full applicable salary for overtime work rendered by the SPES beneficiary;
- c. Ensure that the SPES beneficiary shall not be exposed to hazardous undertaking as specified under the Anti-Child Labor Law and its implementing rules and regulations;
- d. Ensure that the employment of women and young workers shall be in accordance with the Labor Code and its implementing rules and regulations; and,
- e. Submit to the Metro PESO not later than five (5) working days after the duration of employment the Establishment Report Form (SPES Form 2) indicating the following:
 - i. Number of SPES beneficiaries hired;
 - ii. Nature of work;
 - iii. Occupation of the SPES beneficiaries;
 - iv. Inclusive dates of employment;
 - v. Wage rate and total wage paid to SPES beneficiaries;
 - vi. Number of days worked; and,
 - vii. Other pertinent information as the Metro PESO may determine

SECTION 63. -FUNDING.- Full funding support for the Special Program for Employment of Students shall be provided for under the annual budget of the Metro PESO.

ARTICLE 8. NAGA CITY TERTIARY SCHOLARSHIP PROGRAM

SECTION 64. –THE NAGA CITY TERTIARY SCHOLARSHIP PROGRAM.-

Recognizing education as a priority program, the City hereby establishes an access mechanism to tertiary education for its poor but deserving students thereby guaranteeing the completion of the college or technical vocational education of at least one (1) family member in each family in the city and ensuring their productive and meaningful participation in the society. Dubbed as Naga City Tertiary Scholarship Program or, simply NTSP, this program seeks to grant scholarships to young brilliant Nagueños who belong to the marginalized sectors of our society.

SECTION 65. –SCHOLARSHIP – The City Government shall initially pay directly to the university, college, or training center the semestral/term tuition fees of every new annual batch of City scholars according to this schedule:

- a. Eighteen Thousand Pesos (P18,000) to first quartile of those eligible for scholarship
- b. Thirteen Thousand Pesos (P13,000) for the second quartile of those eligible for scholarship
- c. Nine Thousand Pesos (P9,000) for the third quartile of those eligible for scholarship
- d. Five Thousand Pesos (5,000) for the fourth quartile of those eligible for scholarship

Provided that :

- a. The ranking of eligible applicants shall be based on the scholarship examination scores, high school or collegiate grades, and gross family income with consideration for children of solo parents, parents with disabilities, members of the City's Sanggawadan Program, and/or the national government's "PantawidPamilyang Pilipino Program" or 4Ps.
- b. In colleges and training centers the full tuition of which is less than the scholar's grant, the excess shall be paid for other school fees. Any more excess shall be retained in the City's scholarship fund.
- c. The City shall exert best efforts to accommodate all applicants for vocational courses.
- d. For on the job training and similar requirement in technical-vocational courses, financial assistance of up to Ten Thousand Pesos (P10,000) may still be extended to the grantee.

SECTION 66. -ELIGIBILITY.- Only poor but deserving students enrolled or enrolling in any college or technical vocational course are eligible for admission to the NTSP. The applicant must be:

- a. A Filipino citizen and resident of the City of Naga, and whose parent/s is/are registered voters of Naga City;
- b. With good moral character and without any derogatory record;
- c. Not more than twenty five (25) years old at the time of the filing of application, except in the case of persons with disabilities and qualified graduates of the DepEd's Alternative Learning System who should not be more than thirty five (35) years old;
- d. A high school graduate, without yet any college credit, with 75% percentile rank or above in the National Secondary Achievement Test (NSAT) or at least 80% average in each of the years of study in high school with no failing grade in any subject or has not yet completed a tertiary course, except for vocational scholars;
- e. A student already with collegiate credits, with weighted average of at least 2.5 or 80% in each of the previous semesters attended;
- f. Has passed the entrance examination, if required, of the school where he or she intends to enrol in;
- g. With parents/guardians having a gross annual income of not more than Php180,000.00; and
- h. Not entitled to any scholarship or study grant.

Provided that :

- a. Only one (1) member in the family shall be granted scholarship at any given semester or school year.
- b. The grantee shall enroll only in the CHED or TESDA accredited school or institute of learning within the city or in a state college or university outside it.
- c. The grantee has submitted his NCAE result and passed the written examination and personal interview that is conducted under the program.

SECTION 67. -AVAILMENT PROCEDURE.- The following shall be the procedure for a student to avail of the NTSP:

- a. Submission of Requirements. The applicant must fill up the prescribed application form and must submit the following documents, to wit:
 - 1) Latest BIR Income Tax Return (ITR) of applicant's parents/guardians;
 - 2) An affidavit of applicant's parents/guardians stating the reason for not filing the Income Tax Return (ITR), if the above first requirement is not applicable;
 - 3) High School Report Card (Form 138) for in-coming freshman;
 - 4) National College Assessment Examination (NCAE) result;
 - 5) Official enrolment certificate and statement of accounts for those with college units;
 - 6) Official report of ratings or certificate of grades for the last semester attended issued by the school registrar/dean, with an average of not lower than 2.5 or 81% for those with college units.
- b. Examination – Applicants who passed the initial qualification requirements shall be required to take a written examination to determine final qualification and prioritization based on test results. The examination shall be administered by the Education, Scholarships and Sports Office on a given date.
- c. Interview – An interview shall be conducted by the Education, Scholarships and Sports Office to determine compliance with the requirements herein set forth and the applicant's willingness to abide by the terms and conditions of the program.
- d. Notice – Applicants who qualify under this Program shall be immediately notified thereof.
- e. Contract Signing – Scholarship Agreement shall be executed by and between the City and the grantee with the latter, if still a minor, being assisted by his parents or guardian, indicating therein the terms and conditions of the program, requirement for scholarship maintenance, the undertaking to comply with the obligations set forth in this Code and such provisions necessary and in furtherance of the objectives of the program.
- f. Payment – Payment of tuition and other fees, if applicable, shall be made directly to the school/training center where the scholar is enrolled.

SECTION 68. -AUTOMATIC SCHOLARS.- The top three (3) or the Valediction, Salutatorian and the First Honorable Mention of the graduating class of any of the public high schools in the city shall receive a scholarship assistance without having to take the required qualifying examination, and if eligible shall be ranked in the first quartile.

Moreover, the top twenty (20) passers of the Department of Education's Alternative Learning System (ALS) Accreditation and Equivalency Examination, if eligible, shall be entitled to the scholarship assistance and be ranked accordingly.

SECTION 69. -SCHOLARSHIP ASSISTANCE TO SPECIAL SECTORS.- Subject to compliance with the eligibility requirements herein provided, at least ten (10%) per cent of every batch of incoming scholars shall come from the ranks of the children of indigent solo parents. The same percentage is allocated to persons with disabilities.

SECTION 70. -SCHOLARSHIP MAINTENANCE -To maintain the scholarship grant of the City Government, beneficiaries are required:

- a. To maintain a minimum semestral average of at least 2.2 or 85% without dropping,

- failing, or incomplete in any subject;
- b. To submit official or authenticated copy of final grades or scholastic report card every after end of the semester. It is the scholar and not his/her parent/guardian who should apply for the renewal of the scholarship grant every semester. A letter explaining or justifying one's parent request and its valid attachment, if required, to represent his/her sibling for the renewal of scholarship grant should be submitted for approval by the Naga City Scholars Guild (NCSG) and the Education, Scholarships, & Sports Office (ESSO);
 - c. To respond immediately and appropriately to notification or request from NCSG & ESSO instructing either to report or submit necessary requirement/s (e.g. final/complete report of grades, assessment of fees or statement of account, received copy of scholarship letter/certification duly issued by the Implementing Office, etc.) either sent by mail or thru the contact number they have provided;
 - d. To follow-up with or verify from ESSO before the conduct of final examination if his scholarship grant is already paid/settled in the school;
 - e. Not to have participated in any offense involving moral turpitude that will destroy his character and reputation as city scholar;
 - f. Not to have quit school without prior notice to the City Mayor or the Scholarship Office;
 - g. Not to have changed course or transferred to another school without the prior notice and permission of the City Mayor or the Scholarship Office; and
 - h. To have participated in community service and activities of the Scholars' Organization.

Except for the grade requirement, a grantee enrolled in a technical vocational course shall comply with the rest of the conditions mentioned above.

SECTION 71. – LOSS OF SCHOLARSHIP. – A grantee who is not readmitted by his college due to failures, absences, or serious violation of its policies and regulations does not only forfeit his eligibility but is charged the full amount that has been granted him/her. Likewise, no member of his family shall be granted any NTSP.

SECTION 72. -INCENTIVES.- While scholars are required only the minimum semestral average of 2.2 or 85% to maintain whatever initial grant they merited, the City Government shall appreciate outstanding performances of its scholars. Thus:

- a. A grantee who merits a semestral average grade of at least 1.25 or who becomes a full academic scholar of the college he is enrolled in but who still needs the city's assistance for his education shall be granted an additional amount of up to Five Thousand Pesos (Php5,000.00) for the next semester and every semester after he/she merits the semestral average of 1.25.
- b. Under the same circumstance, the amount of up to Three Thousand Pesos (Php3,000.00) per semester shall likewise be extended to him who merits an average grade of 1.5.
- c. Grantees who, despite meriting semestral average of 1.5 or better, do not become academic scholars in their colleges shall be granted Twenty Thousand Pesos (P20,000.00) scholarship for the next semester and every semester after he/she merits the semestral average of 1.5 or better, regardless of whatever he may have initially been granted.

SECTION 73. –PAYMENT. – The repayment of the grants prescribed by City Ordinance No. 2010-063 is now hereby rescinded. Provided, however, that the grantee shall perform the following:

- a. Participate in the City Scholars' organizational meeting at the beginning of each school year;
- b. Participate each school year in at least one of the formation activities for and at least one of the community service or outreach activities of the City Scholars;
- c. Once gainfully employed, donate regularly to the Scholarship Fund of the City and/or to finance the education of younger sibling(s) or relative(s).

SECTION 74. -DONATIONS.- The Education, Scholarships and Sports Office may solicit

donations from any donor or patron, whether individual or entity. Such donation shall form part of this program's fund and shall be disbursed following the provisions of this ordinance, unless the donor states otherwise.

SECTION 75. -SCHOLARSHIP BOARD.- A Scholarship Board is hereby created composed of the following:

- a. The Vice-Mayor of the Sangguniang Panlungsod;
- b. The Chairman, Committee on Education of the Sangguniang Panlungsod;
- c. The Chairman, Committee on Children of the Sangguniang Panlungsod;
- d. The Federation President of the Sanggunian Kabataan who sits as ex-officio member of the Sangguniang Panlungsod;
- e. The City's Human Resource and Management Officer;
- f. The City Planning and Development Officer;
- g. The Regional Director, Region V, or his representative, Commission on Higher Education;
- h. The Division Superintendent or his representative, Division of City Schools, Naga City;
- i. The Chairperson or his representative, Naga City People's Council; and
- j. Two (2) others who shall be appointed by the City Mayor from those involved in education.

They shall elect from among themselves the Chairman of the Board as presiding officer, and the vice Chairman of the Board who shall automatically take over in the former's absence.

SECTION 76. -POWERS AND FUNCTIONS OF THE SCHOLARSHIP BOARD.- The Scholarship Board shall have the following powers and functions, to wit:

- a. With the approval of the City Mayor, issue rules and regulations necessary for the proper implementation of this ordinance;
- b. Establish and develop such programs and activities that shall be required of the scholars and/or their parents to participate in to ensure the scholars' active cooperation and full development as responsible members of society;
- c. In collaboration with the Education, Scholarship and Sports Office, conduct review every three (3) years of the program's performance in terms, among others, of total number of beneficiaries, their field of study, the grantees' academic performance and their family income classification;
- d. Given the prevailing condition in the fields of education, the nation's interest and the global work demands, provide list of courses excluded from the coverage of this program;
- e. Reserve fund for courses of special interest to the City of Naga; and
- f. Exercise such other functions and duties as will promote and expand relevant educational opportunities for needy and deserving Nagueno students.

SECTION 77. -MEETINGS OF THE SCHOLARSHIP BOARD.- For purposes of exercising the powers and functions given it and without prejudice to a special meeting that may be called, the Board shall hold a regular semestral meeting and one every May of any given year.

SECTION 78. -SCHOLARSHIP OFFICE.- The Naga City Tertiary Scholarship Program shall be managed by a scholarship division under the Education, Scholarship and Sports Office (ESSO). Said division shall be headed by a Program Officer. The City Mayor shall provide for the qualifications and compensation of employees therein following Civil Service rules and regulations.

The division's powers and functions shall be as follows:

- a. Serve as secretariat of the Scholarship Board;
- b. Administer and promote participation to the program;
- c. Provide all public high schools information regarding the various Scholarship and Financial Assistance programs or grants available;

- d. Submit to the Board processed loan applications as well as the cancellation or revocation of loan grants;
- e. Monitor performance of the scholars and keep track of them, especially after their availment of the benefits of the program;
- f. Submit a yearly Status Report of the program to the Board for the latter's consideration and submission to the Sangguniang Panlungsod and the City Mayor;
- g. Solicit donations and inform donors regarding the status of their scholars;
- h. In coordination with the City Legal Officer, develop a system of collecting payments of loans granted under the program;
- i. Coordinate with the City Social Welfare and Development Office as well as the Department of Social Welfare and Development and, with the guidance of the School Board, undertake necessary acts to ensure compliance with the prioritization provision embodied herein;
- j. Assist, coordinate with and monitor the city's twenty seven (27) barangays in the implementation of their respective tertiary scholarship program pursuant to the mandate herein provided; and
- k. Perform such other powers and functions that may be assigned to it.

SECTION 79. -INFORMATION DISSEMINATION.- The Education, Scholarships and Sports Office shall conduct a regular information dissemination campaign about this Program particularly in the months of February and March of any given year prior to the conduct of the qualifying examination herein contemplated.

A correspondence containing this program and such other scholarship programs or grants that the national government or any public or private entity as well as any foreign government or donor is sponsoring shall be sent to the principals or head teachers of all public high schools. Posting in their respective bulletin boards shall likewise be made.

Announcement shall also be done through the local mass media.

SECTION 80. -LOANS.- The ESSO shall make available ten percent of the annual appropriation for the NTSP to ineligible applicants who wish to pursue their studies/training following the study-now-pay-later scheme.

Provided that :

- a. The applicants shall likewise be ranked and granted loans payable directly to the colleges/training centers amounting to Ten Thousand Pesos (P10,000.00) for the upper half of the ranking and Five Thousand Pesos (P5,000.00) for the lower half of the ranking.
- b. To maintain the assistance, the grantee should merit a semestral average of 80% or its equivalent.
- c. Payment shall be required only of grantees who obtain gainful employment or source of livelihood. Exempted therefrom is a grantee who is the family's only breadwinner and is extending substantial educational assistance to his siblings.
- d. Payments shall start not later than two (2) years after obtaining gainful employment or source of livelihood. Provided, that such payment shall be made in five (5) years on staggered and proportionate basis.
- e. A grantee who merits semestral average equivalent to those recognized for incentives in Section 72 shall be entitled to the corresponding incentive without having to pay for it.

SECTION 81. -APPROPRIATION.- For purposes of this scholarship program, a yearly budget of TEN MILLION PESOS (Php10,000.00) or such higher amount as may be deemed necessary shall be appropriated in every succeeding budget year thereafter.

SECTION 82. -BARANGAY TERTIARY SCHOLARSHIP PROGRAM.- All twenty seven (27) barangays of this City are hereby encouraged to have their own Tertiary Scholarship Program which may be availed of by poor and deserving students in their respective barangays subject to the same or such better policy, system, standards, requirements, rules and procedures herein provided.

To ensure uniformity as well as maintain integrity, no other office or entity shall give and administer the entrance and/or examination requirement to the Program but the Education, Scholarships and Sports Office referred to herein.

To help realize the mandate of this Ordinance, the twenty-seven (27) barangays of Naga City are strongly encouraged to allocate and spend the sum equivalent to not less than twenty five percent (25%) or one-fourth of the Sangguniang Kabataan Fund in their respective Annual Budget.

TITLE V. PROHIBITIONS AND FINAL PROVISIONS

ARTICLE 9. ANTI-TRUANCY CAMPAIGN

SECTION 83. -PROHIBITIONS ON TRUANCY.- The following acts are hereby prohibited:

- a. It shall be unlawful for a student to linger or stay or be in or upon public place or business establishment during school hours.
- b. It shall be unlawful for a parent or guardian, teacher and school authorities to permit, or by insufficient control allow, the student to linger or be in any business establishment or public place within the city during school hours.
- c. It shall be unlawful for an operator of any business establishment to permit or by insufficient control allow a student to linger or be in such establishment and/or play computer/video, billiard or other games during school hours.

SECTION 84. – EXCEPTIONS.- The activities prohibited in the preceding section shall not be unlawful in the following circumstances:

- a. When the student is in a motor vehicle or on travel in no violation of this ordinance or any statute;
- b. When the student is involved in an emergency;
- c. When the student is going to or from a medical appointment; and
- d. When the student has been permitted to leave school campus for some school-related activity and has in his/her possession a valid, school-issued, off-campus permit, letter or authorization.

SECTION 85. – ENFORCEMENT PROCEDURE.- Before taking any enforcement action under this Code, a punong barangay, police officer, barangay tanod or neighborhood crime watch enforcer (such as BANKAT officer or unit patrol member as defined in Ordinance No. 2003-020) shall ask the apparent offender's age and reason for being in the public place or business establishment. The officer or enforcer shall issue a citation to the violator, after reasonably believing that a violation was committed and explaining the circumstances of such violation under this Code, to be dealt with pursuant to the applicable provisions in the subsequent section hereof.

The Truancy Board shall deputize all punong barangay, barangay tanods, BANKAT officers and members, school officials and teachers as action officers in the implementation of the ordinance.

SECTION 86. THE TRUANCY BOARD AND ITS COMPOSITION.– The Truancy Board herein created shall be composed of the following:

- a. Mayor of Naga City as Chairman of the Board;
- b. Chairman, Sangguniang Panlungsod Committee on Peace & Order, Public Safety and Human Rights as Vice Chairman of the Board; and,
- c. The following as members:
 - i. Superintendent, Division of City Schools, Naga City or his/her authorized representative;
 - ii. Director, Naga City Police Office
 - iii. President, Ligangmga Barangay;
 - iv. Head, Task Force Ordinance
 - v. President, Pag-iribangBantay Barangay Federation
 - vi. President, Naga City Bantay-Kataid (BANKAT) Federation

SECTION 87. -FUNCTIONS OF TRUANCY BOARD.– The Truancy Board shall have the following functions:

- a. Make responsive and essential the implementation of the anti-truancy campaign of the City Government of Naga;
- b. Deputize all punong barangay, barangay tanods, BANKAT officers and members, school officials and teachers as action officers in the implementation of this Code;
- c. Control and prevent juvenile delinquency in order for the health, safety and welfare of students under the age of eighteen and public welfare to be protected;
- d. Take active steps in ensuring the welfare of elementary pupils and high school students in the City of Naga.

SECTION 88. – PENALTIES AND MANNER OF DEALING WITH THE VIOLATOR.–

- a. The penalty for a student who violates this ordinance shall be:
 - 1) For the 1st OFFENSE – a student found violating this ordinance for the first time will be referred to the nearest police station, barangay hall or tanod outpost for counseling before being properly turned over to his/her parent/s or guardian/s or to the concerned school authorities;
 - 2) For every subsequent OFFENSE – a student found violating this ordinance for the second time and every time thereafter will be required to attend, for every offense, two (2) consecutive regular barangay council sessions of the barangay where he/she is residing, for counseling by the barangay council, which shall include this matter as part of its session’s agenda; Provided, that the Barangay Chairman shall certify compliance or non-compliance by the concerned student with this penalty; Provided further, that the violator shall be required to submit the certification issued by the Barangay Chairman to the apprehending officer and school administrator or principal within a period not to exceed two (2) months from date of violation; And provided further, that every non-compliance with the prescribed penalty shall be automatically converted to a fine of two hundred (P200.00) pesos to be imposed against the violator’s parent or guardian concerned on top of the fine already imposed upon said parent or guardian found to have neglected due supervision of their children/ward in complying with the aforesaid requirement.

- a. Any parent, guardian, teacher or school authority in charge of the custody and in direct supervision of student who violated this ordinance shall be penalized with a fine of THREE HUNDRED PESOS (P300.00) or an imprisonment of not less than ten (10) days but not more than fifteen (15) days or both such fine and imprisonment, at the discretion of the Court when it is established that the student's truancy was attended by the parent, guardian, teacher, or school authority's neglect of due supervision of the student..
- b. Any operator of business establishment covered under this Ordinance found violating any provision hereof shall be meted with the following penalties:
 - 1) 1st OFFENSE – a fine of not less than one thousand pesos (P1,000.00) but not more than two thousand pesos (P2,000.00), at the discretion of the court;
 - 2) 2nd OFFENSE – a fine of not less than two thousand pesos (P2,000.00) but not more than three thousand pesos (P3,000.00), at the discretion of the court;
 - 3) 3rd OFFENSE – a fine of not less than three thousand pesos (P3,000.00) but not more than five thousand pesos (P5,000.00) and/or imprisonment of not less than thirty days and one day (31 days) but not more than six (6) months, at the discretion of the court;
 - 4) 4th OFFENSE – the same penalty imposed for the 3rd offense and the business establishment concerned faces automatic closure, and the business permit of the operator will be cancelled and the establishment padlocked. The penalty will be lifted after one year and upon completion of necessary requirements, to wit:
 - a) Affidavit of Undertaking that the operator will not violate the ordinance again and that in case of any further violation by such operator, he/she shall be meted with the maximum penalty of permanent closure of his/her business establishment; and
 - b) Seminar with the City Mayor or his designated representative.

ARTICLE 10. ANTI-CORPORAL PUNISHMENT CAMPAIGN

SECTION 89. –PROHIBITION ON CORPORAL PUNISHMENT IN THE SCHOOL SETTING. – Corporal punishments of children as defined in this Code are hereby prohibited.

School teachers, personnel, and officers of both public and private academic and vocational institutions, employers and supervisors, service providers, priests, nuns, pastors and other members of religious congregations or churches, or any other person under whose education and care the child has been entrusted and who inflicts corporal punishment on the child shall be meted the penalties prescribed in the succeeding section of this Code.

If the act of corporal punishment is committed by another child, the offending child shall undergo the proper procedure under Republic Act No. 9344.

SECTION 90. -PENALTIES.– Any person found violating the preceding section hereof shall be punished with the following:

- a. First Offense: Reprimand to be given and supervised by the appropriate Barangay Council for the Protection of Children (BCPC);

- b. Second Offense: A fine of not less than 500.00 but not more than 1,500.00 and/or be required to render community service for not more than 36 hours at the discretion of the court;
- c. Third Offense: A fine of not less than 1,500.00 but not more than 2,000.00 and/or be required to render community service for not more than 42 hours at the discretion of the court;

Provided that, in all instances provided above, the offender/violator shall undergo the intervention program with the City Social Welfare and Development Office. Provided further that, if the offender shall have committed any of the prohibited acts a second or third time, the BCPC shall, instead of pursuing a court action, assess the offender and may opt to commit the latter under its community service program.

The Community Service Program shall be supervised by the BCPC where the offender resides. For this purpose, the BCPC shall coordinate with the CSWDO in developing guidelines and measures that will effectively implement the penalty of community service. Provided, that the services will promote and improve the positive parenting skills of the offender and promote the welfare and best interest of the children. Provided further, that in all instances, the offender/violator shall undergo the intervention program with the City Social Welfare and Development Office.

However, if the act committed resulted to any of the crime penalized under Act No. 3815 otherwise known as Revised Penal Code, or under Republic Act No. 7610 otherwise known as the Special Protection of Children Against Child Abuse, or under Republic Act No. 9262 otherwise known as the Anti-Violence Against Women and their Children Act, the same shall be prosecuted therein.

SECTION 91. -REPORTING. – All cases of corporal punishment or humiliating or degrading punishment of children brought to the barangay or the police, or a healthcare provider, shall be reported to the local social welfare and development office within eight (8) hours from the time of the complaint, without prejudice to the continuation of the investigation of the filing of the appropriate criminal case. Failure to report within the prescribed period shall be a ground for administrative action against the barangay official or police officer, or healthcare provider.

SECTION 92. -WHO MAY FILE A COMPLAINT.– Complaints on acts of corporal punishment against a child may be filed by the following:

- a. Offended party assisted by an adult;
- b. Parents or guardians;
- c. Ascendant or collateral relative within the third degree of consanguinity or affinity;
- d. Officer, social worker or representative of a licensed child-caring institution;
- e. Officer or social worker of the DSWD or the local SWDO;
- f. Police officers, preferably those in charge of the Women and Children's Desk;
- g. Barangay official;
- h. Teacher, non-governmental organization (NGO) worker, health provider, day care worker; or
- i. At least two (2) concerned persons from the place where the act occurred who have personal knowledge of the act.

SECTION 93 -EXEMPTION FROM LIABILITY. – Any person who, in good faith, intervenes without using violence or restraint necessary to ensure the safety of the child victim, shall not be liable for any criminal or civil liability resulting therefrom. Concerned individuals may also seek assistance from barangay authorities for appropriate action.

SECTION 94. -PROMOTION OF TECHNIQUES ON POSITIVE AND NON-VIOLENT DISCIPLINE.— A comprehensive program shall be formulated and implemented to promote positive and non-violent discipline as an alternative to corporal punishment of children. A continuing information dissemination campaign regarding its benefits and techniques shall be conducted in the 27 barangays of Naga City and in educational and child-caring institutions therein. The Barangay Council for the Protection of Children, in coordination with the City Social Welfare and Development Office, will be the primary implementing arm in the conduct of trainings per barangay and will submit semi-annual reports to the Naga City Council for the Welfare and Protection of Children to assess the implementation of this Ordinance.

SECTION 95. -DUTIES OF AGENCIES.— The following agencies shall participate in the implementation and enforcement of this Ordinance:

- a. The City Social Welfare and Development Office (CSWDO) shall:
 - 1) Undergo training on children's right as framework on positive discipline orientation and adopt and implement programs and services to promote the positive discipline of children and the prevention of the use of corporal punishment and humiliating or degrading forms of punishment of children;
 - 2) Establish an intervention program which shall include counseling, anger management and referrals to other rehabilitative services for the offender and the victim;
 - 3) Provide other assistance such as psychological interventions for the child and family, protective custody, temporary placement for the child, medical and legal services and seminars on children's rights to positive and non-violent discipline of children;
 - 4) Include topics on non-violent and positive approaches to child discipline in the Parent Effectiveness Service
- b. Naga City Council for the Welfare and Protection of Children (NCCWPC) and the Barangay Council for the Protection of Children (BCPC) shall support programs by taking the lead in the conduct of the information dissemination regarding the promotion of positive and non-violent discipline of children, prevention of the use of corporal punishment and humiliating or degrading forms of punishment of children and the formulation of the necessary response to such cases.
- c. The Sangguniang Kabataan (SK) is strongly encouraged to undergo training on children's rights and other laws pertaining to children and youth and adopt and include in its programs and services the prevention of corporal punishment and humiliating or degrading punishment of children.

SECTION 96. -FUNDS.—It is highly encouraged that two percent (2%) of the mandated budget allotted for NCCWPC/BCPC shall go to parenting education sessions, training of service providers (e.g. day care teachers, social workers, barangay tanods) on positive discipline, support services (such as legal aid, medical services, transportation expenses, rehabilitative services, referral systems) for victims of corporal punishment and their families, and maintaining local social workers.

ARTICLE 11. FINAL PROVISIONS

SECTION 97. - REPEALING CLAUSE.— All ordinances, rules, orders and regulations or parts thereof contrary to or inconsistent with any of the provisions of this code are hereby repealed.

SECTION 98. - SEPARABILITY CLAUSE.-If any provision of this code or the application thereon to any persons or circumstances is held invalid, the remainder of the code, and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 99. - EFFECTIVITY CLAUSE.- This ordinance shall take effect in full and immediately upon its approval unless otherwise, suspended by the proper authorities.

ENACTED: March 10, 2015

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

NELSON S. LEGACION
City Vice Mayor &
Presiding Officer

APPROVED:

JOHN G. BONGAT
City Mayor