

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

April 18, 1990

DECS O R D E R
No. 38, s. 1990

ENFORCEMENT OF THE RULES AND REGULATIONS FOR THE EFFECTIVE
IMPLEMENTATION OF P.D. NO. 1006

To: Regional Directors
Schools Superintendents
Presidents, State Colleges and Universities
Heads of Private Schools, Colleges and Universities
Vocational School Superintendents/Administrators

1. To insure the effective implementation of pertinent provisions of P.D. 1006, copy inclosed, the following rules are hereby reiterated:

- a. In accordance with Section 15 of P.D. 1006, no person shall be allowed to engage in teaching and/or act as a teacher as defined in the Decree whether in public or private elementary or secondary schools, unless he has registered as Professional Teacher with the National Board for Teachers (NBT).
- b. Private elementary and secondary school teachers who are now in the service regardless of their status may continue to teach provided that effective January 1, 1992, no teacher in the private schools shall be allowed to teach unless he/she is registered under P.D. No. 1006.
- c. The NBT policies governing registration of teachers adopted by NBT under its Resolution No. 15, s. 1987 (copy inclosed) shall apply to applicants for registration.

Under these policies, honor graduates of teacher-education courses whether or not granted civil service eligibility under Presidential Decree No. 907, as amended, are not qualified to register as Professional Teachers unless they fall under the exempt category or they passed the Professional Board Examination for Teachers given by the NBT.

- d. Any person who shall willfully violate these rules and regulations shall be subject to Section 16 of P.D. 1006.

2. It shall be the responsibility of school officials to insure that all persons engaged in teaching in the public or private elementary or secondary schools are registered Professional Teachers.

3. Strict compliance by all concerned is hereby enjoined.

(SGD.) ISIDRO D. CARINO
Secretary

Incls.:

As stated

Reference:

Department Memorandum: No. 15, s. 1978

Allotment: 1-2-3-4--(M.O. 1-87)

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

APPOINTMENT, EMPLOYMENT, REAPPOINTMENT
ELIGIBILITY
LEGISLATION
OFFICIALS
QUALIFICATIONS
TEACHERS

(Inclosure No. 1 to DECS Order No. 38, s. 1990)

Republic of the Philippines
NATIONAL BOARD FOR TEACHERS
Metro Manila

NBT POLICIES GOVERNING REGISTRATION OF TEACHERS
AS PROFESSIONAL TEACHERS

For purposes of uniform action and information on matters relative to the registration of teachers pursuant to Presidential Decree No. 1006, the following policies, rules and regulations adopted by the National Board for Teachers are hereby classified and reiterated:

SECTION 1. All examinees who have passed any of the Professional Board Examination for Teachers given by the National Board for Teachers since the effectivity of Presidential Decree No. 1006 on January 1, 1977 should register with the National Board for Teachers, which registration shall evidence that they are entitled to all the rights and privileges of a Professional Teacher as provided under the Decree.

SECTION 2. Those who are holders of any of the following civil service eligibilities are considered to have passed the board examination for teachers and are qualified to register as Professional Teachers under the exempt category:

- 2-1. Senior Teacher (Regular/Promotional/Qualifying/
Agriculture/Arts & Trades/Industrial Arts/etc.);
- 2-2. Teacher (Elementary/Secondary/Qualifying/
Unassembled);
- 2-3. Teacher;
- 2-4. Junior Teacher (Regular/Promotional/Qualifying/
Arts & Trades/Industrial Arts/etc.), Provided
that they meet the educational requirements for
the position of teacher, or are holding permanent
appointment as teachers; and
- 2-5. Vocational Teacher (1966);

SECTION 3. The following categories of teachers are likewise qualified to register as Professional Teachers under the exempt category provided they have met the specified requirements as of the date of filing applications for registration:

- 3-1. Those who have been extended permanent appointment pursuant to the provisions of R.A. 4670 (Magna Carta for Public School Teachers);
- 3-2. Those who have rendered at least ten (10) years of efficient and satisfactory service as kindergarten, elementary or secondary teachers in public and/or private schools provided they are holders of any of the degrees specified in

Section 6 (d) of P.D. 1006 and provided further that the cumulative system shall be used in determining the length of service;

"Cumulative System" means the system of determining the total number of years of service of a teacher by adding all his teaching services, regardless of the schools in which the teacher has taught, including those rendered under a substitute, provisional, and permanent status and/or on part-time or full-time basis in the public or private kindergarten, elementary or secondary schools, and regardless of whether the service is continuous or not.

3.3. Those who have rendered at least fifteen (15) years of teaching service provided that the cumulative system shall be observed in determining the period and provided further that they are:

3.3.1. Holders of Elementary Teacher Certificate; or

3.3.2. Graduates of the Junior Normal Course; or

3.3.3. Graduates of the Three-Year Combined Curriculum (ETC-ME); or

3.3.4. Graduates of the Two-Year Technical Curriculum of School of Arts and Trades with 21 units of professional courses in Education; or

3.3.5. Holders of Associate in Agricultural Education Certificates with 18 units of professional education subjects.

SECTION 4. Teachers validly registered under the laws of any foreign state or country; Provided, that the requirements for registration in said foreign state or country are substantially the same as those required and contemplated by this Decree, and the laws of such foreign state or country allow citizens of the Philippines to practice the profession on the same basis and grant the same privileges as the citizens or subjects of such foreign state or country; Provided further, that this privilege shall not accrue if the teacher registrant under the laws of any country shall be appointed to a position other than in the teaching service; Provided finally, that the applicant shall submit competent and conclusive documentary evidence, confirmed by the Department of Foreign Affairs, showing that his country's existing laws permit citizens of the Philippines to practice teaching profession under the rules and regulations governing citizens thereof.

SECTION 5. Teachers specified under Section 3 hereof who are not actually teaching at the time they file their applications are likewise qualified for registration.

SECTION 6. Registration shall be on a continuing basis without any deadline for the filing of applications.

SECTION 7. In cases where the Ours Certificates are not immediately available, the National Board for Teachers through the Civil Service Commission shall issue CERTIFICATION to those who have been registered as Professional Teachers, which Certification shall be used as the basis for all personnel actions and for other purposes.

SECTION 8. All existing NBT resolutions, memoranda and decisions inconsistent herewith are amended or superseded accordingly.

Manila, December 1, 1987.

A true copy

(Inclosure No. 2 to DECS Order No. 38, s. 1990)

MALACANANG
Manila

PRESIDENTIAL DECREE NO. 1006

PROVIDING FOR THE PROFESSIONALIZATION OF TEACHERS, REGULATING
THEIR PRACTICE IN THE PHILIPPINES AND FOR OTHER PURPOSES.

WHEREAS, the Constitution provides that "All educational institutions shall be under the supervision of; and subject to regulation by, the State", and requires that "the State shall establish and maintain a complete, adequate and integrated system of education relevant to the goals of national development";

WHEREAS, in the pursuit of these objectives, the Department of Education and Culture has adopted ways and means of overseeing all the educational institutions in the country;

WHEREAS, this supervisory function of the DEC has been primarily geared towards insuring that the educational institutions inculcate in the studentry love of country, teach the duties of citizenship, and develop moral character, personal discipline, and scientific, technological and vocational efficiency;

WHEREAS, to implement these objectives, the institutions have relied upon their teachers whose direct and continuing interaction with the young people and the children make them potent forces for the development of proper attitudes among the citizenry;

WHEREAS, this accounts for the tremendous growth of the teaching population, comprising in the civil service sector alone - more than 300,000 teachers deployed all over the country;

WHEREAS, to insure that in the immediacy and urgency of teacher recruitment qualitative requirements are not overlooked, it has become necessary to regulate the teaching profession;

WHEREAS, although teaching requires a number of years of collegiate study, it is the only course that is not yet considered a profession;

WHEREAS, in recognition of the vital role of teachers in nation-building and as an incentive to raise the morale of teachers, it is imperative that they be considered as professionals and teaching be recognized as a profession.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order:

SECTION 1. Title. - This Decree shall be known as the Decree Professionalizing Teaching.

SEC. 2. Declaration of Policy. - It is hereby declared a policy that teacher education shall be given primary concern and attention by the government and shall be of the highest quality, and strongly oriented to Philippine conditions and to the needs and aspirations of the Filipino people even as it seeks enrichment from adoptable ideas and practices of other people.

SEC. 3. Definition of Terms. - As used in this Decree, the following shall be construed as follows:

- (a) Teaching refers to the profession primarily concerned with classroom instruction, at the elementary and secondary levels, in accordance with the curriculum prescribed by National Board of Education, whether on part-time or full-time basis in the public or private schools.
- (b) Teacher refers to all persons engaged in teaching at the elementary and secondary levels, whether on a full-time or part-time basis, including guidance counsellors, school librarians, industrial arts or vocational teachers and all other persons performing supervisory and/or administrative functions in all schools in the aforesaid levels and legally qualified to practice teaching under this Decree.
- (c) Board refers to the National Board for Teachers duly constituted under this Decree.

SEC. 4. Creation of the National Board for Teachers. - There is hereby created a National Board for Teachers, hereinafter called the Board, to be composed of the following:

- 1) Secretary of Education and Culture) - Co Chairmen
- 2) Chairman, Civil Service Commission)
- 3) Commissioner, Professional Regu-) - Member
- lations Commission)
- 4) Two members representing the)
- private sector to be appointed) - Members
- by the President)

SEC. 5. Powers and Duties. - The Board shall have the following powers and duties:

- (a) Appoint a set of examiners for every examination who will determine and prepare the contents of the Board examination for teachers, hereinafter

referred to as examination, in the elementary and secondary levels of instructions, to be held at least once a year:

- (b) Determine and fix the places and dates of examination, appoint supervisors and room examiners from among the employees of the Government who shall be entitled to a daily allowance to be fixed by the Board for every examination day actually attended, use the buildings and facilities of public and private schools for examination purposes, approve applications to take examination, and approve the release of examination results;
- (c) Look from time to time into the conditions affecting the practice of the teaching profession, adopt such measures as may be deemed proper for the enhancement of said profession, and/or maintenance of the professional standards and ethics;
- (d) Issue, suspend, revoke, replace or reissue Professional Teachers Certificate, and administer oaths;
- (e) Appoint, subject to the provisions of existing laws, such officials and employees as are necessary in the effective performance of its functions and responsibilities, prescribe their duties and fix their compensation;
- (f) Prescribe and collect examination and other fees as it may deem proper; and
- (g) Promulgate rules and regulations, and exercise such other powers, functions and duties as may be necessary to carry into effect the purposes of this Decree.

SEC. 6. Qualification requirements for examination applicants. No applicant shall be admitted to take the examination unless, on the date of filing of the application, he shall have complied with the following requirements:

- (a) Except those who have been engaged in teaching as herein defined for at least five years in schools in the Philippines not organized exclusively for nationals of a foreign country at the time of the effectivity of this Decree, the applicant must be a citizen of the Philippines;
- (b) That he is of good moral character;

(c) That he is free from any physical and/or mental defect which will incapacitate him to render efficient service; and

(d) That he possesses the following minimum educational qualifications:

1) For teachers in the kindergarten and elementary grades, Bachelor's degree in Elementary Education (B.E.-ED) or its equivalent;

2) For teachers of the secondary schools, Bachelor's degree in Education or its equivalent with a major and minor, or a Bachelor's degree in Arts or Sciences with at least eighteen units in professional education; and

3) For teachers of secondary vocational and two-year technical courses, Bachelor's degree in the field of specialization with at least eighteen units in professional education.

All applications shall be filed with an office or offices designated by the Board, preferably the offices of the Civil Service Commission and the Department of Education and Culture.

These offices shall screen and approve such applications and issue the corresponding permits to take the examination to qualify applicants.

SEC. 7. Appointment of examiners. - The Board shall appoint a set of examiners for every examination who are recognized authority in teacher education, and their names shall not be disclosed until after the release of the results of the examinee. They shall each receive as compensation the sum of not less than P5.00 for each examinee as may be determined by the Board but in no case shall each examiner receive more than P10.00 per examinee. Any examiner who is in the service of the Government shall receive the compensation herein provided in addition to his salary.

SEC. 8. Scope of the examination. - The examination shall consist of written tests, the scope of which shall be determined by the Board, taking into consideration the teaching plan of the schools logically constituted in the Philippines.

SEC. 9. Ratings in the examination. - In order that a candidate may be deemed to have successfully passed the examination, he must obtain a general average of at least 70 per cent in all subjects, with no rating below 50 per cent in any subject.

SEC. 10. Report of the results of examination. - The examiners shall report the ratings obtained by each candidate to the Board within 150 days after the last day of the examination, unless extended by the latter.

SEC. 11. Issuance of Certificates. - Teachers who have passed examinations given by the Civil Service Commission or jointly by the Civil Service Commission and the Department of Education and Culture shall be considered as having passed the board examinations for teachers. The Board may consider their certificates of rating as certificates of eligibility or issue an entirely new certificate upon registration of the teacher and payment of the corresponding fees.

This provision shall likewise apply to those teachers who have permanent appointment under the Magna Carta For Public School Teachers and all others who may be qualified for registration as professional teachers under this Decree.

SEC. 12. Registration. - The Civil Service Commission shall, as an arm of the Board, register holders of Professional Teacher Certificate which registration shall evidence that the registrant is entitled to all the rights and privileges of a Professional Teacher until and unless the certificate is suspended or cancelled by the Board for a just cause.

SEC. 13. Reissuance of revoked certificates and replacement of lost certificates. - The Board may, for reason of equity and justice, and upon proper application therefor, issue another copy, original or duplicate, upon payment of the required fee, of a certificate which has been revoked. A new certificate to replace a lost, destroyed or mutilated certificate may be issued subject to the rules of the Board.

SEC. 14. Registration by reciprocity. - The Civil Service Commission shall, upon approval of the Board, effect the registration, without examination, of a teacher validly registered under the laws of any foreign state or country; Provided, That the requirements for registration in said foreign state or country are substantially the same as those required and contemplated by this Decree, and the laws of such foreign state or country allow citizens of the Philippines to practice the profession on the same basis and grant the same privileges as the citizens or subjects of such foreign state or country; Provided finally, That the applicant shall submit competent and conclusive documentary evidence, confirmed by the Department of Foreign Affairs, showing that his country's existing laws permit citizens of the Philippines to practice teaching profession under the rules and regulations governing citizens thereof.

SEC. 15. Prohibition. - Three years after the effectivity of this Decree, no person shall engage in teaching and/or act as a teacher as defined in this Decree, whether in the public or private elementary or secondary school, unless he

is a holder of a Professional Teacher Certificate or is considered a Professional Teacher under this Decree.

SEC. 16. Penal Provision. - Any person who shall practice the teaching profession without a valid Professional Teacher Certificate, or any person presenting as his or her own the certificate of another, or any person giving any false or forged evidence in order to obtain a Professional Teacher Certificate or admission to an examination, or any person assuming himself as a registered professional teacher or any person violating any provision of this Decree shall be penalized by a fine of not less than One Thousand Pesos nor more than Five Thousand Pesos with subsidiary imprisonment or to suffer an imprisonment of not less than six months nor more than two years, or both such fine and imprisonment at the discretion of the Court.

SEC. 17. Repealing Clause. - All Acts, Decrees, Executive Orders, Administrative Orders, rules and regulations or parts thereof inconsistent with the provisions of this Decree are hereby repealed or modified accordingly.

SEC. 18. Separability Clause. - In case any provision of this Decree or any portion thereof is declared unconstitutional by a competent court, other provisions shall not be affected thereby.

SEC. 19. Effectivity. - This Decree shall take effect January 1, 1977.

Done in the City of Manila, this 22nd day of September, in the year of Our Lord, nineteen hundred and seventy-six.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(SGD.) JACOBO C. CLAVE
Presidential Executive Assistant

A true copy