



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-303

33rd Regular Session

ORDINANCE NO. SP- **2954**, S-2020

AN ORDINANCE PROVIDING FREE USE OF TABLET TO ALL SECONDARY GRADE 7 TO GRADE 12 PUBLIC SCHOOL STUDENTS OF QUEZON CITY IN PREPARATION FOR BLENDED LEARNING FOR THE SCHOOL YEAR 2020-2021.

Introduced by Councilors IRENE R. BELMONTE, FRANZ S. PUMAREN, ERIC Z. MEDINA and DONATO "Donny" C. MATIAS.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Hero M. Bautista, Jose A. Visaya, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, and Noe Dela Fuente.

WHEREAS, Section 17 (4)(ii) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 authorizes Local Government Units to provide adequate support to efficient and effective provisions of basic services such as Educational Facilities;

WHEREAS, Section 15, Article II of the 1987 Philippine Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 outbreak a pandemic and on March 13, 2020 the City Council declared Quezon City to be under a State of Calamity;

WHEREAS, as of June 6, 2020 the Department of Health confirmed that Quezon City has a total of 2,376 positive cases, 194 total deaths and 1,134 total recoveries;

WHEREAS, on May 8, 2020, the Inter-Agency Task Force (IATF) for the Management of Emerging Infectious Diseases approved Resolution No. 4, S-2020 providing for the Basic Education Learning Continuity Plan (BE-LCP) of the Department of Education;

WHEREAS, the Inter-Agency Task Force and the Department of Education resolved the adoption of various learning delivery options such as but not limited to face-to-face interaction, blended learnings, distance learnings, and homeschooling and other modes of delivery which can be implemented depending on the local COVID Risk Severity Classification and compliance with minimum health standards;

WHEREAS, the Division of City Schools is authorized to decide on the specific learning delivery modalities such as blended and online learning delivery modes through Learning Resources portal and DepEd Commons; use of TV and radio; and learning modules and packets (both in print and digital format); which may be deemed appropriate in their context;

WHEREAS, on May 12, 2020 the Quezon City Schools Division Office conducted a survey to 65,243 public school students. Survey shows that 49.2% students lack the device for the distance learning mode, and 74.6% are for a face-to-face learning mode instead;

WHEREAS, on June 8, 2020 the Department of Education issued a Memorandum No. 00-0620-0030 stating the Minimum Specifications for Information and Communication Technology (ICT) equipment and internet services to be donated to schools, teachers and/or Learners, Microsoft Licensing, and donation matters;

WHEREAS, the Local Government Unit of Quezon City, through the Office of the City Mayor, has approved the Local School Board Supplemental Budget sourced out from the Special Education Fund as part of its commitment to prioritize Digital devices to public school students as distance learning will be a major component of learning delivery mode for the incoming school year;

WHEREAS, the allotted budget is to provide ICT equipment to all Grade Seven (7) to Grade Twelve (12) public schools or an estimated of 180,000 students of Quezon City in preparation for the blended learning mode in accordance with the Basic Education Learning Continuity Plan (BE-LCP) of the Department of Education;

WHEREAS, there is a need to set the guidelines for the proper use of said Tablet directed to schools, teachers, parents and learners in order to ensure responsible and appropriate use of said ICT equipment.

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NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE. - This Ordinance shall be known as the "Free Use of Tablet for Public School Students Ordinance of Quezon City".

SECTION 2. DEFINITION OF TERMS. - As used in this Ordinance, the following terms shall mean as follows:

- A. Student/Learner - those who are enrolled in secondary education.
- B. Tablet - refers to a wireless touch screen device that is smaller than a notebook but larger than a smartphone. Modern tablets are built with wireless Internet or local area networks (LAN) and a variety of software applications, including business applications, Web browsers, etc.
- C. Wifi - refers to a type of wireless network technology used for connecting to the Internet. The frequencies wi-fi works at are 2.4 GHz or 5 GHz, ensure no interference with cellphones, broadcast radio, TV antenna and two-way radios are encountered during transmission.
- D. Face-to-face learning - refers to a learning delivery modality where the students and the teacher are both physically present in the classroom, and there are opportunities for active engagement, immediate feedback, and socio-emotional development of learners.
- E. Distance Learning - refers to a learning delivery modality where learning takes place between the teacher and the learners who are geographically remote from each other during instruction.
- F. Modular Distance Learning (MDL) - refers to individualized instruction that allows learners to use self-learning modules (SLMs) in print or digital format/electronic copy, whichever is applicable in the context of the learner and other learning resources like Learner's Materials, textbooks, activity sheets, study guides and other study materials.

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- G. *Online Distance Learning (ODL) - refers to the teacher facilitating learning and engaging learners' active participation using various technologies accessed through the internet while they are geographically remote from each other during instruction.*
- H. *Blended Learning - refers to learning delivery that combines face-to-face with any or a mix of online distance learning, modular distance learning, and TV/Radio-based Instruction.*
- I. *Teacher Adviser - a person who teaches in a school who handles specific number of students.*
- J. *Pandemic - An outbreak of a disease that occurs over a wide geographic area.*
- K. *Selling - is the act of any person who gives or hands over (something) in exchange for money.*
- L. *Pawning - is the act of any person who deposits (an object) with a pawnbroker as security for money lent.*
- M. *ICT Equipment - Information and Communication Technology equipment it is an umbrella term that includes any communication device, encompassing radio, television, cell phones, computer and network hardware, satellite systems and so on, as well as the various services and appliance with them such as video conferencing and distance learning.*

SECTION 3. COVERAGE. - All public school students in the secondary education of Quezon City shall be the beneficiary of the ICT equipment and shall be provided to them on or before the opening of classes. 9

All ICT equipment particularly the Tablet with built in Wi-Fi issued to all students /learners shall have Quezon City Logo embossed in the device with specified Serial Number.

SECTION 4. GUIDELINES. -

- a) *The Local Government of Quezon City, through the Office of the City Mayor, Honorable Ma. Josefina G. Belmonte, will sign a Memorandum of Agreement (MOA) with the Schools Division Office (SDO) for the proper receipt, recording, inventory and accountability on the gadget including its content that is based on the Department of Education's learning system minimum specifications;*
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- b) *The Local Government of Quezon City, through the Office of the City Mayor, Honorable Ma. Josefina G. Belmonte, shall ensure the ICT equipment is equipped with the minimum specifications set forth by the Department of Education in its Memorandum No. 00-0620-0030 dated June 8, 2020. Before its actual issuance taking into consideration its safetiness and usability pursuant to the standards set forth in the Consumers Act of the Philippines;*
- c) *The Schools Division Office (SDO) shall be the lead Office that will facilitate the distribution of the Tablets to Grade 7 to Grade 12 students in all Public Schools in Quezon City following the guidelines stated in this Ordinance;*
- d) *The Schools Division Office (SDO) shall ensure coordination with the Department of Education for the installation of the Microsoft Software in the Tablet and to request or arrange "e-mail of eligibility" as stated by the Department of Education in its Memorandum No. 00-0620-0030 dated June 8, 2020 as may be necessary;*
- e) *The Schools Division Office (SDO) shall make a uniform agreement for all Public Schools in Quezon City prior to the issuance of tablet which shall indicate the guidelines of this Ordinance;*
- f) *Likewise, the Schools Division Office (SDO) shall conduct Parents, Teachers and Learners' Orientation in all Public Schools in Quezon City before the issuance of ICT equipment including the guidelines of this ordinance;*
- g) *All students/learners shall use the Tablet for Learning Purposes Only;*
- h) *Downloads of games, movies and other apps not intended for schooling is Prohibited and the parents/guardians are accountable to the safety of their children against cybercrime law and other pertinent national and local laws. Failure of the parents/ guardians to perform their duties under this provision shall be penalized under this ordinance and other appropriate laws;*

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- i) *Pawning or Selling or any mode of transferring the Tablet to other person not authorize to use or possess the same is Prohibited and shall be penalized under Section 6 of this Ordinance. Further, any person who buys and take possession of the said ICT equipment from parent/learner having knowledge that the same is the LGU's property shall also be punished under Section 6 of this Ordinance. There is a presumption of knowledge considering that the QC logo is apparent and embossed in the ICT equipment;*
- j) *Parents/Guardians/Learners shall submit to their Advisers the said Tablet Semi-Annually or as deemed necessary for checking and inspections;*
- k) *If in case the Tablet was stolen or lost, the Parents/Guardians/Learners shall submit an appropriate document of the incident such as but not limited to Police Blotter, certification and sworn affidavit to show proof of its loss or unlawful taking. In case documents are not provided, the parent/guardian shall pay the value of the said ICT equipment. The actual value of the Tablet shall be declared to the Parents/Guardians/Learners upon receipt thereof;*
- l) *If in case the Tablet is damaged or lacks other accessories upon receiving, the parent shall immediately ask the assigned personnel to check or replace the ICT equipment. Immediate shall mean right after receiving the Tablet and still in the premises where the ICT equipment was received;*
- m) *In case the Tablet was damaged after several use of the student/learner, the parent/guardian shall bring the same to the adviser for repair or replacement;*
- n) *Parents/Learners shall take necessary diligence in taking care of the ICT equipment and deliberate causing damage to the ICT equipment shall be dealt with in accordance with Section 6(A) of this Ordinance;*
- o) *In case the Students/Learners transferred to other school, the parent/guardian shall surrender the complete issued ICT equipment to the Teacher/ Adviser within five (5) days from the date of transfer. Parents/Guardians may still retain possession of the Tablet if the student will transfer in any Quezon City public school provided that he/she will inform the Principal/Adviser of such circumstance as well as the Principal/ Adviser of the new school for proper turn over and inventory;*

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- p) All Public Secondary Schools in Quezon City shall clearly communicate online safety policies and provide resources and information on digital safety to support parents and guardians in creating a positive distance learning experience.

SECTION 5. MONITORING. - The Schools Division Office is enjoined to monitor all schools in Quezon City and is hereby tasked to organize or create inspection team, composed of Representatives from Local Government Unit, School Divisions Office, School Principal and General Parents and Teachers Association with the assistance of Barangay. These Offices/ Organizations/ Associations shall help in the monitoring and inspections of the above-mentioned ICT equipment.

SECTION 6. PENALTIES. -

A. Any person who violates Section 4 (h) and (n) hereof shall be penalized by:

- 1) First Offense - confiscation of the ICT equipment for one (1) week and guidance counseling;
- 2) Second Offense - confiscation of ICT equipment for one (1) month and a fine of One Thousand Pesos (Php1,000.00);
- 3) Third Offense - confiscation of the ICT equipment of the rest of the school year and a fine of Three Thousand Pesos (Php3,000.00).

B. Any person found guilty of Section 4(i) hereof shall be fined Five Thousand Pesos (Php5,000.00) and is not entitled to the re-issuance of the tablet for the student/learner.

C. Any person who acquired possession of the Tablet not entitled thereto by means of buying or pawning shall be fined the amount of Five Thousand Pesos (Php5,000.00) or imprisonment of not less than six (6) months or both.

D. In case the violator is a minor, especially in Section 6(A) hereof, the penalty of fine shall be imposed on his/her parent or guardian.

SECTION 7. IMPLEMENTING RULES AND REGULATIONS. - Within Thirty (30) days upon approval of this Ordinance, the City Mayor shall cause the issuance of the Implementing Rules and Regulations (IRR) as are necessary for the effective implementation of this Ordinance.

SECTION 8. REPEALING CLAUSE. - All ordinances, resolutions, rules or regulations inconsistent with or contrary to the provisions of this Ordinance are hereby repealed or modified accordingly.

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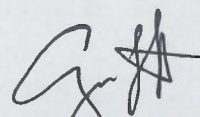
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SECTION 9. SEPARABILITY CLAUSE. - If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid by a competent court, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

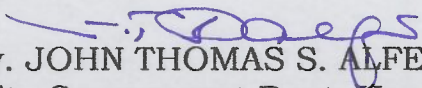
SECTION 10. EFFECTIVITY CLAUSE. - This Ordinance shall take effect upon approval and publication in a newspaper of general or local circulation.

ENACTED: June 22, 2020.



GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

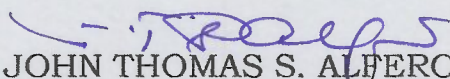
APPROVED: JUL 17 2020



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 22, 2020 and was PASSED on Third/Final Reading on June 29, 2020.



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

