



Republic of the Philippines

**CITY OF BACOR**

Province of Cavite

**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**CITY RESOLUTION NO. CR 2015-015**

**Series of 2015**

District I:  
Absent

HON. AVELINO B. SOLIS  
City Councilor

HON. EDWIN G. GAWARAN  
City Councilor

HON. MIGUEL N. BAUTISTA  
City Councilor

HON. ROWENA BAUTISTA - MENDIOLA  
City Councilor

HON. REYNALDO M. FABIAN  
City Councilor

HON. VENUS D. DE CASTRO  
City Councilor

District II:

HON. REYNALDO D. PALABRICA  
City Councilor /Acting Presiding Officer

Sick Leave

HON. HERNANDO C. GUTIERREZ  
City Councilor

HON. GAUDENCIO P. NOLASCO  
City Councilor

HON. BAYANI M. DE LEON  
City Councilor

HON. LEANDRO A. DE LEON  
City Councilor

HON. ROBERT R. JAVIER  
City Councilor

HON. VICTORIO L. GUERRERO, JR.  
City Councilor - ABC Pres.

Attested by:

ATTY. KHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:

Sick Leave

HON. CATHERINE S. EVARISTO  
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA  
City Mayor

**A RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION (DEPED) TO RECONSIDER VARIOUS PROVISIONS OF DEPED ORDER NO. 40-S-2014 DATED 26 AUGUST 2014 REGARDING THE ESTABLISHMENT, MERGING, CONVERSION, AND NAMING/RENAMING OF PUBLIC SCHOOLS, AND SEPARATION OF PUBLIC SCHOOL ANNEXES IN BASIC EDUCATION PARTICULARLY THOSE RELATED TO THE ESTABLISHMENT OF PUBLIC SCHOOLS IN HIGH-RISK OR DISASTER-PRONE AREAS AND THE MINIMUM LOT AREA REQUIREMENT FOR NEW SCHOOLS TO BE ESTABLISHED IN COMPONENT CITIES SUCH AS THE CITY OF BACOR.**

Sponsored by: **Hon. Reynaldo D. Palabrica**

Co-sponsored by: **Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Roberto R. Javier, and Hon. Gaudencio P. Nolasco.**

**WHEREAS**, the Department of Education (DepEd) is the primary government agency tasked by law to implement the various education programs of the national government.

**WHEREAS**, Republic Act No. 9155 (the Governance of Basic Education Act of 2001) mandates the creation of a framework for the governance of basic education which shall set the general directions for educational policies and standards and establish authority, accountability and responsibility for achieving higher learning outcomes.

**WHEREAS**, various rules and regulations for the establishment, merging, conversion, and naming/renaming of public schools, and separation of public school annexes in basic education are provided under DepEd Order No. 40-S-2014 which was promulgated by DepEd Secretary Armin A. Luistro on 26 August 2014.

**WHEREAS**, among the requirements contained in DepEd Order No. 40-S-2014 in the establishment, merging, conversion, and naming/renaming of public schools, and separation of public school annexes in basic education is a clearance or permit from Mines and Geosciences Bureau (MGB) and the Department of Environment and Natural Resources (DENR) stating that the proposed school site is not a high risk or disaster-prone area pursuant to the prohibition against the establishment of schools "on identified high-risk or disaster-prone areas (either man-made or natural)" provided under



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ATTY. KEALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:

Sick Leave

HON. CATHERINE S. EVARISTO  
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA  
City Mayor

paragraph 8 of Section A.1 of the said DepEd Order on the establishment of schools.

**WHEREAS**, DepEd Oder No. 40-S-2014 also requires that new schools to be constructed in component cities like the City of Bacoor should have a lot area of at least 5,000 square meters before such construction can be permitted.

**WHEREAS**, a cursory glance at the Ground Shaking Hazard Map of the City of Bacoor provided by the MGB will clearly show that the entire city is prone to earthquakes being merely six (6) kilometers away from the West Valley Fault Line. Thus, any movement of the said fault line may potentially generate a PHIVOLCS Earthquake Intensity Scale (PEIS) intensity 8 ground shaking. A copy of the said map is attached hereto, and made an integral part hereof, as **Annex "A"**.

**WHEREAS**, that the whole City of Bacoor has the misfortune of being a disaster prone area should not stop its elected officials from seeking ways of providing more schools and classrooms for its residents consistent with the constitutional right of every Filipino to quality education at all levels.

**WHEREAS**, the City of Bacoor became one of the most densely populated cities in the Philippines because of its proximity to Metro Manila and the abundance of available employment in adjoining local government units. Consequently, real estate values in the City of Bacoor have skyrocketed in recent years and there are now very few tracts of available land that the city government can acquire for use in its education program that has an area exceeding 5,000 square meters.

**WHEREAS**, the City of Bacoor is now in the process of acquiring lands and providing funds for the construction of more schools for the benefit of its residents. However, various provisions of DepEd Order No. 40-S-2014 are preventing the city government from expediting the construction of the said schools particularly those requiring that the said schools should not be constructed in disaster-prone areas and that they should be constructed on a lot with an area not less 5,000 square meters. Considering that (1) the entire City of Bacoor is prone to earthquakes and its coastal areas are prone to flooding and storm surges and (2) there are very few available lots in the city that has an area exceeding 5,000 square meters --it is evident that the city government cannot possibly obtain a certification from the MGB or from the DENR stating that the City of Bacoor is not a high-risk or disaster-prone area and neither can the city government find lots with an area exceeding 5,000 square meters.



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Sangguniang Panlungsod Secretary

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HON. CATHERINE S. EVARISTO  
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA  
City Mayor

**WHEREAS**, the Sangguniang Panlungsod respectfully believes that the DepEd should reconsider the various provisions of DepEd No. 40-S-2014 related to the prohibition against the construction of public schools in high-risk or disaster-prone areas and on lots that has an area of at least 5,000 square meters so that local government units like the City of Bacoor that has the misfortune of being prone to natural calamities and with very little available vacant lots may still be able to construct more schools for its constituents.

**NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED** by the Sangguniang Panlungsod in regular session duly assembled to request the DepEd Secretary Armin A. Luistro to reconsider various provisions of DepEd No. 40-S-2014 related to the prohibition against the construction of public schools in high-risk or disaster-prone areas so that local government units like the City of Bacoor that has the misfortune of being prone to natural calamities may still be able to construct more schools for its constituents.

**RESOLVED MOREOVER**, to request the DepEd to reconsider its requirement for component cities like the City of Bacoor to construct new schools on lots that has an area of at least 5,000 square meters.

**RESOLVED FURTHER**, to respectfully request the DepEd to provide a separate set of guidelines for LGUs that are prone to natural calamities and that has no available lots with an area of at least 5,000 square meters but are nevertheless determined to construct more educational facilities for its residents.

**RESOLVED LASTLY**, let the DepEd be furnished with copies of this Resolution.

**UNANIMOUSLY APPROVED** this 19<sup>th</sup> day of January 2015 at Bacoor City, Cavite during the regular session of the Sangguniang Panlungsod of Bacoor City, Cavite.

**VOTING RECORD**

IN FAVOR	<i>Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Roberto R. Javier, and Hon. Gaudencio P. Nolasco.</i>
DISSENTING	None
ABSTAINED	None

**ATTENDANCE RECORD**

PRESENT	11
ABSENT	<i>Hon. Avelino B. Solis.</i>
SICK LEAVE	<i>Hon. Hernando C. Gutierrez and Hon. Catherine S. Evaristo</i>



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Sangguniang Panlungsod Secretary

Certified by:

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HON. CATHERINE S. EVARISTO  
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA  
City Mayor

*I hereby certify that (a) the foregoing Resolution was duly approved in accordance with law and (b) all its contents are true and correct.*

Certified by:

~~HON. REYNALDO D. PALABRICA~~  
City Councilor/ Acting Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.  
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA, PhD  
City Mayor