



SUCCESSION PLANNING FOR EDUCATIONAL ADMINISTRATORS
July 18-19, 2013,
Lyceum of the Philippines University, Intramuros, Manila

**INNOVATIONS IN K12 MODELLING:
NEW APPROACHES TO TEACHING AND LEARNING**
November 28 -29, 2013, Jose Rizal University, Mandaluyong City



**HUMAN RESOURCE MANAGEMENT:
LAWS & ISSUES IN PREPARATION FOR ASEAN 2015 & K-12**
January 30 - 31, 2014, University of Cebu, Cebu City

PACU
Academic Seminar Series 2013-2014



Expanded Board Meetings



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Many of the accomplishments, activities and programs would not have been possible without the able support of all the board members, officers and secretariat. Let me thank the executive committee composed of Karen de Leon, Carol Enriquez, Dhanna Rodas, Anthony Tamayo, as well as the secretariat Greg Pascua, John Dionisio, Ria Lascano and Airl Alfiler for making all these possible and enabling me to perform the tasks required of the position. Thanks to host schools where expanded board meetings for NCR, Luzon, Visayas and Mindanao were held: Manuel Enverga University, University of Cebu, Misamis University, Baliuag University and Mapua Institute of Technology.

Lastly, I am confident that with the long history of PACU and notable leadership of the best minds in private education the association will continually contribute to instituting educational reforms, ensuring sound policy and providing future directions for Philippine private education. As we move towards the implementation of the various reform agenda, PACU shall promote, support and look after the interest and welfare of its member institutions and the sector it represents. **MABUHAY ANG PACU!**

PACU Newsletter
A project of the PACU Committee on Public Relations:
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Chairman & Editor

Members:
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PACU Celebrates 82nd Anniversary, Convenes 2014 General Assembly

The country's oldest educational association, the Philippine Association of Colleges and Universities (PACU), celebrates its 82nd anniversary today at Marco Polo Ortigas Manila with a national conference, formal turnover of the PACU commissioned research and general membership assembly.

The De La Salle University-Lasallian Institute for Development and Educational Research (DLSU-LIDER) will then formally turnover to PACU the commissioned research titled *Role and Contribution of Philippine Private Higher Education*.

The celebration opens with a delivery on the *Filipino Youth: Sexuality and Education Status* by **Josefina Natividad, Sc. D.**, Director, University of the Philippines Population Institute; *Disaster Risk Reduction and Management Through Education*, **Atty. Asteya Santiago**, Trustee, Baliuag University, former Dean, UP School of Urban & Regional Planning; and *Solving Challenges in Talent Development*, **Ms. Ana Maria Bongato**, FPM, Executive Director – Talent Development, IT & Business Process Association Philippines.

In the afternoon, incumbent PACU President **Patricia Bustos-Lagunda** will convene the general membership assembly. President Lagunda and the other officers and chairs of the various PACU committees will report to the general membership. The gathering will be capped by the 2014-2016 election to the Association's board of trustees. Thereafter, the PACU Commission on Elections will announce the new board members.



MOA Signing. The Philippine Association of Colleges and Universities (PACU) and the De La Salle University – Lasallian Institute for Development and Educational Research (DLSU-LIDER) ink a memorandum of agreement for the development of a research project on the *Role and Contribution of Philippine Private Higher Education*. Also witnessing the signing is Dr. Carol Porio (seated, far right), executive director of the Fund for Assistance to Private Education (FAPE).

Message of the President

My term as PACU president from 2012-2014 has been marked by steadfast progress for reforms in Philippine education through which the Philippine Association of Colleges and Universities (PACU) has exerted its judicious influence. As it has done in the past, PACU strives to be a strong advocate and staunch defender of private education whilst exercising collaborative participation in public policy on education. And as a key player in private education, it will continue to lead the sector especially as it chairs the Coordinating Council of Private Educational Associations (COCOPEA) until 2015.

Perhaps most pressing and urgent among the education reforms is the looming implementation of K-12 which affects all levels of education and all types of educational institutions particularly during the transition period when the additional two years of Senior High School (SHS) starts nationwide by 2016 and onwards for the next five years or so. For PACU member schools, the K-12 reform brings with it many operational implications that each institution has to address and contend with.

To date, DepEd has gained significant headway for the K-12 agenda. For one, curriculum guides for SHS core, contextualized and specialized subjects are already available for the proposed track programs (Academics, Vocational, Arts and Design, and Sports Development). These four-track program in itself is quite extensive and poses operational challenges that schools need to consider. Moreover, DepEd now continues to receive applications for provisional SHS permit for SY 2015-2016 until August 15, 2014, following the guidelines for private schools stipulated in DepEd Memo No. 4, s. 2014. Further, the SHS Voucher Program which is a long-term program of DepEd is in its final stages of planning and will soon be disseminated on a much wider scale during the second half of this year. Designed to help mitigate reduced enrolment in HEIs during the transition years, schools will then need to deliberate their intent to participate in the SHS voucher scheme.

Other simultaneous concerns and developments that need our proactive participation and engagement are: CHED-initiated Quality Assurance mechanism and much-awaited new program standards and guidelines that entail new educational planning frameworks, pedagogical approaches and strategies; ASEAN Integration which compels HEIs to take into account the still ongoing development of a Philippine Qualifications Framework to be harmonized with the larger ASEAN Qualifications Reference Framework.

In addition, PACU and its other co-member associations in COCOPEA continue to take part in legislative efforts and reviews that focus on the numerous education measures and issues introduced in the lower and upper houses. Our ability to work with members of legislature as well as the executive is critical to protecting the interests of our member schools, their faculty, administration, students and other stakeholders.

As we are about to end another term as board and officers of PACU, let me take this opportunity to mention the numerous activities and accomplishments that the various committees led by PACU officers and board members have done these past two fiscal years (2012-2014).

1. **Membership Committee chaired by Dr. Karen de Leon**
 - a. Addition of Far Eastern University-Dr. Nicanor Reyes Medical Foundation (FEU-NRMF) as represented by its president, Atty. Antonio H. Abad, Jr. to PACU membership
 - b. Rescheduled visit in relation to pending application of an HEI in Pangasinan
 - c. Proposed and board-approved amendment to the PACU By-Laws on Member School Representation in the Board of Trustees
2. **Programs Committee chaired by Dr. Carol Enriquez**

Organization of general assemblies, COCOPEA 5th National Conference and conduct of PACU Academic Management Series

 - a. Enabling HEIs to Prepare for Quality Assurance Framework Technological Institute of the Philippines, Q.C. October 18-19, 2012
 - b. Leveling Up to ASEAN 2015: Building Linkages & Securing Grants Manuel S. Enverga University Foundation, Lucena City November 22-23, 2012
 - c. Preparing HEIs for the Challenges Ahead: Addressing Concerns on K-12, ASEAN 2015 & Quality Assurance University of Cebu, Cebu City January 24-25, 2013
 - d. Succession Planning for Educational Administrators Lyceum of the Philippines University, Manila, July 18-19, 2013
 - e. Innovations in K12 Modelling: New Approaches to Teaching and Learning, Jose Rizal University, Mandaluyong City, Nov.28-29, 2013
 - f. Human Resource Management: Laws & Issues in Preparation for ASEAN 2015 & K-12, University of Cebu, Cebu City, Jan. 30-31, 2014
3. **Accreditation Committee chaired by Dr. Claire Carillo**
 - a. Online Survey Instrument on Needs Assessment
 - b. Organize Seminars on Institutional and International Accreditation
4. **Industry Linkage Committee chaired by Dr. Mike Alba**

Online Survey Instrument for PACU Member Schools to determine:

 - a. Which industries/field do their graduates go?
 - b. Which programs are OJT/Internship stints required?
 - c. What problems/challenges are encountered in industry-academe linkages?
 - d. What gaps in skills and mismatches between training and work requirements have they identified?
 - e. What types of partnerships are they currently engaged in?
5. **Public Relations Committee chaired by Prof. Dhanna Bautista-Rodas**
 - a. Services Through Online Resources such as Electronic Mail, PACU Website, Facebook
 - b. PACU Newsletter (4 issues)
6. **PEAC Representation by Dr. Amelou Benitez-Reyes**

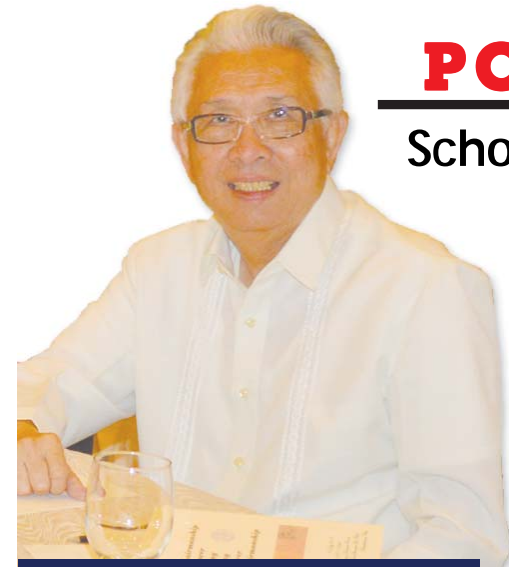
Representation of PACU in the board of The Private Education Assistance Committee (PEAC), the governing body of the Fund for Assistance to Private Education (FAPE) which has continually supported PACU projects
7. **Policy Committee chaired by Dr. Vincent Fabella**

Commissioned research on the "Role and Contribution of Philippine Private Higher Education" in partnership with FAPE and DLSU
8. **Legislative Committee chaired by Atty. Tony Abad**

Active participation of Policy and Legislative Committee chairs and support to the PACU president in numerous hearings and meetings with government and various agencies and organizations with policy inputs and recommendations especially from Dr. Ester Garcia, Dr. Tina Padolina, Dr. Rey Vea, Dr.Kiko Benitez and other members of the Board
9. **Finance Committee chaired by Mr. Anthony Tamayo**

Monthly audit, safekeeping and monitoring of PACU finances including that of COCOPEA

Patricia Bustos-Lagunda



Dean ANTONIO H. ABAD, JR.

POINT OF INFORMATION

School's Prerogative to Set High Teaching Standards

The Material Facts:

Santos was first hired by the School in 1978 as a full-time Spanish language teacher. In April 1992, Santos filed for and was granted a leave of absence for the school year 1992-1993. She came back from her leave of absence sometime in August 1993. Upon

Santos's return to the School, only one class of Spanish was available for her to teach. Thus, for the school year 1993-1994, Santos agreed to teach one class of Spanish and four other classes of Filipino that were left behind by a retired teacher.

Since it was Santos's first time to teach Filipino, the School's high school administrators observed the way she conducted her classes. The results of the observations on her classes were summarized in Classroom Standards Evaluation Forms accomplished by the designated observers. In accordance with said forms, Santos was evaluated in the areas of Planning, the Teaching Act, Climate, Management and Communication.

The evaluation made by her peers showed that Santos' performance as a teacher over a period of four (4) years was found wanting. She repeatedly failed to meet the standards from 1993-1997. This repeated failure, especially after the one-year remediation period wherein the school administrators met with Santos no less than thirty (30) times to check on her, clarify and discuss her planning process, and help her improve her performance, clearly showed that her performance as a teacher fell way below the acceptable standards of the school.

Consequently, on April 10, 1997, the school sent a letter to Santos directing her to explain in writing why her employment should not be terminated because of her failure to meet the criteria for improvement set out in her Professional Growth Plan and her substandard performance as a teacher. Finding her explanation unsatisfactory, the school set a formal administrative investigation in order to further clarify matters and accord Santos the opportunity to explain her side. Subsequently, thereafter, the investigating committee found Santos guilty of gross inefficiency or negligence in the performance of her assigned work. Adopting the recommendation of the investigating committee, the school terminated the employment of Santos effective June 7, 1997.

Thereupon, Santos filed a case of illegal dismissal, unfair labor practice, moral and exemplary damages against the school. The Labor Arbiter ruled in favor of Santos and ordered payment of separation pay in lieu of reinstatement.

On appeal by the school, the NLRC upheld the ruling of the Labor Arbiter. In the petition for certiorari filed by the school, the Court of Appeals affirmed the decision of the NLRC. Hence, the school filed a petition for review with the Supreme Court.

THE ISSUE:

Was Santos Legally Terminated by the School?

The Decision:

Said the Supreme Court:

"Generally, on appeal, the findings of fact of an administrative agency like the NLRC are accorded not only respect but also finality if the findings are supported by substantial evidence. Such rule, however, is by no means absolute. As held in *San Miguel Corporation v. Aballa (500 Phil. 170 [2005])*, when the findings of fact of the labor arbiter and the NLRC are not supported by the substantial evidence or their judgment was based on a misapprehension of facts, the appellate court may make an independent evaluation of the facts of the case. The Court finds the said exceptions extant in this case."

Although, the actuations of Santos complained of by the school cannot constitute gross and habitual neglect of duties, the Court found that the school had sufficiently proved the charge of gross inefficiency, which warranted the dismissal of Santos from the school.

The Court enunciated in *Peña v. National Labor Relations Commission (327 Phil. 673 [1996])* that "it is the prerogative of the schools to set high standards of efficiency for its teachers since quality education is a mandate of the Constitution. As long as the standards fixed are reasonable and not arbitrary, courts are not at liberty to set them aside." Moreover, the prerogative of a school to provide standards for its teachers and to determine whether these standards have been met is in accordance with academic freedom, which gives the educational institution the right to choose who should teach.

The CBA between ISAE and the School for the years 1992-1995 also recognized the exclusive right of the School to "hire and appoint qualified faculty subject to such reasonable rules and regulations as it may prescribe," as well as the right of the School to discipline its faculty and determine reasonable levels of performance. Section 8 of Appendix A of the CBA also states that "[a]ll faculty members must meet the high standard of performance expected by the SCHOOL and abide by all its policies, procedures and contractual terms."

The documentary evidence submitted by the school pointed to the numerous instances when Santos failed to observe the prescribed standards of performance set by the School in several areas of concern, not the least of which was

her lack of adequate planning for her Filipino classes. Said evidence established that the School administrators informed Santos of her inadequacies as soon as they became apparent; that they provided constructive criticism of her planning process and teaching performance; and that regular conferences were held between Santos and the administrators in order to address the latter's concerns. In view of her slow progress, the School required her to undergo the remediation phase of the evaluation process through a Professional Growth Plan. Despite the efforts of the School administrators, Santos failed to show any substantial improvement in the planning process. Having failed to exit the remediation process successfully, the School was left with no choice but to terminate her employment.

In view of the findings that Santos was validly dismissed from employment, she would not ordinarily be entitled to separation pay. An exception to this rule is when the court finds justification in applying the principle

of social justice according to the equities of the case. (*Philippine Long Distance Telephone Co. (PLDT) v. National Labor Relation Commission, 247 Phil. 641 [1988].*)

In the instant case, the Court found equitable and proper the award of separation pay in favor of Santos in view of the length of her service with the School prior to the events that led to the termination of her employment. To recall, Santos was first employed by the School in 1978 as a Spanish language teacher. During this time, the records of this case are silent as to the fact of any infraction that she committed and/or any other administrative case against her that was filed by the School. Thus, an award of separation pay equivalent to one-half (1-2) month pay for every year of service was awarded in favor of Santos on grounds of equity and social justice.

(*International School Manila, et al. vs International School Alliance of Educators, et al. G.R.No. 167286 February 05, 2014*)

