

Republika ng Pilipinas  
(Republic of the Philippines)  
KAGAWARAN NG EDUKASYON AT KULTURA  
(DEPARTMENT OF EDUCATION AND CULTURE)  
Manila

October 14, 1977

DEPARTMENT MEMORANDUM  
No. 226, s. 1977

TEACHERS GRANTED PERMANENT APPOINTMENTS BY RA NO. 4670  
MAY BE CONSIDERED FOR PROMOTION TO POSITIONS  
REQUIRING TEACHER ELIGIBILITY

To: Bureau Directors  
Regional Directors  
Chiefs of Services and Heads of Units  
Coordinator, State Colleges and Universities  
Schools Superintendents

1. For the information and guidance of the field, inclosed is a copy of the 3rd Indorsement of the Civil Service Commission dated September 7, 1977, which is self-explanatory.
2. It is desired that this Department Memorandum be brought ~~to the attention of all officials, teachers and other school personnel.~~

(SGD.) MARCISO ALBARRACIN  
Acting Secretary of Education and Culture

Incl.:  
As stated

Reference:  
BPS Circular No. 6 s 1967

Allotment: 1-2-3-(D.O. 1-76)

To be indicated in the Perpetual Index  
under the following subjects:

APPOINTMENT, EMPLOYMENT, REAPPOINTMENT  
BUREAUS & OFFICES  
ELIGIBILITY  
LEGISLATION  
PROMOTION  
RULES & REGULATIONS  
TEACHERS

CIVIL SERVICE COMMISSION  
Manila

SAGA, Cipriano

3rd Endorsement  
September 7, 1977

Respectfully returned to the Honorable, the Secretary of Education and Culture, Manila.

Opinion is requested on whether teachers who have been granted permanent appointments by virtue of Republic Act No. 4670 specifically Section 5 thereof may be considered for promotion to positions requiring teacher-eligibility.

Section 5, RA No. 4670, otherwise known as "The Magna Carta for Public School Teachers" among others, provides:

"x x x, teachers appointed on a provisional status for lack of necessary civil service eligibility should 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." (Emphasis supplied)

Pursuant to the aforementioned provision, no eligibility is granted but only a permanent appointment is extended. There is no provision in RA No. 4670 which states that teachers who were granted ~~permanent appointments after having rendered~~ at least 10 years of continuous, efficient and faithful service are qualified for promotion. However, under Presidential Decree No. 1006, teachers who have permanent appointment under the Magna Carta for Public School Teachers are considered as having passed the Board examinations for teachers. The same is explicitly provided for in Section 11, thereof which reads:

"Sec. 11. Teachers who have passed examinations by the Civil Service Commission and the Department of Education and Culture shall be considered as having passed the Board examinations for teachers x x x."

"This provision shall likewise apply to those teachers who have permanent appointment under the Magna Carta for Public School Teachers x x x."

In view of the foregoing, this Commission believes that those teachers may be considered for promotion to positions which require Teacher's eligibility, provided they meet other requirements for the positions and subject to civil service law and rules.

For the Commission:

(SEC.) JOSE A.R. MELO  
Commissioner

A true copy