

Republic of the Philippines
Autonomous Region in Muslim Mindanao
REGIONAL ASSEMBLY
Cotabato City

SIXTH LEGISLATIVE ASSEMBLY
(Second Regular Session)

[MUSLIM MINDANAO AUTONOMY ACT NO. 279]

Begun and held in Cotabato City, on Monday, the twenty-sixth day of October, two thousand and nine.

AN ACT PROVIDING FOR A SYSTEM OF BASIC EDUCATION FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO, AMENDING MUSLIM MINDANAO AUTONOMY ACT NUMBERED FOURTEEN THEREFOR, AND FOR OTHER PURPOSES.

Be it enacted by the Regional Assembly in session assembled:

ARTICLE I – GENERAL PROVISIONS

Section 1. Short Title. This Act shall be known as the “ARMM Basic Education Act of 2010.”

Sec. 2. Applicability. This Act shall govern the organization, operation and management, monitoring and evaluation, growth and sustainability of the basic educational system of formal public and private schools, alternative learning and informal education, the Madaris, including those that are existing and operating as well as those that may be organized hereafter within the Autonomous Region in Muslim Mindanao.

Sec. 3. Declaration of Policy. The Regional Government shall establish, maintain and support as a top priority a complete and integrated system of quality education and adopt an educational framework that is meaningful, relevant, and responsive to the needs, ideals and aspirations of the people in the region, in accordance with “Muflihun” as a philosophy of education in ARMM.

Towards this end, it is the policy of ARMM Regional Government:

- a) To provide a system of education which shall be committed to the total spiritual, intellectual, social, cultural, scientific, technological and physical development of the youth in order to make them God-fearing, peace-loving, value-conscious and productive citizens;

- b) To develop, promote, and enhance unity in diversity. All schools in the Autonomous Region shall inculcate into the minds of their pupils/students the values, patriotism and nationalism, appreciation of the role of national and regional heroes in the historical development of the country and region;
- c) To promote and strengthen the Madrasah System as an integral part of the regional education system.
- d) To undertake special educational programs for the underprivileged, unemployed, underemployed, disadvantaged, displaced, and differently abled to enable them to share the blessings of life, with meaningful, useful and productive participation and involvement; and
- e) To respond readily to the ever-changing needs and conditions of the region and the nation through sound and realistic educational planning, implementation, monitoring and evaluation.

Sec. 4. Definition of Terms.

Learners – learners aged 15 years and above who are illiterates, neoliterates who either have had no access to formal education or have reverted to illiteracy.

Adult literacy Rate – the percentage of population aged 15 years and over who can read and write with understanding simple statements on everyday life transactions.

Alternative Learning System – a parallel system aimed to provide a viable alternative to the existing formal educational instruction. It encompasses both the non-formal and informal sources of knowledge and skills.

Basic Learning Needs – comprise the essential learning tools (such as literacy, oral expressions, numeracy and problem solving) and the basic learning content (such as knowledge, skills, values and attitudes) required by human beings to be able to survive, to develop their full capacities, to live and work in dignity, to participate fully in development, to improve the quality of their lives, to make informed decisions, and to continue learning. The scope of basic learning needs and how these should be met varies with individual countries and cultures and inevitably changes with the passage of the time.

Child-friendly School – an institution that recognizes and respects the range of rights of children, and not just their right to be educated. These rights also include their rights to be healthy, to be given opportunities for play and leisure, to be protected from harm and abuse, to express their views freely, and to participate in decision-making according to their evolving capacities.

Dropout – a pupil/student who leaves the school before completing the grade /year and/or who completes the grade/year but fails to enroll in the next grade/year the following year.

Education, basic – the education intended to meet basic learning needs which lay the foundation on which subsequent learning can be based. It encompasses early childhood, elementary and high school education as well as alternative learning systems for out-of-school youth and adult learners and includes education for those with special needs.

Education, Early Childhood – the level of education that needs to prepare 3-5 year-old children (one year before Grade 1) for formal schooling and the same time narrow down adjustment and learning gaps. This level focuses on the physical, social, moral, and intellectual development through socialization and communication processes.

Education, elementary – the first stage of free and compulsory, formal education primarily concerned with providing basic education and usually corresponding to six and seven grades. Elementary education can likewise be attained through alternative system.

Education, Informal – form of educational learning which is non-graded and outside of formal schooling.

Education, Preschool – an organized learning experience including play activities for children below six (6) years old. It aims to develop the child in all aspects (physical, social, cognitive, and emotional) so he/she will be better prepared for socialization and cope with the demands of formal schooling.

Education, Primary (in the Phils.) – the stages of formal education concerned with providing basic education and usually corresponding to the first four grades of elementary education.

Education, Secondary – the stage of formal education following the elementary level concerned primarily with continuing basic education and expanding it to include the learning of employee gainful skills, usually corresponding to four years in high school.

Functional Literacy – a range of skills and competencies-cognitive, affective, and behavioral-which enables individuals to: a.) live and work as human persons, develop their potential, make critical and informed decisions, and b.) function effectively in society within the context of their environment and that of the wider community (local, regional, national, global) in order to improve the quality of their life and that of society.

Integrated School – a school that offers a complete basic education in one school site, has unified instructional programs and under one (1) school head.

Learner, Basic Education – any individual seeking basic literacy skills and functional life skills or support services for the improvement of the quality of his/her life.

Learning Center - a physical space to house learning resources and facilities of a learning program for out-of-school and adults. It is for face-to-face learning activities and other learning opportunities for community development and improvement of the people's quality of life.

Learning Facilitator - the key-learning support person who is responsible for supervising/facilitating the learning process and activities of the learner.

Madrasah - an Arabic term for school which is operationally defined as an educational institution which is community-based and operated privately whereby the medium of instruction is the Arabic language with Islamic studies and Arabic literacy as the core emphasis.

Madrasah , Developmental or Formal – a type of Madrasah that offers hierarchically structured education and sequential learning generally attuned with the formal education system.

Madrasah, Integrated or Pilot – a type of Madrasah that offers a complete basic unified instructional programs such as Arabic Language, Islamic Values education, Islamic Studies, and the core learning areas of the Restructured Basic Education Curriculum.

Madrasah, Traditional or Weekend – a type of madrasah wherein the instruction is basically religious. It is considered as non-formal education due to its characteristics: (a) classes are held on Saturdays and Sundays or days agreed upon by the teacher and students/pupils; (b) it does not have a formal curriculum; (c) it is non-graded and may have multi-age grouping; and (d) it requires only a simple qualification for its teachers such as being graduates of a Madrasah or an Imam (Muslim religious leader).

Mean years of schooling per person aged 5 and over – average number of years that a person spends in education. In general, the education level is directly proportional to number of schooling years, therefore, this indicator like literacy rate, can be used for analyzing the education level of the population.

Muflihun – a philosophy of total development of man (Tazkiyah) through the pursuit of acquisition of Divine and revealed knowledge (under the principle of Tawhid- oneness of God) and the study of physical and natural sciences (Rubbiyyah) to actualize his role as vicegerent of God on earth (Khalifa of God on earth) and thereby contributes fully to the development of his society in order to achieve well-being in this world and in the hereafter (Hassanah fid-dunya and hassanah fi'l-akhira).

Multi Grade Class – a class consisting of different curriculum grades handled by one teacher.

Ramadhan - the ninth month of the Muslim hijrah calendar designed to maintain a balance between material and spiritual aspects of human life, during which strict fasting is observed from dawn to sunset and minimize the pure mundane activities in order to accelerate spiritual progress and repair spiritual loss.

Repeaters – pupils/students who failed or left a particular grade/year level during a given school year, or pupils/students who are enrolled in the same grade/year for a second (or more) time.

School – an educational institution, public and private undertaking educational operation with a specific age-group of pupils or students pursuing defined studies at defined level receiving instruction from teachers, usually located in a building or a group of buildings in a particular physical or cyber site.

School, Private Formal – a school system organized and operated privately by single proprietor, partnership or corporation, either secular or non-secular with permit to operate or certificate of recognition from the DepEd-ARMM.

School head – a person responsible for the administrative and instructional supervision of the school or cluster of schools.

School leaver – a pupil/student who enrolled in a school or course but left before completing the prescribed program.

School Year – the prescribed period of time when schools offer daily instruction broken by short intermission periods (e.g., Christmas, summer vacations, holidays and possibly Ramadhan).

Simple/Basic Literacy – the ability to read and write with understanding a simple message in any language or dialect.

Special Education (SPED) – the education of persons who are gifted or talented and those who have physical, mental or sensory impairment or cultural differences so as to require modification of school curricula, programs and special services and physical facilities to develop them to their maximum capabilities.

Special Education Center – an administrative unit which may not be within the regular school that serves two or more types of children with special needs and is administered by a SPED trained principal/head teacher or any qualified staff.

Special needs Education – the education of children and youth with special needs corresponding to elementary and secondary education that require modifications of school practices, curricula, programs, special services and facilities. These include children and youth who are gifted/talented, fast learners and those with disabilities.

Stakeholder – a person or group of people having interest, benefits, and enthusiastic support for the betterment and quality education.

Student Financial Assistance – a form of assistance provided to deserving students in a form of scholarship grant, study-now-pay-later loan, tuition fee subsidy under the service contracting scheme program, and other form of grant-in-aid program.

Talamidz – Arabic term for pupils/students.

Ustadz – singular of Asatidz which refers to the teachers teaching in the Madrasah Institution. Asatidz is a plural of Ustadz.

Zakat – refers to the strictly imposed taxes required to a muslim by its Islamic religion.

Sec. 5. Religious Instruction. Religious instruction shall be made available and accessible to Muslim and non-Muslim students.

Sec. 6. Private Schools and Madaris. The DepEd-ARMM shall be responsible for the supervision and regulation of pre-schools, elementary and secondary private schools and Madaris. Private Schools, including sectarian and non-sectarian institutions of learning may organize themselves and shall have the right to participate and be represented by three (3) representatives in the Regional Educational Coordinating Council's (RECC) deliberations of the DepEd-ARMM on matters dealing with private schools and Madaris.

Sec. 7. Madaris and Asatidz. Existing madaris are deemed parts of the regional education system. For Asatidz in the public schools, the DepEd-ARMM shall conduct periodic competitive qualifying examinations for permanent appointment. The compensation of Asatidz employed in the public schools of the autonomous region shall be part of DepEd-ARMM annual budget.

Sec. 8. Scholarships, Student Loans and Grants. A system of scholarship programs, grants, student loans, subsidies, and other incentives shall be made available to all poor but deserving students and teachers from any fund including those provided by the national or regional government for the purpose.

Sec. 9. Donations to Schools. Public or private schools in the autonomous region may seek and receive local or foreign donations for educational purposes. Donors to public schools may deduct the amount of the donation from their taxable income due to the Regional Government.

Sec. 10. Community Participation in Education. The active participation of the family, community, religious and non-government organizations, and other sectors in the total educative process of the youth shall be encouraged, supported and institutionalized. The mechanism of participation of different sectors shall be clearly defined by encouraging them to organize and be represented in a council/s where their participation is deemed necessary.

Sec. 11. Media of Instruction in Schools. Filipino and English shall be the media of instructions in all schools in the region. Arabic and other regional languages shall be auxiliary media of instruction in public schools. In private Madaris and other Islamic institutions, Arabic shall be the official medium of instruction. However, shifting to the auxiliary vernacular shall be applied when teaching in the lower grade levels require to assist the slow learners.

Sec. 12. Teaching of Arabic as Subject. Arabic instruction shall be made available to all pupils/students in all schools.

Sec. 13. Makabayan Subject Contents. Filipino and Islamic values shall be incorporated in the Makabayan subjects in the elementary and secondary levels. Islamic values shall be taught also as a separate subject in the elementary and secondary levels of education.

Sec. 14. Curriculum and Textbook Development. The development of curricula, textbooks and other instructional materials for the use of the schools in the region shall be the responsibility of the Regional Government. Curriculum, textbooks and other instructional materials development shall be guided by the aims and purposes of the integrated education system as provided for in this Act.

Towards this end, a Curriculum and Textbook Development Services and its support machinery known as the Materials Development Center shall be created under the Office of the Assistant Regional Secretary. This office shall be headed by a Chief Education Program Specialist and assisted by at least five Education Program Specialists and other technical and clerical staffs.

Sec. 15. Basic Education Development Plan and Program advocacies. The development and preparation, implementation and management, as well as monitoring and evaluation of basic education development plan of the Region, Division, District and Schools, as a tool to achieve the goal of education in the autonomous region, and other educational program advocacies shall follow the constructivist principle of collegial and cordial sharing, collaboration and complementation, and transparent hierarchical involvement of education stakeholders.

Sec. 16. Relationship to National Education System. The DepEd-ARMM shall have the same curricular years as that of the national educational system, provided that it shall have the power to adopt a 2-year childhood pre-school education or addition of one year grade level as the case may be. It shall have also the power to make its own basic educational plans and shall enjoy fiscal autonomy.

ARTICLE II – THE DEPARTMENT OF EDUCATION IN THE AUTONOMOUS REGION IN MUSLIM MINDANAO

Sec. 17. Name. The Department of Education, Culture and Sports in the Autonomous Region in Muslim Mindanao is hereby renamed as the Department of Education or DepEd-ARMM.

Sec. 18. Powers and Functions. The DepEd-ARMM shall perform the following powers and functions:

- a) Formulate general basic education objectives and policies and adopt educational plans based on the educational framework articulated in Section 3;
- b) Ensure the high standards of all basic educational institutions in the Region.
- c) Develop appropriate curricula, quality textbooks, and teaching materials;
- d) Establish linkages with institutions with track record of excellence to provide pre-service and in-service training for teachers and training courses for non-teaching staff.
- e) Formulate the annual budget of DepEd-ARMM in consultation with Division field offices and Local Government Units, and in coordination with the Regional Planning and Development Office to ensure support for the implementation of the regional and division educational plans and the school improvement plans;
- f) Receive, allocate, and disburse funds for basic education, including those for the Divisions subject to nationally and internationally accepted accounting and auditing standards for transparent, effective and efficient implementation of plans and programs;
- g) Approve and support the establishment and operation of public and private elementary and high schools and learning centers;
- h) Exercise the powers of selection, recruitment, appointment, and promotion of teaching and non-teaching personnel of the DepEd-ARMM;
- i) Determine the organizational components and approve staffing patterns of the divisions, districts and schools;

- j) Promulgate rules and regulations or such guidelines as may be required for efficient and effective administration, control and supervision and regulation of basic educational institutions including the Madaris;
- k) Delegate to Divisions such powers, functions and responsibilities as are appropriate including powers of selection, recruitment, appointment, and promotion of teaching and non- teaching personnel;
- l) Monitor and evaluate the performance and compliance with DepEd-ARMM standards of those bodies to which it has delegated powers, functions or responsibilities;
- m) Evaluate all schools division superintendents and assistant division superintendents in the region;
- n) Adopt and implement programs and projects in coordination with various stakeholders for the promotion and advancement of both formal and informal education;
- o) Propose and recommend measures on basic education for enactment into laws; and
- p) Establish, promote and foster linkages and conduits with national as well as international academic, research, and Islamic-oriented educational and cultural institutions whose objectives are consistent with this Act;
- q) Perform such other functions and powers as may be provided by law.

Sec. 19. Basic Education Structure. The Basic Education Structure in ARMM shall involve ten years of formal elementary and secondary education, including early childhood education, public and private madaris, alternative learning system, and informal education.

Sec. 20. Organization of the DepEd-ARMM. The DepEd-ARMM shall consist of the Regional Office, Office of the Schools Divisions, District Offices and Schools.

Sec. 21. Regional Office. The Regional Office of the Department shall consist of the Office of the Secretary; Office of the Undersecretary for Finance and Administration; Office of the Undersecretary for Programs and Field Operations; Office of the Assistant

Regional Secretary, Office of the Assistant Secretary for Madaris; Office of the Bureau Directors for Elementary, Secondary, Alternative Learning System, Physical Education and Sports Development, Madrasah Education, Planning Services, Administrative, Finance and Other Support Services Bureau including Chiefs of Medical and Dental Services, Legal Services, Curriculum and Textbook Development Services, Management Information System, and Sub-Regional Office.

Sec. 22. Qualifications. No person shall be appointed Regional Secretary, Regional Undersecretaries, Assistant Regional Secretary, Assistant Secretary for Madaris, Bureau Directors, and Assistant Bureau Directors, unless he is a natural-born citizen of the Philippines; a native inhabitant of the Autonomous Region; a registered voter in any province of the region for at least one year prior to appointment, with relevant supervisory and managerial experience and of proven integrity and honesty.

The Regional Secretary shall be a holder of Doctorate degree in Philosophy or Master's degree in Education or it's equivalent and not below thirty-five years of age at the time of his/her appointment, a member of the Regional Cabinet with Portfolio which shall be subject to confirmation by the Regional Assembly, with managerial skills and expertise and shall serve in office at the pleasure of the Regional Governor.

The Undersecretaries shall preferably be holders of at least Masteral Degree, with at least five years of relevant experience in any supervisory and managerial position in the Autonomous Region in Muslim Mindanao, who shall be appointed by the Regional Governor.

The Assistant Regional Secretary shall be at least a holder of Master's Degree in Education, with appropriate civil service eligibility, at least five years of relevant experience in any executive position in the Department of Education, Autonomous Region in Muslim Mindanao.

The Assistant Secretary for Madaris shall be a holder of a degree in Islamic Studies, at least five years of relevant experience in any supervisory and managerial position in the Autonomous Region in Muslim Mindanao.

The Bureau Directors shall be at least holders of Master's Degree in Education with three years relevant supervisory and managerial experiences and holder of appropriate Civil Service eligibility, except the Bureau Director for Madaris who shall be a holder of a degree in Islamic Studies with three years relevant supervisory and managerial experiences. The Assistant Bureau Directors shall be at least holders of Master's Degree in Education with two years relevant supervisory and managerial

experiences and have appropriate Civil Service eligibility, except the Assistant Bureau Director for Madaris who shall have at least a degree in Islamic Studies with two years relevant supervisory and managerial experiences.

Sec. 23. Salaries, Allowances and Other Incentives. The Regional Secretary, Regional Undersecretaries, Assistant Regional Secretary, Assistant Secretary for Madaris, Bureau Directors, Assistant Bureau Directors, Schools Division Superintendents and Assistant Schools Division Superintendents shall receive an annual compensation, monthly representation and transportation allowance, other benefits and incentives as may be provided for by laws.

Sec. 24. Powers and Duties of the Regional Secretary. The Regional Secretary shall exercise and perform the following powers and duties:

1. Advise and update the Regional Governor on the status of the regional basic educational system in terms of progress, priorities, needs, problems, and requirements, and recommend measures to resolve the same;
2. Promulgate and issue educational guidelines, policies, instructions, administrative orders, circulars or memoranda;
3. Consult and coordinate with the Regional Planning and Development Office to give and obtain information and advise on the DepEd-ARMM program and budget;
4. Consult and coordinate with the Local Government Units, and advises the national Department of Education on matters relating to education in the region by continued participation in relevant national Department of Education policy and decision-making activities, bodies and committees as prescribed in R.A. 9054;
5. Prepare and submit the Annual Accomplishment Report and the annual budget proposals of the department to the Regional Governor and the Regional Assembly;
6. Be responsible and accountable to the Regional Governor and the Regional Assembly for ensuring that the functions and programs of the DepEd-ARMM are carried out, and for the quality assurance of those functions and programs;

7. In accordance with Section 19, Article VII and other pertinent provisions of RA 9054, appoint the personnel of the Department subject to Civil Service laws, rules and regulations, except teachers and non-teaching personnel in the Division who may be appointed by the Schools Division Superintendent upon his expressed authority;
8. Approve and sign payrolls, vouchers, checks, and such other related financial documents or disbursement as may be necessary, subject to accounting, auditing and budgeting rules and regulations;
9. Be responsible and accountable to the Regional Governor and the Regional Assembly for ensuring that funds are received and disbursed in a transparent and proper manner and are liquidated promptly, and that the DepEd-ARMM operates within its budget;
10. Negotiate, sign and enter into contract, memorandum of agreement, and other similar documents pertinent and relevant to the DepEd-ARMM operations;
11. Exercise such other powers and functions of the DepEd-ARMM which are not explicitly stated in this Section; and
12. Perform such other functions as may be provided by law.

Sec. 25. Duties and Functions of the Undersecretary for Finance and Administration. The Undersecretary for Finance and Administration shall perform the following duties and functions:

- a. Assist the Regional Secretary in the supervision, direction, evaluation, and coordination of administrative & financial programs of the DepEd-ARMM;
- b. Assist in the implementation of policies, programs, rules and regulations of the DepEd-ARMM related to financial and administrative matters;
- c. Oversee and review the preparation of budgetary plans, annual, financial work programs, and other periodic reports;

- d. Represent the Regional Secretary of the DepEd-ARMM in programs/activities related to financial and administrative matters;
- e. Act as Officer-In-Charge of the DepEd-ARMM to perform routine functions in the absence of the Regional Secretary;
- f. Perform such other functions as may be required by proper authority.

Sec. 26. Duties and Functions of the Undersecretary for Programs and Field Operations. The Undersecretary for Programs and Field Operations shall perform the following duties and functions:

- a. Assist the Regional Secretary in the implementation of the DepEd-ARMM Programs and Projects;
- b. Oversee, coordinate and monitor all local and foreign assisted projects proposed and implemented in the regional, division and school levels;
- c. Represent the Regional Secretary of the DepEd-ARMM in donors' forums and activities;
- d. Recommend policies and programs for effective implementation and operations;
- e. Establish linkages with the other GOs, NGOs and other stakeholders;
- f. Map and identify donor funded projects which are implemented in the region;
- g. Perform such other functions as may be required by proper authority.

Sec. 27. Duties and Functions of the Assistant Regional Secretary. The Assistant Regional Secretary shall perform the following duties and functions:

- a. Assist the Regional Secretary in the general supervision direction, evaluation, and coordination of academic programs of the DepEd-ARMM ;
- b. Assist in the implementation of policies, programs rules and regulations of the DepEd-ARMM;

- c. Oversee the preparation of plans, annual and other periodic reports on academic matters;
- d. Represent the Regional Secretary in programs/activities related to academic activities involving other agencies/offices;
- e. Assist the Regional Secretary in the exercise of the functions on Performance Appraisal Review and Grievance mechanisms;
- f. Oversee and supervises the Curriculum and Textbook Development Services and its support Materials Development Center;
- g. Assist in the preparation of annual school calendar as provided for in Section 51, Article V hereof;
- h. Perform such other functions as may be required by proper authority.

Sec. 28. Duties and Functions of the Assistant Secretary for Madaris. The Assistant Secretary for Madaris shall perform the following duties and functions:

- a) Assist the Regional Secretary in the implementation of Madaris Plans, Programs and Projects of the DepEd-ARMM;
- b) Assist the Regional Secretary in the general supervision direction, evaluation, and coordination of the Madaris plans, projects and programs of the DepEd-ARMM;
- c) Implement policies, programs rules, and regulations of the Bureau of Madaris Education;
- d) Oversee the preparation of plans, annual and other related reports of the Bureau;
- e) Represent the Regional Secretary in the DepEd-ARMM programs/activities involving other agencies;
- f) Perform such other functions as may be required by proper authority.

ARTICLE III – BUREAUS IN THE DEPED-ARMM

Sec. 29. Bureaus in the DepEd-ARMM. The DepEd-ARMM shall consist of the Bureau of Elementary Education; Bureau of Secondary Education; Bureau of Alternative Learning System; Bureau of Planning Services; Bureau of Physical Education and Sports Development; Bureau of Madrasah Education; and the Bureau of Administrative and Financial Management Services.

Sec. 30. The Bureau of Elementary Education. The Bureau of Elementary Education shall be composed of a Director, Assistant Director and Subject Area Supervisors who shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with paragraph 6, Section 22, Article II hereof and pertinent Civil Service rules and regulations. It shall perform the following functions.

- a) Formulate, develop and evaluate plans, educational standards, curricular designs, textbooks and other instructional materials, and Islamic values;
- b) Implement a capacity development program for elementary school teachers;
- c) Conduct periodic supervision and inspection of elementary educational institutions to ensure that educational standards are met and complied with; and
- d) Perform such other functions as may be necessary to ensure efficient implementation of the elementary education program in the DepEd-ARMM.

Sec. 31. Specific Duties and Functions of the Director of the Bureau of Elementary Education. The Director shall exercise supervision over the region and other field offices and perform the following duties and functions:

- a) Formulate, develop, and evaluate educational policies, plans, programs and standards with respect to pre-schools, elementary, and special education;
- b) Evaluate plans, programs and standards for curriculum and staff development, and infrastructure improvement;

- c) Provide technical assistance to the Regional Secretary of the DepEd-ARMM on matters pertaining to pre-schools, elementary and special education;
- d) Assist in the formulation of guidelines on the conduct of competitive and qualifying examinations for Madaris Teachers pursuant to Section 14, Article XIV of RA 9054, and;
- e) Perform such other functions as may be required by proper authority.

Sec. 32. Bureau of Secondary Education. The Bureau of Secondary Education shall be composed of a Director, Assistant Director and Subject Area Supervisors who shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with paragraph 6, Section 22, Article II hereof and pertinent Civil Service rules and regulations. It shall perform the following functions.

- a) Formulate, develop and evaluate plans, educational standards, curricular designs, textbooks and other instructional materials, and Islamic values;
- b) Implement a capacity development program for secondary school teachers;
- c) Conduct periodic supervision and inspection of secondary educational institutions to ensure that educational standards are met and complied with; and
- d) Perform such other functions as may be necessary to ensure efficient implementation of the secondary education program in the region.

Sec. 33. Specific Duties and Functions of the Director of the Bureau of Secondary Education. The Director shall exercise supervision over the region and other field offices and perform the following duties and functions:

- a) Formulate and develop educational policies, plans, programs, and standards for the secondary level, including adult education;
- b) Provide technical assistance to the Regional Secretary of the DepEd-ARMM on matters pertaining to secondary level education;

- c) Evaluate plans, programs and standards for curriculum and staff development, and infrastructure improvement;
- d) Maintain dialogue with the regional and field offices for the improvement of established plans and programs and determine problems arising therefrom,
- e) Assist in the formulation of guidelines on the conduct of competitive and qualifying examinations for Madaris Teachers pursuant to Section 14, Article XIV of RA 9054, and;
- f) Perform such other functions as may be required by proper authority.

Sec. 34. Bureau of Planning Services. The Bureau of Planning Services shall be composed of Director, Assistant Director, and planning staffs who shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with paragraph 6, Section 22, Article II hereof and pertinent Civil Service rules and regulations. It shall be responsible for providing the department with economical, efficient, and effective services relating to planning, programming, and project development and shall perform the following specific functions:

- a) Coordinate with other Bureaus, responsible for the collection, collating, and processing of basic educational data/ information;
- b) Manage the establishment and operation of the management information services (MIS);
- c) Provide consultancy services to the Regional Secretary and policy recommendations to Senior Regional/ Divisional Management on programs and project implementations;
- d) Provide educational statistics to be used as basis for the formulation of policies, plans and budgetary proposals;
- e) Undertake educational researches;
- f) Coordinate and provide data for the preparation of the Regional Basic Education Plan (RBEDP);
- g) Perform such other functions as may be required by proper authority.

Sec. 35. Specific Duties and Functions of the Director of the Bureau of Planning Services. The Director shall exercise supervision over the region and other field offices and in coordination with Bureau Directors and offices of the Department, perform the following duties and functions:

- a) Plan, direct and supervise the Bureau of Planning Services Staff in the performance of their duties;
- b) Supervise the collection, processing and dissemination of Basic Education Information System (BEIS), Human Resources Information System (HRIS) and Madrasah Information System (MIS);
- c) Supervise the establishment and operation of a management information services;
- d) Recommend policies to Senior Regional/ Divisional Management on programs and project implementations;
- e) Prepare educational statistics to be used as basis for the formulation of policies, plans and budgetary proposals;
- f) Supervise the conduct of educational researches undertaken by the Bureau;
- g) Direct and supervise the preparation of the Regional Basic Education Plan;
- h) Perform such other functions as may be directed by the proper authority.

Sec. 36. Bureau of Madrasah Education. The Bureau of Madrasah Education shall administer, supervise and regulate all basic Madaris. It shall be composed of a Director, Assistant Director and subject area supervisors who shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with paragraph 6, Section 22, Article II hereof. It shall perform the following functions.

- a) Formulate, adopt and evaluate plans, programs, educational standards and curricular designs related to Islamic studies;
- b) Establish linkages and cooperation with Islamic educational organizations, academic institutions, and cultural centers here and abroad ;

- c) Establish a system of recognition, accreditation and standardization of the Madaris and the Asatidz;
- d) Establish a capacity development program for Asatidz;
- e) Allocate specific funds for scholarship programs for deserving talamidz ;
- f) Carry out infrastructure development programs for duly accredited and recognized Madaris;
- g) Coordinate with the Bureaus of Elementary and Secondary Education and other concerned agencies, formulate guidelines on the conduct of competitive and qualifying examinations for Madaris Teachers pursuant to Section 14, Article XIV of RA 9054, and;
- h) Perform such other functions as may be necessary to ensure efficient implementation of the Madrasah educational program in the region.

Sec. 37. Specific Duties and Functions of the Director of the Bureau of Madrasah Education. The Director shall exercise supervision over the region and other field offices and perform the following duties and functions:

- a) Formulate, develop, evaluate educational policies, plan, programs and standards with respect to madrasah education;
- b) Provide technical assistance to the Regional Secretary through the Undersecretary for Madaris of the DepEd-ARMM on matters pertaining to madrasah education;
- c) Coordinate closely with the Planning Service of the Department and the elementary and secondary level specialists in the regional and provincial or city offices;
- d) Maintain dialogue with the regional and other field offices for the improvement of established plans and programs and to determine problems arising therefrom;
- e) Perform such other functions as may be provided by law.

Sec. 38. Bureau of Physical Education and Sports Development. This Bureau shall be headed by a Director, Assistant Director, with education supervisors who shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with paragraph 6, Section 22, Article II hereof and pertinent Civil Service laws, rules and regulations. It shall perform the following functions.

- a) Formulate, develop and evaluate plans, programs, curricular designs and instructional materials for physical fitness and sports development;
- b) Provide, devise and update training programs and courses for physical education teachers;
- c) Coordinate with the other agencies of the government on their physical fitness and sports development programs;
- d) Propose and initiate the implementation of plans to set up sport centers and facilities, including the procurement of athletic equipment; and
- e) Perform such other functions as may be necessary to ensure efficient implementation of the education physical fitness and sports development program in the region.

Sec. 39. Specific Duties and Functions of the Director of the Bureau of Physical Education and Sports Development. The Director shall exercise supervision over the region and other field offices and perform the following duties and functions:

- a) Formulate, develop, evaluate educational policies, plan, programs and standards with respect to the Bureau of Physical Education and Sports Development;
- b) Develop guidelines necessary in guiding the regional and field offices in the proper implementation of such plans and programs;
- c) Evaluate plans, programs and standards;
- d) Provide technical assistance to the Regional Secretary of Department of Education on matters pertaining to physical education and sports development;

- e) Coordinate closely with the bureaus in the regional and provincial or city offices;
- f) Maintain dialogue with the regional and other field offices for the improvement of established plans and programs and to determine problems arising therefrom;
- g) Perform such other functions as may be provided by law.

Sec. 40. Bureau of Alternative Learning System. This Bureau shall be composed of a Director, Assistant Director, and other education supervisors and staffs who shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with paragraph 6, Section 22, Article II hereof and pertinent Civil Service rules and regulations. It shall perform the following functions.

- a) Provide alternative learning systems (informal education) aimed at attaining specific learning objectives for a particular clientele, especially the unschooled, illiterates and out-of-school youths and adults, including those run by the 'A & E system', indigenous informal education and various creative learning programs;
- b) Provide pathways into alternative learning systems for those who do not successfully complete their schooling;
- c) Provide a program to raise the level of literacy of the population, in order to allow them to become citizens who can fully and knowledgeably participate in modern Philippine society and achieve greater employment opportunities and economic productivity;
- d) Provide pathways from alternative learning system into mainstream education programs, including, technical-vocational, and higher education, for those who have demonstrated equivalency through recognized examinations or other recognized means;
- e) Provide special education for differently-abled persons, who need modified teaching methods to develop their mental and/or physical capacity to the maximum; and
- f) Perform such other functions as may be necessary to ensure efficient implementation of alternative learning system, non- formal education, and special education programs in the region.

Sec. 41. Specific Duties and Functions of the Director of the Bureau of Alternative Learning System. The Director shall exercise supervision over the region and other field offices and perform the following duties and functions:

- a) Formulate, develop, evaluate educational policies, plan, programs and standards with respect to Alternative Learning System;
- b) Develop guidelines necessary in guiding the regional and field offices in the proper implementation of such plans and programs;
- c) Provide technical assistance to the Regional Secretary of Department of Education on matters pertaining to Alternative Learning System;
- d) Maintain dialogue with the regional and other field offices for the improvement of established plans and programs and to determine problems arising therefrom; and
- e) Perform such other functions as may be required by proper authority.

Sec. 42. Bureau of Administrative and Financial Management Services. This Bureau shall be headed by a Director and assisted by Assistant Director and support staff, who shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with paragraph 6, Section 22, Article II hereof and pertinent Civil Service laws, rules and regulations.

The Director shall exercise supervision over the region and other field offices and perform the following duties and functions:

- a) Supervise and coordinate the administrative and financial functions in the department;
- b) Direct the general services functions on personnel administration, financial transactions, and legal, records, property, cashiering, custodial and security works;
- c) Implement laws, policies, programs, rules and regulations on administrative and financial functions;
- d) Oversee all personnel transactions including appointments, leaves, transfers, resignations, separations and other related matters;

- e) Direct and supervise the collection and disbursement of public funds in the department;
- f) Oversee the procurement and distribution of books, supplies, materials, and equipment, subject to existing accounting and auditing rules and regulations;
- g) Prepare memoranda, office orders, communications, and other matters pertaining to administrative and financial policies;
- h) Conduct or act as consultant and/or resource person in in-service trainings, seminars, workshops, and other related administrative and financial matters;
- i) Recommend periodic, annual and other required administrative and financial related reports;
- j) Provide staff advice and assistance on budgetary, financial, and management improvement matters;
- k) Provide efficient and effective services relating to information, records, supplies or equipment, collection, disbursement, security and custodial work; and
- l) Perform such other functions as may be required by proper authorities.

Sec. 43. Specific duties and functions of Assistant Bureau Directors.

The Assistant Bureau Directors shall perform the following duties and functions:

- a) Assist the Bureau Director in the exercise of his duties and functions.
- b) Act as Officer-In-Charge on routinary matters in the absence of the Bureau Director;
- c) Perform such other function as may be delegated by the Bureau Director.

ARTICLE IV. SCHOOL DIVISIONS AND DISTRICTS, OTHER FIELD OFFICES AND SCHOOLS

Sec. 44. Schools Divisions. The DepEd-ARMM shall further consist of School Divisions in each province or city which shall be headed by a Schools Division Superintendent who shall be assisted by at least one Assistant Schools Division Superintendent and staff for programs, promotion, planning, administrative, fiscal, legal, auxiliary and other support services. Other Divisions may be created subject to prescribed requirements and standards.

The Schools Division Superintendent and Assistant Schools Division Superintendent shall be appointed by the Regional Governor upon recommendation of the Regional Secretary in accordance with the qualification standards as provided in Section 45 of this Act.

Sec. 45. Qualification Standards of Schools Division Superintendent and Assistant Schools Division Superintendent. No person may be appointed Schools Division Superintendent or Assistant Schools Division Superintendent unless he is natural born citizen of the Philippines; a native inhabitant of the Autonomous Region; a registered voter in any province or city in the region for at least five years prior to his appointment.

The Schools Division Superintendent shall possess, at the time of his appointment, a qualification standard of at least Masters Degree holder in education; at least one year experience as Assistant Schools Division Superintendent; with relevant trainings; and possesses appropriate civil service eligibility. The Assistant Schools Division Superintendent, at the time of his appointment, shall at least be a Master's Degree holder; five years of supervisory and administrative experiences; with relevant trainings; and possesses appropriate civil service eligibility.

The School Division Superintendent and Assistant School Division Superintendent shall serve not more than five years consecutively in a division and shall be transferred to another division in the region as may be determined by the Regional Secretary.

Consistent with the ARMM educational policies, plans and standards, the Schools Division Superintendent shall be responsible and accountable to the regional department for his authority to exercise and perform the following:

- a) Developing and implementing division education development plans;

- b) Planning and managing the effective and efficient use of all personnel, physical and fiscal resources of the division, including professional staff development;
- c) Except for the Assistant Schools Division Superintendent, evaluating and recommending for appointment as well as assigning Division Supervisors, Schools District Supervisors and all employees in the division, both teaching and non-teaching personnel, including school heads;
- d) Monitoring the utilization of funds provided by the local, regional and national government units to the schools and learning centers;
- e) Ensuring compliance of quality standards for basic education programs and for this purpose strengthening the role of division supervisors as subject area specialists;
- f) Promoting awareness of and adherence by all schools and learning centers to accreditation standards prescribed by the Regional Secretary of Education;
- g) Supervising the operations of all public and private elementary, secondary and integrated schools, and learning centers; and
- h) Performing such other functions as may be determined by regional authorities;
- i) Promoting awareness of and adherence by all schools and learning centers to accreditation standards prescribed by the Regional Secretary of Education;
- j) Supervising the operations of all public and private elementary, secondary and integrated schools, and learning centers; and
- k) Performing such other functions as may be determined by regional authorities.

Sec. 46. School Districts. There shall be School Districts within the School Divisions headed by a School Supervisor with Office Staff for program promotion. He shall be responsible to perform the following:

- a) Providing professional and instructional advice and support to the school heads and teachers/facilitators of schools and learning centers in the district or cluster thereof;
- b) Curricula supervision; and
- c) Performing such other functions as may be assigned by proper authorities.

Upon recommendation of the Schools Division Superintendent, the Regional Secretary may establish additional school districts within a school division.

Sec. 47. Schools. There shall be a school head for all public elementary schools and public high schools or a cluster thereof. The school head, who may be assisted by an assistant school head, shall be both an instructional leader and administrative manager. The school head shall form a team with the school teachers/learning facilitators for delivery of quality educational programs, projects and services. A core of non-teaching staff shall handle the school's administrative, fiscal and auxiliary services.

Consistent with the region's educational policies, plans and standards, the school heads shall have authority, accountability and responsibility for the following:

- a) Setting the mission, vision, goals and objectives of the school;
- b) Creating an environment within the school that is conducive to teaching and learning;
- c) Implementing the school curriculum and be accountable for higher learning outcomes;
- d) Developing the school education program and school improvement plan;
- e) Offering educational programs, projects and services that provide equitable opportunities for all learners in the community;
- f) Introducing new and effective modes of instruction to achieve higher learning outcomes;

- g) Administering and managing all personnel, physical and fiscal resources of the school;
- h) Recommending the staffing complement of the school based on its needs;
- i) Encouraging and institutionalizing staff development;
- j) Establishing school and community networks and encouraging the active participation of teacher's organizations, non-academic personnel of public schools, and parents-teachers-community associations;
- k) Accepting donations, gifts, bequests and grants for the purpose of upgrading teacher's and learning facilitator's competencies, improving and expanding school facilities and providing instructional materials and equipment. Such donations or grants must be reported to the appropriate district supervisors and division superintendents; and
- l) Performing such other functions as may be assigned by proper authorities.

Upon recommendation of the Schools Division Superintendent, the Regional Secretary may establish additional elementary and secondary schools within a division.

The Secretary of Education shall create a promotions board, at the appropriate levels, which shall formulate and implement a system of promotion for schools division supervisors, schools district supervisor, and school heads. Promotion of school heads shall be based on educational, qualification, merit and performance.

The qualifications, salary grade, status of employment and welfare and benefits of school heads shall be the same for public elementary, secondary and integrated schools.

Sec. 48. Sub-Regional Office. A sub-regional office may be established in Zamboanga City or in other areas as the need arises, which shall be headed by at least a Chief Education Program Specialist and assisted by at least five (5) Education Program Specialists and staff.

Sec. 49. School Governing Councils. There shall be School Governing Councils in every elementary and secondary schools and Madaris. Each School Governing Council shall be composed of the school head as Chairman with members from representatives of Local Government Units, Non-Government Organizations, Parents Teachers Community Association and teachers' organization and Head of the Supreme Student Government duly selected from among their ranks.

The Council shall serve as governing body of the school and shall spearhead the preparation and implementation of school improvement plans, assist in the recruitment of teachers, resource generation, and establishing linkages with other stakeholders of the school.

Sec. 50. Materials Development Center (MDC). There shall be Materials Development Center in the DepEd-ARMM Regional Office which shall support the Curriculum and Textbooks Development Services. The Center shall operate as efficient service center to produce affordable support materials for teachers and students. It shall be committed to the production of low-cost but high-quality learning materials as a mean to improve quality teaching and learning of the subject areas at the elementary and secondary levels through the Curriculum and Textbooks Development Services. It shall develop, produce and distribute teacher-support and student learning materials; and develops innovative tools and processes to produce and publish those materials for all DepEd-ARMM programs.

Sec. 51. Regional Professional Development Center (RPDC). There is hereby created a Regional Professional Development Center in the DepEd-ARMM which shall serve as a hub of academic professional training for leadership, managerial, and staff development of regional and field education managers, school administrators, school heads, and teachers' skills enhancement. The RPDC shall be headed by a senior official who shall be organic member of DepEd-ARMM and assisted by qualified management and technical staff to manage the training activities and maintenance of the Center.

Sec. 52. Donor Convergence Committee for Basic Education (DCCBE) and Special Project Coordination Office (SPCO). There is hereby created a Donor Convergence Committee for Basic Education (DCCBE) in DepEd-ARMM for purposes of sourcing funds and assistance and ensure availability of resources for basic education. It shall also serve as a mechanism for donor convergence and coordination in order to manage and consistently align donor activities with the policy direction of DepEd-ARMM, maximize gains and sustain donor-funded initiatives and institutionalize them within the context of ARMM. The Special Project Coordination Office (SPCO) shall serve as a secretariat of the DCCBE, implement policies, monitor and evaluate donor-funded projects on basic education.

ARTICLE V. MISCELLANEOUS PROVISIONS

Sec. 53. Rights, Duties and Obligations of Parents, Students/Pupils, Teachers and School Administrators. In addition to other rights, duties and obligations under existing laws, all parents, students/pupils, teachers and school administrators including academic staff shall have the rights, duties and obligations which shall be spelled out in the implementing rules and regulations of this Act.

Sec. 54. Implementing Rules and Regulations. The Regional Secretary shall promulgate the implementing rules and regulations within ninety (90) days after the approval of this Act into law.

Sec. 55. School Calendar. DepEd-ARMM shall make an official issuance of school calendar days for every school year thereby determining the date of the opening and closing of classes, school days, number of school days, and those for regular national and regional holidays. School calendar must be made flexible during the month of Ramadhan.

Sec. 56. Logo. DepEd-ARMM is authorized to adopt its own logo as a symbol of its identity. The present logo may continue to be used until a new official logo shall have been adopted.

Sec. 57. Gender. Where a masculine noun or pronoun is used in this Act, it shall likewise imply and include the corresponding feminine gender.

Sec. 58. Specific Policy. Nothing in this Act shall preclude the Regional Assembly from adopting such measures as may be necessary to strengthen the Regional Department of Education.

Sec. 59. Suppletory Clause. The provisions of RA 9155, RA 9054 and other pertinent national education laws not herein provided which are not inconsistent with this Act shall be applied in a suppletory manner.

Sec. 60. Separability Clause. In the event that any part or parts of this Act is declared unconstitutional, other parts not so declared shall remain valid and effective.

Sec. 61. Repealing Clause. Any provision of regional laws, orders and administrative issuances which are in conflict or inconsistent with the provisions and/or purposes of this Act are hereby repealed, revoked or modified accordingly.

Sec. 62. Effectivity. This Act shall take effect after fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation in the Autonomous Region.

APPROVED:

(SGD) DATU ROONIE Q. SINSUAT
Speaker

This Act was passed by the Regional Assembly on August 3, 2010..

(SGD) DATU MAMA M. AMPATUAN, Al Haj
Secretary-General

APPROVED:

(SGD) ANSARUDDIN A. ADIONG
Acting Regional Governor
Date: 08/19/10