

Item No.: 05

Date: 26 2024 NOV



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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Province of Leyte
Legal Office
Released: *[Signature]*
Time: *[Signature]*
Date: *11-11-24*

SANGGUNIANG PANLALAWIGAN
RECEIVED
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PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

November 4, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 11 series of 2024 of the Sangguniang Bayan of Merida, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 11 series of 2024 entitled: **“An Ordinance institutionalizing the municipality’s Tertiary Scholarship Program and appropriating funds therefor.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(5)(xi)¹ of the Local Government Code of 1991 (R.A 7160) in conformity to Section 1, Article XIV² of the Constitution. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

[Signature]
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *[Signature]*

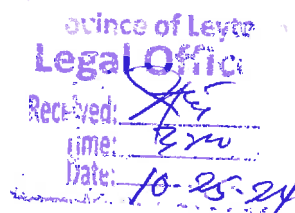
¹;(a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:
(5) Approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of this Code, and in addition to said services and facilities, shall:
(xi) Establish a scholarship fund for poor but deserving students residing within the municipality in schools located within its jurisdiction;

² “The 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.”

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
25 October 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 11, series of 2024 of the MUNICIPALITY OF MERIDA, LEYTE**, entitled: **An Ordinance institutionalizing the municipality's Tertiary Scholarship Program and appropriating funds thereof.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

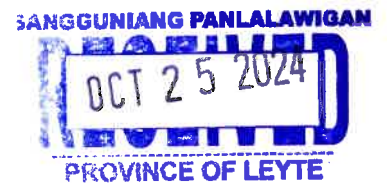


Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

24 OCTOBER 2024

THE SANGGUNIANG PANLALAWIGAN OF LEYTE
CAPITOL BUILDING
PALO LEYTE



DEAR HONORABLE MEMBERS;

I have the honor to submit to the Sangguniang Panlalawigan of Leyte copies of **MUNICIPAL ORDINANCE NO. 11, SERIES OF 2024** – “AN ORDINANCE INSTITUTIONALIZING THE MUNICIPALITY’S TERTIARY SCHOLARSHIP PROGRAM AND APPROPRIATING FUNDS THEREOF” enacted by the 18th Council of this Municipality, for review and consideration.

Hoping everything is in order.

Thank you.

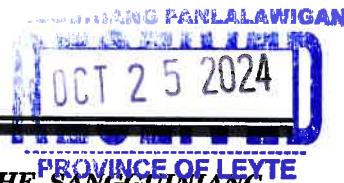
Respectfully,


JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN



EXCERPT FROM THE MINUTES OF THE 101ST REGULAR SESSION OF THE SANGGUNIANG BAYAN (18TH COUNCIL) MERIDA, LEYTE HELD ON AUGUST 19, 2024 AT THE LEGISLATIVE BUILDING SESSION HALL.

-RESOLUTION NO. 18-24-156-

A RESOLUTION APPROVING MUNICIPAL ORDINANCE NO. 11, SERIES OF 2024 ENTITLED "AN ORDINANCE INSTITUTIONALIZING THE MUNICIPALITY'S TERTIARY SCHOLARSHIP PROGRAM AND APPROPRIATING FUNDS THEREOF."

WHEREAS, it is the policy of the State to provide quality education at all levels for Filipinos;

WHEREAS, the Philippine Constitution provides that the State shall: (1) establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; and (2) establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged;

WHEREAS, adhering to such mandates, and to uphold the right to education of the underprivileged, the Municipality of Merida undertakes a program aimed to providing educational grants to indigent but deserving and qualified college students;

NOW, WHEREFORE, ON MOTION OF Hon. Camilo L. Dejon, Chairman Committee on Education, Culture, History, Science, Arts and Technology, duly seconded by MASS, BE IT;

BE IT RESOLVED TO ENACT by the Sangguniang Bayan of Merida in session duly assembles, that:

-MUNICIPAL ORDINANCE NO. 11-
Series of 2024

"AN ORDINANCE INSTITUTIONALIZING THE MUNICIPALITY'S TERTIARY SCHOLARSHIP PROGRAM AND APPROPRIATING FUNDS THEREOF."

SECTION 1. SHORT TITLE - This Ordinance shall be known as "THE TERTIARY SCHOLARSHIP ORDINANCE OF MERIDA 2024."

SECTION 2. CREATION - The Scholarship Program for the benefit of the Municipality's indigent but deserving students is hereby created.

SECTION 3. OBJECTIVES - This Scholarship Program aims to:

- Promote and uphold the right to education of the poor and unprivileged;
- Provide free technical, vocational and college education to the poor but deserving students.
- Help in the alleviation of poverty of families living below the poverty line.

SECTION 4. DEFINITION OF TERMS. - As used in this Ordinance, the following terms and phrases shall mean as follows:

- Scholarship Grant - an educational assistance offered to the students taking up College Degree Courses.
- Guardian - a person who looks after and is legally responsible for people who are unable to provide who are unable to provide for their own needs.
- Accredited Partner Educational Institution - schools willing to admit LGU scholars under agreed terms and conditions.

SECTION 5. SCOPE AND COVERAGE. - The Scholarship Grant shall cover indigent but deserving students residing in Merida. Among whom are incoming college freshmen students and those presently enrolled in the accredited partner educational institutions who meet the qualifications provided in this Ordinance.

SECTION 6. SCHOLARSHIP COUNCIL. - There is hereby created a Scholarship Council which shall be composed of the following:

- Municipal Mayor- Chairperson
- Municipal Vice Mayor-Vice Chairperson
- Chairperson, SB Committee on Education -Member
- Chairperson, SB Committee on Finance -Member
- Municipal Budget Officer-Member
- Municipal Accountant-Member

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- g) *Municipal Treasurer-Member*
- h) *Municipal Social Welfare and Development Officer -Member*
- i) *District Supervisor, DepEd Merida -Member*
- j) *Administrative Officer (Office of the Mayor) -Secretariat*

SECTION 7. FUNCTIONS. – *The Scholarship Council shall have the following functions:*

- a) *Determine the number of scholars to be accommodated in the succeeding school year;*
- b) *Determine the amount of fund to be appropriated for the operation and Implementation of this program for the succeeding fiscal year;*
- c) *Approve the college or university where the scholars may study;*
- d) *Determine other benefits that may be enjoyed by scholars;*
- e) *Approve the result of the official ranking of students;*
- f) *Oversee and monitor the grantee's scholastic progress and their management of the fund;*
- g) *Settle disputes/complaints of grantees regarding their scholarship;*
- h) *Perform such other functions as necessary to the achievement of the objectives of the program;*
- i) *Meet at least twice a year, preferably two (2) months prior to the usual start of the semester of accredited partner educational institutions.*

SECTION 8. THE SCHOLARSHIP PROGRAM SECRETARIAT. – *The designated administrative officer or staff from the Office of the Mayor shall serve as the program focal person and head of scholarship secretariat with the following duties and functions:*

- a) *Disseminate the scholarship program throughout the municipality;*
- b) *Receive, pre-assess and process the application for the Scholarship Program;*
- c) *Handle the posting of the official list of qualified scholars;*
- d) *Prepare and process the Memorandum of Agreement for the scholarship arrangements between the municipality and the accredited schools;*
- e) *Act as the coordinator of the scholars;*
- f) *Provide documentation of proceedings, preparation of reports and such other functions as by the Council.*

SECTION 9. QUALIFICATIONS. – *To avail of this Scholarship Program, applicants must possess the following qualifications:*

- a) *Must be a Filipino citizen;*
- b) *Must be a bonafide resident of Merida, for at least three (3) years prior to the start of the school year;*
- c) *Must be registered voter in Merida, or for those who are not of legal age, ay one of the parents/guardians must be a registered voter in Merida;*
- d) *Combined gross annual income of parents or combined family income must not exceed php 120,000.00;*
- e) *Must be of good moral character;*
- f) *Must not be a recipient or grantee of any scholarship or any other educational financial assistance;*
- g) *Must not be a graduate of any degree;*
- h) *Must have a general weighted average of at least 85% or its equivalent from the last school attended;*
- i) *Physically, mentally and emotionally fit as certified by the Municipal Health Officer.*

SECTION 10. DOCUMENTARY REQUIREMENTS. – *Applicants must submit the following requirements;*

- a) *Duly accomplished Scholarship Application Form;*

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- b) *Form 38 (photocopy signed by the Principal);*
- c) *Certificate of Good Moral Character from the last school attended;*
- d) *Barangay Certification as to the applicant's residency;*
- e) *Voter's Certificate (or for those who are not of legal age any one of the parents);*
- f) *Certification of Indigency issued by the barangay;*
- g) *Social Case Study issued by the Municipal Social Welfare and Development Office (MSWDO);*
- h) *Medical Certificate issued by the Municipal Health Officer.*

SECTION 11. CONDITIONS. – *The recipients of the scholarship grant under this program shall comply with the following conditions:*

- a) *Carry a full semestral/ trimestral load as prescribed in the course curriculum and finish within the normal duration of the course.*
- b) *My transfer only in the participating Higher Education Institutions or may shift only in the priority courses upon approval of the Scholarship Council;*
- c) *Except for meritorious reasons, no grantee shall be allowed to defer enrolment during the semester / trimester;*
- d) *Maintain satisfactory academic performance or a general weighted average (GWA) of at least eighty five percent (85%) or its equivalent, in accordance with the policies and standards of the school and the scholarship program;*
- e) *Must not have a failing grade or incomplete grade in any of the enrolled subjects;*
- f) *The Scholarship Council shall decide on the status of the grantee with special concerns;*
- g) *Comply with all other conditions as the Scholarship Council and the School may prescribe.*

SECTION 12. RANKING AND QUOTA SYSTEM. – *Students who apply for the Scholarship Program shall be ranked based on combined family income as provided for under this Ordinance. The number slots for the scholars shall be determined by the Scholarship Council.*

SECTION 13. LIMITATIONS. – *Only one member of the immediate family can avail of the Scholarship grant.*

SECTION 14. MEMORANDUM OF AGREEMENT. - *Memorandum of Agreement embodying all the conditions of this Scholarship Grant shall be signed by the qualified scholars of the Municipal Government. A separate Memorandum of Agreement shall be signed by the Municipal Government of Merida with selected and accredited partner educational institutions embodying all the conditions of this Scholarship Grant.*

SECTION 15. PAYMENT OF SCHOLASTIC FEES. -*Scholarship grant in the amount of not less than five thousand pesos (php 5,000.00) but not exceeding fifteen thousand pesos (php 15,000.00) per semester or trimester shall be paid by the Municipal Government directly to partner schools. The determination or adjustment of the amount of grant shall be left to the sound discretion of the Scholarship Council.*

SECTION 16. FUNDS. - *Funds necessary or the operation and implementation of this program shall be appropriated for this purpose. The funds shall be chargeable against appropriate accounts annually provided by the Municipality and other funding sources available.*

SECTION 17. SEPARABILITY CLAUSE. – *If, for any reason or reasons, any part or provision of this Ordinance is held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.*

SECTION 18. EFFECTIVITY. – *This Ordinance shall take effect upon its approval.*

APPROVED UNANIMOUSLY.

ENACTED BY THE SANGGUNIANG BAYAN (18TH COUNCIL) OF MERIDA, LEYTE ON ITS REGULAR SESSION HELD ON AUGUST 19, 2024.

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SANGGUNIANG BAYAN MEMBERS


CHENIL C. CALDERON
Municipal Councilor
Assistant Floor Leader


JESUS ANTONIO R. MARTINEZ
Municipal Councilor


EMARITO A. LUZARES
Municipal Councilor
Majority Floor Leader


FELIPE H. PEREZ, JR.
Municipal Councilor


CAMILO L. DEJON
Municipal Councilor

NENFA C. OYAO
Municipal Councilor


STEPHANIE M. MIRALLES
Municipal Councilor


ASHLEY NOREEN DIAZ
Ex-Officio (Mun. SK. Fed. President)


RONILLO U. LABANG
Ex-Officio (Mun. LnB President)

APPROVED BY HIS HONOR, THE MUNICIPAL MAYOR ON September 03, 2024.

APPROVED BY:


ENGR. ROLANDO M. VILLASEÑICO
Municipal Mayor

CERTIFIED BY:


JOEL A. MARSON
Municipal Councilor / Presiding Pro-tempore

RODRIGO M. WENCESLAO
Municipal Vice Mayor / (Forced Leave)

ATTESTED BY:


JOSELITO T. DE LOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that MUNICIPAL ORDINANCE NO. 11, SERIES OF 2024 – “AN ORDINANCE INSTITUTIONALIZING THE MUNICIPALITY’S TERTIARY SCHOLARSHIP PROGRAM AND APPROPRIATING FUNDS THEREOF” had been posted in three (3) conspicuous places in the locality within three (3) consecutive weeks from SEPTEMBER 10, 2024 to OCTOBER 01, 2024.

THIS CERTIFICATION has been issued in compliance to Section 511 (1), Title One, book IV of RA 7160, otherwise known as the Local Government Code of 1991.

DONE AND ISSUED this 24TH DAY OF OCTOBER at Merida, Leyte, Philippines.


JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan