

[**REPUBLIC ACT NO. 4670, June 18, 1966**]

THE MAGNA CARTA FOR PUBLIC SCHOOL TEACHERS.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

I. DECLARATION OF POLICY—COVERAGE

SECTION 1. *Declaration of Policy.*—It is hereby declared to be the policy of this Act to promote and improve the social and economic status of public school teachers, their living and working conditions, their terms of employment and career prospects in order that they may compare favorably with existing opportunities in other walks of life, attract and retain in the teaching profession more people with the proper qualifications, it being recognized that advance in education depends on the qualifications and ability of the teaching staff and that education is an essential factor in the economic growth of the nation as a productive investment of vital importance.

SEC. 2. *Title—Definition.*—This Act shall be known as the "Magna Carta for Public School Teachers" and shall apply to all public school teachers except those in the professorial staff of state colleges and universities.

As used in this Act, the term "teacher" shall mean persons engaged in classroom teaching, in any level of instruction, on full-time basis, including guidance counselors, school librarians, industrial arts or vocational instructors, and all other persons performing supervisory and/or administrative functions in all schools, colleges and universities operated by the Government or its political subdivisions; but shall not include school nurses, school physicians, school dentists, and other school employees.

II. RECRUITMENT AND CAREER

SEC. 3. *Recruitment and Qualification.*—Recruitment policy with respect to the selection and appointment of teachers shall be clearly defined by the Department of Education: *Provided, however,* That effective upon the approval of this Act, the following shall constitute the minimum educational qualifications for teacher applicants:

- a. For teachers in the kindergarten and elementary grades, Bachelor's degree in Elementary Education (B.S.E.D.);
- b. For teachers of the secondary schools, Bachelor's degree in Education or its equivalent with a major and a minor; or a Bachelor's degree in Arts or Science with at least eighteen professional units in Education.
- c. For teachers of secondary vocational and two years technical courses, Bachelor's degree in the field of specialization with at least eighteen

professional units in education;

- d. For teachers of courses on the collegiate level, other than vocational, master's degree with a specific area of specialization:

Provided, further, That in the absence of applicants who possess the minimum educational qualifications as hereinabove provided, the school superintendent may appoint, under a temporary status, applicants who do not meet the minimum qualifications: *Provided, further,* That should teacher-applicants, whether they possess the minimum educational qualifications or not, be required to take competitive examinations, preference in making appointments shall be in the order of their respective ranks said competitive examinations: *And provided, finally,* the results of the examinations shall be made public and applicant shall be furnished with his score and rank in said examinations.

SEC. 4. *Probationary Period.*—When recruitment takes after adequate training and professional preparation any school recognized by the Government, no probationary period preceding regular appointment shall imposed if the teacher possesses the appropriate civil service eligibility: *Provided, however,* That where, due to the exigencies of the service, it is necessary to employ teacher a person who possesses the minimum educational qualifications herein above set forth but lacks the appropriate civil service eligibility, such person shall be appointed on a provisional status and shall undergo a period of probation for not less than one year from and after the date of his provisional appointment.

SEC. 5. *Tenure of Office.*—Stability on employment and security of tenure shall be assured the teachers as provided under existing laws.

Subject to the provisions of Section three hereof, teachers appointed on a provisional status for lack of necessary civil service eligibility shall be extended permanent appointment for the position he is holding after having rendered at least ten years of continuous, efficient and faithful service in such position.

SEC. 6. *Consent for Transfer—Transportation Expenses.*—Except for cause and as herein otherwise provided, no teacher shall be transferred without his consent from one station to another.

Where the exigencies of the service require the transfer teacher from one station to another, such transfer ay be effected by the school superintendent who shall previously notify the teacher concerned of the transfer and reason or reasons therefor. If the teacher believes there is no justification for the transfer, he may appeal his case to the Director of Public Schools or the Director of Vocational Education, as the case may be. Pending his appeal and the decision thereon, his transfer shall be held in abeyance: *Provided, however,* That no transfers whatever shall be made three months before any local or national election.

Necessary transfer expenses of the teacher and his family shall be paid for by the Government if his transfer is finally approved.

SEC. 7. *Code of Professional Conduct for Teachers.*—Within six months from the approval of this Act, the Secretary of Education shall formulate and prepare a Code of Professional Conduct for Public School Teachers. A copy of the Code shall be furnished each teacher: *Provided, however,* That where this is not possible by

reason of inadequate fiscal resources of the Department of Education, at least three copies of the same Code shall be deposited with the office of the school principal or head teacher where they may be accessible for use by the teachers.

SEC. 8. *Safeguards in Disciplinary Procedure.*—Every teacher shall enjoy equitable safeguards at each stage of any disciplinary procedure and shall have:

- a. the right to be informed, in writing, of the charges;
- b. the right to full access to the evidence in the case;
- c. the right to defend himself and to be defended by a representative of his choice and/or by his organization, adequate time being given to the teacher for the preparation of his defense; and
- d. the right to appeal to clearly designated authorities. No publicity shall be given to any disciplinary action being taken against a teacher during the pendency of his case.

SEC. 9. *Administrative Charges.*—Administrative charges against a teacher shall be heard initially by a committee composed of the corresponding School Superintendent of the Division or a duly authorized representative who should at least have the rank of a division supervisor, where the teacher belongs, as chairman, a representative of the local or, in its absence, any existing provincial or national teachers' organization and a supervisor of the Division, the last two to be designated by the Director of Public Schools. The committee shall submit its findings and recommendations to the Director of Public Schools within thirty days from the termination of the hearings: *Provided, however,* That where the school superintendent is the complainant or an interested party, all the members of the committee shall be appointed by the Secretary of Education.

SEC. 10. *No Discrimination.*—There shall be no discrimination whatsoever in entrance to the teaching profession, or during its exercise, or in the termination of services, based on other than professional consideration.

SEC. 11. *Married Teachers.*—Whenever possible, the proper authorities shall take all steps to enable married couples, both of whom are public school teachers, to be employed in the same locality.

SEC. 12. *Academic Freedom.*—Teachers shall enjoy academic freedom in the discharge of their professional duties, particularly with regard to teaching and classroom methods.

III. HOURS OF WORK AND REMUNERATION

SEC. 13. *Teaching Hours.*—Any teacher engaged in actual classroom instruction shall not be required to render more than six hours of actual classroom teaching may, which shall be so scheduled as to give him time for the preparation and correction of exercises and other incidental to his normal teaching duties: *Provided, however,* That where the exigencies of the service so require, any teacher may be required to render more hours but not exceeding eight hours of actual classroom teaching a day upon payment of additional compensation at the same rate as his regular remuneration plus at least twenty-five per cent of his basic pay.

SEC. 14. *Additional Compensation.*—Notwithstanding any provision of existing law to