

**REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD**

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**CITY ORDINANCE NO. 633**

February 11, 2013

**AN ANTI-TRUANCY ORDINANCE FOR ELEMENTARY AND HIGH SCHOOL  
STUDENTS OF BACOLOD CITY.**

**WHEREAS**, Article 2, Section 13 of the Philippine Constitution upholds the vital role of the youth in nation building, hence, the State shall promote and protect their physical, moral, spiritual, intellectual and social well-being;

**WHEREAS**, Section 2 Paragraph C of RA 9344 otherwise known as "Juveline Justice and Welfare Act of 2006" provides that the state recognizes the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty and exploitation, and other conditions prejudicial to their development;

**WHEREAS**, Title 1, Article 1 of PD 603 otherwise known as "The Child and Youth Welfare Code" provides that the natural right and duty of parents in the rearing of the child for civic efficiency should receive the aid and support of the government;

**WHEREAS**, Article 103 of PD 603 provides that the home and the community shall cooperate with each other in counteracting and eliminating such influences as may be exerted upon children by useless and harmful amusements and activities, and obscene exhibitions and programs, and establishments inimical to health and morals;

**WHEREAS**, there is a growing problem among parents and school administrations regarding students of elementary and high schools on truancy because they can be seen at internet cafes, malls or gaming establishments and such other public places during school hours;

**WHEREAS**, truancy must be prevented at the earliest time before it becomes a vicious habit of these students which later on they might regret;

**WHEREAS**, the City Government of Bacolod has the responsibility to help parents and schools in building a bright future for the youth and help them to become responsible individuals.

**NOW THEREFORE**, be it ordained by the Sangguniang Panlungsod in session:



**Section 1. TITLE**

This ordinance shall be known as the "ANTI-TRUANCY ORDINANCE FOR ELEMENTARY AND HIGH SCHOOL STUDENTS OF THE CITY OF BACOLOD".

**Section 2. POLICY**

This ordinance aims to:

- 2.1. protect the best interest of students of elementary and high schools in Bacolod City;
- 2.2. help the students to be more responsible and productive by attending classes regularly and prevent them from lingering outside school campuses where they are susceptible to street crimes and other forms of danger;
- 2.3. assure the parents of the students that their children are safe in school, regularly attending their classes and school activities;
- 2.4. impose sanctions for truants, commercial establishments, parents or guardians, school administrators and teachers who violate the provisions of this ordinance.

**Section 3. DEFINITION OF TERMS**

The following words and phrases in this ordinance shall defined as:

- 3.1. **Truant** – refers to a student who is absent from school without valid or justifiable cause;
  - 3.2. **Student** – refers to any elementary and high school student;
  - 3.3. **School** – refers to all public and private elementary and high schools in Bacolod City;
  - 3.4. **School hours** – refers to the regular school hours of elementary and high schools in Bacolod City;
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- 3.5. **Linger or stay** – to loiter or remain, as well as to refuse to leave when requested to do so by a police officer, or the owner or other person in control of a public place. This term also encompasses activities which may be mobile, such as walking, driving, and riding about in a public place or business establishment;
- 3.6. **Emergency** – an unforeseen circumstance or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life;
- 3.7. **Public Place** – a place in Bacolod City where the general public or a group of people have access, including but not limited to streets, highways, sidewalks, parking lots, vacant or unsupervised places, parks, and the common areas in churches, apartment and office buildings, hospitals, schools, places or entertainment such as movie theaters and similar places and business establishments;
- 3.8. **Parent** – refers to a person who is either the biological or adoptive parent of a minor;
- 3.9. **Guardian** – a person who, by virtue of a Court Order, is the guardian of the person of a minor; a public or private agency with whom a minor has been placed for custody by a Court; a person in charge of the custody or who is taking care of a minor, whether relative or not; or a person of legal age and authorized by a parent or guardian to accompany a minor in a public place and have the care and custody over said minor;
- 3.10. **Commercial Establishment** – refers to internet cafes, computer shops, video shops, billiard halls, movie houses, and other similar place of entertainment and gaming establishments;
- 3.11. **Operator** – refers to the owner, manager, administrator, lessee or any person who operates or is responsible for the operation of a business establishment.
- 3.12. **Measure** – refers to the actions to be taken in dealing with the truant and/or his guardian or parent.
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**Section 4. PROHIBITIONS**

4.1. It shall be unlawful for all elementary and high school students of Bacolod City to stay or linger in public and private places outside school campus during school hours.

4.2. It shall be unlawful for any operator to allow elementary or high school students during school hours to stay or linger inside or within the vicinity of their establishments.

4.3. It shall be unlawful for any parent or guardian to allow or give permission to their school children to stay or linger outside the school campus during school hours.

4.4. It shall be unlawful for any teacher or school authority to allow or give permission to a student to loiter outside the school campus or to leave the school campus during school hours.

**Section 5. EXCEPTIONS**

The provisions of Section 4 shall not apply to the following circumstances:

5.1. When the student is on board a motor vehicle or is on his/her way home;

5.2. When the student leaves the school for emergency purposes with a written authorization from his or her teacher;

5.3. When the student is going for a medical appointment with a written authorization from his or her teacher or accompanied by his or her parent or guardian;

5.4. When the student is permitted by the school to leave the campus for a valid reason provided he/she has in her possession an authorization or permission given by the teacher or any school authority; and

5.5. When the student is accompanied by his/her parent or guardian or teacher or any school authority.

**Section 6. SANCTIONS**

6.1. Any student who shall be found in violation of this ordinance shall be subjected to the following:



- 1<sup>st</sup> offense** - *Warning*
- 2<sup>nd</sup> offense** - *community service of two (2) hours to be rendered by the child's parent or guardian at the Barangay together with the child as a measure for dealing with the truant without resorting to judicial proceedings as provided for in Republic Act 9344.*
- 3<sup>rd</sup> offense** - *community service of four (4) hours to be rendered by the child's parent or guardian at the Barangay together with the child as a measure for dealing with the truant without resorting to judicial proceedings as provided for in Republic Act 9344.*
- 4<sup>th</sup> and successive offense** - *community service of Six (6) hours to be rendered by the child's parent or guardian at the Barangay together with the child as a measure for dealing with the truant without resorting to judicial proceedings as provided for in Republic Act 9344.*

6.2. Any parent, teacher or school authority who shall found violating this ordinance shall be subjected to the following:

- 1<sup>st</sup> offense** - *Warning*
- 2<sup>nd</sup> offense and successive offense** - *Fine of Five Hundred Pesos (P500.00) and community service of four (4) hours.*

6.3. Any operator of an establishment who shall be found violating this ordinance shall be subjected to the following:

- 1<sup>st</sup> offense** - *Warning*
- 2<sup>nd</sup> and successive offense** - *Fine of Five Hundred Pesos (P500.00) and cancellation of the Business Permit.*

**Section 7. PROCEDURE OF ENFORCEMENT**

7.1 Any student found violating this ordinance shall:



- a.) For the first time, be turned-over as soon as possible to his/her parents by the Truant Officer duly appointed by the parent Teachers and Community Association, Punong Barangay, Barangay Tanod, Female Police Officer or the Barangay Council for the Protection of Children, as the case may be, and shall be issued a citation ticket and explaining to the student and parent or the person having parental authority over the child of the offense committed and the sanction/s for the violation.
- b.) For the second and successive offenses, be turned over to the Barangay Council for the Protection of Children who shall supervise the imposition of the measure. The Barangay shall as soon as possible summon the parent or the person having parental authority over the child for the imposition of the penalty on the violator;

7.2. If the student who violates this ordinance is not a resident of the barangay, he/she shall be turned over by the Truant Officer duly appointed by the Parent Teachers and Community Association, Female Police Officer or Punong Barangay of the place where the offense is committed to the Barangay where the student resides;

7.3 If the violator is the parent, teacher, any school authority or an operator or an establishment:

- a.) For the first violation, a citation ticket shall be issued by the Truant Officer duly appointed by the Parent Teachers and Community Association, Punong Barangay, Barangay Tanod, Police Officer or the Barangay Council for the Protection of Children as the case may be, explaining the offense committed and the corresponding sanctions in the event of future violations;
- b.) For the second and successive offenses, the offender shall be turned over to the Truant Officer duly appointed by the Parent Teachers and Community Association, Punong Barangay or the Female Police Officer as the case may be, for the imposition of the corresponding penalty.

#### **Section 8. DISPOSITION OF THE FINES COLLECTED**

All fines collected shall be collected by the Barangay and shall form part of the barangay fund to be used for the effective implementation of this Ordinance.



**Section 9. SEPARABILITY CLAUSE.**

Any provision or portion of this ordinance found to be in violation of the Constitution or deemed invalid shall not impair the other provisions or parts hereof which shall continue to be in force and in effect.

**Section 10. REPEALING CLAUSE.**

Any ordinance, rule, regulation or part hereof, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed and/or modified accordingly.

**Section 11. EFFECTIVITY.**

This ordinance shall take effect immediately after publication in a newspaper of general circulation.

**CARRIED BY THE VOTE OF:**

Affirmative :  
Councilors : El Cid M. Familiaran, Homer Q. Bais, Archie S. Baribar, Roberto M. Rojas, Catalino T. Alisbo, Em L. Ang, Elmer T. Sy, Sonya M. Verdeflor, Al Victor A. Espino, Caesar Z. Distrito, Mona Dia G. Jardin.

Negative : None.

Absent : None.

Official Leave : Councilor Keith Emmanuel L. Ramos.

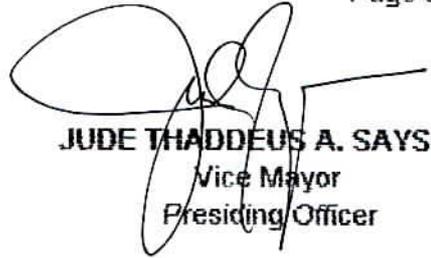
Main Author : Councilor Mona Dia G. Jardin.

Co-Author : Councilor Sonya M. Verdeflor.

Passed : February 11, 2013 (137<sup>th</sup> Regular Special Session)

Comments : Passed.  
Councilors Dindo C. Ramos and Carlos Jose V. Lopez were not yet around when this ordinance was passed.





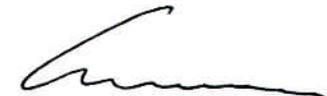
**JUDE THADDEUS A. SAYSON**  
Vice Mayor  
Presiding Officer

ATTESTED:



**HELEN P. GASPI**  
Board Secretary IV  
OIC, Secretary to the Sanggunian

APPROVED: February 25, 2013.



**EVELIO R. LEONARDIA**  
City Mayor



HPL/jbz

SP  
LEGISLATIVE SERVICES SECTION  
DATE 2/26/13 TIME 11:00 AM  
BY: Janen



Republika ng Pilipinas  
**Tanggapan ng Sangguniang Panlungsod**  
Lungsod ng Bacolod

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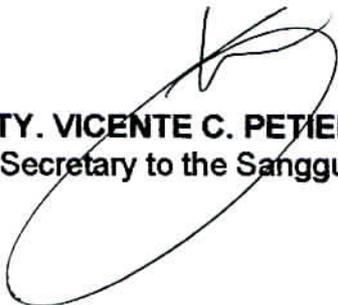
### **CERTIFICATION**

This is to certify that **City Ordinance No. 633**, Series of 2013, passed by the Sangguniang Panlungsod on February 11, 2013, entitled:

**“AN ANTI-TRUANCY ORDINANCE FOR ELEMENTARY  
AND HIGH SCHOOL STUDENTS OF BACOLOD CITY”**

was published in the April 16, 2013 issue of *Watchmen Daily Journal* and was likewise posted in the bulletin board of the Sangguniang Panlungsod at the New Government Center as required in the said City Ordinance and is now therefore legally in effect.

Bacolod City, Philippines, May 3, 2013.

  
**ATTY. VICENTE C. PETERRE III**  
Secretary to the Sanggunian

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