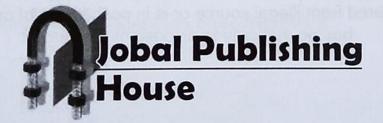
2019

# EDUCATION L W S JURISPRUDENCE GOVERNANCE

ATTY. RUSTICO T. DE BELEN, Ph.D

# EDUCATION LAWS JURISPRUDENCE & GOVERNANCE

ATTY. RUSTICO T. DE BELEN, Ph.D



Philippine Copyright 2019

By:

Jobal Publishing House

And

ATTY. RUSTICO T. DE BELEN, Ph.D.

### PUBLISHED AND DISTRIBUTED BY: JOBAL PUBLISHING HOUSE

ISBN: 978-971-9667-10-0

No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or by any information storage and retrieval system, without permission in writing from the publisher and author.

Any copy of this book without the signature of the author is considered from illegal source or is in possession of one who has no authority to dispose of the same.

## CONTENTS

Preface Dedication	iv-v vii
Chapter 1 – Historico-Legal and Philosophical Bases of Philippine Education	1
Prehistoric Period and Early Education History Colonial, Revolutionary, and Commonwealth Education Post-Liberation Philippine Education Post-EDSA Educational System Overview on Governance in Philippine Education Chapter Review Questions and Research Activities	3 19 27 31 41
Chapter 2 – Structure and Governance of Philippine Education	43
Enhanced Basic Education Technical and Vocational Education Higher Education Governance Governance in Public Higher Education Governance in Private Higher Education Challenges and Prospects in Philippine Education Chapter Review Questions and Research Activities	45 70 82 98 113 118 123
Chapter 3 – Legal Standards and Policies in Teacher Education	125
Teacher Education Policies and Standards Teacher Regulation in the Philippines Magna Carta for Public School Teachers Barangay Resident's Priority Chapter Review Questions and Research Activities	127 153 167 178 181
Chapter 4 – Education Legislation and Regulation in the Philippines	183
1987 Philippine Constitution Basic Laws in Philippine Education	185 191

Educational Community in the Philippines	193
Educational System, Standards, and Policies	201
Creation and Operation of Educational Institutions	204
Creation and Operation of Educational Medication	239
Special Assistance and Programs for Students	246
Administration of Educational System	
Strengthening Teacher Education through Center of	249
Excellence	
Chapter Review Questions and Research Activities	255
Chapter 5 - Legal Actions and Principles	
in Philippine Education	257
	050
Basic Concept and Principles in Education Law	259
Criminal Action in Philippine Education	262
Civil Action in Philippine Education	292
Administrative Action in Philippine Education	306
Evidence in Legal Actions	344
Chapter Review Questions and Research Activities	347
Crapter Review Questions and Research receivages	
Chapter 6 - Laws and Jurisprudence	
	349
in Philippine Education	349
Introduction to Law	351
Branches of Law in Education	357
Selected Jurisprudence in Philippine Education	373
Court Decisions on Students	373
	393
Case Laws on Faculty and School Personnel	
Jurisprudence on Governance in Education	411
Chapter Review Questions and Research Activities	417
	440
References	419
	400
Appendices	423
Population Act No. 0155 Commence of Population	
Republic Act No. 9155 – Governance of Basic Education	400
Act of 2001	423
Republic Act No. 7796 - Technical Education and Skills	
Development Authority (TESDA) Act of 1994	435
Republic Act No. 7722 - Higher Education Act of 1994	455
Republic Act No. 7836 - Regulation and Supervision	

of the Practice of Teaching in the Philippines	464
Republic Act No. 9293 – Philippine Teachers	
Professionalization Act of 1994	477
Republic Act No. 4670 - Magna Carta for Public	
School Teachers	481
CHED Manual of Regulations for Private Higher	
Education .	490
Code of Ethics for Professional Teachers	565
Continuing Professional Development Guidelines	
for Professional Teachers	573

### ABOUT THE BOOK

In Education Laws, Jurisprudence, and Governance, Atty. De Belen has gone through extra lengths in fusing together the traditional domains of the education and legal sectors of our society. He discusses policy in the context of social phenomenon spanning the academic and legal spheres. Difficult through it may seem, it is obvious in this book that Atty. De Belen's hard work as a researcher and writer has paid off and we are all the more enriched by his commendable expertise.

Anyone who either cursorily peruse or conscientiously pores over the contents of this book, be he or she a member of the academe or the legal profession, will come away fully gratified and assured that the wealth of substantive data and information gained is truly a product of genuine scholastic effort.

-Atty. Carmelita Yadao-Sison, MNSA U.P. Law Class 1983

### **ABOUT THE AUTHOR**

### RUSTICO T. DE BELEN

Rustico T. De Belen obtained his Bachelor of Arts (BA) in Political Science from the University of the Philippines-Diliman, Master in National Security Administration (MNSA) from National Defense College of the Philippines, Doctor of Philosophy (PhD) in Peace and Security Administration from Bicol University (BU-Camp Crame Peace Program). He also graduated from St. Dominic Savio College, with Bachelor of Science in Nursing (BSN); Arellano Law School, with Bachelor of Laws (LLB); and San Beda Graduate School of Law, with Master of Laws (LLM). He is now pursuing his Doctor of Juridical Science (JSD) at the San Beda Graduate School of Law.

Among his previous positions are: assistant secretary and oic-undersecretary, Department of Agrarian Reform (DAR); deputy director, MCLEO-Supreme Court; department head, Bulacan Environment and Natural Resources (BENRO); executive vice president, board of regents secretary, and acting law dean, University of Caloocan City; corporate secretary, Association of Nursing Service Administrators, Inc.; legal consultant, Department of Education, Philippine Coconut Authority, House of Representatives and Department of Agrarian Reform, and part-time professor in several colleges and universities.

He is 50 years old, married to the former Donna Vivian S. Ventura, BSN (magna cum laude), UST; MS Nurse Anesthesia (GPA-3.99), Columbia University, New York (CUNY); Licensed Nurse Practitioner (LNP) and Certified Registered Nurse Anesthetist (CRNA). His wife is a member of the prestigious Sigma Theta Tau International Honor Society, Alpha Zeta Chapter (CUNY). They have one child, Arthur Reiner, a senior student of the Philippine Science High School (PSHS)-Main Campus.





# Jobal Publishing House

171 Tandang Sora, Quezon City Tel. No. (02) 456-6209 E-mail address: jobalpublishinghouse@yahoo.com

