

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY 2
Cotabato City

First Regular Session

BTA PARLIAMENT
BTA Parliament Bill No: 47

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION

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AN ACT
REORGANIZING THE MINISTRY OF BASIC, HIGHER AND TECHNICAL EDUCATION (MBHTE) BY SPLITTING IT INTO FOUR (4) AGENCIES, THEREBY CREATING THE MINISTRY OF BASIC EDUCATION (MOBE), THE BANGSAMORO - COMMISSION ON HIGHER EDUCATION AND DEVELOPMENT (B-CHED), THE BANGSAMORO - TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (B-TESDA), AND THE BANGSAMORO MADARIS EDUCATION OFFICE (BMEO), AMENDING FOR THIS PURPOSE TITLE II, BOOK VI, BANGSAMORO AUTONOMY ACT NO. 13 OR AN ACT PROVIDING FOR THE BANGSAMORO ADMINISTRATIVE CODE, AND THE BANGSAMORO AUTONOMY ACT NO. 18 OR AN ACT PROVIDING FOR THE ESTABLISHMENT, MANAGEMENT, AND SUPPORT OF A COMPLETE AND INTEGRATED SYSTEM OF QUALITY EDUCATION IN THE BANGSAMORO, APPROPRIATING FUNDS THEREOF, AND FOR OTHER PURPOSES

Explanatory Note

Education is a basic priority around the world and the Bangsamoro Government is of no exception. Article IX of the Bangsamoro Organic Law, which provides for the Basic Rights of the Bangsamoro, provides for the basic provision on education. Section 16 of the said article provides:

Section 16. Integrated System of Quality Education. – It shall be a top priority of the Bangsamoro Government to establish, maintain, and support a complete and integrated system of quality education, which shall be a subsystem of the national education system. The Bangsamoro Government shall develop an educational framework relevant and

responsive to the needs, ideals, and aspirations of the Bangsamoro people. For this purpose, the Bangsamoro Government shall conform to the minimum standards set by the National Government.

The Bangsamoro Government shall institutionalize peace education in all levels of education.

Any school, college or university existing in the Bangsamoro Autonomous Region as of the effectivity of this Organic Law, and such other schools and institutions that may be established hereinafter 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.

The Chairperson of the appropriate committee in the Parliament shall be a member in the boards of the state universities and colleges in the Bangsamoro Autonomous Region.

The Bangsamoro Government shall supervise and regulate private schools, including sectarian and nonsectarian institutions of learning in any level. Three (3) representatives of private schools shall have the right to participate in the deliberations of the appropriate Bangsamoro Government ministry, and Bangsamoro offices of the Commission on Higher Education, Technical Education and Skills Development Authority, and other government agencies on matters dealing with private schools.

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.

Aside from Section 16, three other sections in the BOL are significant provisions on education, namely:

Section 17. Vocational, Technical, Nonformal, and Special Education. – 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 shall be supportive and relevant to the human resource requirements of the Bangsamoro Autonomous Region, which shall conform to the minimum standards set by the National Government.

Section 18. Madaris Educational System, Islamic and Arabic Studies. – In coordination with the Department of Education, Commission on Higher Education, and the Technical Education and Skills and Development Authority, the Bangsamoro Government shall establish, maintain, and supervise *Madaris* education in the Bangsamoro Autonomous Region. In the case of *Madaris* teachers, the Civil Service Commission shall promulgate rules and regulations to set the standards for their qualifications, appointments, and promotions.

The Bangsamoro Government shall ensure the integration on the elementary and high school education curricula the teaching of Islamic and Arabic studies for Muslim pupils and students in public schools.

The Parliament shall enact legislation to develop and strengthen the *Madaris* educational system in the Bangsamoro Autonomous Region.

Section 19. Tribal University System. – The Parliament shall create a tribal university system in the Bangsamoro Government to address the higher educational needs of the non-Moro indigenous peoples.

The Parliament shall pass a law to recognize and support the indigenous peoples' educational system for its integration in the Bangsamoro educational system.

Section 20. Physical Education, Sports Development, and Bangsamoro Sports Commission. – The Bangsamoro educational system shall develop and maintain an integrated and comprehensive, physical education program. It shall develop healthy, disciplined, innovative, and productive individuals, and promote sportmanship, cooperation, and teamwork.

The Bangsamoro educational system shall encourage and supports programs, league competitions, indigenous games, martial arts, and amateur sports including training for regional, national, and international competitions.

The Parliament shall pass a law creating a Bangsamoro Sports Commission.

The current educational system of the Bangsamoro provides for one umbrella ministry which responds to the aforementioned provisions on education, namely, the Ministry on Basic, Higher, and Technical Education (MBHTE). Under Section 6 of Bangsamoro Autonomy Act No. 18, otherwise known as the Bangsamoro Education Code of 2021, the ministry is lodged with the “administration of the Bangsamoro Educational System, as well as its supervision and regulation” but this is “without prejudice to state-colleges and universities which shall be governed by their respective charter.” Not only does the MBHTE take charge over basic, higher, and technical education, it also has power over the *Madaris* learning systems.

On the other hand, in the national government’s context, the administration of the Philippine educational system is lodged among different agencies, namely, the Department on Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA). This is what is called the **trifocal education system** of the national government. This arrangement mandates the DepEd to be the primary agency responsible for basic education, which covers elementary, secondary, and non-formal education, the CHED to be responsible for higher education, and the TESDA to administer post-secondary, middle-level manpower training and development.¹ Succinctly, the following are the mandates of the said agencies:

- The DepEd formulates, implements, and coordinates policies, plans, programs and projects in the areas of formal and non-formal basic education. It supervises all elementary and secondary education institutions, including alternative learning systems, both public and private; and provides for the establishment and maintenance of a complete, adequate, and integrated system of basic education relevant to the goals of national development.² Its governing law is R.A. No. 9155 or the Governance of Basic Education Act of 2001.
- The CHED, on the other hand, covers both public and private higher education institutions, including programs that grant degrees in all post-secondary educational institutions in the country. It is attached to the Office of the President.³ Its governing law is R.A. No. 7722 or the Higher Education Act of 1994.

¹ <https://www.deped.gov.ph/2020/02/20/briones-calls-for-better-collaboration-with-ched-tesda/>

² <https://www.deped.gov.ph/about-deped/vision-mission-core-values-and-mandate/>

³ <https://ched.gov.ph/ched/>

- The TESDA is the government agency tasked to manage and supervise technical education and skills development (TESD) in the Philippines.⁴ It regulates technical and vocational educational institutions and programs. Its governing law is R.A. No. 7796 or the TESDA Act of 1994.

Through the “*trifocalization*” of the Philippine Education System, programs and projects implemented in the different government agencies dealing with the different levels of education are more focused and aligned to the needs of the learners. Activities are more centralized and committed in the production of graduates who are globally competitive. This system also makes the allocation of resources easier. Budgets for each department are distributed based on the objectives and viability of the plans presented considering the availability of resources.⁵

On July 25, 2022, during his first ever State of the Nation Address (SONA), President Ferdinand R. Marcos, Jr. proposed a National Government Rightsizing Program (NGRP) before the legislature. It is a reform mechanism which aims to “enhance the government’s institutional capacity to perform its mandate and provide better services, while ensuring optimal and efficient use of resources.”⁶

According to the president, the program will:

“entail a comprehensive strategic review of the functions, operations, organization, systems, and processes of the different agencies, and massive and transformational initiatives in agencies concerned, such as mergers, consolidation, splitting, transfer, and even the abolition of some offices. The rightsizing efforts will also involve the conduct of a comprehensive strategic review of functions, programs and projects that will cut across various agencies.”⁷

Although the MBHTE is divided into several bureaus which deal with the different levels of basic, higher, and technical education, its organizational structure can use some improvement. It would be much more efficient if the dealings of the said levels were lodged with independent but linked agencies. This will unclog the transactions in the MBHTE and distribute the management of the levels of education. This system will make things more efficient as each agency will have a level of education to sharply focus on, instead of the current system where all the levels are managed by one agency alone, which can be overwhelming. Through this new system, policy-making, planning, programming, and implementation will be more efficient for each agency. Despite the splitting, the agencies will still have a mechanism for coordination in order to manage the different agencies’ functions effectively.

⁴ <https://www.tesda.gov.ph/About/TESDA/11>

⁵ <https://www.pressreader.com/philippines/sunstar-pampanga/20200916/281616717788524>; <https://www.june29.com/what-is-trifocal-education-system/>

⁶ <https://www.rappler.com/nation/full-text-transcript-president-marcos-jr-state-nation-address-2022/>

⁷ *supra*

Thus, in accordance with the mandate given by the BOL "to establish, maintain, and support a complete and integrated system of quality education, which shall be a subsystem of the national education system" and to respond to President Marcos' call for rightsizing, it is but proper to reorganize the MBHTE by splitting it into one ministry and three other agencies.

In view of the foregoing, the approval of this measure is earnestly sought.


MP BAIN TAN ADIL-AMRATUAN, MNSA

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AN ACT
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Be it enacted by the Parliament of the Bangsamoro Autonomous Region in Muslim Mindanao assembled:

BOOK I: GENERAL PROVISIONS

TITLE I: PRELIMINARY PROVISIONS

Section 1. Title. – This Act shall be known as the “*Bangsamoro Education Reorganization Act of 2022*”.

Section 2. Basis. – The Bangsamoro Organic Law provides that it shall be a top priority of the Bangsamoro Government to establish, maintain, and support a complete and integrated system of quality education, which shall be a subsystem of the national education system. The Bangsamoro Government shall develop an educational framework relevant and responsive to the needs, ideals, and aspirations of the Bangsamoro people. For this purpose, the Bangsamoro Government shall conform to the minimum standards set by the National Government.⁸

Section 3. Purpose. – In accordance with the National Government Rightsizing Program (NGRP) that is primarily lobbied by President Marcos, and in keeping with the mandate of the Bangsamoro Government to develop an educational framework that shall be responsive to the needs, ideals, and aspirations of the Bangsamoro, this Act shall provide for a reorganized educational framework that shall ensure the utmost efficiency of Bangsamoro Educational System and its administrating agencies.

Section 4. Coverage and Applicability. – This Act shall apply to and govern formal, non-formal, public and private, vocational, technical, special education, and *Madaris* educational systems in all levels of both public and private learning institutions for basic, higher, and technical education, which shall collectively be known as the “Bangsamoro Education System”.⁹

Section 5. General Definition of Terms.¹⁰ – For the purpose of this entire Act, the following terms shall have the following definitions:

- a. **Academic Year** – the prescribed period of time when academic institutions offer daily instruction broken by short intermission periods (e.g., Christmas, summer vacations, holidays and possibly *Ramadhan*).
- b. **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.

⁸ Section 16, Article IX, R.A. 11054 or the BOL

⁹ Section 5, B.A.A. No. 18

¹⁰ Section 7, B.A.A. No. 18

- c. **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.
- d. **Madaris** – is the plural form of the Arabic word “*madrasah*” which means school.
- e. **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.
- f. **Mudarris** – refers to a teacher teaching Arabic and/or Islamic values.
- g. **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.
- h. **School/education institution personnel** – refers to all persons working for an education institution, which includes the following:
 - i. “**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;
 - ii. “**School administrators**,” or persons occupying policy, implementing positions having to do with the functions of the school at all levels;
 - iii. “**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
 - iv. “**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.

CHAPTER 1: POLICIES, PRINCIPLES, AND MANDATE

Section 6. 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 Education 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 alternative learning modalities;
- d. 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;
- e. Establish, maintain, and supervise technical education and skills development which will develop the middle level professionals;
- f. Encourage lifelong learning and continuing education for all Bangsamoro People to develop their knowledge, values and competencies beyond the regular schooling years;
- g. 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;
- h. 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;
- i. 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;
- j. Ensure the application of moral governance at all levels in the education system;¹¹
- k. Establish, maintain, and supervise an inclusive education framework for learners with disabilities and other learning barriers;
- l. Institutionalize peace education in all levels of education;
- m. 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;

¹¹ Subsections (a) to (l) – Section 1, Chapter 1, Title II, Book VI, BAA No. 13 or the Bangsamoro Administrative Code; copied in Section 8, of BAA No. 18 or the Bangsamoro Education Code

- n. 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;
- o. 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;
- p. 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;
- q. Develop and maintain an integrated and comprehensive physical education program and develop healthy, disciplined, innovative, and productive individuals, and promote sportsmanship, cooperation, and teamwork;
- r. Recognize science and technology as essential to national and regional progress; and
- s. 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.¹²

Section 7. Principles.¹³ – The following shall be the principles that will guide the Bangsamoro Educational System:

- 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.

¹² Subsections (a) to (u) – Section 8, of BAA No. 18 or the Bangsamoro Education Code

¹³ Section 9, BAA No. 18

- h. *Efficiency* – Transactions in all Bangsamoro education-related agencies are to be done using the most efficient means possible, with less burden to the pupils, students, and their families.

Section 8. *Mandate of the Education-related Agencies.* – The education-focused agencies are mandated to ensure an education system in the Bangsamoro Autonomous Region that is at par and consistent with national government's system and standards. It shall also ensure that education policies are harmonized across sectors and levels of education system in the Bangsamoro Autonomous Region.

CHAPTER 2: SPLITTING OF THE MINISTRY OF BASIC, HIGHER AND TECHNICAL EDUCATION

Section 9. *Splitting of the Ministry of Basic, Higher and Technical Education.* – The Ministry of Basic, Higher and Technical Education is hereby split into four education agencies, namely the:

1. Ministry of Basic Education (MOBE);
2. Bangsamoro-Commission on Higher Education and Development (B-CHED);
3. Bangsamoro-Technical Education and Skills Development Authority (B-TESDA); and
4. Bangsamoro Madaris Education Office (BMEO).

CHAPTER 3: BANGSAMORO EDUCATION STRUCTURE

Section 10. *Bangsamoro Education Structure.* – The four agencies shall design and maintain a lean and mean organization. The MOBE shall be headed by a Minister, the B-CHED shall be headed by a Chairperson of the Commission, the B-TESDA and BMEO shall be both headed by an Executive Director.

CHAPTER 4: THE BANGSAMORO EDUCATION SYSTEM

Section 11. *Learning Systems.*¹⁴ – 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 *madrasah* for basic education and higher education.

¹⁴ Section 49, BAA No. 18

- 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 *madrasah* (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 *madrasah* institution, such as the *Toril Learning Schools*, with a regular two-year study or within a reasonable duration as may be prescribed by the BMEQ. 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*.

Section 12. Levels of Education.¹⁵ – The levels of education in the Bangsamoro shall be as follows:

- a. **Basic Education** – consists of elementary and secondary education:
 - i. **Elementary Education** – 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.
 - ii. **Secondary Education** – 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.

¹⁵ Section 50, BAA No. 18

- b. **Higher Education** – 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** – covers the following:
 - i. **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.
 - ii. **Skills Development** – 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.

BOOK II:
MINISTRY OF BASIC EDUCATION (MOBE)

TITLE I:
BASIC EDUCATION

CHAPTER 1:
GENERAL PROVISIONS

Section 1. *Declaration of Policy.*¹⁶ – 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 2. *Free and Compulsory Basic Education.*¹⁷ – The Ministry shall ensure that all learners are granted admission, attendance, and completion of basic education.

Section 3. *Two Formal Systems in Basic Education.*¹⁸ – The Bangsamoro Government shall provide two parallel formal systems in delivering quality basic education:

- a. the “Public School System” and
- b. 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.

Section 4. *Non-formal Systems of Basic Education.* – The following are the Non-Formal System of Basic Education in the Bangsamoro Autonomous Region:

1. *Alternative Learning System (ALS);*
2. *Indigenous people’s educational system;*
3. *Traditional Madrasah system.*

Section 5. *Definition of Terms.*¹⁹ – For the purposes of this Book, the words herein are defined as follows:

- a. *Alim* (plural, *Ulama*)* – a learned male Muslim professional specialized in Islamic and Arabic studies who obtained his education locally or abroad through Arabic language.

¹⁶ Section 51, BAA No. 18

¹⁷ Section 52, BAA No. 18

¹⁸ Section 54, BAA No. 18

¹⁹ * – Section 7, BAA No. 18; no * – R.A. 9155 or Governance of Basic Education Act of 2001

- b. *Alimah* (plural *Alimat*)* – female Muslim professional specialized in Islamic and Arabic studies who obtained her education locally or abroad through Arabic language.
- c. *Alternative Learning System* – is a parallel learning system to provide a viable alternative to the existing formal education instruction. It encompasses both the non-formal and informal sources of knowledge and skills.
- d. *Arabic Language** – language of the Arabs as formally and grammatically taught in the *madrasah*.
- e. *Arabic Teacher** – a teacher who teaches the Arabic language in Arabic, English and in the local languages or dialect.
- f. *Basic Education* – is the education intended to meet basic learning needs which lays the foundation on which subsequent learning can be based. It encompasses early childhood, elementary and high school education as well as alternative learning systems for out-of-school youth and adult learners and includes education for those with special needs.
- g. *Cluster of Schools* – is a group of schools which are geographically contiguous and brought together to improve the learning outcomes.
- h. *Formal Education* – is the systematic and deliberate process of hierarchically structured and sequential learning corresponding to the general concept of elementary and secondary level of schooling. At the end of each level, the learner needs a certification in order to enter or advance to the next level.
- i. *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.
- j. *Informal Education* – is a lifelong process of learning by which every person acquires and accumulates knowledge, skills, attitudes and insights from daily experiences at home, at work, at play and from life itself.
- k. *Integrated Schools* – is a school that offers a complete basic education in one school site and has unified instructional programs.
- l. *Kuliyah Institution** – an institution of higher learning that refers to degree in Islamic studies and Arabic language.
- m. *Learners** – refers to learners aged 15 years and above who are illiterates or 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.

- n. **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.
- o. **Learning Facilitator** – is the key-learning support person who is responsible for supervising/facilitating the learning process and activities of the learner.
- p. **Non-Formal Education** – is any organized, systematic educational activity carried outside the framework of the formal system to provide selected types of learning to a segment of the population.
- q. **Parents*** – include guardians and the head of the institution or foster home which has custody of the learner.
- r. **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.
- s. **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.
- t. **Quality Education** – is the appropriateness, relevance and excellence of the education given to meet the needs and aspirations of an individual and society.
- u. **School** – is an educational institution, private and public, undertaking educational operation with a specific age-group of pupils or students pursuing defined studies at defined levels, receiving instruction from teachers, usually located in a building or a group of buildings in a particular physical or cyber site.
- v. **School Head** – is a person responsible for the administrative and instructional supervision of the school or cluster of schools.
- w. **Tahdiriyyah*** – a pre-school level of study in kindergarten.

TITLE II: THE MINISTRY

CHAPTER 1: MANDATE, POWERS, AND FUNCTIONS

Section 1. *Mandate.* – The Ministry of Basic Education 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 the elementary and secondary 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, responsive to the needs, ideals, and aspirations of the Bangsamoro People.²⁰

Section 2. *Powers and Functions of the Ministry.*²¹ – The Ministry of Basic Education shall have the following powers and function pertaining to basic education:

- a. Formulate, plan, implement, and coordinate policies, plans, programs, and projects for the following:
 1. elementary and secondary education in public, private, and international institutions;
 2. non-formal education in the *Madrasah* system;
 3. physical education and sports in the aforementioned systems;
 4. elementary and secondary education of indigenous peoples;
 5. foreign and locally assisted projects in relation to the preceding items²²;
- b. 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;
- c. Ensure the high standards of all basic education institutions in the Bangsamoro Region;
- d. Develop appropriate curricula, quality textbooks learning resources and materials, and standard assessments and tools;
- e. 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;

²⁰ Section 2, Chapter 1, Title II, Book VI, BAA No. 13; Section 10, BAA No. 18

²¹ Section 52, BAA Bo. 18

²² Section 3, Chapter 1, Title II, Book VI, BAA No. 13

- f. 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;
- g. 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;
- h. Approve and support the establishment and operation of public and private elementary and high schools and learning centers;
- i. Exercise the powers of selection, recruitment, appointment, and promotion of teaching and non-teaching personnel;
- j. Determine the organizational components and approve staffing patterns of the divisions, districts, and schools;
- k. 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;
- l. 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;
- m. 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*;
- n. Delegate such powers, functions, and responsibilities as are appropriate including powers of selection, recruitment, appointment, and promotion of teaching and non-teaching personnel;
- o. Monitor and evaluate the performance and compliance with Ministry standards of those bodies to which it has delegated powers, functions, or responsibilities;
- p. Evaluate all schools division superintendents and assistant division superintendents in the region;
- q. Adopt and implement programs and projects in coordination with various stakeholders for the promotion and advancement of both formal and informal education;
- r. Propose and recommend measures on basic education for enactment into laws;

- s. 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
- t. Perform such other functions and powers as may be provided by law.

CHAPTER 2: ORGANIZATIONAL STRUCTURE

Section 3. *Organizational Structure of the Ministry of Education.* – The Ministry of Basic Education is composed of the following:

- a. Office of the Minister,
- b. Office of the Deputy Minister,
- c. Office of the Director General,
- d. Bureaus,
- e. School Division Offices, and
- f. Schools.

Section 4. *Composition of the Office of the Minister.* – The Office of the Minister shall be composed of the following:

- c. the Minister,
- d. his/her immediate staff,
- e. the Office of the Deputy Minister,
- f. the Office of the Director General, and
- g. the Office of Division Superintendent.

Section 5. *Powers and Functions of the Minister.*²³ – The Minister has the following powers and functions:

- a. Recommend to the Bangsamoro Cabinet policies and programs related to basic 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;

²³ Section 14, BAA Bno. 18

- 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. Recommend to the Civil Service Commission grant of special eligibility for *Madaris Asatidz/Mudarris*;
- k. Exercise jurisdiction over all bureaus and offices 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 6. *Composition and Powers and Functions of the Office of the Deputy Minister.* – The Office of the Deputy Minister shall be composed of the Deputy Minister and his/her immediate staff.

The Deputy Minister has 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.²⁴

Section 7. *Composition and Powers and Functions of the Office of the Director General for Basic Education.* – The Office of the Director General shall be composed of:

- a. the Director General,
- b. his/her immediate staff,
- c. the Bureaus and Offices under it.

The 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.²⁵

Section 8. *Qualifications of the Director General for Basic Education.*²⁶ – The Director General shall have the following qualifications. He or she shall:

²⁴ Section 15, BAA No. 18

²⁵ Section 50, BAA No. 18

²⁶ Sections 32 and 33, BAA No. 18

- a. be a natural-born citizen of the Philippines;
- b. be a resident of the Bangsamoro Autonomous Region;
- c. at least have the following:
 - i. a Master's degree;
 - ii. five (5) years supervisory or managerial experience;
 - iii. one hundred twenty (120) hours of supervisory or managerial training; and
 - iv. third level eligibility;
- d. be known to have proven integrity and honesty; and
- e. not be guilty of a crime involving moral turpitude.

Section 9. Composition and powers and functions of the Basic Education Bureaus. – The Basic Education Bureaus shall be composed of the following, and shall have the following powers and functions:

- a. **Bureau of Elementary Education²⁷** – shall formulate, plan, and implement the Elementary Education Curriculum, as well as coordinate policies, programs, and projects for elementary education.
- b. **Bureau of Secondary Education** – shall formulate, plan, and implement the Secondary Education Curriculum, as well as coordinate policies, programs, and projects for secondary education.
- c. **Bureau of Non-Formal Education²⁸** – shall be responsible for the following:
 - i. **Alternative Learning System (ALS)** – shall formulate and implement the ALS Curriculum and coordinate the policies, programs and projects for ALS. It shall also perform other functions as may be provided by law or the Ministry.
 - ii. **Indigenous Peoples' Education (IPeD)** – shall formulate and implement the Indigenous Peoples' (IP) Education Curriculum in coordination with the Ministry of Indigenous Peoples' Affairs (MIPA) and coordinate the policies, plans, programs, and projects for IPeD.
 - iii. **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.
 - iv. **Special Education (SpEd)** – shall formulate and implement the Special Education Curriculum using the Inclusive Education Framework. It

²⁷ Section 20, BAA No. 18

²⁸ *supra*

shall likewise coordinate the policies, plans, programs, and projects for SPeD.

The said bureaus shall also perform other functions as may be provided by law or the Ministry.

Section 10. *Qualifications of Bureau Directors.*²⁹ – All Bureau Directors shall have the following qualifications. They shall each:

- a. be a natural-born citizen of the Philippines;
- b. be a resident of the Bangsamoro Autonomous Region;
- c. at least have the following:
 - i. a Master's degree;
 - ii. five (5) years supervisory or managerial experience;
 - iii. twenty (120) hours of supervisory or managerial training; and
 - iv. second level eligibility;
- d. be known to have proven integrity and honesty; and
- e. not be guilty of a crime involving moral turpitude.

Provided, that in the case of a bureau director of the Madaris, the required master's degree shall be in Islamic education.

Section 11. *The Schools Division Offices and Their Functions.*³⁰ – 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.

The Division Offices shall have the following functions:

- 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 12. *Qualifications of the Schools Division Superintendent and Assistant Schools Division Superintendent.* – The following shall be the qualifications:

²⁹ Section 35, BAA No. 18

³⁰ Sections 21, 22, 23, BAA No. 18

- a. **Schools Division Superintendent.** – He or she, shall, at the time of his/her appointment,
 - i. be a natural-born citizen of the Philippines;
 - ii. be a resident of the Bangsamoro Autonomous Region;
 - iii. 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 or managerial training;
 5. third level eligibility;
 - iv. not be guilty of a crime involving moral turpitude.

- b. **Assistant Schools Division Superintendent.** – He or she, shall, at the time of his/her appointment,
 - i. be a natural-born citizen of the Philippines;
 - ii. be a resident of the Bangsamoro Autonomous Region;
 - iii. at least have the following:
 1. a master's degree;
 2. three (3) years of supervisory and administrative experience;
 3. one hundred twenty (120) hours of supervisory or managerial training; and
 4. second level eligibility;
 - iv. not be guilty of a crime involving moral turpitude.

- c. **Madaris Division Superintendent and Assistant Madaris Division Superintendent.** – He or she, shall, at the time of his/her appointment,
 - i. be a natural-born citizen of the Philippines;
 - ii. be a resident of the Bangsamoro Autonomous Region;
 - iii. 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 or managerial experience;
 4. one hundred twenty (120) hours of supervisory or managerial training;
 5. additional thirty two (32) hours of training in Arabic or Islamic Education; and
 6. special eligibility as provided in this Code.
 - iv. not be guilty of a crime involving moral turpitude.

Section 13. 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.

CHAPTER 3:

STANDARD PROVISIONS TO ALL LEARNING SYSTEMS³¹

Section 14. *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 15. *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 16. *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 17. *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 18. *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.

³¹ Sections 55 to 59, BAA No. 18

TITLE II: ALTERNATIVE LEARNING SYSTEM (ALS)³²

CHAPTER 1: GENERAL PROVISION

Section 1. *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 2. *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 3. *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 4. *Guidance for ALS Implementation.* – The Ministry shall develop guidelines and provide technical support for the implementation of the ALS.

Section 5. *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 6. *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 7. *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.

³² Sections 122 to 128

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.

TITLE III: INDIGENOUS PEOPLES' EDUCATION (IPED)³³

CHAPTER 1: GENERAL PROVISIONS

Section 1. *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 2. *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 3. *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 4. *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.

CHAPTER 2: IPED FRAMEWORK

Section 5. *Bangsamoro Indigenous Peoples' Education Framework (BIPEF).*³⁴ – The Bureau of Non-Formal Education, 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 6. *Education and Cultural Integrity, Identity and Heritage.*³⁵ – 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.

³³ Sections 157 to 158, 162, BAA No. 18

³⁴ Sections 64 and 161, BAA No. 18

³⁵ Section 160, BAA No. 18

TITLE IV: PEACE EDUCATION³⁶

CHAPTER 1: GENERAL PROVISIONS

Section 1. *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 2. *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.

CHAPTER 2: CURRICULUM

Section 3. *Peace Education Curriculum.* – The Bangsamoro Government 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.

CHAPTER 3: SUPPORT

Section 4. *Support to Peace Education.* – The Bangsamoro Government 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.

TITLE V: PUBLIC SCHOOL SYSTEM

CHAPTER 1: GENERAL PROVISIONS³⁷

Section 1. *Levels in the Public School System.* – In the Public School System, the levels or key stages are the following:

- a. Kindergarten, including early childhood care and education;
- b. Grade 1 to Grade 3 (Lower Primary School);

³⁶ Sections 163 to 166, BAA No. 18

³⁷ Sections 60 to 63 and 65 to 68, BAA No. 18

- 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 2. Curriculum Structure and Content Standards. – Based on the minimum competency standards for each school level, the Bangsamoro Government 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 3. Islamic Subjects and Arabic Language Curriculum under the School System. – Islamic Subjects and Arabic Language Curriculum shall be taught to Muslim learners.

Section 4. *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 5. *Development and Implementation of the Basic Education Curriculum.* – In the development and implementation of the Basic Education Curriculum, the Ministry of Education shall take into consideration the mental and psychological development of the learners, and the learners' social, cultural and environmental contexts.

Section 6. *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 of Education shall issue additional rules on the medium of instruction and learning in Basic Education.

Section 7. *Monitoring, Evaluation and Adjustment of the Curriculum.* – The Ministry of Education shall regularly monitor and evaluate the implementation of the curriculum and, when necessary, adjust the curriculum in response to emerging needs.

Section 8. *Schools with Special Enrichment Program.* – The Ministry of Education 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 ASSESSMENT³⁸

Section 9. *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 10. *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 11. *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.

³⁸ Sections 69 to 74, BAA No. 18

Section 12. *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 of Education may administer standardized achievement testing, the result of which may be used for diagnostic and formative purposes at the school level.

Section 13. *System Assessment.* – To regularly monitor the progress and achievement of basic education at the system level, including school levels and division levels, the Ministry of Education may administer a large-scale system assessment at designated grade levels covering relevant learning outcomes and other factors influencing such outcomes.

Section 14. *School Certificate and Diploma.* – The Ministry of Education 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 MANAGEMENT³⁹

Section 15. *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 16. *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 17. *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 4: SCHOOL TEACHER⁴⁰

Section 18. *Qualifications.* – To ensure that all teachers are qualified to teach in kindergarten, elementary schools, and secondary schools, the Ministry of Education shall issue the appropriate guidelines on the qualifications of teachers subject to, among others, the applicable national guidelines.

Section 19. *Competency.* – All school teachers in the Bangsamoro must possess subject mastery and pedagogical competence, and good personality and social and

³⁹ Sections 85 to 87, BAA No. 87

⁴⁰ Sections 75 to 81, BAA No. 18

interpersonal skills. Further, teachers must have the capacity to address the needs of learners with special needs.

Section 20. *Licensure Examination for School Teachers.* – The Ministry of Education shall adopt the requirement of passing the licensure examinations for teachers (LET) to teach.

Section 21. *Qualifications, Appointments and Promotions of Teachers.* – The Ministry of Education shall, promulgate rules and regulations setting the standards for teacher qualifications, appointments, and promotions.

Section 22. *Professional Development.* – The Ministry of Education 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 23. *Welfare.* – The Ministry of Education shall continue to uphold and promote existing policies that guarantee the welfare and benefits of school teachers.

Section 24. *Teacher Management.* – The Ministry of Education 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 5: TEXTBOOK AND LEARNING RESOURCES⁴¹

Section 25. *Textbook and Learning Resources Standards.* – The Ministry of Education 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 of Education 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 26. *Information and Communication Technology (ICT).* – The Ministry of Education shall enable the integration of ICT as part of the learning resources and infrastructure to be made available to all schools.

CHAPTER 6: SCHOOL INFRASTRUCTURE⁴²

Section 27. *Standards for School Infrastructure.* – The Ministry of Education shall develop, implement, and monitor specific minimum standards governing school infrastructure, including provisions for a safe, secure, and friendly learning

⁴¹ Sections 82 to 83, BAA No. 18

⁴² Section 84, BAA No. 18

environment. The Ministry of Education shall allow prayer spaces in private and public schools.

CHAPTER 7: SCHOOL FINANCING⁴³

Section 28. *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 of Education 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 29. *Bangsamoro Government Support.* – The Ministry of Education 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 ASSURANCE⁴⁴

Section 30. *Quality Assurance System.* – The Ministry of Education 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.

TITLE VI: THE EDUCATION COMMUNITY⁴⁵

CHAPTER 1: GENERAL PROVISIONS

Section 1. *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

⁴³ Sections 88 to 89, BAA No. 18

⁴⁴ Section 90, BAA No. 18

⁴⁵ Sections 36 to 48, BAA No. 18

- 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 2. *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 3. *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 4. *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
- h. school or institution;
- i. 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;
- j. the right to be free from involuntary contributions, except those approved by their own organizations or societies;
- k. the right to be free from any form of discrimination on the basis of disability, gender, religion, socio-economic status, etc.;
- l. 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
- m. the right of learners to be taught of the Bangsamoro History, Cultures, Traditions and Practices.

Section 5. *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 6. *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 7. *Special Rights of School Administration.* – School administrators shall, in accordance with existing laws, regulations and policies of the Ministry of 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 8. *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 9. *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 10. *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 11. *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 12. *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 Education.

Section 13. *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.

BOOK III:
BANGSAMORO COMMISSION ON HIGHER EDUCATION AND
DEVELOPMENT (B-CHED)⁴⁶

**CHAPTER 1:
GENERAL PROVISIONS**

Section 1. Declaration of Policy.⁴⁷ – 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 2. Coverage.⁴⁸ – The Commission 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 3. Transfer of Powers and Functions.⁴⁹ – 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 Bangsamoro-CHED. 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 Commission shall avail of the Higher Education Development Fund (HEDF), established under Section 10 of RA 7722, based on CHED-approved projects

⁴⁶ provisions cross-referenced with Chapter 6, Title II, Book VI, BAA No. 13

⁴⁷ Section 129, BAA No. 18

⁴⁸ Section 130, BAA No. 18

⁴⁹ Section 131, BAA No. 18

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 Commission.

Section 4. *Guarantee of Academic Freedom.*⁵⁰ – Nothing in this Act shall be construed as limiting the academic freedom of universities and colleges. In particular, no abridgment of curricular freedom of the individual educational institutions by the Commission shall be made except for:

- a. minimum unit requirements for specific academic programs;
- b. general education distribution requirements as may be determined by the Commission; and
- c. specific professional subjects as may be stipulated by the various licensing entities.

No academic or curricular restriction shall be made upon private educational institutions which are not required for chartered state colleges and universities.

Section 5. *Definition of Terms.* – For the purposes of this Book, the following terms shall refer to the following:

- a. ***Commission*** – shall refer to the Bangsamoro Commission on Higher Education and Development (B-CHED);
- b. ***Commission Proper*** – shall be composed of the Chairman and the Commissioners;
- c. ***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.

CHAPTER 2: POWERS AND FUNCTIONS

Section 6. *Powers and Functions of the Bangsamoro Commission on Higher Education (B-CHED).*⁵¹ – The powers and functions of the Bangsamoro Commission on Higher Education and Development are as follows:

- 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;

⁵⁰ Lifted from Section 13 of R.A. 7722

⁵¹ Section 132, BAA No. 18; cross-referenced with Section 8, R.A. 7722

- 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 and 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 (MFBM) 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; administer the Higher Education Development Fund and other funds intended for the promotion of higher learning in the BARMM;
- l. 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 Bangsamoro-CHED, and to facilitate the issuance of Special Order (SO), Certification, Authentication and Verification (CAV), and other issuances by the Bangsamoro-CHED;

- m. 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;
- n. perform such other functions as necessary for its effective operations and for the continued enhancement, growth, and development of higher education in BARMM; and
- o. 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 7. *Regulatory Functions.*⁵² – The Commission 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 Commission.

CHAPTER 3: ORGANIZATIONAL STRUCTURE

Section 8. *Organizational Structure of Bangsamoro Commission on Higher Education.* – The Bangsamoro Commission on Higher Education shall be composed of the following:

- a. the Office of the Chairperson and the Commissioners, which shall compose the Commission Proper;
- b. the Office of the Executive Director;
- c. the Provincial Offices; and
- d. the Divisions under each Office.

⁵² Section 133, BAA No. 18

Section 9. *Composition of the Commission Proper.*⁵³ – The Commission Proper shall be composed of:

1. A Chairperson, and
2. Four (4) regular Commissioners, representing the major political subdivisions of the BARMM, namely, the provinces of:
 - a. Basilan, including Lamitan City;
 - b. Lanao del Sur, including Marawi City;
 - c. Maguindanao, including Cotabato City and the 63 barangays which compose the special geographical area;
 - d. Sulu; and
 - e. Tawi-Tawi;
3. Two (2) ex-officio Commissioners, to be appointed/ designated by the Chief Minister.

The Chairperson, as a matter of policy, shall be rotated every term, in accordance with the representations in the major geographical subdivisions.

Section 10. *Powers and Functions of the Office of the Chairperson.*⁵⁴ – The Chairperson shall have the following powers and functions:

- a. represent the Commission in all its business transactions;
- b. sign, on the Commission's behalf, all contracts and obligations, and such other documents pursuant to a resolution of the Commission;
- c. act as the focal point of communication of the Commission;
- d. approve or disapprove the transfer or detail of employees, subject to the provisions of existing laws and regulations; and
- e. perform such other powers as may be vested by the Commission.

Section 11. *Powers and Functions of the Commissioners.*⁵⁵ – The powers and functions of the regular and ex-officio commissioners are limited to policy-making as members of the Commission Proper.

The commissioners shall not exercise executive powers and functions except when designated, in an official order, by the chairperson as officer-in-charge. A commissioner can also be designated by the chairperson as a focal person for any mandated subject matter.

⁵³ based on *Section 5 of BAA No. 8* (Bangsamoro Women Commission Act of 2020), *Section 10 of BAA No. 10* (Youth Commission of the Bangsamoro Autonomous Region in Muslim Mindanao Act of 2020), and *Section 7 of BAA No. 12* (The Bangsamoro Sports Commission Act of 2020)

⁵⁴ lifted from Section 9 of BAA No. 10

⁵⁵ lifted from Section 18 of BAA No. 12

Section 12. *Qualifications for the Chairperson and the Commissioners.*⁵⁶ – The Chairperson and the regular Commissioners shall have the following qualifications. Each of them must be:

1. a citizen of the Philippines;
2. a registered voter of the BARMM;
3. a registered voter of the major political subdivision he or she represents;
4. a resident of the BARMM for a period of at least five (5) years prior to the date of appointment;
5. a holder of a doctorate degree;
6. actively engaged in higher education for at least ten (10) years;
7. an academician known for their high degree of professionalism and integrity who have distinguished themselves as authorities in their chosen fields of learning;
8. must be of good moral character and must not have been convicted of a crime involving moral turpitude.

The members of the Commission proper shall belong to different academic specializations.

In no case shall any of the Commissioners appoint representatives to act on their behalf.

Section 13. *Compensation.*⁵⁷ – The Chairperson shall have a salary grade of 28 and the regular commissioners, a salary grade of 27.

For the ex-officio commissioners, they shall be entitled to *per diems* in attending official meetings and activities of the Commission.

Section 14. *Term of Office.*⁵⁸ – The Chief Minister shall appoint the full-time chairman and the commissioners for a term of four (4) years, without prejudice to one reappointment.

The terms of the initial appointees shall be on a staggered basis: the full-time chairman shall hold office for a term of four (4) years, the next two (2) commissioners for three (3) years, and the last two (2) commissioners for two (2) years.

The commissioners shall hold office until their successors shall have been appointed and qualified. Should a member of the Commission fail to complete his term, his successor shall be appointed by the Chief Minister but only for the unexpired portion of the term.

⁵⁶ based on Section 6 of BAA No. 8, Section 13 of BAA No. 10, and Section 9 of BAA No. 12; * – lifted from Section 4, R.A. 7722 or the Higher Education Act of 1994;

⁵⁷ based on Section 12 of BAA No. 8, Section 12 of BAA No. 10, and Section 10 of BAA No. 12

⁵⁸ lifted from Section 5, R.A. 7722

Section 15. Office of the Executive Director Composition and Powers and Functions. – The Office of the Executive Director is composed of the Executive Director, his/her immediate staff, the divisions under it and the Provincial Offices.

The Executive Director shall be responsible for overseeing the administration, programs, and strategic plan of the Commission.

The directors shall have a salary grade of 26 and shall have the privileges, emoluments, and benefits attached thereto.

Section 16. Powers and Functions of the Office of the Provincial Director.⁵⁹ – The Commission shall be 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.

The Office of each Provincial Director has the following powers and functions:

- a. Monitor and evaluate the performance of a program of higher education institutions in the province or city;
- b. Submit reports to the Commission proper;
- c. Receive documentary records for and on behalf of the Commission 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 Bangsamoro-CHED;
- d. Facilitate the issuance of Special Order (SO), Certification, Authentication and Verification (CAV), and other issuances by the Bangsamoro-CHED; and
- e. Such other functions as may be provided.

Section 17. Board of Advisers.⁶⁰ – There shall be constituted a Board of Advisers which shall meet with the Commission at least once a year to assist it in aligning its policies and plans with the cultural, political and socioeconomic development needs of the nation and with the demands of world-class scholarship.

The Board of Advisers shall be composed of the following:

- a. the Senior Minister as chairman;
- b. the Director-General of the Bangsamoro Planning and Development Authority, as co-chairman;
- c. the Minister of Science and Technology;
- d. the Minister of Trade, Industry, and Tourism;
- e. the Minister of Labor and Employment;
- f. the representative of the public higher education institutions in the Bangsamoro Autonomous Region; and

⁵⁹ Section 25, BAA No. 18

⁶⁰ lifted from Section 7, R.A. 7722

- g. the representative of the private higher education institutions in the Bangsamoro Autonomous Region.

Two (2) additional members of the Board of Advisers may be appointed by the Chief Minister upon recommendation of the Commission.

CHAPTER 4: JURISDICTION⁶¹

Section 18. *Jurisdiction over BARMM-supervised post-secondary institutions.*

– The Commission 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 Bangsamoro-CHED, 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 Bangsamoro-CHED shall also have jurisdiction over local colleges and universities under its territorial jurisdiction, including the existing Regional *Madrasah* Graduate Academy.

Section 19. *Authority to Organize the Board of Trustees.* – The Commission 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 20. *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); Tawi-Tawi Regional Agricultural College (Bongao, Tawi-Tawi);

⁶¹ Sections 142 to 144, BAA No. 18

- f. Sulu State College (Jolo, Sulu); Basilan State College (with campuses in Lamitan City, Sta. Clara, and Maluso in Basilan);
- g. Adiong Memorial State Polytechnic College (Ditsa-an Ramin, Lanao del Sur);
- h. Cotabato State University (Cotabato City);
- i. University of Southern Mindanao - Buluan, Maguindanao Campus;
- j. Cotabato Foundation College of Science and Technology (Montawal, Maguindanao Campus);
- k. Cotabato Foundation College of Science and Technology (Pikit-BARMM side Campus); and
- l. Other institutions that may be created thereafter.

CHAPTER 5: TRIBAL UNIVERSITY⁶²

Section 21. 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 22. Establishment of the Tribal University System. – In accordance with the Bangsamoro Organic Law, the Bangsamoro-CHED shall initiate the creation of a tribal university system to address the higher educational needs of indigenous peoples. The Commission shall undertake studies to contribute effectively to establishing the tribal university system.

CHAPTER 6: ISLAMIC HIGHER EDUCATION⁶³

Section 23. 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.

⁶² Sections 145 to 146, BAA No. 18

⁶³ Sections 147 to 150, BAA No. 18

Section 24. *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 25. *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 26. *Regulation of Islamic Higher Education.* – The Commission shall regulate the provision of Islamic Higher Education in the Bangsamoro.

CHAPTER 7: REPRESENTATION IN NATIONAL GOVERNMENT AND BOARD OF TRUSTEES⁶⁴

Section 27. *Representation in National Government Agencies.* – Following Article VI, Section 11 of Republic Act No. 11054 (Bangsamoro Organic Law), the Chairperson of the Commission 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 Chairperson of the Commission 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 28. *Representation in the Governing Boards of SUCs, LUCs, and Non-chartered Public Higher Education Institutions within the Bangsamoro.* – The Chairperson of the Commission 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 Chairperson of the Commission shall also act as Chairman of the Boards of Regents/Trustees of all existing non-chartered public higher education institutions within the BARMM.

⁶⁴ Sections 134 to 135, BAA No. 18

BOOK IV:
BANGSAMORO TECHNICAL EDUCATION AND SKILLS
DEVELOPMENT AUTHORITY (B-TESDA)

CHAPTER 1:
GENERAL PROVISIONS⁶⁵

Section 1. *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 2. *Mandate.* – The Authority is mandated to provide quality technical education and skills development to the people of the Bangsamoro.

Section 3. *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 4. *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 5. *Delivery Systems.* TESD shall be delivered through formal, informal, and alternative learning systems:

- a. High School Level – Vocational Strand;
- b. *Madrasah 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.

Section 6. *Definition of Terms.*⁶⁶ – For the purposes of this Book, the following terms shall mean the following:

- a. ***Authority*** – shall refer to the Bangsamoro Technical Education and Skills Development Authority or (B-TESDA);
- b. ***Skill*** – shall mean the acquired and practiced ability to carry out a task or job;

⁶⁵ Sections 151 to 154, and 156, BAA No. 18

⁶⁶ lifted from R.A. No. 7795 or the TESDA Act of 1994

- c. **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;
- d. **Technical Education** – shall refer to the education process designed at post-secondary and lower tertiary levels, officially recognized as non-degree programs aimed at preparing technicians, para-professionals 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;
- e. **Trade** – shall mean any group of interrelated jobs or any occupation which is traditionally or officially recognized as craft or artisan in nature requiring specific qualifications that can be acquired through work experience and/or training;
- f. **Middle-Level Manpower** – refers to those:
 - i. who have acquired practical skills and knowledge through formal or non-formal education and training equivalent to at least a secondary education but preferably a post-secondary education with a corresponding degree or diploma; or
 - ii. skilled workers who have become highly competent in their trade or craft as attested by industry;
- g. **Private Enterprises** – refers to an economic system under which property of all kinds can be privately owned and in which individuals, alone or in association with another, can embark on a business activity. This includes industrial, agricultural, or agro-industrial establishments engaged in the production, manufacturing, processing, repacking or assembly of goods including service-oriented enterprises;
- h. **Trainers** – shall mean persons who direct the practice of skills towards immediate improvement in some task;
- i. **Trainors/trainers** – shall mean persons who provide training to trainers aimed at developing the latter's capacities for imparting attitudes, knowledge, skills and behavior patterns required for specific jobs, tasks, occupations or group of related occupations;
- j. **Trainees** – shall mean persons who are participants in a vocational, administrative or technical training program for the purpose of acquiring and developing job-related skills;
- k. **Apprenticeship** – training within employment with compulsory related theoretical instructions involving a contract between an apprentice and an employer on an approved apprenticeable occupation;

- l. ***Apprentice*** – is a person undergoing training for an approved apprenticeable occupation during an established period assured by an apprenticeship agreement;
- m. ***Apprenticeship Agreement*** – is a contract wherein a prospective employer binds himself to train the apprentice who in turn accepts the terms of training for a recognized apprenticeable occupation emphasizing the rights, duties and responsibilities of each party;
- n. ***Apprenticeable Occupation*** – is an occupation officially endorsed by a tripartite body and approved for apprenticeship by the Authority;
- o. ***Learners*** – refer to persons hired as trainees in semi-skilled and other industrial occupations which are non-apprenticeable. Learnership programs must be approved by the Authority.
- p. ***User-Led or Market-Driven Strategy*** – refers to a strategy which promotes strengthened linkages between educational/training institutions and industry to ensure that appropriate skills and knowledge are provided by the educational system;
- q. ***Dual System/Training*** – refers to a delivery system of quality technical and vocational education which requires training to be carried out alternately in two venues: In school and in the production plant. In-school training provides the trainee the theoretical foundation, basic training, guidance and human formation, while in-plant training develops his skills and proficiency in actual work conditions as it continues to inculcate personal discipline and work values;
- r. ***Levy Grant System*** – refers to a legal contribution from participating employers who would be beneficiaries of the program (often as a percentage of the payroll) which is subsequently turned over or rebated to enterprises offering employee training programs.

CHAPTER 2: POWERS AND FUNCTIONS⁶⁷

Section 7. Powers and Functions of the Bangsamoro- Technical Education and Skills Development Authority (B-TESDA). – The powers and functions of the Bangsamoro Technical Education and Skills Development Authority are as follows:

- a. shall be primarily responsible for formulating, continuing, coordinating, and fully integrating technical education and skills development policies, plans, and programs, taking into consideration the following:

⁶⁷ Section 8, R.A. 7796 and Section 155, BAA No. 18

1. the State policy of giving new direction and thrusts to efforts in developing the quality of Filipino human resource through technical education and skills development;
 2. the implementation of the policies of the Bangsamoro Government anent technical education requires the coordination and cooperation of policies, plans, and programs of different concerned sectors of Bangsamoro society;
 3. equal participation of representatives of industry groups, trade associations, employers, workers and government shall be made the rule" in order to ensure that urgent needs and recommendations are readily addressed; and
 4. improved linkages between industry, labor and government shall be given priority in the formulation of any regional-level plan;
- b. promulgate, after due consultation with industry groups, trade associations, employers, workers, policies, plans, programs and guidelines as may be necessary for the effective implementation of this Act;
 - c. organize and constitute various standing committees, subsidiary groups, or technical working groups for efficient integration, coordination and monitoring technical education and skills development programs at the national, regional, and local levels;
 - d. enter into, make, execute, perform and carry-out domestic and foreign contracts subject to existing laws, rules and regulations;
 - e. restructure the entire sub-sector consisting of all institutions and programs involved in the promotion and development of middle-level manpower through upgrading, merger and/or phase-out following a user-led strategy;
 - f. approve trade skills standards and trade tests as established and conducted by private industries;
 - g. establish and administer a system of accreditation of both public and private institutions;
 - h. establish, develop, and support institutions' trainors' training and/or programs;
 - i. end support and encourage increasing utilization of the dual training system as provided for by Republic Act No. 7686;
 - j. exact reasonable fees and charges for such tests and trainings conducted and retain such earnings for its own use, subject to guidelines promulgated by the Authority;

- k. allocate resources, based on the B-TESDA Secretariat's recommendations, for the programs and projects it shall undertake pursuant to approved National Technical Education and Skills Development Plan;
- l. determine and approve systematic funding schemes such as the Levy and Grant scheme for technical education and skills development purposes;
- m. create, when deemed necessary, an Advisory Committees which shall provide expert and technical advice to the Board to be chosen from the academe and the private sector: *Provided, That in case the Advisory Committee is created, the Board is hereby authorized to set aside a portion of its appropriation for its operation; and*
- n. 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;
- o. address gaps in the formal TVET sector through the conduct of skills training in its training centers and in the communities;
- p. 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;
- q. conduct of National Competency Assessment and Certification of workers and TVET graduates;
- r. 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;
- s. 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;
- t. formulate a Comprehensive BARMM Plan for Middle-level manpower based on the first Bangsamoro Development Plan; and
- u. promote and encourage partnership with various stakeholders, LGUs, and other civic organizations;
- v. perform such other duties and functions necessary to carry out the provisions of this Act consistent with the purposes of the creation of TESDA.

CHAPTER 3: ORGANIZATIONAL STRUCTURE

Section 8. *Organizational Structure of Bangsamoro-Technical Education and Skills Development Authority.* – The Bangsamoro-Technical Education and Skills Development Authority shall be composed of:

- a. the Bangsamoro TESDA Board,
- b. the TESDA Secretariat and the Office of the Executive Director,
- c. the Provincial Offices, and
- d. the Training Institutions.

CHAPTER 1: B-TESDA BOARD

Section 9. *Composition of the Bangsamoro-TESDA Board.*⁶⁸ – The Bangsamoro TESDA Board is composed of the following:

- a. Minister of Labor and Employment as Chairperson;
- b. Minister of Basic Education, as Co-chairperson;
- c. Minister of Trade, Industry, and Tourism, as Co-chairperson;
- d. Minister of Agriculture, Fisheries, and Agrarian Reform, as member;
- e. Minister of the Interior and Local Government, as member;
- f. Executive Director of the B-TESDA Secretariat, as member.

In addition, the Chief Minister shall appoint the following members from the private sector:

1. two (2) representatives, from the employer/industry organization, one of whom shall be a woman;
2. three (3) representatives, from the labor sector, one of whom shall be a woman; and
3. two (2) representatives of the national associations of private technical-vocational education and training institutions, one of whom shall be a woman.

As soon as all the members of the private sector are appointed, they shall so organize themselves that the term of office of one-third (1/3) of their number shall expire every year. The member from the private sector appointed thereafter to fill vacancies caused by expiration of terms shall hold office for three (3) years.

The Chief Minister may, however, revise the membership of the TESDA Board, whenever the Chief Minister deems it necessary for the effective performance of the Board's functions through an administrative order.

⁶⁸ lifted from Section 7, R.A. 7796

The TESDA Board shall meet at least twice a year, or as frequently as may be deemed necessary by its Chairperson. In the absence of the Chairperson, a Co-Chairperson shall preside. In case any member of the Board representing the Government cannot attend the meeting, he or she shall be regularly represented by his/her Director General, as the case may be, to be designated by such member for the purpose.

The benefits, privileges and emoluments of the Board shall be consistent with existing laws and rules.

Section 10. Powers and Functions of the Bangsamoro-TESDA Board.⁶⁹ – The Board, shall have the following powers:

- a. promulgate, after due consultation with industry groups, trade associations, employers, workers, policies, plans, programs and guidelines as may be necessary for the effective implementation of this Act;
- b. organize and constitute various standing committees, subsidiary groups, or technical working groups for efficient integration, coordination and monitoring technical education and skills development programs at the national, regional, and local levels;
- c. enter into, make, execute, perform and carry-out domestic and foreign contracts subject to existing laws, rules and regulations;
- d. restructure the entire sub-sector consisting of all institutions and programs involved in the promotion and development of middle-level manpower through upgrading, merger and/or phase-out following a user-led strategy;
- e. approve trade skills standards and trade tests as established and conducted by private industries;
- f. establish and administer a system of accreditation of both public and private institutions;
- g. establish, develop and support institutions' trainors' training and/or programs;
- h. end support and encourage increasing utilization of the dual training system as provided for by Republic Act No. 7686;
- i. exact reasonable fees and charges for such tests and trainings conducted and retain such earnings for its own use, subject to guidelines promulgated by the Authority;
- j. allocate resources, based on the Secretariat's recommendations, for the programs and projects it shall undertake pursuant to approved National Technical Education and Skills Development Plan;
- k. determine and approve systematic funding schemes such as the Levy and Grant scheme for technical education and skills development purposes;
- l. create, when deemed necessary, an Advisory Committees which shall provide expert and technical advice to the Board to be chosen from the academe and the private sector: *Provided, That in case the Advisory Committee is created, the Board is hereby authorized to set aside a portion of its appropriation for its operation; and*

⁶⁹ based on Section 8, R.A. 7796

- m. perform such other duties and functions necessary to carry out the provisions of this Act consistent with the purposes of the creation of TESDA.

CHAPTER 2: B-TESDA SECRETARIAT

Section 11. *B-TESDA Secretariat.*⁷⁰ - There is hereby created a Technical Education and Skills Development Authority Secretariat which shall have the following functions and responsibilities:

- a. to establish and maintain a planning process and formulate a national technical education and skills development plan in which the member-agencies and other concerned entities of the Authority at various levels participate;
- b. to provide analytical inputs to policy decision-making of the Authority on allocation of resources and institutional roles and responsibilities as shall be embodied in annual agencies technical education and skills development plans, in accordance with the manpower plan for middle-level skilled workers as approved by the Authority;
- c. to recommend measures, and implement the same upon approval by the Authority for the effective and efficient implementation of the national technical education and skills development plan;
- d. to propose to the Authority the specific allocation of resources for the programs and projects it shall undertake pursuant to approved national technical education and skills development plan;
- e. to submit to the Authority periodic reports on the progress and accomplishment of work programs of implementation of plans and policies for technical education and skills development;
- f. to prepare for approval by the Authority an annual report to the President on technical education and skills development;
- g. to implement and administer the apprenticeship program as provided for in Section 18 of this Act;
- h. to prepare and implement upon approval by the Authority a program for the training of trainers, supervisors, planners and managers as provided for in Section 23 of this Act;
- i. to enter into agreement to implement approved plans and programs and perform activities as shall implement the declared policy of this Act; and
- j. to perform such other functions and duties as may be assigned by the Board.

Section 12. *Composition, Powers and Functions, and Compensation of the Executive Director and his assistants.*⁷¹ - The TESDA Secretariat shall be headed by an Executive Director, who shall likewise be a member of the TESDA Board. The Office of the Executive Director shall be composed of the Executive Director, his/her immediate staff, two assistant directors, the Divisions, and the Provincial Offices under it.

⁷⁰ Section 10, R.A. 7796

⁷¹ Sections 11 to 12, R.A. 7796

As Chief Executive Officer of the TESDA Secretariat, the Director-General shall exercise general supervision and control over its technical and administrative personnel. The Executive Director shall be appointed by the Chief Minister. He or she shall have a salary grade of 26.

The Executive Director shall be assisted by two assistant directors, one to be responsible for Vocational and Technical Education and Training and one to be responsible for Policies and Planning. They shall be appointed by the Chief Minister upon recommendation of the TESDA Board and shall have a salary grade of 25.

Section 13. *Composition and Functions of the Office of the Provincial Director.*⁷² – The Office of the Provincial Director shall be composed of the Provincial Director, his immediate staff, the Divisions, and the training institutions under it.

The Office of the Provincial Director shall be under the direct control of the Executive Director and shall have the following functions:

- a. to serve as Secretariat to Provincial TESDA Committees;
- b. to provide technical assistance particularly to local government units for effective supervision, coordination, integration and monitoring of technical-vocational education and training programs within their localities;
- c. to review and recommend TESDA programs for implementation within their localities; and
- d. to perform such other duties and functions as maybe authorized.

Furthermore, the TESDA Secretariat may be further composed by such offices as may be deemed necessary by the Authority. The Executive Director shall appoint such personnel necessary to carry out the objectives, policies and functions of the Authority subject to Civil Service laws, rules and regulations.

⁷² Section 15, R.A. 7796

BOOK V: BANGSAMORO MADARIS EDUCATION OFFICE (BMEO)

CHAPTER 1: GENERAL PROVISIONS

Section 1. *Creation of Bangsamoro Madaris Education Office.* – There is hereby created a Bangsamoro Madaris Education Office (BMEO) in the Bangsamoro Government.

CHAPTER 2: POWERS AND FUNCTIONS

Section 2. *Powers and Functions of the Bangsamoro Madaris Education Office.*
– The Bangsamoro Madaris Education Office has the following powers and functions:

- a. develop appropriate delivery services;
- b. ensure 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.
- c. assure quality by assessing, monitoring, and evaluating performance.⁷³

CHAPTER 3: ORGANIZATIONAL STRUCTURE

Section 3. *Organizational Structure of the Bangsamoro Madaris Education Office.* – The Bangsamoro – Bangsamoro Madaris Education Office is composed of the Office Executive Director, the Divisions, the Division Coordinators, and the Madrasah Teachers.

Section 4. *Office of the Executive Director.* – The Office of the Executive Director shall be composed of the Executive Director, the Office Assistant Executive Director, and their immediate staff, with salary grade 26 and 25, respectively.

It shall have jurisdiction over the administration and implementation of programs, strategic plans, and policies of the Bangsamoro Madaris Education Office.

CHAPTER 4: MADARIS EDUCATION⁷⁴

Section 5. *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

⁷³ Section 28, BAA No. 18

⁷⁴ Sections 91 to 96, BAA No. 18

- 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 6. Curriculum Structure and Content Standards. – Based on the minimum competency standards for each school level, the BMEO 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;
- b. of early learners, including Islamic values formation, to sufficiently prepare them for further schooling;
- c. ***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;
- d. ***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;
- e. ***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; and
- f. ***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 7. Development and Implementation of the Basic Education Curriculum under the Madrasah System. – In the development and implementation of the Basic Education Curriculum, the BMEO shall take into consideration the mental, psychological, and spiritual development of the learners, and the learners' social, cultural and environmental context.

Section 8. Madrasah with Special Enrichment Program. – The BMEO 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 9. 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 10. Monitoring, Evaluation, and Revision of the Curriculum. – The BMEO 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 5: **MADRASAH TEACHERS (ASATIDZ/MUDARRIS)⁷⁵**

Section 11. Qualifications. – The BMEO 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 12. 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 13. Special Eligibility. – For the purpose of meeting the eligibility requirement for the position of *Mudarris*, the BMEO shall develop and recommend to the Civil Service Commission a special qualifying examinations for permanent appointment to *Mudarris* positions in the BMEO. In coordination with the BMEO, the Civil Service Commission for BARMM, 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.

⁷⁵ Sections 103 to 109, BAA No. 18

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

Section 15. *Professional Development.* – The BMEC 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 16. *Welfare.* – The BMEC shall continue to uphold and promote existing policies that guarantee the welfare and benefits of *madrasah* teachers.

Section 17. *Teacher Management.* – The BMEC 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 5: MADRASAH MANAGEMENT⁷⁶

Section 18. *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 19. *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 20. *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.

⁷⁶ Sections 113 to 115, BAA No. 18

CHAPTER 6: **MADRASAH TEXTBOOKS AND LEARNING RESOURCES⁷⁷**

Section 21. *Madrasah Textbook and Learning Resources Standards.* – The BMEO shall establish an office that will set the standards and approve textbooks and other learning resources for use in the *Madrasah* System. The BMEO 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 22. *Information and Communication Technology (ICT).* – The BMEO shall enable the integration of the ICT as part of the learning resources to be made available to all *Madaris*.

CHAPTER 7: **LEARNING ASSESSMENT⁷⁸**

Section 23. *Types of Assessment.* – The BMEO shall develop and implement a learning assessment mechanism consisting of classroom-based assessment, summative assessment, achievement standardized testing, and system assessment.

Section 24. *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 25. *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 26. *Standardized Achievement Testing.* – The BMEO 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 27. *System Assessment.* – To regularly monitor the progress and achievement of the Bangsamoro Basic Education System, the BMEO shall administer a large-scale system assessment at designated grade levels covering relevant learning outcomes and other factors influencing these outcomes.

Section 28. *Madrasah Certificate and Diploma.* – The BMEO shall set the standards for the issuance of the *Tahderiyyah* Certificate, *Madrasah Ibtidaiyyah* Certificate, *Madrasah Mutawassitah* Certificate, and *Madrasah Thanawiyyah* Diploma.

⁷⁷ Sections 110 to 111, BAA No. 18

⁷⁸ Sections 97 to 102, BAA No. 18

CHAPTER 8: MADRASAH INFRASTRUCTURE⁷⁹

Section 29. *Standards for Madrasah Infrastructure.* – The BMEO shall adopt, implement, and monitor the standards governing *madrasah* school infrastructure, including provisions for a safe, secure, and friendly learning environment.

CHAPTER 9: PRIVATE MADRASAH FINANCING⁸⁰

Section 30. *Responsibility for Private Madrasah Financing.* – Private *Madrasah* owners and administrators shall be primarily responsible for *madrasah* education financing.

Section 31. *Government Subsidy.* – The BMEO 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 32. *Community Support.* – The community may provide support to *Madaris* in any form for the operation and development of *Madaris*.

CHAPTER 10: QUALITY ASSURANCE⁸¹

Section 33. *Quality Assurance System.* – The BMEO 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 34. *Accreditation Cycle.* – As part of the continuous improvement process, *madrasah* accreditation shall be done periodically, the frequency of which shall be determined by the BMEO.

Section 35. *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).

⁷⁹ Sections 112, BAA No. 18

⁸⁰ Sections 113 to 115, BAA No. 18

⁸¹ Sections 119 to 121, BAA No. 18

BOOK VI: FUNDING OF EDUCATION INSTITUTIONS⁸²

CHAPTER 1: GENERAL PROVISIONS

Section 1. *Public Funding.* – Public schools/*Madaris* and other public educational institutions shall be funded from public funds.

Section 2. *Endowment for Special Education Purposes.* – The Ministry of Finance, Budget and Management in coordination with the four education agencies shall establish an endowment (*waqaf*) fund for advanced education, faculty development, research, and development for the attainment of the Bangsamoro development goals.

Section 3. *Resource Generation.* – The Ministry of Finance, Budget and Management shall adopt resource generation initiatives to finance and expand access to quality education in the Bangsamoro.

Section 4. *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 5. *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 6. *Special Education Fund.* – The Ministry of Education and the BMEO, 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 7. *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 8. *Tuition and Other Fees.* – Each private education institution shall determine its rate of tuition and other school fees or charges. The rates and charges

⁸² Sections 167 to 189, BAA No. 18

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 of Education, Bangsamoro-CHED, and BMEO.

Section 9. *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 10. *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 11. *Declaration of Policy.* – The education agencies may provide an incentive program to encourage the participation of the community in the development of the educational sector.

Section 12. *Institution Property.* – In accordance with laws and regulations, the education agencies 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 13. *Gifts or Donations to Educational Institutions.* – Subject to applicable laws, the education agencies shall adopt specific guidelines pertaining to the tax implication of gifts or donations in favor of any school, college, or university.

Section 14. *Earnings from Scholarship Funds.* – Subject to applicable laws, the education agencies 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 15. *Conversion to Educational Foundations.* – The education agencies shall adopt specific rules governing the conversion of educational institutions into either a non-stock or non-profit educational foundation.

CHAPTER 4: SUPPORT TO LEARNERS

Section 16. *Government Support 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 17. *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 18. *Support 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: SUPPORT TO TEACHERS AND LEARNING FACILITATORS

Section 19. *Government Support 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 20. *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 21. *Support 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: SUPPORT TO MADRASAH

Section 22. *Financial Aid to Public Madrasah.* – The Bangsamoro Government, in collaboration with the National Government, may 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 23. *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.

BOOK VII: EMERGING TECHNOLOGIES AND CHALLENGES

CHAPTER 1: INFORMATION, COMMUNICATION AND TECHNOLOGY

Section 1. *Use of Alternative Medium of Learning.* – The education agencies shall use radio, television, and social media as an alternative medium of communication and learning especially during lockdowns or when movement of people are limited.

Section 2. *Free Internet Access in School Premises.* – The education agencies shall promote the use of free internet access within the school premises in order to blend the learning with online platforms available for general education.

Section 3. *Technology Support for Teachers and Learners.* – The education agencies may extend support to the teachers and learners like provision of laptop or tablet for educational purposes.

CHAPTER 2 EMERGING CHALLENGES

Section 4. *Health and Sanitation of Teachers and Learners.* – The education agencies shall ensure the health and sanitation of the teachers and learners through proper observance of protocols and promotion of health and sanitation measures.

Section 5. *Vaccination Program.* – The Bangsamoro Government through the education agencies in collaboration with the Ministry of Health shall ensure that teachers and learners have full accessed to vaccination program of the government, either for infectious diseases or regular vaccines.

Section 6. *Safety of Teachers and Learners.* – The Schools and Institutions run by the education agencies shall ensure the safety of their teachers and learners within the school premises. Appropriate safety measures like installation of closed-circuit television (CCTV) and hiring of security guards are encouraged.

BOOK VIII: MISCELLANEOUS PROVISIONS

CHAPTER 1: REGULATION OF PRIVATE SCHOOLS, COLLEGES, AND UNIVERSITIES⁸³

Section 1. *Regulatory Functions.* – The education agencies shall supervise and regulate private schools, universities, colleges, and learning centers, including sectarian and non-sectarian institutions of learning.

Section 2. *Right of Participation.* – Three (3) representatives of private schools shall have the right to participate in the education agencies' deliberations on matters dealing with private schools.

Section 3. *Right to Propagate Religious Beliefs.* – The right of sectarian and educational institutions to propagate their religious beliefs shall not be curtailed. The education agencies shall not discriminate against sectarian educational institutions in any manner or form.

CHAPTER 2: FULL DISCLOSURE POLICY

Section 4. *Publication of Statistics.* – The education agencies shall publish vital indices indicating baseline and data progress.

Section 5. *Publication of Achievement Test and Assessment Results.* – The education agencies shall publish in its official website at the regional and division offices, the result of achievement tests and assessment done by institutions in and outside the Bangsamoro Autonomous Region.

Section 6. *Compliance of Transparency Seal Data Requirements.* – The education agencies shall maintain an updated Transparency Seal containing the required documents based on guidelines issued for the purposed.

CHAPTER 3: PENAL AND ADMINISTRATIVE SANCTIONS⁸⁴

Section 7. *Penalty Clause.* – Any person upon conviction for an act in violation of the provisions relating to operation of educational institutions and educational

⁸³ Sections 190 to 192, BAA No. 18

⁸⁴ Sections 193 and 194, BAA No. 18

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 8. *Administrative Sanction.* – The education agencies 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 education agencies permit or recognition;
- d. Failure to comply with conditions or obligations prescribed by this Code or its
- e. implementing rules and regulations; and
- f. 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 4: FINAL PROVISIONS

Section 9. *Affected Officials and Employees.* – Affected officials and employees as a result of the separation of the Ministry of Basic, Higher and Technical Education shall be compensated based on existing laws, rules and regulations.

Section 10. *Appropriation.* – The funding of the four education agencies shall be included in the Annual General Appropriations Act of the Bangsamoro in a separate budget item for each agency.

Section 11. *Implementing Rules and Regulations.* – The Office of the Chief Minister shall approve the implementing rules and regulations, duly prepared by the four education agencies, for the implementation of this Act.

Section 12. *Mandatory Review.* – After ten (10) years of the implementation of this Act, a mandatory review will be conducted to evaluate the implementation of this Act.

Section 13. *Parliamentary Oversight.* – The Parliament shall exercise their oversight function to see to it that all the laws, policies, and programs addressing the

implementation of this Act shall have been carried out by the concerned ministries and shall have been implemented in accordance with its purpose.

Section 14. *Separability Clause.* – If for any cause, any part of this Act is declared unconstitutional or contrary to the provisions of R.A. 11054, the rest of the provisions shall remain in force and effect.

Section 15. *Repealing Clause.* – All laws, orders, rules, and regulations which are inconsistent with the provisions of this Act, are hereby repealed, modified, superseded, or amended accordingly.

Section 16. *Effectivity.* – This Act shall take effect after fifteen (15) days following its full publication in a newspaper of general circulation in the Bangsamoro Autonomous Region in Muslim Mindanao.

Adopted,


MP BAIN TAN ADIL-AMPATUAN, MNSA