



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF OTON
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT from the Minutes of Session of the Sangguniang Bayan ng Oton, Iloilo recorded during its Regular Session held at **Barangay Calam-isan, Oton, Iloilo** on **July 19, 2017** at 1:00 in the afternoon.

PRESENT:	Hon. Vicente B. Flores, Jr. Hon. Jafet P. Salinas Hon. Grace Marie Escanlar-Cruz Hon. Lee C. Alison Hon. Honorato P. Nead Hon. Ma. Lorna T. Geonigo	Vice Mayor and Presiding Officer SB Member SB Member SB Member SB Member SB Member
Absent:	Hon. Juan Miguel M. Flores Hon. Eusebio G. Villavicencio, Jr. Hon. Margarito T. Clavel III	SB Member (On Vacation Leave) SB Member (On Leave, MC 6) SB Member (Liga ng mga Barangay Representative)

ORDINANCE NO. 2017 – 308

**AN ORDINANCE ENACTING THE ANTI – TRUANCY POLICY FOR
ELEMENTARY AND HIGH SCHOOL LEARNERS IN THE
MUNICIPALITY OF OTON.**

AS PROPOSED by Vice Mayor Vicente B. Flores, Jr., **ON MOTION** of the Committees on Youth and Sports Development composed by Hon. Lee C. Alison, and Hon. Margarito T. Clavel III, and Education composed by Hon. Juan Miguel M. Flores, Hon. Lee C. Alison which was duly seconded by Hon. Ma. Lorna T. Geonigo

BE IT ORDAINED by the Sangguniang Bayan of Oton, Iloilo, that:

SECTION 1. Introductory Clause. It is a standing policy of administrations of elementary and high schools that learners who have incurred more than ten (10) days consecutive absences are considered drop-outs. Despite of this, "truants" or learners playing hooky, or the so-called "bulakboleros" in Tagalog or "Palaligoy" in Hiligaynon can be seen loitering in public places and entering internet cafes, business establishments and playing video/ computer games and billiards during school hours.

Worse, some learners are occasionally found to be involved in prohibited activities during hours that they are supposed to be in school attending their classes. Because of truancy, some learners also become victims of street crimes.

This ordinance, therefore, aims to protect the interests of learners for the peace of mind of their parents and guardians, by isolating them from the effects of social ills that destroy their learner's life and their future, and also to control and prevent juvenile delinquency. It will apply to elementary learners and high school learners enrolled in public and private schools in the Municipality of Oton, Iloilo.

This Ordinance also proposes the establishment of a Truancy Board, and the deputation of all Punong Barangays, Barangay Tanods, school officials and teachers as action officers in the implementation of this Ordinance.

Under this Ordinance, corresponding disciplinary measures and penalties are imposed against both erring owners of business establishments, truant learners and their parents or guardians as well.

It is high time that the municipal government adopt a truancy system so that the best interests of learners whom the government and parents have provided a place in school are protected.

SECTION 2. TITLE. This Ordinance, for brevity, shall be known as "The Anti-Truancy Ordinance of the Municipality of Oton."

SECTION 3. SCOPE. This ordinance shall cover the violations herein defined within the territorial jurisdiction of the Municipality of Oton, Iloilo.

SECTION 4. DEFINITION OF TERMS. The following words and phrase, whenever used in this Ordinance, shall be construed as defined in this Section:

- a) **Learner** – means any elementary and high school learner who is officially enrolled in a public or private school in the Municipality of Oton.
- b) **Truant** – means a learner who is absent from school without valid cause;
- c) **School** – means public and private elementary and secondary school in the Municipality of Oton.
- d) **School Hours** – means the time from 7:00 AM to 12:00 Noon, from 1:00 to 5:00 PM during weekdays (Monday to Friday) except when a weekday falls on a Holiday, from 4:00 to 9:00 PM for night class and 8:00AM to 5:00PM during Saturdays.
- e) **Business Establishment** – means internet cafes, computer shops/ centers, video shops/ centers, billiard halls, movie houses, malls and other similar entertainment establishments in the Municipality of Oton.
- f) **Operator** – means the owner, manager, administrator, lessee or any person who operates and is responsible for the operation of a business establishment.
- g) **Parent** – means a person who is a natural parent, adoptive parent, or step-parent of a minor.
- h) **Guardian** – means:
 - 1) A person who, under court order, is the guardian of a minor;
 - 2) A public or private agency with whom a learner has been placed for custody by a court;
 - 3) A person in charge of the custody or who is taking care of a learner, whether relative or not; or
- i) **Public Place** – means a place located in the Municipality of Oton where the general public, or a substantial group of people, have access, including but not limited to streets, highways, sidewalks, parking lots, vacant lots or any unsupervised place, parks and the common areas in and about churches, apartment buildings, office buildings, hospitals/ clinics, schools, shops, and places of entertainment such as movie theaters and similar places and business establishments.
- j) **Linger or stay** – means to loiter or remain, as well as to refuse to leave when requested to do so by an authorized person, 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.
- k) **Emergency** – means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to: fire, natural disaster, automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

SECTION 5. PROHIBITED ACTS.

- a) It shall be unlawful for a learner to linger or stay or be in public place or business establishment during school hours.
- b) It shall be unlawful for a parent or guardian, teacher and school authorities to knowingly permit, or by insufficient control allow the learner to linger or stay in any business establishment or public place within the municipality during school hours.
- c) It shall be unlawful for an operator of any business establishment to knowingly permit or by insufficient control allow a learner to linger or stay and play computer/ video, billiard or other games during school hours (as provided in Ord. No. 2004-134 as amended, entitled, An Ordinance Regulating the Operation of Gaming Centers in the Municipality of Oton, Iloilo).

SECTION 6. EXCEPTIONS. The activities prohibited by Section 5 shall not be unlawful in the following circumstances:

- a) When the learner is in a motor vehicle or other travel in no violation of this Ordinance.
- b) When the learner is involved in an emergency.
- c) When the learner is going to or from a medical appointment;

- d) When the learner has been permitted to leave school campus for some school-related activities and has in his/ her possession a valid, school-issued, off-campus permit, letter of authorization.
- e) When the learner is with his/ her parents or guardian.

SECTION 7. ENFORCEMENT PROCEDURE. Before taking any enforcement action under this Ordinance, a Punong Barangay, Police Officer, Barangay Tanod, School Authorities shall ask the apparent offender's age and reason for being in the public place or business establishment. The officer or enforcer shall issue a citation to the violator, after reasonably believing that a violation was committed and explaining the circumstances of such violation under this Ordinance, to be dealt with pursuant to the applicable provisions in Section 10 hereof.

SECTION 8. THE TRUANCY BOARD AND ITS COMPOSITION. The Truancy Board herein created shall be composed of the following:

Chairman of the Board

Mayor or the Municipal Administrator as authorized by the Mayor

Vice-Chairman of the Board

SB Chair, Committee on Education
 SB Chair, Committee on Peace and Order
 SB Chair, Committee on Youth

Members of the Board

Liga ng mga Barangay President/ Committee on Education Liga ng mga Barangay
 PNP Chief of Oton
 Tanod Associations Federation President
 MSWDO
 5 Federated Officers of Barangay Kagawad, Chair, Committee on Education
 District Supervisor of Oton
 Principals of Elementary and Secondary Schools
 Principals/ Heads of Private Schools
 Federated PTA President of the Municipality

SECTION 9. FUNCTIONS OF TRUANCY BOARD. The Truancy Board shall have the following functions:

- a) Make responsive and essential the implementation of the Anti-Truancy Ordinance.
- b) Deputize all Punong Barangays, Barangay Tanods, school officials, PTA Officers and teachers as action officers in the implementation of this Ordinance.
- c) Control and Prevent juvenile delinquency and in order that the health, safety and welfare of learners will be protected.
- d) Take active steps in ensuring the welfare of elementary pupils and high school learner in the Municipality of Oton.

SECTION 10. PENALTIES, INTERVENTION AND MANNER OF DEALING WITH THE VIOLATOR.

- a) The penalty / intervention for a **learner** who violates this Ordinance shall be:

For the 1st Offense – a learner found violating this Ordinance for the first time will be given a copy of citation ticket and referred to the school where he/ she is officially enrolled for counseling before being properly turned over to his/ her parent/s or guardian/s or to the concerned school authorities.

For every subsequent Offense – a learner found violating this Ordinance for the second time and every time thereafter will be required to report to the Barangay Council for the Protection of Children (BCPC) of the barangay where he/ she is residing, for counseling. Provided, that the Punong Barangay shall certify compliance or non-compliance by the concerned learner with this penalty / intervention; Provided Further, that the violator shall be required to submit the certification issued by the Punong Barangay to the apprehending officer and school administrator or principal within a period not to exceed two (2) months from date of violation; and Provided Furthermore, that every non-compliance with the prescribed penalty shall be automatically converted to a fine of Two Hundred Pesos (Php200.00) to

be imposed against the violator's parent or guardian concerned on top of the fine already imposed upon said parent or guardian under Section 10 (b) hereof.

- b) Any parent or guardian and teacher or school authorities in charge of the custody and in direct supervision of a learner who violated this Ordinance shall be penalized with a fine of Three Hundred Pesos (Php300.00)
- c) Any operator of business establishment covered under this Ordinance found violating any provision hereof shall be meted with the following penalties as indicated in Mun. Ord. Nos. 2004-134 and amended by 2008-193.

SECTION 11. Budgetary Requirements. The amount of One Hundred Thousand Pesos (Php100,000.00) as budget for information dissemination, printing of citation tickets, travel expenses and other miscellaneous expenses shall be taken from the General Fund of the Local Government Unit.

SECTION 12. Separability Clause. If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue in operation.

SECTION 13. Repealing Clause. All municipal ordinances or parts of any municipal ordinance inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.


SECTION 14. Effectivity Clause. Based on Section 511 of the Local Government Code, this Ordinance with penal sanctions shall take effect either on the day following its publication, or at the end of three (3) consecutive weeks period of posting, whichever occurs later.

SECTION 15. Copies. This Ordinance shall be furnished to the Office of the Mayor; MPDO; MSWDO; MBO; MTO; Actg. Office; Oton PNP; Federated PTA; 37 Barangays; District Supervisor, DepEd; All public and private Elementary and High Schools in the Municipality of Oton; All business establishments (like gaming centers and malls); and the Sangguniang Panlalawigan of Iloilo for information, guidance and review respectively.

APPROVED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

Concurred: 
JAFET P. SALINAS
 Chair, Committee on Rules and Privileges


KERRY ANN T. LACIFICAR
 Secretary to the Sanggunian

Approved: 
CARINA V. FLORES
 Municipal Mayor

Attested: 
VICENTE B. FLORES, JR.
 Vice Mayor and Presiding Officer

Date Approved by LCE: JUL 26 2017

Date Posted: JUL 26 2017

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