



Republic of the Philippines  
Bangsamoro Autonomous Region in Muslim Mindanao  
**BANGSAMORO PARLIAMENT**  
Bangsamoro Government Center, Cotabato City



**BANGSAMORO TRANSITION AUTHORITY**  
**(THIRD REGULAR SESSION)**

**BANGSAMORO AUTONOMY ACT NO. 18**

Begun and held in Cotabato City, on Friday, the 29th day of March, 2019.

**AN ACT**  
**PROVIDING FOR THE ESTABLISHMENT, MANAGEMENT, AND SUPPORT OF A**  
**COMPLETE AND INTEGRATED SYSTEM OF QUALITY EDUCATION IN THE**  
**BANGSAMORO**

Be it enacted by the Bangsamoro Transition Authority in Parliament assembled:

**I. GENERAL PROVISIONS**

**CHAPTER 1**  
**Preliminary Matters**

**Section 1. Title.** – This Act shall be known as the “Bangsamoro Education Code of 2021”.

**Section 2. Basis.** – The Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao provides that the Bangsamoro Government shall establish, manage, and support a complete and integrated system of quality education, which shall be a subsystem of the national education system.

**Section 3. Applicability.** – This Act shall apply to Bangsamoro Education System consisting of all education systems including formal, non-formal and informal, public and private learning institutions, in all levels, basic, higher, technical, and *Madaris* education.

**Section 4. Purpose.** – The Education Code shall provide an educational framework that is relevant and responsive to the needs, ideals, and aspirations of the Bangsamoro people which shall conform to the minimum standards set by the National Government.

**Section 5. Coverage.** – This Act shall apply to and govern formal, non-formal, public and private, vocational, technical, special education, and *Madaris* educational systems in all levels both public and private learning institutions for basic, higher, and technical education which shall be collectively referred to as “Bangsamoro Education System”.

**Section 6. Administration.** – The administration of the Bangsamoro Educational System, as well as its supervision and regulation, is hereby vested to the Ministry of Basic, Higher, and Technical Education without prejudice to state-colleges and universities which shall be governed by their respective charter.

**Section 7. Definition of Terms.** – The words in this Code are defined as follows:

1. **Ālim (plural, Ulama)** – a learned male Muslim professional specialized in Islamic and Arabic studies who obtained his education locally or abroad through Arabic language.
2. **Ālimah (plural Alimat)** – female Muslim professional specialized in Islamic and Arabic studies who obtained her education locally or abroad through Arabic language.
3. **Arabic Language** – language of the Arabs as formally and grammatically taught in the *madrasah*.
4. **Arabic Teacher** – a teacher who teaches the Arabic language in Arabic, English and in the local languages or dialect.
5. **Guardian** – refers to a person who has the legal right and responsibility of taking care of someone who cannot take care of himself or herself, someone who has been legally appointed to look after the affairs of another person.
6. **Head of Institution** – refers to the Principal, Administrator, Director or such other designation as the executive head of the institution or of the school, who is responsible for all academic activities of the school and for the implementation of the relevant rules. A person responsible for the administrative and instructional supervision of the school or cluster of schools.
7. **Higher Education Institution** – refers to colleges and universities that offers various degree programs, previously administered and regulated by the Commission on Higher Education (CHED).
8. **Indigenous Peoples** – refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains.

9. **Islamic Values** – moral and ethical values or values or virtues that are based on the teachings of Glorious Qur'an and exemplified by the practice of the Holy Prophet (peace be upon him).
10. **Kuliyah Institution** – an institution of higher learning that refers to degree in Islamic studies and Arabic language.
11. **Learners** – refers to learners aged 15 years and above who are illiterates, neo-literates who either have had no access to formal education or have reverted to illiteracy. It may also refer to those enrolled in and who regularly attend a public or private basic educational institution, whether in formal, non-formal or informal settings and those at the higher level engaged in formal study, non-formal and informal education pursuits.
12. **Learning Centers** – or Community Learning Centers (CLC) refers to a physical space to house learning resources and facilities of a learning program for out-of-school children in special cases and adults. It is a venue for face-to-face learning activities and other learning opportunities for community development and improvement of the people's quality of life.
13. **Madaris** – is the plural form of the Arabic word "*madrasah*" which means school.
14. **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.
15. **Mudarris** – refers to a teacher teaching Arabic and/or Islamic values.
16. **Parents** – include guardians and the head of the institution or foster home which has custody of the learner.
17. **Pilot Madrasah** – a type of *Madrasah* that offers 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.
18. **Private Madrasah** – refers to private schools or providers of *Madrasah* education. These can be categorized as: (1) traditional *Madrasah* that conducts Arabic Language and Islamic Values Education (ALIVE) and Islamic studies, and (2) private *Madrasah* that conducts regular K to 12 classes and implements a *Madrasah* curriculum.
19. **Private Schools** – 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.
20. **School/education institution personnel** – refers to all persons working for an education institution, which includes the following:

- a. “Teaching or academic staff,” or all persons engaged in actual teaching or research assignments, either on a full-time or part-time basis, in all levels of the educational system;
- b. “School administrators,” or persons occupying policy, implementing positions having to do with the functions of the school at all levels;
- c. “Academic non-teaching personnel,” or those persons holding some academic qualifications and performing academic functions directly supportive of teaching, such as registrars, librarians, research assistants, research aides, and similar staff; and
- d. “Non-academic personnel,” or all other school personnel not falling under the definition and coverage of teaching and academic staff, school administrators and academic non-teaching personnel.

**21. 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*).

**22. State Universities and Colleges (SUCs)** – considered as a corporate body and refers to any public institution of higher learning that was created by an Act passed by Congress of the Philippines.

**23. Tahdiriyyah** – a pre-school level of study in kindergarten.

## CHAPTER 2

### Policies, Principles, and Mandate

**Section 8. Declaration of Policies.** – The Bangsamoro Government shall promote and protect the constitutional right of all to quality and accessible education at all levels and to establish, maintain, and support a complete, adequate, and integrated system of education relevant and responsive to the needs, ideals, and aspirations of the Bangsamoro People. The Bangsamoro Educational System is a subsystem of the national education system. According to this, the Bangsamoro Government shall:

- a. Promote, affirm, and strengthen the Bangsamoro People’s distinct historical identity and long struggle to chart their destiny as a people and their ambition to build a future where all can live together in justice and peace;
- b. Establish, maintain, and supervise an education system where the processes, inputs, outputs and outcomes of education adhere to a set of standards;
- c. Establish, maintain, and supervise vital early childhood care and education that emphasizes the social, emotional, cognitive, physical, and spiritual needs of the child for a strong foundation of learning and well-being throughout life;
- d. Establish, maintain, and supervise basic education in both the school system and *madrasah* system to meet learning needs and provide the foundation on which subsequent learning can be based;
- e. Establish, maintain, and supervise alternative learning modalities;
- f. Establish, maintain, and supervise higher education which shall produce high-level and middle-level professionals who, as productive and effective citizens, contribute actively to community and national development;

- g. Establish, maintain, and supervise technical education and skills development which will develop the middle level professionals;
- h. Encourage lifelong learning and continuing education for all Bangsamoro People to develop their knowledge, values and competencies beyond the regular schooling years;
- i. Develop, adopt, and implement the standards for qualification outcomes and support the development of pathways and equivalencies that enable access to qualifications aligned with national and international qualifications framework;
- j. Establish, maintain, and supervise an indigenous education system to provide equitable access to quality education for indigenous peoples' (IP) learners and preserve, protect, and promote IP culture and tradition;
- k. Establish and maintain a system of mobilizing resources and financing to enable educational institutions to achieve the Bangsamoro education standards and to enable learners to have access to quality education;
- l. Ensure the application of moral governance at all levels in the education system;
- m. Establish, maintain, and supervise an inclusive education framework for learners with disabilities and other learning barriers;
- n. Institutionalize peace education in all levels of education;
- o. Ensure the integration in the elementary and high school education curricula the teaching of Islamic and Arabic studies for Muslim pupils in public schools and develop and strengthen the *Madaris* Educational system in the Bangsamoro Autonomous Region;
- p. The right of sectarian and educational institutions to propagate their religious beliefs shall not be curtailed. The regional educational system shall not discriminate against the sectarian educational institutions in any manner or form;
- q. Recognize and support the indigenous peoples' educational system for its integration in the Bangsamoro educational system and effectively address the higher educational needs of indigenous people;
- r. Ensure that the thrusts and programs of vocational, technical, nonformal, and special education of the Bangsamoro Autonomous Region educational system for the poor, illiterate, out-of-school youth, persons with special needs, disadvantaged, and senior citizens are supportive and relevant to the human resource requirements of the Bangsamoro Autonomous Region in accordance to the minimum standards set by the National Government;
- s. Develop and maintain an integrated and comprehensive physical education program and develop healthy, disciplined, innovative, and productive individuals, and promote sportsmanship, cooperation, and teamwork;
- t. Recognize science and technology as essential to national and regional progress; and
- u. Establish, support, and maintain an inclusive and gender-sensitive education system to provide equitable access to quality education for children who are differently-abled, disadvantaged, and/or vulnerable to protect and uphold their right to education.

**Section 9. Principles.** – In the implementation of the provisions of this Code, including its implementing rules and regulations, the following principles shall be observed:

- a. **Inclusivity** – Everyone shall have access to quality education regardless of beliefs, cultures, ethnicities, genders, needs, and abilities, and socio-economic backgrounds.
- b. **Equity** – Those who have less in life shall have more in educational services and opportunities.

- c. **Rights-Based** – In the Bangsamoro, the right to receive quality education and the concomitant obligation of the government to ensure the realization of such right is an act of justice.
- d. **Rooted in Context** – Bangsamoro education shall take into consideration the diverse contexts of learners, educational institutions, and communities, including the historical narrative and aspirations of the Bangsamoro People and the Indigenous People.
- e. **Integrated** – A Bangsamoro Education System that is integrated vertically and horizontally on all streams, levels, delivery modes, and types of education allows for multiple entries and multiple exits within the system for all learners.
- f. **Balanced** – A holistic education approach where learners’ intellectual, spiritual, psychological, and physical growth is given importance.
- g. **Moral Governance** – Governance upholds ethical and legal principles, practices, and behavior in managing the education system.

**Section 10. *Mandate.*** – The Ministry shall be primarily responsible for the formulation, planning, implementation, and coordination of the policies, plans, programs, and projects in the areas of formal and non-formal education at all levels, supervise all educational institutions, both public and private, and provide for the establishment, maintenance, and support of a complete, adequate, and integrated system of education relevant and responsive to the needs, ideals, and aspirations of the Bangsamoro People.

## **II. THE MINISTRY OF BASIC, HIGHER, AND TECHNICAL EDUCATION**

### **CHAPTER 1 General Provisions**

**Section 11. *Bangsamoro Education Structure.*** – The Bangsamoro education structure shall cover formal and informal, basic, higher, technical, and *Madaris* education.

**Section 12. *Organizational Structure.*** – The Ministry of Basic, Higher, and Technical Education shall consist of the Ministry Proper, Ministry Services and Offices, and such other appropriate divisions or units as may be necessary.

### **CHAPTER 2 Ministry Proper**

**Section 13. *Office of the Minister.*** – The Office of the Minister of Basic, Higher, and Technical Education consists of the Minister, the Deputy Minister, and the immediate staff.

**Section 14. *Powers and Functions of the Minister.*** – The Minister shall be vested with the following powers and functions:

- a. Recommend to the Bangsamoro Cabinet policies and programs related to Basic, Higher, and Technical Education;
- b. Administer the Ministry in accordance with law, relevant executive orders and regulations issued by the Chief Minister;

- c. Manage the implementation of Ministry programs, projects, and activities;
- d. Establish policies and standards for the operation of the Ministry pursuant to the approved programs of the Bangsamoro Government;
- e. Promulgate rules and regulations necessary to carry out the Ministry's objectives, policies, functions, plans, programs and projects;
- f. Promulgate administrative issuances necessary for the efficient administration of the Ministry, and for proper execution of the laws relative thereto. These issuances shall not prescribe penalties for their violation, except when expressly authorized by law;
- g. Exercise disciplinary powers over officers and employees under the Ministry in accordance with law enacted by the Bangsamoro Parliament, including their investigation and the designation of a committee or officer to conduct such investigation;
- h. Appoint all officers and employees of the Ministry except those whose appointments are specifically vested in the Chief Minister or in some other appointing authority;
- i. Subject to rules and regulations of the Civil Service Commission, the Minister may designate, detail, assign, or reassign officers and employees of the Ministry to other positions, work station or be given special projects or assignment, without loss of seniority rights, status, and compensation;
- j. Administer examinations and grant special eligibility for *Madaris Asatidz/Mudarris*;
- k. Exercise jurisdiction over all bureaus, offices, agencies and corporations under the Ministry as are provided by law, and in accordance with the applicable relationships;
- l. Delegate authority to officers and employees under the Minister's direction in accordance with this Code; and
- m. Perform such other functions as may be provided by law.

**Section 15. Powers and Functions of the Deputy Minister.** – The Deputy Minister shall perform the following powers and functions:

- a. Assist the Minister in implementing the policies of the Ministry;
- b. Recommend policies for operations and program developments in the Ministry; and
- c. Perform such other functions as may be delegated by the Minister.

**Section 16. The Bangsamoro Directors-General.** – There shall be four Bangsamoro Directors-General, who shall be the highest career officials of the Ministry, with appropriate eligibility, particularly:

- a. Director-General for Basic Education;
- b. Director-General for Higher Education;
- c. Director-General for Technical Education; and
- d. Director-General for *Madaris* Education.

The Offices of the Bangsamoro Directors-General shall be responsible for overseeing the administration, programs, and strategic plan of the ministry with respect to their respective area of assignment. They shall be the direct supervisors of the respective Service Directors of the Ministry.

## CHAPTER 3 Structure of the Ministry

**Section 17. *Ministry's Sectors.*** – The Ministry is composed of Basic, Higher, Technical and *Madaris* education.

**Section 18. *Office of the Bangsamoro Director-General for Basic Education.*** – The Office of the Bangsamoro Director-General for Basic Education shall have the following divisions:

1. **Curriculum and Learning Division** – The Curriculum and Instruction Division, headed by a Division Chief, develops appropriate delivery services, and ensures the provision of learning resources so that the organization focuses on the delivery of a relevant, responsive, and effective basic education curriculum around which all other strands and offices provide support.
2. **Quality Assurance Division** – The Quality Assurance Division, headed by a Division Chief, assures quality by assessing, monitoring, and evaluating performance.

**Section 19. *Bureaus.*** – The following bureaus, headed by a Director I, shall be under the supervision of the Bangsamoro Director-General for Basic Education:

1. The Bureau for Basic Education (BBE);
2. The Bureau for Alternative Learning Systems (BALS);
3. The Bureau for Indigenous Peoples' Education (IPeD);
4. The Bureau for Physical Education and Sports Development (BPESD); and
5. The Bureau for Special Education.

**Section 20. *Powers and Functions of Basic Education Bureaus.*** – Each Bureaus shall exercise the following powers and functions:

- a. **The Bureau for Basic Education** – shall formulate, plan and implement the Basic Education Curriculum as well as coordinate the policies, programs and projects for Basic Education. It shall also perform other functions as may be provided by law or the Ministry.
- b. **The Bureau of Alternative Learning Systems** – shall formulate and implement the Alternative Learning System Curriculum as well as coordinate the policies, programs and projects for ALS. It shall also perform other functions as may be provided by law or the Ministry.
- c. **The Bureau for Indigenous Peoples' Education** – shall formulate and implement the Indigenous Peoples' (IP) Education Curriculum in coordination with the Ministry of Indigenous Peoples' Affairs (MIPA) as well as coordinate the policies, plans, programs, and projects for IPeD. It shall also perform other functions as may be provided by law or the Ministry.
- d. **The Bureau for Physical Education and Sports Development** – shall formulate, plan, implement, and coordinate the policies, plans, programs, and projects for physical education and sports. It shall also coordinate with the Bangsamoro Sports Commission

(BSC) in developing and implementing its programs. It shall also perform other functions as may be provided by law or the Ministry.

- e. **The Bureau for Special Education** – shall formulate and implement the Special Education Curriculum using the Inclusive Education Framework. It shall likewise coordinate the policies, plans, programs, and projects for (SPeD) and perform other functions as may be provided by law or the Ministry.

**Section 21. *Schools Division Offices.*** – For basic education, the Ministry is hereby authorized to establish, operate, and maintain Schools Division Offices for Basic and *Madaris* education in the Provinces of Lanao del Sur, Maguindanao, Sulu, Basilan and Tawi-Tawi, the cities of Marawi, Lamitan, Cotabato and one to cover the Special Geographic Area composed of the *barangays* that joined the Bangsamoro Autonomous Region. Each of the Division Offices shall be headed by a Division Superintendent who shall be assisted by an Assistant Division Superintendent.

**Section 22. *Functions.*** – The Division Offices shall:

- a. Formulate and implement the Division Plan;
- b. Implement laws, rules and regulations, policies, plans, programs and projects of the Ministry;
- c. Coordinate with local government units, civil society, and non-government organizations; and
- d. Perform other functions as may be provided by law or by the Minister.

**Section 23. *Authority of the Ministry Proper over Schools Division Offices.*** – The Minister shall exercise control and supervision over Division Offices within the Bangsamoro Autonomous Region and such other powers necessary, appropriate or incidental in carrying out the implementation of basic, higher, technical, and *Madaris* education programs and projects in their respective area.

**Section 24. *Office of the Bangsamoro Director-General for Higher Education.*** – The Office of the Bangsamoro Director-General for Higher Education shall have the following divisions:

1. **Policy and Programs Division** – The Policy and Programs Division, headed by a Division Chief, ensures the formulation of appropriate policies, programs and plans.
2. **Regional Operations Division** – The Regional Operations Division, headed by a Division Chief, ensures monitoring, compliance to standards, rules and regulations by institutions of higher learning.

**Section 25. *Provincial Offices for Higher Education.*** – For Higher Education, the Ministry is hereby authorized to establish, operate, and manage Provincial Offices in the Provinces of Lanao del Sur, Maguindanao, Sulu, Basilan, and Tawi-Tawi, the cities of Marawi, Lamitan, and Cotabato, and one to cover the Special Geographic Area, to perform the following:

1. Monitor and evaluate the performance of a program of higher education institutions in the province or city;
2. Submit reports to the Minister;

3. Receive documentary records for and in behalf of the Commission of Higher Education coming from each higher education institution from each province or city, to verify and evaluate enrollment list, promotional report, permanent scholastic records, and other records to be submitted to the Ministry;
4. Facilitate the issuance of Special Order (SO), Certification, Authentication and Verification (CAV), and other issuances by the Ministry; and
5. Such other functions as may be provided.

Each of the Provincial Offices shall be headed by a Director I.

**Section 26. Office of the Bangsamoro Director-General for Technical Education.** – The Office of the Bangsamoro Director-General for Technical Education shall have the following divisions:

1. **Policy and Programs Division** – The Policy and Programs Division, headed by a Division Chief, ensures the formulation of appropriate policies, programs, and plans;
2. **Regional Operations Division** – The Regional Operations Division, headed by a Division Chief, serves as the secretariat of the Regional Technical Education and Skills Development Committees (RTESDCs), provides effective planning, supervision and coordination and ensures monitoring, compliance to standards, rules and regulations; and
3. **Regional Manpower Development Center** – The Regional Manpower Development Center, headed by a Division Chief, shall serve as the center of excellence in the implementation of Center-based skills trainings, and undertake research and development in innovations in technical education.

It shall:

- i. Serve as venue for continuing development of trainers, teachers and instructors;
- ii. Serve as venue for skills assessments and certifications of Technical and Vocational Education and Training (TVET) graduates;
- iii. Provide vocational trainings on specialized programs;
- iv. Undertake research and development to improve service delivery in the center; and
- v. Organize and conduct symposia/seminars and other related activities.

**Section 27. Provincial Offices for Technical Education.** – There shall be a TESD Provincial Office in each province of the Bangsamoro Autonomous Region. It shall:

- a. Serve as secretariat to the Provincial Technical Education and Skills Development Committees (PTESDCs);
- b. Provide technical assistance particularly to LGUs for effective supervision, coordination, integration and monitoring TVET programs within their localities;
- c. Review and recommend TESDA programs for implementation within their localities;
- d. Coordinate programs of private schools and assessment centers;
- e. Establish network of institutions, LGUs and enterprises implementing TVET programs; and
- f. Perform such other functions as may be authorized by law.

**Section 28. Office of the Bangsamoro Director-General for Madaris Education.** – The Office of the Bangsamoro Director-General for *Madaris* Education shall have the following divisions:

1. **Curriculum and Learning Division** – The Curriculum and Instruction Division, headed by a Division Chief, develops appropriate delivery services and ensures the provision of learning resources so that the organization focuses on the delivery of a relevant, responsive, and effective basic education curriculum around which all other strands and offices provide support.
2. **Quality Assurance Division** – The Quality Assurance Division, headed by a Division Chief, assures quality by assessing, monitoring, and evaluating performance.

**Section 29. Bureau of Madaris Education.** – The Bureau of *Madaris* Education shall be under the direct supervision of the Bangsamoro Director-General on *Madaris* Education. The Bureau shall be headed by a Director I.

**Section 30. Bangsamoro Education Board.** – The Bangsamoro Education Board is hereby created to support the Ministry in the formulation of policies of Bangsamoro Education. The Ministry shall issue the guidelines governing the composition, roles and functions of the Bangsamoro Education Board.

**Section 31. Support Services.** – The Ministry of Basic, Higher, and Technical Education shall be supported by Services, Divisions, Sections, and Units, such as but not limited to:

- (1) **Legal and Legislative Liaison Division** – The Legal and Legislative Liaison Division shall be headed by a Division Chief.
- (2) **Internal Audit Division** – The Internal Audit Division shall be headed by a Division Chief.
- (3) **Information and Communications Division** – The Information and Communications Division shall be headed by a Division Chief.
- (4) **Planning Division** – The Planning Division shall be headed by a Division Chief.
- (5) **Inspection, Monitoring and Investigation Division (IMID)** – The Inspection, Monitoring and Investigation Division (IMID) shall be responsible for the continuous inspection and management audit of personnel at all levels of the Ministry; Monitor the compliance of their respective work station per deployment or reassignment order by the Ministry; and Investigates complaints or anomalies committed by officers or employees of the ministry in the performance of their functions. The IMID shall be headed by a Division Chief.
- (6) **Administrative and Finance Services** – The Administrative and Finance Services shall be headed by a Director II.

Under the Administrative and Finance Services are the following divisions:

- a. Administrative Division;
- b. Finance Division;
- c. Human Resource and Management Division; and
- d. Education Support Division.

Each division shall be headed by a Division Chief.

## CHAPTER 4 Qualifications of Certain Officials

**Section 32. *Common Qualifications.*** – No person shall be appointed Director-General, Schools Division Superintendent, Assistant Schools Division Superintendent, or Bureau Director unless he/she is a natural-born citizen of the Philippines; a resident of the Bangsamoro Autonomous Region; and with relevant supervisory and managerial experience and of proven integrity and honesty.

**Section 33. *Directors-General.*** – A Director-General shall at least have the following: (1) a Master’s degree; (2) Five (5) years supervisory/managerial experience; (3) One Hundred Twenty (120) hours of supervisory/managerial training; and (4) Second Level Eligibility.

**Section 34. *Schools Division Superintendents and Assistant Schools Division Superintendents.*** – A Schools Division Superintendent shall, at the time of his/her appointment, at least have the following: (1) a Master’s Degree; (2) Five (5) years of relevant experience involving management and supervision; (3) One (1) year experience as Assistant Schools Division Superintendent; (4) One Hundred Twenty (120) hours of supervisory/managerial training; and (5) Second Level Eligibility.

An Assistant Schools Division Superintendent shall, at the time of his/her appointment, at least have the following: (1) a Master’s Degree; (2) Five (5) years of supervisory and administrative experience; (3) One Hundred Twenty (120) hours of supervisory/managerial training; and (4) Second Level Eligibility.

The *Madaris* Division Superintendent and Assistant *Madaris* Division Superintendent shall, at the time of his/her appointment, at least have the following: (1) the capability to read and write in English; (2) a Master’s Degree in Islamic Education, (3) Five (5) years of supervisory/managerial experience; (4) One Hundred Twenty (120) hours of supervisory/managerial training; (5) additional Thirty Two (32) hours of training in Arabic or Islamic Education; and (6) Special Eligibility as provided in this Code.

**Section 35. *Bureau Directors.*** – A Bureau Director shall at least have the following: (1) a Master’s degree; (2) Three (3) years supervisory/managerial experience; (3) One Hundred Twenty (120) hours of supervisory/managerial training; and (4) Second Level Eligibility. *Provided*, That in the case of a Bureau Director of the *Madaris*, the required Master’s degree shall be in Islamic education.

### III. THE EDUCATION COMMUNITY

#### CHAPTER 1 Preliminary Matters

**Section 36. *Declaration of Policy and Objectives.*** – It is the declared policy of the Bangsamoro Government to foster, at all times, a spirit of shared cooperation among the members and elements of the educational community, and between the community and other sectors of society, in the realization that only in such an atmosphere can be true goals and objectives of education be fulfilled.

Moreover, the Bangsamoro Government shall:

- a. Aid and support the natural right and duty of parents in the rearing of the youth through the educational system;
- b. Promote and safeguard the welfare and interest of the students by defining their rights and obligations, according to their privileges, and encouraging the establishment of good relationships between them and the other members of the school community;
- c. Promote the social economic status of all school personnel, uphold their rights, define their obligations, and improve their living and working conditions and career prospects; and
- d. Extend support to promote the viability of those institutions through which parents, students and school/education institution personnel seek to attain their educational goals.

**Section 37. *Education Community.*** – Education community refers to those persons or groups of persons as such or associated in institutions involved in organized teaching learning systems.

## **CHAPTER 2**

### **Rights**

**Section 38. *Rights of Parents.*** – In addition to other rights under existing laws, all parents who have children enrolled in a school have the following rights:

- a. To organize by themselves and/or with teachers for the purpose of providing a forum for the discussion of matters relating to the total school program, and for ensuring the full cooperation of parents and teachers in the formulation and efficient implementation of such programs;
- b. To access any official record directly relating to the children who are under their parental responsibility; and
- c. The right to receive information, education, and access to services in the Early Childhood Care and Development System which provide for the basic and holistic needs of young children under their care from the age of zero (0) to four (4) years to promote their optimum growth and development pursuant to Republic Act No. 10410 or the “Early Years Act.”

**Section 39. *Right of Learners in School/Education Institution.*** – In addition to other rights, and subject to the limitation prescribed by law and regulations, and learners in all schools shall enjoy the following rights:

- a. The right to receive relevant quality education in line with national and regional goals and conducive to their full development as persons with human dignity;
- b. The right to freely choose their field of study subject to existing curricula and to continue their course therein up to graduation, except in cases of academic deficiency, or violation of disciplinary regulations;

- c. The right to school guidance and counseling services for decisions and selecting the alternatives in fields of work suited to their potentialities;
- d. The right of access to their own school records, the confidentiality of which the school shall maintain and preserve;
- e. The right to the issuance of official certificates, diplomas, transcript of records, grades, transfer credentials and other similar documents within thirty days from request;
- f. The right to publish a student newspaper and similar publications, as well as the right to invite resource persons during assemblies, symposia, and other activities of similar nature;
- g. The right to free expression of opinions and suggestions, and to effective channels of communication with appropriate academic channels and administrative bodies of the school or institution;
- h. The right to form, establish, join, and participate in organizations and societies recognized by the school to foster their intellectual, cultural, spiritual and physical growth and development, or to form, establish, join and maintain organizations and societies for purposes not contrary to law;
- i. The right to be free from involuntary contributions, except those approved by their own organizations or societies;
- j. The right to be free from any form of discrimination on the basis of disability, gender, religion, socio-economic status, etc.;
- k. The right to be protected from all forms of violence and physical and other forms of humiliating and abusive treatment. Corporal and other excessive and humiliating punishments in schools are prohibited; and
- l. The right of learners to be taught of the Bangsamoro History, Cultures, Traditions and Practices.

**Section 40. *Rights of all School Personnel.*** – In addition to other rights provided for by law, the following rights shall be enjoyed by all school personnel:

- a. The right to free expression of opinion and suggestions, and to effective channels of communication with appropriate academic and administrative bodies of the school or institution;
- b. The right to be provided with free legal service by the appropriate government office in the case of public school personnel, and through the school authorities concerned in the case of private school personnel, when charged in an administrative, civil and/or criminal proceedings by parties other than the school or regulatory authorities concerned for actions committed directly in the lawful discharge of professional duties and/or in defense of school policies;
- c. The right to establish, join and maintain labor organizations and/or professional and self-regulating organizations of their choice to promote their welfare and defend their interests;
- d. The right to be free from involuntary contributions except those imposed by their own organizations; and
- e. The right to be free from any form of discrimination on the basis of disability gender, religion, socio-economic status, etc. Persons with disabilities shall enjoy equal rights and opportunities to enter the teaching profession and/or employment as school personnel.

**Section 41. *Special Rights and/or Privileges of Teaching or Academic Staff.*** – Further to the rights mentioned in the preceding Section, every member of the teaching or academic staff shall enjoy the following rights and/or privileges:

- a. The right to be free from compulsory assignments not related to their duties as defined in their appointments or employment contracts, unless compensated therefor, conformably to existing law;
- b. The right to intellectual property consistent with applicable laws;
- c. Teachers shall be deemed persons in authority when in the discharge of lawful duties and responsibilities, and shall, therefore, be accorded due respect and protection; and
- d. Teachers shall be accorded the opportunity to choose alternative career lines either in school administration, in classroom teaching, or others, for purposes of career advancement.

**Section 42. *Special Rights of School Administration.*** – School administrators shall, in accordance with existing laws, regulations and policies of the Ministry of Basic, Higher and Technical Education, be accorded sufficient administrative discretion necessary for the efficient and effective performance of their functions.

School administrators shall be deemed persons in authority while in the discharge of lawful duties and responsibilities and shall therefore be accorded due respect and protection.

**Section 43. *Rights of Schools/Education Institutions.*** – In addition to other rights provided for by law, schools shall enjoy the following:

- a. The right of their governing boards or lawful authorities to provide for the proper governance of the school/education institution and to adopt and enforce administrative or management systems.
- b. The right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be subjects of the study and research.

### **CHAPTER 3 Duties and Obligations**

**Section 44. *Duties of Parents.*** – In addition to those provided for under existing laws, all parents shall have the following duties and obligations:

- a. Parents, individually or collectively, through the school systems, shall help carry out the educational objectives in accordance with national goals;
- b. Parents shall be obliged to enable their children to obtain elementary education and shall strive to enable them to obtain secondary and higher education in the pursuance of the right formation of the youth; and
- c. Parents shall cooperate with the school in the implementation of the school program curricular and co-curricular.

**Section 45. *Duties and Responsibilities of Learners.*** – In addition to those provided for under existing laws, every student shall:

- a. Exert his/her utmost to develop his/her potentialities for service, particularly by undergoing an education suited to his/her abilities, in order that he/she may become an asset to his/her family and to society;
- b. Uphold the academic integrity of the school, endeavor to achieve academic excellence and abide by the rules and regulations governing his/her academic responsibilities and moral integrity;
- c. Promote and maintain the peace and tranquility of the school by observing the rules and discipline, and by exerting efforts to attain harmonious relationships with fellow students, the teaching and academic staff and other school personnel;
- d. Participate actively in civic affairs and in the promotion of the general welfare, particularly in the social, economic and cultural development of his/her community and in the attainment of a just, compassionate and orderly society; and
- e. Exercise his/her rights responsibly in the knowledge that he/she is answerable for any infringement or violation of the public welfare and of the rights of others.

**Section 46. *Teacher's Obligations.*** – Every teacher shall:

- a. Perform his/her duties to the school/educational institution by discharging his/her responsibilities in accordance with the philosophy, goals, and objectives of the school/educational institution;
- b. Be accountable for the efficient and effective attainment of specified learning objectives in pursuance of national development goals within the limits of available school/educational institution resources;
- c. Render regular reports on performance of each learner and to the latter and the latter's parents and guardians with specific suggestions for improvement;
- d. Assume the responsibility to maintain and sustain his/her professional growth and advancement and maintain professionalism in his/her behavior at all times;
- e. Refrain from making deductions in learners' scholastic rating for acts that are clearly not manifestations of poor scholarship; and
- f. Participate as an agent of constructive social, economic, moral, intellectual, cultural and political change in his/her school and the community within the context of national policies.

**Section 47. *School Administrators' Obligations.*** – Every school/educational institution administrator shall:

- a. Perform his/her duties to the school/educational institution by discharging his/her responsibilities in accordance with the philosophy, goals, and objectives of the school/educational institution;
- b. Be accountable for the efficient and effective administration and management of the school/educational institution;
- c. Develop and maintain a healthy school atmosphere conducive to the promotion and preservation of academic freedom and effective teaching and learning, where there are no threats to the life and limb of the learners and/or students and one where peace and order are maintained; and to harmonious and progressive school-personnel relationship;
- d. Assume and maintain professional behavior in his/her work and in dealing with learners, teachers, academic non-teaching personnel, administrative staff, and parents or guardians;

- e. Render adequate reports to teachers, academic non-teaching personnel and non-academic staff on their actual performance in relation to their expected performance and counsel them on ways of improving the same;
- f. Observe due process, fairness, promptness, privacy, constructiveness and consistency in disciplining his/her teachers and other personnel; and
- g. Maintain adequate records and submit required reports to the Ministry of Basic Higher and Technical Education.

**Section 48. *Obligations of Academic Non-Teaching Personnel.*** – Academic non-teaching personnel shall:

- a. Improve himself/herself professionally by keeping abreast of the latest trends and techniques in his/her profession;
- b. Assume, promote and maintain an atmosphere conducive to service and learning; and
- c. Promote and maintain an atmosphere conducive to service and learning.

## IV. THE BANGSAMORO EDUCATION SYSTEM

### CHAPTER 1 Learning Systems

**Section 49. *Learning Systems.*** – Education shall be delivered through formal, non-formal and informal learning systems.

- a. “Formal Learning System” refers to the hierarchically structured and chronologically graded learning organized and provided by the formal education institution and results in a certification that shows the educational progress of the students through grades or educational levels encompassing all levels. Formal Learning System includes school and *madrrasah* for basic education and higher education.
- b. “Non-Formal Learning System” refers to education that occurs outside the formal school system. It shall include but not limited to Alternative Learning System for basic education, early childhood education, special education, adult literacy, training centers, and Alternative Learning System for Islamic Education, including traditional *madrrasah* (which requires attendance only during the weekends), *Tahfidz Al-Quran* and other parallel forms.
- c. “Informal Learning System” refers to learning that goes on in daily life and can be received from daily experience, such as from family, peer groups, the media and other influences in a person’s environment. It is a type of learning that goes on outside of formal and non-formal education.
- d. “Adaptive Learning Modality” refers to the delivery of education or training, other than the traditional conduct of face-to-face classes, to ensure learning continuity in the event of pandemic, natural or human-induced disaster, or any other emergency which would prevent learners and teachers from physically attending classes.
- e. “*Tahfidz Al-Quran* Institutions” is a special type of *madrrasah* institution, such as the *Toril Learning Schools*, with a regular two-year study or within a reasonable duration as may be prescribed by the Ministry. It includes a provision of boarding for its learners and its curriculum focuses on memorizing and understanding the Qur’an and the *Sunnah*

(tradition) of the Prophet Muhammad (S.A.W) as primary sources of Islamic Law (*Shari'ah*) under P.D. 1083 or the *Code of Muslim Personal Laws of the Philippines*.

## CHAPTER 2 The Levels of Education

**Section 50. Levels of Education.** – The levels of education in the Bangsamoro shall be as follows:

- a. **Basic Education** consists of elementary and secondary education.

**Elementary Education** – This covers Kindergarten plus six (6) years of Primary Education which can be achieved through the school and/or *madrasah* systems. It is delivered to provide fundamental knowledge and skills, attitudes, and values which provides the foundation essential to personal development on which subsequent learning can be based.

**Secondary Education** – This covers six (6) years of education as a continuation of elementary education achieved through the school and/or *madrasah* systems. It is delivered to provide the necessary knowledge and skills, attitudes and values needed for higher learning and for productive endeavor.

- b. **Higher Education** – This covers education after completion of secondary education leading to either a degree or with no degree in a specific profession or discipline. It consists of diploma, bachelor, masters, specialized postgraduate programs, and doctorate programs. This includes Islamic Higher Education.
- c. **Technical Education and Skills Development** – Technical Education refers to the education process designed at post-secondary and lower tertiary levels, officially recognized as non-degree programs aimed at preparing technicians, paraprofessionals, and other categories of middle-level workers by providing them with a broad range of general education, theoretical, scientific, and technological studies, and related job skills training. Skills Development shall mean the process through which learners and workers are systematically provided with learning opportunities to acquire or upgrade, or both, their ability, knowledge, and behavior pattern required as qualifications for a job or range of jobs in a given occupational area. This includes *Madrasah* Education.

Each level of education or education system shall be overseen by a Director-General, who shall be the highest career officials of the Ministry, particularly the:

- a. Director-General for Basic Education;
- b. Director-General for Higher Education;
- c. Director-General for Technical Education; and
- d. Director-General for *Madaris* Education.

The Office of the Bangsamoro Director-General shall have jurisdiction over the administration and implementation of programs, strategic plans, and policies of the Ministry with respect to their respective area of assignment.

## V. BASIC EDUCATION

### CHAPTER 1 General Provisions

**Section 51. *Declaration of Policy.*** – The Bangsamoro Government shall establish, maintain, and support an integrated system of quality basic education that shall instill in the learners the foundational knowledge, attitudes, and values and develop the skills essential for the learners to know, to do, to be, and to live together and also to prepare the learners for higher learning if they opt to proceed.

**Section 52. *Powers and Functions.*** – The Ministry shall perform the following powers and functions in basic education:

- a. Formulate general basic education objectives and policies, adopt educational plans for early childhood care and education, and consider adopting the Nurturing Care Framework in the development of Early Childhood Care and Development (ECCD) for Kinder program based on the Bangsamoro Educational Framework;
- b. Ensure the high standards of all basic education institutions in the Bangsamoro Region;
- c. Develop appropriate curricula, quality textbooks learning resources and materials, and standard assessments and tools;
- d. Establish linkages with institutions with a track record of excellence to provide preservice and in-service training for teachers and training courses for non-teaching staff;
- e. Formulate the annual budget of the Ministry in consultation with Division field offices and Local Government Units, and in coordination with the Bangsamoro 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;
- i. Determine the organizational components and approve staffing patterns of the divisions, districts, and schools;
- j. Provide specialized inclusive education services to learners with special needs disabilities and other learning barriers in a way that addresses their individual differences and learning needs;
- k. Establish SPED Centers and Learning Centers that will cater to students with special needs, out-of-school youth and adult learners, and for all other forms of non-formal learning systems, which include proper facilities, provide a conducive learning environment, and shall be located in accessible locations;
- l. 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*;

- m. Delegate such powers, functions, and responsibilities as are appropriate including powers of selection, recruitment, appointment, and promotion of teaching and non-teaching personnel;
- n. Monitor and evaluate the performance and compliance with Ministry standards of those bodies to which it has delegated powers, functions, or responsibilities;
- o. Evaluate all schools division superintendents and assistant division superintendents in the region;
- p. Adopt and implement programs and projects in coordination with various stakeholders for the promotion and advancement of both formal and informal education;
- q. Propose and recommend measures on basic education for enactment into laws;
- r. 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; and
- s. Perform such other functions and powers as may be provided by law.

**Section 53. *Free and Compulsory Basic Education.*** – The Ministry shall ensure that all learners are granted admission, attendance, and completion of basic education.

**Section 54. *Two Formal Systems in Basic Education.*** – The Bangsamoro Government shall provide two parallel formal systems in delivering quality basic education – the “Public School System” and the “Public *Madrasah* System.” Both systems shall be governed by common standards in matters such as, but not limited to, curriculum and competency, assessment, teachers, textbooks, and learning materials, infrastructure, management, and quality assurance.

## CHAPTER 2

### Standard Provisions to all Learning Systems

**Section 55. *Peace Education.*** – Peace Education shall be an integral part of the Basic Education Curriculum designed to instill in the learners the culture of nonviolent culture, social justice and respect for human rights, freedom, and inclusivity.

**Section 56. *Integration of Bangsamoro People’s History, Culture and Identity.*** – Bangsamoro People’s History, culture and identity shall be integrated into the curriculum of all education levels in BARMM education system.

**Section 57. *School-Based Management.*** – As far as practicable and under the principle of subsidiarity, schools shall enjoy greater autonomy in decision-making concerning local matters by ensuring the strong participation of all stakeholders, including school heads, teachers, learners, parents, and the community.

**Section 58. *Regulation of Basic Education Services by Foreign Entities.*** – Following relevant laws and issuances, the Ministry shall have the power to regulate and manage foreign entities providing, supporting, or aiding the provision of any form of basic education services in the Bangsamoro.

**Section 59. *Inclusive Education.*** – Acknowledging that all children and youth can learn and that all children and youth learners need support, there shall be a framework of inclusive education to be adopted as part of the Basic Education Learning Systems designed to foster the development of inclusive and supportive centers of learning that enables all learners to participate actively in the education process, in particular those learners who experience or have experienced barriers to learning and development.

Toward this end, education structures and systems, curricula, learning/teaching methodologies, societal/community attitudes and behavior, and environment shall be enabled to meet the individual (differing) learning needs of all learners on account of age, gender, ethnicity, language, socio-economic conditions, or their physical, sensory, mental, neurological and developmental disability, etc.

## VI. PUBLIC SCHOOL SYSTEM

### CHAPTER 1 General Provisions

**Section 60. *Levels in the Public School System.*** – In the Public School System, the levels/key stages are the following:

- a. Kindergarten, including early childhood care and education;
- b. Grade 1 to Grade 3 (Lower Primary School);
- c. Grades 4 to 6 (Upper Primary School);
- d. Grades 7 to 10 (Junior High School); and
- e. Grades 11 to 12 (Senior High School).

**Section 61. *Curriculum Structure and Content Standards.*** – Based on the minimum competency standards for each school level, the Ministry shall develop the curriculum structure and content for each grade level, including the time allocation for each subject or learning area as follows:

- a. Kindergarten Curriculum – The Kindergarten curriculum shall be designed to effectively promote the physical, socio-cultural, emotional, intellectual, and spiritual development of early learners, including values formation, to sufficiently prepare them for further schooling.
- b. Grade 1 to Grade 3 Curriculum – The Grade 1 to Grade 3 curriculum shall be designed to provide the learners with functional literacy covering reading, writing, numeracy and technology; and the development of social and emotional skills, spiritual growth, and cultural understanding.
- c. Grade 4 to Grade 6 Curriculum – The Grades 4 to 6 curriculum shall be designed to provide the learners with opportunities for enhancement and application of functional literacy and numeracy competencies to varied content areas such as languages, science, mathematics, social studies, civic education, arts, home economics, sports and physical education and health and spiritual values.
- d. Grade 7 to Grade 10 (Junior High School) Curriculum – The Junior High School curriculum shall be designed to provide learners with opportunities to learn fundamental concepts at a higher degree of complexity. The curriculum shall cover language, science,

mathematics, social studies, civic education, arts, sports and physical education and health, and technology and livelihood education and spiritual and values formation.

- e. Grade 11 to Grade 12 (Senior High School) Curriculum – The Senior High School curriculum shall be designed to provide learners with general subjects and the option to choose subject tracks that are related to their interests and potentials to enable them to prepare for higher learning and the world of work. The general subjects shall include the language, science, mathematics, humanities, social science, values, physical education, and health. The subject tracks shall cover offerings such as the academic; arts and design; sports and technical-vocational livelihood; and spiritual and values formation.

**Section 62. *Islamic Subjects and Arabic Language Curriculum under the School System.*** – Islamic Subjects and Arabic Language Curriculum shall be taught to Muslim learners.

**Section 63. *Right to Teach Religious Beliefs.*** – The right of sectarian and educational institutions to teach their religious beliefs shall not be curtailed. There shall be no discrimination against sectarian educational institutions in any manner or form.

**Section 64. *Bangsamoro Indigenous Peoples' Education Framework (BIPEF).*** – The Bureau of Indigenous Peoples' Education (IPEd), in consultation with concerned stakeholders, shall formulate a Bangsamoro Indigenous Peoples' Education Framework to guide the implementation of initiatives in support of Indigenous Peoples' Education.

**Section 65. *Development and Implementation of the Basic Education Curriculum.*** – In the development and implementation of the Basic Education Curriculum, the Ministry shall take into consideration the mental and psychological development of the learners, and the learners' social, cultural and environmental contexts.

**Section 66. *Medium of Teaching and Learning in Basic Education.*** – For Kindergarten and Grade 1 to 3, the medium of teaching and learning shall be the mother tongue of the learners. Beginning Grade 4, the primary medium of instruction and learning shall be English, Filipino, and mother tongue may also be used as medium of instruction. For this purpose, the Ministry shall issue additional rules on the medium of instruction and learning in Basic Education.

**Section 67. *Monitoring, Evaluation and Adjustment of the Curriculum.*** – The Ministry shall regularly monitor and evaluate the implementation of the curriculum and, when necessary, adjust the curriculum in response to emerging needs.

**Section 68. *Schools with Special Enrichment Program.*** – The Ministry shall establish model schools which offer the basic education curriculum and an enriched program for specific learning areas tailored to the interest and inclination of learners, including gifted and talented learners.

## CHAPTER 2 Learning Assessment

**Section 69. *Types of Assessment.*** – The Bangsamoro Education System shall develop and strictly implement learning assessment and adopt new mechanisms including comprehensive learning

assessment that shall cover classroom-based assessment, standardized achievement testing, and system assessment.

**Section 70. *Classroom-based Assessment.*** – To monitor the learning progress of learners, teachers shall implement a continuous classroom assessment designed to provide learning feedback to the learners and improve the overall teaching-learning process.

**Section 71. *Summative Assessment.*** – To determine the learning attainment of the learners, the schools shall administer a summative assessment as part of the consideration for grade promotion.

**Section 72. *Standardized Achievement Testing.*** – As part of the consideration for certifying the learners' achievement at the designated end of the school level or key stage, the Ministry may administer standardized achievement testing, the result of which may be used for diagnostic and formative purposes at the school level.

**Section 73. *System Assessment.*** – To regularly monitor the progress and achievement of basic education at the system level, including school levels and division levels, the Ministry may administer a large-scale system assessment at designated grade levels covering relevant learning outcomes and other factors influencing such outcomes.

**Section 74. *School Certificate and Diploma.*** – The Ministry shall set the standards for the issuance of the Kindergarten Certificate, Elementary School Certificate, Junior High School Certificate, and Senior High School Diploma.

### **CHAPTER 3 School Teacher**

**Section 75. *Qualifications.*** – To ensure that all teachers are qualified to teach in Kindergarten, elementary schools, and secondary schools, the Ministry shall issue the appropriate guidelines on the qualifications of teachers subject to, among others, the applicable national guidelines.

**Section 76. *Competency.*** – All school teachers in the Bangsamoro must possess subject mastery and pedagogical competence, and good personality and social and interpersonal skills. Further, teachers must have the capacity to address the needs of learners with special needs.

**Section 77. *Licensure Examination for School Teachers.*** – The Ministry shall adopt the requirement of passing the licensure examinations for teachers (LET) to teach.

**Section 78. *Qualifications, Appointments and Promotions of Teachers.*** – The Ministry shall, promulgate rules and regulations setting the standards for teacher qualifications, appointments, and promotions.

**Section 79. *Professional Development.*** – The Ministry shall promote the continuing professional development of school teachers to develop their personal and professional qualities, and to improve their knowledge, skills, and practice, leading to the improvement of the quality of the teaching-learning process.

**Section 80. *Welfare.*** – The Ministry shall continue to uphold and promote existing policies that guarantee the welfare and benefits of school teachers.

**Section 81. *Teacher Management.*** – The Ministry shall develop and implement, subject to applicable laws such as data privacy, a teacher management system as a platform for gathering, processing, analyzing, storing, and managing of teacher-related data and information including, but not limited to, recruitment, placement, appraisal, promotion, development and teacher welfare and benefits.

#### **CHAPTER 4** **Textbooks and Learning Resources**

**Section 82. *Textbook and Learning Resources Standards.*** – The Ministry shall establish an office that will set the standards and approve textbooks and other learning resources for use in the Bangsamoro, including those learners with disabilities. The Ministry shall ensure the availability of books and learning resources, which shall undergo a rigorous screening and evaluation process before their publication, procurement, and distribution.

**Section 83. *Information and Communication Technology (ICT).*** – The Ministry shall enable the integration of ICT as part of the learning resources and infrastructure to be made available to all schools.

#### **CHAPTER 5** **School Infrastructure**

**Section 84. *Standards for School Infrastructure.*** – The Ministry shall develop, implement, and monitor specific minimum standards governing school infrastructure, including provisions for a safe, secure, and friendly learning environment. The Ministry shall allow prayer spaces in private and public schools.

#### **CHAPTER 6** **School Management**

**Section 85. *School-Based Management.*** – As far as practicable and under the principle of subsidiarity, schools shall enjoy greater autonomy in decision-making concerning local matters by ensuring the strong participation of all stakeholders including school heads, teachers, learners, parents and the community.

**Section 86. *Moral Governance.*** – In implementing School-Based Management, schools shall be anchored on moral governance, which espouses the principles of participation, responsiveness, efficiency and effectiveness, transparency, ethical conduct, and innovation.

**Section 87. *Engaged Time-on-Task.*** – To ensure the quality of teaching-learning, schools shall practice “engaged-time-on-task” by lessening activities that take teachers and/or learners away

from the classroom, maximizing the use of the time allotment for every subject, and reducing the non-teaching duties of teachers.

## **CHAPTER 7**

### **School Financing**

**Section 88. *Responsibility for School Financing.*** – Subject to existing laws, the responsibility for financing public schools shall be the responsibility of the Bangsamoro Government. For this purpose, the Ministry shall issue guidelines, in close coordination with local government units and local schools boards, for the utilization of all funds intended for education, including the Special Education Fund (SEF).

**Section 89. *Bangsamoro Government Support.*** – The Ministry may provide financial and other support to private schools including, but not limited to, scholarships for qualified learners, operational cost of schools and support to special school development programs.

## **CHAPTER 8**

### **Quality Assurance**

**Section 90. *Quality Assurance System.*** – The Ministry shall adopt an accreditation mechanism as part of its external quality assurance process for every school to ensure continuous school improvement and for purposes of public accountability.

## **VII. PUBLIC MADRASAH SYSTEM**

### **CHAPTER 1**

#### **General Provisions**

**Section 91. *Levels in the Public Madrasah System.*** – In the Public *Madrasah* System, the levels/key stages are the following:

- a. *Tahderiyah*, including early childhood care and education
- b. Grade 1 to Grade 3 (*Lower Madrasah Ibtidaiyyah*)
- c. Grades 4 to 6 (*Upper Madrasah Ibtidaiyyah*)
- d. Grades 7 to 9 (*Madrasah Mutawassitah*)
- e. Grades 10 to 12 (*Madrasah Thanawiyyah*)

**Section 92. *Curriculum Structure and Content Standards.*** – Based on the minimum competency standards for each school level, the Ministry shall develop the *Madrasah* curriculum structure and content for each grade level including the time allocation for each subject or learning area as follows:

- a. ***Tahderiyah Curriculum*** – The *Tahderiyah* curriculum shall be designed to effectively promote the physical, socio-cultural, emotional, intellectual and spiritual development

of early learners, including Islamic values formation, to sufficiently prepare them for further schooling.

- b. Lower *Madrasah Ibtidaiyyah* Curriculum** – The Lower *Madrasah Ibtidaiyyah* curriculum shall be designed to provide the learners with functional literacy encompassing reading, writing, numeracy and technology, Islamic education and Arabic language, and the formation of values, and social and emotional skills.
- c. Upper *Madrasah Ibtidaiyyah* Curriculum** – The Upper *Madrasah Ibtidaiyyah* curriculum shall be designed to provide the learners with opportunities for enhancement and application of learned literacy and numeracy competencies to varied content areas encompassing language, science, mathematics, social studies, civic education, arts, home economics, Islamic education and Arabic language, and physical education and health.
- d. *Madrasah Mutawassitah* Curriculum** – The *Madrasah Mutawassitah* curriculum shall be designed to provide learners with opportunities to learn fundamental concepts at a higher degree of complexity to enable them to live productive lives. The curriculum shall cover language, science, mathematics, social studies, civic education, arts, Islamic education and Arabic language, physical education and health, and technology and livelihood education.
- e. *Madrasah Thanawiyyah* Curriculum** – The *Madrasah Thanawiyyah* curriculum shall be designed to provide learners with general subjects and the option to choose subject tracks that cater to their interests and inclinations to enable them to prepare for higher learning and the world of work. The general subjects shall include language, science, mathematics, humanities, social science, Islamic education and Arabic language, values, and physical education and health. The subject tracks shall cover offerings related to the academic, arts and design, sports and technical-vocational livelihood.

**Section 93. *Development and Implementation of the Basic Education Curriculum under the Madrasah System.*** – In the development and implementation of the Basic Education Curriculum, the Ministry shall take into consideration the mental, psychological, and spiritual development of the learners, and the learners’ social, cultural and environmental context.

**Section 94. *Madrasah with Special Enrichment Program.*** – The Ministry shall establish the model *Madrasah* with an enriched program tailored to the interest and inclination of the learners which offer the basic education curriculum and an enriched program for specific learning areas.

**Section 95. *Medium of Teaching and Learning in the Basic Education under the Madrasah System.*** – The medium of teaching and learning used in the *Tahderiyyah* and Lower *Madrasah Ibtidaiyyah* shall be the mother tongue of the learners, while in *Madrasah Mutawassitah* to *Madrasah Thanawiyyah*, Arabic language may be used as medium of teaching and learning in addition to English and Filipino.

**Section 96. *Monitoring, Evaluation, and Revision of the Curriculum.*** – The Ministry shall regularly monitor and evaluate the implementation of the *madrasah* curriculum and may revise the curriculum accordingly based on the results of the evaluation.

## **CHAPTER 2**

### **Learning Assessment**

**Section 97. *Types of Assessment.*** – The Ministry shall develop and implement a learning assessment mechanism consisting of classroom-based assessment, summative assessment, achievement standardized testing, and system assessment.

**Section 98. *Classroom-based Assessment.*** – To monitor the learning progress of the learners, *madrasah* teachers (*Mudarris*) shall implement a continuous classroom assessment designed to provide learning feedback to the learners and improve the overall teaching-learning process.

**Section 99. *Summative Assessment.*** – To determine the learning attainment of the learners at the end of the school year, the *Madaris* shall administer a summative assessment as part of the consideration for grade promotion.

**Section 100. *Standardized Achievement Testing.*** – The Ministry may administer a standardized achievement testing as a requirement for certifying the learners' achievement at the end of a designated school level or key stage.

**Section 101. *System Assessment.*** – To regularly monitor the progress and achievement of the Bangsamoro Basic Education System, the Ministry shall administer a large-scale system assessment at designated grade levels covering relevant learning outcomes and other factors influencing these outcomes.

**Section 102. *Madrasah Certificate and Diploma.*** – The Ministry shall set the standards for the issuance of the *Tahderiyyah* Certificate, *Madrasah Ibtidaiyyah* Certificate, *Madrasah Mutawassitah* Certificate, and *Madrasah Thanawiyyah* Diploma.

## **CHAPTER 3**

### **Madrasah Teacher (Asatidz/Mudarris)**

**Section 103. *Qualifications.*** – The Ministry shall provide for the qualifications of *Asatidz/Mudarris* taking into consideration the relevant educational background such as but not limited to *Tarbiyyah* (Bachelor's Degree in Education) and other relevant bachelor's degree, eligibility, and proficiency in Arabic language and/or Islamic Studies of applicants together with their ability to read and write in English and Filipino.

**Section 104. *Competency.*** – All *Madrasah* school teachers in the Bangsamoro must have subject mastery and pedagogical competence and must possess good personality and social and interpersonal skills. Further, teachers must have the capacity to address the needs of learners with special needs.

**Section 105. *Special Eligibility.*** – For the purpose of meeting the eligibility requirement for the position of *Mudarris*, the Ministry shall develop and administer special qualifying examinations for permanent appointment to *Mudarris* positions in the Ministry. In coordination with the Civil Service Commission for BARMM, the Ministry shall grant special license for *Mudarris* to those who passed the special qualifying examinations, *Provided*, That the eligibility herein granted shall only qualify the appointee to permanent appointment to *Mudarris* and shall not be considered as a substitute to second level eligibility unless authorized by the Civil Service Commission.

Graduates with honors (*summa cum laude*, *magna cum laude* and *cum laude*) from a recognized university or institution of higher learning in Arabic and/or Islamic Studies whether local or international may be exempted from the special qualifying examinations and shall be deemed to have met the eligibility requirement for permanent appointment to *Mudarris* positions subject to applicable Civil Service rules on granting honor graduate eligibility.

**Section 106. *Qualifications, Appointments and Promotions of Mudarris Teachers.*** – The Civil Service Commission, in consultation with the Ministry shall promulgate rules and regulations and set the standards for *Mudarris* teacher qualifications, appointments and promotions.

**Section 107. *Professional Development.*** – The Ministry shall promote the continuing professional development of *madrasah* teachers to develop their personal and professional qualities, and to improve their knowledge, skills, values, and practice, leading to the improvement of the quality of the teaching-learning process.

**Section 108. *Welfare.*** – The Ministry shall continue to uphold and promote existing policies that guarantee the welfare and benefits of *madrasah* teachers.

**Section 109. *Teacher Management.*** – The Ministry shall develop and implement a teacher management system as a platform for gathering, processing, analyzing, storing, and managing teacher-related data and information including, but not limited to, recruitment, placement, appraisal, promotion, development, and teacher welfare and benefits.

## CHAPTER 4 Madrasah Textbooks and Learning Resources

**Section 110. *Madrasah Textbook and Learning Resources Standards.*** – The Ministry shall establish an office that will set the standards and approve textbooks and other learning resources for use in the *Madrasah* System. The Ministry shall ensure the availability of textbooks and learning resources for all *Madaris*, which shall undergo a rigorous screening and evaluation process prior to their publication, procurement and distribution.

**Section 111. *Information and Communication Technology (ICT).*** – The Ministry shall enable the integration of the ICT as part of the learning resources to be made available to all *Madaris*.

## **CHAPTER 5**

### **Madrasah Infrastructure**

**Section 112. *Standards for Madrasah Infrastructure.*** – The Ministry shall adopt, implement, and monitor the standards governing *madrasah* school infrastructure, including provisions for a safe, secure, and friendly learning environment.

## **CHAPTER 6**

### **Madrasah Management**

**Section 113. *Madrasah-Based Management.*** – *Madaris* shall enjoy greater autonomy in decision-making concerning any aspect of local *madaris* affairs by ensuring the strong participation of all stakeholders, including local *madaris* heads, *mudarris*, learners, parents, and the community.

**Section 114. *Moral Governance.*** – *Madrasah*-Based management shall be anchored on moral governance, which espouses the principles of participation, responsiveness, efficiency, effectiveness, transparency, ethical conduct and Cognizance of God “*Taqwa*”.

**Section 115. *Engaged Time-on-Task.*** – To ensure the quality of teaching-learning, *Madaris* shall practice “engaged-time-on-task” by lessening activities that take teachers and/or learners away from the classroom, maximizing the use of the time allotment for every subject, and reducing the non-teaching duties of teachers.

## **CHAPTER 7**

### **Private Madrasah Financing**

**Section 116. *Responsibility for Private Madrasah Financing.*** – Private *Madrasah* owners and administrators shall be primarily responsible for *madrasah* education financing.

**Section 117. *Government Subsidy.*** – The Ministry may provide financial and other support to private *Madaris* including, but not limited to, scholarships for qualified learners, the operational cost of the schools, and support to special *madrasah* development programs.

**Section 118. *Community Support.*** – The community may provide support to *Madaris* in any form for the operation and development of *Madaris*.

## **CHAPTER 8**

### **Quality Assurance**

**Section 119. *Quality Assurance System.*** – The Ministry shall adopt an accreditation mechanism as part of its external quality assurance process for every *madrasah* to ensure the continuous improvement of the *Madaris* and for purposes of public accountability.

**Section 120. Accreditation Cycle.** – As part of the continuous improvement process, *madrasah* accreditation shall be done periodically, the frequency of which shall be determined by the Ministry.

**Section 121. Madrasah Improvement Program.** – *Madaris* shall be required to use the results of the accreditation as basis for the development of the School/*Madrasah* Improvement Plan (MIP).

## VIII. ALTERNATIVE LEARNING SYSTEM

### CHAPTER 1 General Provision

**Section 122. Alternative Learning System for Basic Education (ALS).** – The Ministry shall establish, manage, and supervise the Alternative Learning System as a separate pathway from the formal education systems to provide all Bangsamoro people the chance to have access to and complete basic education that fits their distinct situation and needs.

**Section 123. The Curriculum of the ALS.** – The Ministry shall develop the curriculum for the ALS for basic education, which shall emphasize the inclusion of livelihood subjects and the adoption of a modular scheme of learning.

**Section 124. Community-Based Approach.** – The Ministry shall work closely with the local communities and local government units in the development and operationalization of the ALS Program.

**Section 125. Guidance for ALS Implementation.** – The Ministry shall develop guidelines and provide technical support for the implementation of the ALS.

**Section 126. Equivalency Examination.** – The Ministry shall administer the equivalency exam to certify the completion and achievement of the learners of primary and secondary education levels.

**Section 127. Integration of Tahfidz Al-Quran.** – *Tahfidz Al-Quran* is hereby recognized as an alternative delivery mode of education under the ALS and shall be integrated into the educational framework of the Bangsamoro Autonomous Region. *Tahfidz Al-Quran* Learning Schools shall be regulated and supervised. The Ministry may provide appropriate support to *Tahfidz Al-Quran* Learning Schools. The ministry shall develop and prescribe curriculum for *Tahfidz Al-Quran* and ensure its effective implementation in the region.

### CHAPTER 2 Infrastructure (Community Learning Centers)

**Section 128. Establishment of Community Learning Centers.** – Community Learning Center refers to a physical space to house learning resources and facilities of a learning program for out-of-school youth and adults. It is a venue for face-to-face learning activities and other learning opportunities for community development and improvement of the people's quality of life.

The Ministry shall establish at least one (1) Community Learning Center per municipality/city. The Community Learning Centers shall have areas for females, males, young, and old learners in order for them to learn comfortably and effectively.

## **IX. HIGHER EDUCATION**

### **CHAPTER 1 General Provision**

**Section 129. Declaration of Policy.** – The Bangsamoro Government shall protect, foster, and promote citizens’ right to affordable quality education and shall take appropriate steps to ensure that education shall be accessible to all. The Bangsamoro Government shall likewise provide and protect academic freedom. It shall promote its exercise and observance for the continuing intellectual growth, the advancement of learning and research, the development of responsible and effective leadership, the education of high-level and middle-level professionals, and the enrichment of our historical and cultural heritage.

State-supported institutions of higher learning shall gear their programs to national, regional, or local development plans. Finally, all higher educational institutions shall exemplify through their physical and natural surroundings the dignity and beauty of as well as their pride in, the intellectual and scholarly life.

**Section 130. Coverage.** – The Ministry shall cover all Higher Educational Institutions (HEIs) that were under CHED-ARMM such as State Universities and Colleges (SUCs), CHED-Supervised Higher Educational Institutions (CHEIs), CHED-ARMM/BARMM Supervised Institutions (BSIs), Private Higher Educational Institutions in (PHEIs), Islamic Higher Education and Transnational Higher Education Institutions as well as tertiary degree programs in all post-secondary institutions in the BARMM.

**Section 131. Transfer of Powers and Functions.** – Subject to national policies, the powers and functions devolved to CHED-ARMM pertaining to higher education stipulated in Executive Order No. 315, series of 1996 and its Implementing Rules and Regulations embodied in CHED Administrative Order No. 8, series of 1996, under RA 7722, are hereby transferred to the Ministry. Specifically, such transfer of functions shall include, among others:

All programs and projects of the previous CHED-ARMM, whether locally-funded or foreign-assisted, in the BARMM, earmarked for or to be implemented in the region, including scholarships and grants, shall be transferred to the Ministry, including its corresponding budgets and assets.

The Ministry shall avail of the Higher Education Development Fund (HEDF), established under Section 10 of RA 7722, based on CHED-approved projects and programs. The fund shall be administered in accordance with the guidelines of the CHED.

The budget and allocations of CHED-ARMM/BARMM supervised Higher Education Institutions in the region shall be transferred to the Ministry.

**Section 132. Powers and Functions of the Ministry.** – The Ministry shall have the following powers and functions:

- a. Formulate and recommend to the executive and legislative authorities of BARMM development plans, policies, priorities, grants, and programs on higher education and research, including higher Islamic Education, in the BARMM;
- b. Recommend to the Executive and Legislative authorities of BARMM, priorities, and grants on higher education and research;
- c. Set minimum standards for programs in and institutions of higher learning for the higher Islamic education;
- d. Monitor and evaluate the performance of programs and institutions of higher learning in the BARMM and recommend appropriate incentives as well as the imposition of sanctions such as, but not limited to, a diminution or withdrawal of subsidy, a downgrading or withdrawal of accreditation, program termination, or closure of HEI;
- e. Identify, support, and develop potential centers of excellence in the program areas in the BARMM needed for the development of world-class scholarship, nation-building, and national development;
- f. Direct or re-direct purposive research by institutions of higher learning within BARMM to meet the needs of agro-industrialization and development;
- g. Review the charters of an institution of higher learning and state universities and colleges, and local colleges and universities, including the chairmanship and membership of their governing bodies, and recommend the appropriate measures as the basis for necessary action;
- h. Recommend to the Ministry of Finance, Budget, and Management the budgets of public institutions of higher learning as well as general guidelines for the use of their income;
- i. Rationalize programs and institutions of higher learning and set standards, policies, and guidelines for the creation of new ones as well as the conversion or elevation of schools to institutions of higher learning, subject to budgetary limitations and the number of institutions of higher learning in the province or region where creation, conversion or elevation is sought to be made;
- j. Develop criteria for allocating additional resources such as research and program development grants, scholarships, and other similar programs provided, however, that these shall not detract from the fiscal autonomy already enjoyed by colleges and universities within BARMM;
- k. Devise and implement resource development schemes for higher learning in the BARMM;
- l. Administer the Higher Education Development Fund and other funds intended for the promotion of higher learning in the BARMM;
- m. Create offices in Basilan, Lanao del Sur, Maguindanao, Sulu, Tawi-Tawi, and the cities of Cotabato, Lamitan, and Marawi purposely to monitor and evaluate the performance of a program of higher education institutions in the province or city and submit reports to receive documentary records for and in behalf of the Commission of Higher Education coming from each higher education institution from each province or city, to verify and evaluate enrollment list, promotion report, permanent scholastic records, and other records to be submitted to the Ministry, and to facilitate the issuance of Special Order (SO), Certification, Authentication and Verification (CAV), and other issuances by the Ministry;
- n. Promulgate such rules and regulations and exercise such other powers and functions as may be necessary to carry out effectively the purpose and objectives of this Act;

- o. Perform such other functions as necessary for its effective operations and for the continued enhancement, growth, and development of higher education in BARMM; and
- p. Ensure inclusive education services (and facilities) to learners with special needs, disabilities, and other learning barriers in a way that addresses their individual differences and learning needs.

**Section 133. *Regulatory Functions.*** – The Ministry shall supervise and regulate private schools, including sectarian and non-sectarian institutions of higher education. The functions of the previous CHED-ARMM prescribed in Executive Order No. 315, series of 1996 and CHED Administrative Order No. 8, series of 1996 about the grant of authority to establish and operate new private schools/programs on higher education in the region, including the cancellation and/or withdrawal of recognition, or restoration of cancelled or revoked government recognition, shall be exercised by the Ministry.

## CHAPTER 2

### Representation in National Government and Board of Trustees

**Section 134. *Representation in National Government Agencies.*** – Following Article VI, Section 11 of Republic Act No. 11054 (Bangsamoro Organic Law), the Minister or his/her designated representative sits as *ex-officio* member of the Commission on Higher Education (CHED), the Governing Board of Unified Financial Assistance System for Tertiary Education Act (Republic Act No. 10687), and the Private Education Assistance Committee (PEAC).

The Minister or his/her designated representative is *ex-officio* member of the Board of Regents and Board of Trustees of state colleges and universities and local universities and colleges within the territorial jurisdiction of BARMM.

**Section 135. *Representation in the Governing Boards of SUCs, LUCs, and Non-chartered Public Higher Education Institutions within the Bangsamoro.*** – The Minister or his/her designated representative shall act as Chairman of the Board of Regents/Trustees of the Bangsamoro Tribal University System and all regional colleges and universities that may be created by the Bangsamoro Parliament. The Minister shall also act as Chairman of the Boards of Regents/Trustees of all existing non-chartered public higher education institutions within the BARMM.

## CHAPTER 3

### Miscellaneous Provisions

**Section 136. *Incentives.*** – The Ministry shall provide incentives to institutions of higher education, public and private, whose programs are accredited or whose needs are for accreditation purposes.

**Section 137. *Tax Exemptions.*** – Any donation, contribution, bequest, and grant which may be made to the Ministry shall constitute an allowable deduction from the income of the donor for income tax purposes. It shall be exempt from donor's tax, subject to such conditions as provided

under the National Internal Revenue Code, as amended, and the Bangsamoro Internal Revenue Code.

**Section 138. *Authority of the Minister.*** – The Minister shall exercise such authority as may be deemed necessary within its areas of operation to carry out its powers and functions effectively.

**Section 139. *Transfer of Personnel and Assets.*** – Such personnel, properties, assets and liabilities, functions, and responsibilities of the previous Commission on Higher Education – ARMM, including those for higher and tertiary education and degree-granting vocational and technical programs under the Commission on Higher Education-ARMM, and other existing ARMM entities having functions similar to those of the Commission are hereby transferred to the Ministry.

**Section 140. *Authority to Appoint.*** – The Minister shall have the authority to appoint its personnel. All regular or permanent employees transferred to the Ministry shall not suffer any loss or seniority or rank or decrease in emoluments subject to the provisions of Republic Act No. 11054 (Bangsamoro Organic Law), Bangsamoro Administrative Code, and the Bangsamoro Civil Service Code: *Provided, however,* That any employee who cannot be accommodated shall be given all the benefits as provided for under the Bangsamoro Organic Law, and existing laws, rules, and regulations.

**Section 141. *Integral Part of the Bangsamoro Educational System.*** – Any school, college, or university existing in the Bangsamoro Autonomous Region shall be deemed integral components of the educational system of the Bangsamoro Autonomous Region, and shall be governed by their respective charters. The National Government shall continue to support, enhance, and strengthen the Mindanao State University System.

## **CHAPTER 4 Jurisdiction**

**Section 142. *Jurisdiction over BARMM-supervised post-secondary institutions.*** – The Ministry has jurisdiction over BARMM-supervised or non-chartered state-supported post-secondary degree-granting vocational and technical programs, and tertiary institutions shall be transferred to the Ministry, such as:

- a. Upi Agricultural School;
- b. Balabagan Trade School;
- c. Unda Memorial National Agricultural School;
- d. Lanao Agricultural College;
- e. Hadji Butu School of Arts and Trades;
- f. Lapak Agricultural College; and
- g. Lapak National School of Fisheries.

The Ministry shall also have jurisdiction over local colleges and universities under its territorial jurisdiction, including the existing Regional *Madrasah* Graduate Academy.

**Section 143. Authority to Organize the Board of Trustees.** – The Ministry shall have the power to organize the Board of Trustees of the above mentioned BARMM-supervised or non-chartered state-supported higher education institutions after massive public consultations.

**Section 144. Jurisdiction Over Existing State Universities and Colleges.** – The following state universities and colleges shall be deemed as integral components of the educational system of the Bangsamoro Autonomous Region in Muslim Mindanao and shall be governed by their respective charters:

- a. Mindanao State University (MSU) Main Campus in Marawi City;
- b. Mindanao State University – Lanao National College of Arts and Trades (Marawi City);
- c. Mindanao State University – Maguindanao (Datu Odin Sinsuat, Maguindanao);
- d. Mindanao State University – Sulu Development and Technical College (Jolo, Sulu);
- e. Mindanao State University – Tawi-Tawi College of Technology and Oceanography (Bongao, Tawi-Tawi);
- f. Tawi-Tawi Regional Agricultural College (Bongao, Tawi-Tawi);
- g. Sulu State College (Jolo, Sulu);
- h. Basilan State College (with campuses in Lamitan City, Sta. Clara, and Maluso in Basilan);
- i. Adiong Memorial State Polytechnic College (Ditsa-an Ramin, Lanao del Sur);
- j. Cotabato State University (Cotabato City);
- k. University of Southern Mindanao - Buluan, Maguindanao Campus;
- l. Cotabato Foundation College of Science and Technology (Montawal, Maguindanao Campus);
- m. Cotabato Foundation College of Science and Technology (Pikit-BARMM side Campus);  
and
- n. Other institutions that may be created thereafter.

## **CHAPTER 5**

### **Tribal University System**

**Section 145. Tribal University System.** – The Tribal University System shall provide better higher education for Indigenous Peoples’ students to be functional citizen of the community. Additionally, it shall provide school system where the Indigenous Peoples’ language, culture, and traditional knowledge of the Elders are incorporated in the curricular and extracurricular activities of the students.

Under the Tribal University System, a Tribal University shall be created which shall be founded upon Indigenous Knowledge Systems and Practices (IKSP). It shall develop educational programs appropriate and relevant to the needs and aspirations of the IPs, and geared towards respect, promotion, protection, and preservation of their cultures and practices. The University shall have programs in arts and sciences to support these aspirations. It shall endeavor to inspire young IPs to serve and become leaders in their ancestral domains and indigenous communities. It shall involve training of teachers to carry out effectively the mandates of the Tribal University.

**Section 146. Establishment of the Tribal University System.** – In accordance with the Bangsamoro Organic Law, the Ministry shall initiate the creation of a tribal university system to

address the higher educational needs of indigenous peoples. The Ministry shall undertake studies to contribute effectively to establishing the tribal university system.

## **CHAPTER 6**

### **Islamic Higher Education**

**Section 147. *Provision of Islamic Higher Education.*** – Higher learning for Islamic and Arabic studies may be provided through Islamic study programs, schools, institutes, and universities in the Bangsamoro. Islamic higher learning shall instill Islamic values necessary for the realization of the Bangsamoro education goals.

**Section 148. *Islamic and Arabic Teacher Education.*** – Islamic higher education institutions shall be responsible for the preparation of teachers for Islamic education and Arabic education in the Bangsamoro.

**Section 149. *Compliance with Higher Education Regulations.*** – The establishment, operation and regulation of Islamic Higher Education Institutions shall comply with higher education regulations to be adopted under this Code.

**Section 150. *Regulation of Islamic Higher Education.*** – The Ministry shall regulate the provision of Islamic Higher Education in the Bangsamoro.

## **X. TECHNICAL EDUCATION AND SKILLS DEVELOPMENT**

### **CHAPTER 1**

#### **General Provision**

**Section 151. *Declaration of Policy.*** – It is the policy of the Bangsamoro Government to provide relevant, accessible, high quality, and efficient technical education and skills development to produce high-quality middle-level manpower in the Bangsamoro.

**Section 152. *Mandate.*** – The Ministry is mandated to provide quality technical education and skills development to the people of the Bangsamoro.

**Section 153. *Coverage.*** – Technical Education shall cover all technical education and skills development (TESD) programs, irrespective of delivery systems – whether formal, non-formal and informal – to prepare middle level skilled human resources by providing them with general education, technology-related sciences, and related occupational skills training.

**Section 154. *Objectives of the Technical Education and Skills Development (TESD).*** – TESD shall instill in the Bangsamoro People technical knowledge, skills and attitudes to enable them to become active and productive members of society and to meet and match industry demand with competent and globally competitive workforce.

**Section 155. *Powers and Functions.*** – The Ministry shall have the following powers and functions:

- a. Manage and regulate the Technical-Vocational Education and Training (TVET) Sector in the BARMM through accreditation and registration of all TVET program offerings, compliance audits, trainers' and accessors' training, among others;
- b. Address gaps in the formal TVET sector through the conduct of skills training in its training centers and in the communities;
- c. Ensure TVET quality through the provision of standards and system development services as well as the provision of inclusive services (facilities) to learners with special needs, disabilities, and other learning barriers in a way that addresses their individual differences and learning needs;
- d. Conduct of National Competency Assessment and Certification of workers and TVET graduates;
- e. Develop comprehensive training syllabi incorporating desirable work values through the development of moral character with emphasis on work ethic, discipline, self-reliance, and a deep sense of nationalism;
- f. Formulate the Bangsamoro Manpower and Technical Education and Skills Development Plan (BMTEDSP) to ensure that the skills development system in the Bangsamoro is responsive and relevant to labor market needs, with good coordination between the demand for and supply of skills;
- g. Formulate a Comprehensive BARMM Plan for Middle-level manpower based on the first Bangsamoro Development Plan; and
- h. Promote and encourage partnership with various stakeholders, LGUs, and other civic organizations.

**Section 156. *TESD Delivery Systems.*** – Technical Education and Skills Development shall be delivered through formal, informal, and alternative learning systems:

- a. High School Level – Vocational Strand;
- b. *Madrrasah Thanawih* Level – Vocational Strand;
- c. Higher Education Level – Diploma Degree Program;
- d. Specialized Training Centers and Community-Based Trainings (CBT); and
- e. Other similar schemes.

## **XI. INDIGENOUS PEOPLES' EDUCATION**

**Section 157. *Indigenous Peoples' Education (IPEd).*** – Indigenous Peoples within the Bangsamoro shall be provided with an education that promotes their distinct cultural identity, integrity and heritage and ensure the recognition of and respect for all indigenous peoples in the Bangsamoro. Further, Indigenous Peoples' Education shall be pursued to recognize the values inherent in and practiced by indigenous communities since time immemorial.

**Section 158. *IPEd System.*** – The IPEd System shall deliver teaching-learning that facilitates inter-generational transmission of indigenous knowledge systems and practices (IKSPs) and indigenous communities' indigenous learning systems.

**Section 159. *Support for IPEd.*** – The Ministry shall ensure effective institutional and funding support for IPEd across all Bangsamoro Education System education levels. The Ministry shall

provide for regular funding in the Ministry budget for IPed that will ensure support for curriculum development, capacity building for teaching and learning, and operations.

**Section 160. *Education and Cultural Integrity, Identity and Heritage.*** – All Indigenous Peoples (IP) learners shall have the right to preserve, promote, and protect their rights, cultural integrity, identity, and heritage through education to ensure their total well-being.

**Section 161. *Bangsamoro Indigenous Peoples’ Education Framework (BIPEF).*** – The Ministry shall formulate a Bangsamoro Indigenous Peoples’ Education Framework to guide the implementation of initiatives in support of Indigenous Peoples’ Education.

**Section 162. *IPed Teachers.*** – In support of the implementation of IPed in the Bangsamoro, the Ministry may formulate specific policies unique for IPed teacher education and other related requirements.

## **XII. PEACE EDUCATION**

**Section 163. *Declaration of Policy.*** – Peace education shall be provided to instill in the learners the values and knowledge and develop the attitudes, skills and behaviors to live in harmony with oneself, others, and the natural environment.

**Section 164. *Integration of Peace Education.*** – Peace education shall be a core component of Bangsamoro education and shall be integrated into the curriculum of all educational levels and all delivery systems.

**Section 165. *Peace Education Curriculum.*** – The Ministry shall adopt a Peace Education Curriculum designed to instill the culture of non-violence, social justice and respect for human rights, freedom and inclusivity. Additionally, the peace education curriculum shall be a prescribed program for learners at appropriate educational levels.

**Section 166. *Support to Peace Education.*** – The Ministry shall ensure effective institutional and funding support for Peace Education across all education levels of the Bangsamoro Education System. The Ministry shall provide for regular funding in the Ministry budget for Peace Education that will ensure support for curriculum development, capacity building for teaching and learning, and operations.

## **XIII. FUNDING OF EDUCATION INSTITUTIONS**

### **CHAPTER 1 General Provisions**

**Section 167. *Public Funding.*** – Public schools/*Madaris* and other public educational institutions shall be funded from public funds.

**Section 168. *Endowment for Special Education Purposes.*** – The Ministry shall establish an endowment (*waqaf*) fund for advanced education, faculty development, research, and development for the attainment of the Bangsamoro development goals.

**Section 169. *Resource Generation.*** – The Ministry shall adopt resource generation initiatives to finance and expand access to quality education in the Bangsamoro.

**Section 170. *Financial Assistance to Public Schools or Public Madaris.*** – The Bangsamoro Government, in collaboration with the National Government, shall extend financial aid and assistance to public schools and public *madrasah* established and maintained by local governments, including *barangay* high schools.

**Section 171. *Support from Local Governments.*** – Provinces, cities, municipalities, and *barangays* shall be encouraged to appropriate funds in their annual budgets for the operation and maintenance of schools.

**Section 172. *Special Education Fund.*** – The Ministry of Basic, Higher, and Technical Education, in coordination with the Ministry of Local Government, shall issue policy guidance with respect to the collection, utilization, and monitoring of special education fund and other similar funds.

## CHAPTER 2

### Subsidy for Private Education Institutions

**Section 173. *Government Support.*** – The Bangsamoro Government may provide assistance to private educational institutions in the form of grants or scholarships, or loans from government financial institutions, in recognition of their complementary role in the educational system: *Provided*, That such programs meet certain defined educational requirements and standards and contribute to the attainment of Bangsamoro and national development goals.

**Section 174. *Tuition and Other Fees.*** – Each private education institution shall determine its rate of tuition and other school fees or charges. The rates and charges adopted by private education institutions pursuant to this provision shall be collectible, and their application or use authorized, subject to rules and regulations promulgated by the Ministry.

**Section 175. *Income from Other Sources.*** – As may be authorized by law, any private education institution duly recognized by the government, may receive any grant and legacy, donation, gift, bequest or devise from any individual, institution, corporation, foundation, trust of philanthropic organization, or research institution or organization.

Furthermore, private education institutions may be authorized to engage in any auxiliary enterprise to generate income primarily to finance their educational operations and/or to reduce the need to increase learners' fees.

**Section 176. *Organizational Funds.*** – The proceeds from tuition fees and other institution charges, as well as other income of education institutions, shall be treated as institutional funds. Education institutions may pool their institutional funds, in whole or in part, under joint management for the purpose of generating additional financial resources.

### **CHAPTER 3**

#### **Education Incentive**

**Section 177. *Declaration of Policy.*** – The Ministry may provide an incentive program to encourage the participation of the community in the development of the educational sector.

**Section 178. *Institution Property.*** – In accordance with laws and regulations, the Ministry shall adopt specific guidelines pertaining to the creation and management of a fund to which shall accrue all proceeds from the payment of real property tax on real property directly and exclusively for educational purposes, in accordance with laws and regulations.

**Section 179. *Gifts or Donations to Educational Institutions.*** – Subject to applicable laws, the Ministry shall adopt specific guidelines pertaining to the tax implication of gifts or donations in favor of any school, college, or university.

**Section 180. *Earnings from Scholarship Funds.*** – Subject to applicable laws, the Ministry shall adopt specific guidelines pertaining to earnings from the investment of any duly established scholarship fund of any school or educational institution recognized by the government, constituted from gifts to the school, and/or from contributions or other resources assigned to said fund by the school or education institution.

**Section 181. *Conversion to Educational Foundations.*** – The Ministry shall adopt specific rules governing the conversion of educational institutions into either a non-stock or non-profit educational foundation.

### **CHAPTER 4**

#### **Assistance to Learners**

**Section 182. *Government Assistance to Learners.*** – Subject to the provisions of existing laws and in collaboration with relevant national government agencies, the Bangsamoro Government shall provide financial assistance to financially disadvantaged and deserving learners, including learners affected by social, political, and natural disasters. Such assistance may be in the form of government scholarships, grants-in-aid, assistance from the Educational Loan Fund, or subsidized tuition rates in schools, state colleges, and universities.

All the above and similar assistance programs shall provide for reserve quotas for financially needed but academically qualified learners from the cultural communities, including IP learners.

**Section 183. *Grant of Scholarship Pursuant to Existing Laws.*** – Schools and higher educational institutions shall be encouraged to grant scholarships to learners pursuant to the provisions of existing laws, and such scholarship measures as may hereafter be provided for by law.

**Section 184. *Assistance from the Private Sector.*** – The private sector, especially educational institutions and the business industry, shall be encouraged to grant financial assistance to learners, especially those undertaking research in the fields of science and technology or in such projects as may be necessary within the context of regional and national development.

## **CHAPTER 5**

### **Assistance to Teachers and Learning Facilitators**

**Section 185. *Government Assistance to Teachers and Learning Facilitators.*** – Subject to the provisions of existing laws and in collaboration with relevant national government agencies, the Bangsamoro Government shall provide financial assistance to teachers and learning facilitators. Such assistance may be in the form of government scholarships, grants-in-aid, assistance from the Loan Fund, or subsidized tuition rates for further studies.

**Section 186. *Grant of Scholarship Pursuant to Existing Laws.*** – The Bangsamoro Regional Government shall be encouraged to grant scholarships in support of the professional development of teachers and learning facilitators pursuant to the provisions of existing laws and such other scholarship schemes as may hereafter be provided for by law.

**Section 187. *Assistance from the Private Sector.*** – The private sector, especially educational institutions and the business industry, shall be encouraged to grant financial assistance in support of the professional development of teachers and learning facilitators, especially those undertaking research in the fields of science and technology or in such projects as may be necessary within the context of regional and national development.

## **CHAPTER 6**

### **Assistance to Madrasah**

**Section 188. *Financial Aid to Public Madrasah.*** – The Bangsamoro Government, in collaboration with the National Government, shall extend financial aid and assistance to public schools and public *madrasah* established and maintained by local governments, including *barangay* high schools.

## **CHAPTER 7**

### **National Education Programs and Projects**

**Section 189. *Continuity of National Education Programs and Projects.*** – Pursuant to Article VI, Section 13 of the Bangsamoro Organic Law, national education programs and projects shall continue to be funded by the National Government, without prejudice to the power of the Bangsamoro Government to provide for supplemental funding for such programs and projects.

## **XIV. MISCELLANEOUS PROVISIONS**

### **CHAPTER 1**

#### **Regulation of Private Schools, Colleges, and Universities**

**Section 190. *Regulatory Functions.*** – The Ministry shall supervise and regulate private schools, universities, colleges, and learning centers, including sectarian and non-sectarian institutions of learning.

**Section 191. *Right of Participation.*** – Three (3) representatives of private schools shall have the right to participate in the Ministry’s deliberations on matters dealing with private schools.

**Section 192. *Right to Propagate Religious Beliefs.*** – The right of sectarian and educational institutions to propagate their religious beliefs shall not be curtailed. The Ministry shall not discriminate against sectarian educational institutions in any manner or form.

## **CHAPTER 2**

### **Penal and Administrative Sanctions**

**Section 193. *Penalty Clause.*** – Any person upon conviction for an act in violation of the provisions relating to operation of educational institutions and educational programs without authorization, and/or operation thereof in violation of the terms of recognition, shall be punished with a fine of not less than One Hundred Thousand Pesos (Php100,000) nor more than Two Hundred Fifty Thousand Pesos (Php250,000) or imprisonment for a maximum period of three (3) years, or both, in the discretion of the court.

If the act is committed by a school or educational institution, the head of the school or educational institution shall be equally liable.

**Section 194. *Administrative Sanction.*** – The Ministry may prescribe and impose such administrative sanctions for any of the following causes:

- a. Mismanagement of educational institution operations;
- b. Gross inefficiency of the teaching or non-teaching personnel;
- c. Fraud or deceit committed in connection with the application for Ministry permit or recognition;
- d. Failure to comply with conditions or obligations prescribed by this Code or its implementing rules and regulations; and
- e. Unauthorized operation of an educational institution or course, or any component thereof, or any violation of the requirement governing advertisements or announcements of educational institutions.

Sanctions against the educational institution shall be without prejudice to the interest of the learners, teachers, and employees.

## **CHAPTER 3**

### **Final Provisions**

**Section 195. *Rule-making Authority.*** – The Minister of Basic, Higher, and Technical Education, charged with the administration and enforcement of this Code, shall promulgate the necessary implementing rules and regulations of this Act within one year from its passage.

**Section 196. *Appropriation.*** – The funding necessary for the implementation of this Act shall be included in the annual Bangsamoro Appropriations Act.

**Section 197. Separability Clause.** – Any part or provision of this Act, which may be held invalid or unconstitutional, shall not affect its remaining parts or provisions.

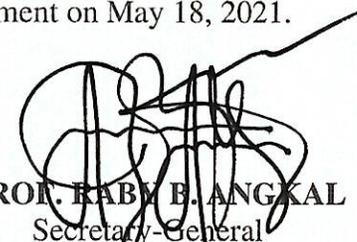
**Section 198. Repealing Clause.** – All laws and issuances pertaining to the Bangsamoro Education Code and the creation of the Ministry of Basic, Higher, and Technical Education (MBHTE) or parts thereof inconsistent with any provision of this Act shall be deemed repealed or modified, as the case may be.

**Section 199. Effectivity.** – This Act shall take effect fifteen (15) days after its complete publication in a newspaper of general or regional circulation in the Bangsamoro Autonomous Region.

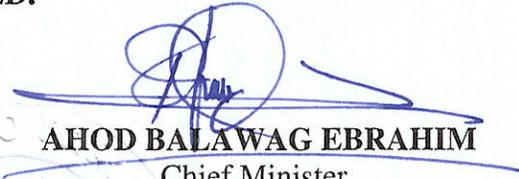
APPROVED.

  
ATTY. ALI PANGALIAN M. BALIDONG  
Speaker

This Act was passed by the Bangsamoro Parliament on May 18, 2021.

  
PROF. RABY B. ANGKAL  
Secretary-General

APPROVED.

  
AHOD BALAWAG EBRAHIM  
Chief Minister  
Date: May 18, 2021

