

ORDINANCE NO. 2010-063

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AN ORDINANCE INSTITUTIONALIZING THE CITY'S TERTIARY SCHOLARSHIP PROGRAM, PROVIDING FUNDS, AND FOR OTHER PURPOSES: -

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Chairman, Committee on Education

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EXPLANATORY NOTE

Section 1, Article XIV of the Constitution provides that "(t)he State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all."

Likewise, Section 458 (a) (5) (xi) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that the Sangguniang Panlungsod, as the legislative body of the city, shall establish a scholarship fund for the poor but deserving students in schools located within its jurisdiction or for students residing within the city.

The students referred to necessarily include college students. The constitutional and legal mandate is equally addressed to local government units, such as Naga City.

Investing more in human resources is imperative in order to free the city's poor constituents from the cycle of poverty. Ensuring the completion of a college education of one (1) family member in each family in the city will not only improve the poor's social and economic standing but will likewise boast the development of the city, maintaining a skilled and educated workforce being vital for economic growth.

To realize this, there is a need to increase the fund allocation for the city's scholarship program and to devise a system that will ensure greater number of grantees and participation thereto as well as maintain its sustainability.

The above mandate can be done and said objective can be achieved by the enactment of this ordinance and the corresponding appropriation of the required funds.

SECTION 1. Title. This local legislation shall be known as the "Naga's Tertiary Scholarship Program".

SECTION 2. The City's Policy. It is the City's declared policy to protect and promote the right of its constituents to quality education at all levels. Recognizing education as a priority program, the City is thus establishing an access mechanism to tertiary education for its poor but deserving students thereby guaranteeing the completion of the college or technical vocational education of at least one (1) family member in each family in the city and ensuring their productive and meaningful participation in the society.

SECTION 3. Definition of Terms. For purposes of this ordinance, the following terms shall mean:

- (a) "Scholar" or "grantee" - refers to a poor but deserving college or technical vocational student who qualified as beneficiary and given the financial assistance herein provided;
- (b) "Program" - refers to the City of Naga's Tertiary Scholarship Program or NTSP herein established for poor but deserving college or technical vocational students. It may also mean the "Naga's Study Now, Pay Later Program";
- (c) "Office" - refers to the Scholarship Office herein created and mandated to administer and implement the city's tertiary scholarship program;
- (d) "Board" - refers to the Scholarship Board herein created as a governing, policy-making, advisory and recommendatory body in the implementation of the city's tertiary scholarship program;
- (e) "Poor" - refers to an individual whose gross monthly income and that of his immediate family living with him or with whom he is living with do not exceed Php15,000.00 per month;
- (f) "Poorest of the Poor" - shall mean an individual whose gross monthly income and that of his immediate family do not exceed the amount of Three Thousand Pesos (Php3,000.00) and who do not own real property with a fair market value as stated in the current tax declaration of more than seventy five thousand (Php75,000.00) pesos, including the beneficiaries of the city's Sanggawadan Program and the national government's Pantawid Pamilyang Pilipino Program (4Ps) with the qualification to the latter duly verified by the City Social Welfare and Development Office; and
- (g) "Gainful employment or source of livelihood" - shall mean work, business or undertaking of whatever nature that gives the earner a monthly income of at least triple the prescribed minimum wage in the City net of taxes and other statutory impositions.

Section. 4. Eligibility. Only poor but deserving students enrolled or enrolling in any college or technical vocational courses are eligible for admission to the program. The applicant must be:

- (a) A Filipino citizen and resident of the City of Naga;
- (b) With good moral character and without any derogatory record;
- (c) Not more than twenty five (25) years old at the time of the filing of application;
- (d) A high school graduate with 75% percentile rank or above in the National Secondary Achievement Test (NSAT) or at least 80% average with no failing grade in any subject or has not yet completed a tertiary course, except for vocational scholars;
- (e) With weighted average of at least 2.5 or 80% in the last semester in college, if attended any;
- (f) Has passed the entrance examination, if required, of the school where he or she intends to enroll on;
- (g) With parents/guardians having a gross annual income of not more than Php180,000.00; and
- (h) Not presently enjoying any scholarship or study grant.

Provided, that only one (1) member in the family shall be granted scholarship at any given semester or school year. Provided further, that the grantee shall enroll only in the CHED or TESDA accredited school or institute of learning within the city or in a state college or university outside it, save for those already enjoying grants under the current set up. Provided finally, that the grantee has submitted his NCAE result and passed the written examination and personal interview that is conducted under the program.

Should the fund allocation be insufficient to accommodate all applicants in a given period, priority shall be given to those who obtained higher rating in the examination given and administered under the program. Provided, that utmost priority and consideration is given to applicants of families belonging to the City's Sanggawadan Program and the national government's "Pantawid Pamilyang Pilipino Program" or 4Ps.

For those applying for vocational courses, the City Government will try to accommodate all applicants in the program.

SECTION 5. Financial Assistance. A scholar who obtains an average rating of at least 2.0 or 85% shall be given scholarship assistance of up to the maximum amount herein provided.

He who obtains an average rating of at least 2.5 or 80% shall be given financial assistance of up to fifty (50%) percent of such maximum amount.

However, the above grade requirement shall not be obliged of a grantee enrolled or enrolling in technical vocational courses. It is enough that he passes his subjects.

For on the job training or similar activity involving technical vocational courses, financial assistance of up to Php10,000.00 may still be extended to a grantee.

SECTION 6. Scholarship Maintenance. (a) To continue the full benefit under this program, the scholar shall maintain a semestral average of at least 2.0 or 85% without dropping, failing or incomplete grade in any subject.

(b) For others who are likewise given scholarship assistance, they are nonetheless required to maintain a semestral average of at least 2.5 or 80% without dropping, failing or incomplete grade in any subject.

In both cases, the scholar shall:

- (1) Submit authenticated copy of final grades every after end of the semester;
- (2) Have not participated in any offense involving moral turpitude that will destroy his character and reputation as city scholar;
- (3) Have not quit school without prior notice to the City Mayor or the Scholarship Office;
- (4) Have not changed course or transferred to another school without the prior notice and permission of the City Mayor; and
- (5) Have participated in community service and activities of the Scholar's Organization.

Except for the grade requirement, a grantee enrolled in a technical vocational course shall likewise comply with the above conditions.

SECTION 7. Grant Terms. The amount granted to a scholar shall be subject to the following terms and conditions, to wit:

- (a) **Amount** - The maximum amount that may be granted under this program shall be Eighteen Thousand Pesos (Php18,000.00) per semester to cover school fees which shall be payable directly to the school where the scholar is enrolled. Provided, that the additional sum of up to Five Thousand Pesos (Php5,000.00) per semester may be granted to a scholar who belongs to the poorest of the poor.
- (b) **Interest** - The amount granted shall bear no interest, save only when the grantee fails to pay it as provided in Section 10 hereof. In case of such failure, the amount shall bear interest of five (5%) percent per annum.

- (c) **Current Scholars** - Discretion is given to the City Mayor whether or not current scholars are immediately placed under this new set up. For incoming scholars, they shall be instantly covered thereof.

The City Government of Naga shall prioritize and/or assist the graduate scholars in obtaining gainful employment either in the City Government itself or in any agency or entity, whether public or private. In this regard, the Metro PESO is hereby directed to undertake measures to ensure that this particular provision is carried out.

Section 8. Availment Procedure. (a) **Submission of Requirements.** The applicant must fill up the prescribed application form and must submit the following documents, to wit:

- (1) Latest BIR Income Tax Return (ITR) of applicant's parents/guardians;
- (2) An affidavit of applicant's parents/guardians stating the reason for not filing the Income Tax Return (ITR), if the above first requirement is not applicable;
- (3) High School Report Card (Form 138) for in-coming freshman;
- (4) National College Assessment Examination (NCAE) result;
- (5) Official enrolment certificate and statement of accounts for those with college units;
- (6) Official report of ratings or certificate of grades for the last semester attended issued by the school registrar/dean, with an average of not lower than 2.5 or 80% for those with college units.

(b) **Examination** - Applicants who passed the initial qualification requirements shall still be required to take a written examination to determine final qualification and prioritization based on test results. The examination shall be administered by the Implementing Office on a given date.

(c) **Interview** - An interview shall be conducted by the Implementing Office to determine compliance with the requirements herein set forth and the applicant's willingness to abide by the terms and conditions of the program.

(d) **Notice** - Applicants who qualified under this Program shall be immediately notified thereof.

(e) **Contract Signing** - Scholarship Agreement shall be executed by and between the city and the grantee with the latter, if still a minor, being assisted by his parents or guardian, indicating therein the terms and conditions of the program, requirement for scholarship maintenance, the undertaking to comply with the obligations set forth in Section 10 hereof and such provisions necessary and in furtherance of the objectives of the program.

(f) **Payment** - Payment shall be made directly to the school where the scholar is enrolled.

SECTION 9. Donations. The Implementing Office may solicit donations from any donor or patron, whether individual or entity. Such donation shall form part of this program's fund and shall be disbursed following the provisions of this ordinance, unless the donor states otherwise.

SECTION 10. Repayment. Payment shall be required only of all college grantees who obtained a gainful employment or source of livelihood. Exempted therefrom is a grantee who is the family's only breadwinner and is extending substantial educational assistance to his siblings.

Payments shall start not later than two (2) years after obtaining gainful employment or source of livelihood. Provided, that such payment shall be made in five (5) years on staggered and proportionate basis.

Participation to the City's CommuniTeach or similar Mentoring Program intended for public school pupils shall earn for the scholar a repayment discount equivalent to ten percent (10%) per year of attendance thereto. Only second to fourth year scholars enrolled in any school within the city or environs near it shall be highly encouraged to participate in the said program.

Amounts collected under this provision shall be reflowed to the Program on top of the appropriation herein provided.

SECTION 11. Incentive. A grantee who maintains an average grade of at least 1.25 and thereby becomes a scholar of the school he is enrolled in but who still needs the city's assistance for his education shall be granted an additional amount of up to Five Thousand Pesos (Php5,000.00) per semester. Under the same circumstance, the amount of up to Three Thousand Pesos (Php3,000.00) per semester shall likewise be extended to him who maintains an average grade of 1.5 or better.

In addition, such grantee who maintains an average grade of at least 1.25 need not pay whatever assistance extended to him by the city under this program. And the grantee who maintains an average grade between 1.5 or better shall only repay fifty percent (50%) of the amount extended to him, but subject still to the repayment discount provided in the immediately preceding provision.

SECTION 12. Scholarship Board. A Scholarship Board is hereby created composed of the following:

- (a) The Vice-Mayor of the Sangguniang Panlungsod;
- (b) The Chairman, Committee on Education of the Sangguniang Panlungsod;
- (c) The Chairman, Committee on Children of the Sangguniang Panlungsod;
- (d) The Federation President of the Sanggunian Kabataan who sits as ex-officio member of the Sangguniang Panlungsod;

- (e) The City's Human Resource and Management Officer;
- (f) The City Planning and Development Officer;
- (g) The Regional Director, Region V, or his representative, Commission on Higher Education;
- (h) The Division Superintendent or his representative, Division of City Schools, Naga City;
- (i) The Chairperson or his representative, Naga City People's Council; and
- (j) Two (2) others who shall be appointed by the City Mayor from those involved in education.

They shall elect from among themselves the Chairman of the Board as presiding officer, and the vice Chairman of the Board who shall automatically take over in the former's absence.

SECTION 13. Powers and Functions of the Scholarship Board.

The Scholarship Board shall have the following powers and functions, to wit:

- (a) With the approval of the City Mayor, issue rules and regulations necessary for the proper implementation of this ordinance;
- (b) Establish and develop such programs and activities that shall be required of the scholars and/or their parents to participate in to ensure the scholars' active cooperation and full development as responsible members of the society;
- (c) In collaboration with the Education, Scholarship and Sports Office, conduct review every three (3) years of the program's performance in terms, among others, of total number of beneficiaries, their field of study, the grantees' academic performance and their family income classification;
- (d) Given the prevailing condition in the fields of education, the nation's interest and the global work demands, provide list of courses excluded from the coverage of this program;
- (e) Reserve fund for courses of special interest to the City of Naga; and
- (f) Exercise such other functions and duties as will promote and expand relevant educational opportunities for needy and deserving Nagueno students.

SECTION 14. Meetings of the Scholarship Board. For purposes of exercising the powers and functions given it and without prejudice to a special meeting that may be called, the Board shall hold a regular semestral meeting including one every May of any given year.

SECTION 15. Scholarship Office. A Scholarship Office under the Office of the City Mayor and later as a division of the proposed Education, Scholarship and Sports Office is hereby created. It shall be headed by a Program Officer. The City Mayor shall provide for the qualifications and compensation of employees therein following Civil Service rules and regulations.

Its powers and functions shall be as follows:

- (a) Serve as secretariat of the Scholarship Board;
- (b) Administer and promote participation to the program;
- (c) Provide all public high schools information regarding the various Scholarship and Financial Assistance programs or grants available;
- (d) Submit to the Board processed loan applications as well as the cancellation or revocation of loan grants;
- (e) Monitor performance of the scholars and keep track of them, especially after their availment of the benefits of the program;
- (f) Submit a yearly Status Report of the program to the Board for the latter's consideration and submission to the Sangguniang Panlungsod and the City Mayor;
- (g) Solicit donations and inform donors regarding the status of their scholars;
- (h) In coordination with the City Legal Officer, develop a system of collecting payments of loans granted under the program;
- (i) Coordinate with the City Social Welfare and Development Office as well as the Department of Social Welfare and Development and, with the guidance of the School Board, undertake necessary acts to ensure compliance with the prioritization provision embodied in Section 4 hereof;
- (j) Assist, coordinate with and monitor the city's twenty seven (27) barangays in the implementation of their respective tertiary scholarship program pursuant to the mandate herein provided; and
- (k) Perform such other powers and functions that may be assigned to it.

SECTION 16. Information Dissemination. The Implementing Office shall conduct a regular information dissemination campaign about this Program particularly in the months of February and March of any given year prior to the conduct of the qualifying examination herein contemplated.

A correspondence containing this program and such other scholarship programs or grants that the national government or any public or private entity as well as any foreign government or donor is sponsoring shall be sent to the principals or head teachers of all public high schools. Posting in their respective bulletin boards shall likewise be made.

Announcement shall also be done through the local mass media.

SECTION 17. Appropriation. For purposes of this program, the sum of TEN MILLION PESOS (Php10,000,000.00) shall be provided for in the 2011 annual budget. The yearly budget of TEN MILLION PESOS (Php10,000.00) or such higher amount as may be deemed necessary shall be appropriated in every succeeding budget year thereafter.

SECTION 18. Barangay Tertiary Scholarship Program. All twenty seven (27) barangays of this City are hereby mandated to have their own Tertiary Scholarship Program which may be availed of by poor and deserving students in their respective barangays subject to the same or such better policy, system, standards, requirements, rules and procedures herein provided.

To ensure uniformity as well as maintain integrity, no other office or entity shall give and administer the entrance and/or examination requirement to the Program but the Implementing Office referred to herein.

To realize this mandate, each barangay shall allocate and spend the sum equivalent to not less than twenty five percent (25%) or one-fourth of the Sangguniang Kabataan Fund. It shall be incorporated in the annual budget both of the Sangguniang Kabataan and of the barangay itself starting the calendar year 2011.

In this connection, no annual budget of the barangay shall be approved by the Sangguniang Panlungsod which does not comply with the herein requirement.

SECTION 19. Repealing Clause. Any provision of ordinance, rules and regulations and/or parts thereof inconsistent with the provisions of this ordinance are hereby repealed and/or modified accordingly.

SECTION 20. Separability Clause. Should any portion or provisions of this ordinance be declared unconstitutional or invalid, the other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 21. Effectivity. This Ordinance shall take effect immediately upon its approval and after publication in a newspaper of general circulation.

ENACTED: December 7, 2010

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

GABRIEL H. BORDADO, JR.
City Vice Mayor &
Presiding Officer

APPROVED:

JOHN G. BONGAT
City Mayor