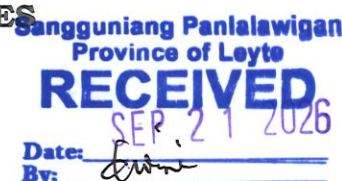




Republic of the Philippines
PROVINCE OF LEYTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Palo, Leyte
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COMMITTEE ON RULES, LAWS and PRIVILEGES
COMMITTEE REPORT
No. 21 S. 2026



Date: September 14, 2026

RE: AN ORDINANCE AUTHORIZING THE BARANGAY CHAIRPERSONS AND SCHOOL HEADS TO DECLARE LOCALIZED CLASS SUSPENSION IN THE MUNICIPALITY OF BABATNGON, LEYTE"

Prepared by: Committee on Rules, Laws and Privileges
Chairperson: Atty. Ronnan Christian "Bolingling" Reposar
Vice-Chairperson: Atty. Carlo P. Loreto
Members: Hon. Wilson Uy, Hon. Michael L. Cari, Hon. Ma. Martina L. Gimenez,

I. BACKGROUND

Ordinance No. 516, Series of 2026, entitled: **"AN ORDINANCE AUTHORIZING THE BARANGAY CHAIRPERSONS AND SCHOOL HEADS TO DECLARE LOCALIZED CLASS SUSPENSION IN THE MUNICIPALITY OF BABATNGON, LEYTE"** was submitted to the Sangguniang Panlalawigan for review pursuant to **Section 56(a) of RA 7160**.

The Provincial Legal Office (PLO), through its 2nd Indorsement dated **May 4, 2026**, issued its preliminary legal opinion stating that while the ordinance is generally within the legislative authority of the Sangguniang Bayan, **DepEd Order No. 37 s. 2022** limits the authority to suspend classes to **Local Chief Executives (LCEs)** and **School Heads**, thus requiring further review.

The Committees conducted a detailed evaluation of the ordinance's legality, consistency with national laws and DepEd issuances, and its implementability.

II. FINDINGS

- 1. The Sangguniang Bayan has general authority to enact measures for public safety.** Under **Section 447(a)(1)(iv) of RA 7160**, the Sangguniang Bayan may enact ordinances promoting health, safety, and public welfare, especially during disasters and emergencies.

Thus, the **intent** of the ordinance to enable faster, localized hazard response is consistent with the LGU's general welfare powers.

2. **DepEd Orders strictly define who may suspend classes.** The ordinance cites DepEd Order No. 22 s. 2024, which indeed provides **automatic triggers** for class suspension and authorizes **School Heads** to suspend classes based on hazard conditions.

However, DepEd Order No. 37 s. 2022 (Guidelines on Cancellation or Suspension of Classes and Work in Schools) clearly states:

- **Only Local Chief Executives (Mayors/Governors)** may declare class suspensions within their territorial jurisdiction.
- **School Heads** may suspend classes only within their respective schools, based on hazard triggers.
- Barangay Chairpersons **are not authorized** under DepEd guidelines to declare class suspensions.

Thus, the ordinance **expands authority beyond what DepEd allows** by granting Barangay Chairpersons independent power to suspend classes.

This is the core legal defect identified by the PLO.

3. **Barangay Chairpersons may coordinate but not declare class suspensions.** Under RA 10121 (DRRM Act), barangays play a frontline role in hazard monitoring and community response.

However, **class suspension is an educational governance function**, and DepEd rules do not delegate this authority to barangay officials.

Barangay Chairpersons may:

- recommend suspension,
- coordinate with School Heads and the LCE,
- provide hazard information,

but **cannot independently declare class suspension.**

4. **The ordinance risks inconsistency with national policy.** Section 56(c) of RA 7160 requires municipal ordinances to be **consistent with national laws and policies.**

By granting authority not recognized by DepEd, the ordinance becomes **inconsistent** with:

- DepEd Order No. 37 s. 2022
- DepEd Order No. 22 s. 2024
- Executive Order No. 66 s. 2012 (class suspension protocols)

Thus, the ordinance requires **modification.**

- 5. The ordinance's provisions on automatic triggers and reporting are valid.** The ordinance's detailed hazard triggers (TCWS, rainfall warnings, earthquake intensity, flooding, etc.) are **consistent with DepEd Order No. 22 s. 2024.**

Sections on:

- reporting,
- coordination,
- continuity of learning,
- DRRM fund utilization are likewise **valid and implementable.**

Only the **grant of authority to Barangay Chairpersons** is legally problematic.

III. CONCLUSION

The Committee conclude that:

1. The ordinance is **partially valid**, particularly in its adoption of DepEd hazard triggers and DRRM coordination mechanisms.
2. However, the provision granting **Barangay Chairpersons independent authority to declare class suspensions** is **inconsistent with DepEd Orders and the executive order as mentioned, thus** must be **deleted or modified.**
3. Only the **Local Chief Executive** and **School Heads** may declare class suspensions under existing national policy.

Therefore, the ordinance **cannot be approved in its present form.**

IV. RECOMMENDATION

The Committees recommend:

APPROVAL WITH MODIFICATIONS, specifically:

1. **Delete or amend Section 5(2)**
to remove the authority of Barangay Chairpersons to declare class suspensions.
2. Replace it with language authorizing Barangay Chairpersons to:
 - **recommend**
suspension,
 - **coordinate**
hazard monitoring,
 - **assist**
School Heads and the LCE in emergency response.

Suggested replacement text:

“Barangay Chairpersons may recommend localized class suspension to the School Head and Local Chief Executive based on verified hazard conditions and shall coordinate with the MDRMO for monitoring and reporting.”

This aligns the ordinance with DepEd Orders while preserving the intent of localized hazard response.

Prepared by: **Committee on Rules, Laws and Privileges**


HON. ATTY. RONNAN CHRISTIAN M. REPOSAR
Chairperson,

HON. ATTY. CARLO P. LORETO
Vice Chairperson

HON. WILSON S. UY
Member

HON. MICHAEL L. CARI
Member

HON. MA. MARTINA L. GIMENEZ
Member

Attested by:

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

Copy furnished:

HON. ATTY. CARLO P. LORETO
Vice Chairperson

Approved 9/21/26

HON. WILSON S. UY
Member

9/21/26

HON. MICHAEL L. CARI
Member

- N. Simon 9/21/26

HON. MA. MARTINA L. GIMENEZ
Member

9/21/26



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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE 43rd REGULAR SESSION OF THE 12th SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX, PALO, LEYTE ON JUNE 02, 2026.

RESOLUTION NO. 2026-880

A RESOLUTION REFERRING TO THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON RULES, LAWS AND PRIVILEGES ORDINANCE NO. 516 SERIES OF 2026 OF BABATNGON, LEYTE.

WHEREAS, submitted to the Sangguniang Panlalawigan is **ORDINANCE NO. 516 SERIES OF 2026 of the Municipality of Babatngon, Leyte**, entitled: **"AN ORDINANCE AUTHORIZING THE BARANGAY CHAIRPERSONS AND SCHOOL HEADS TO DECLARE LOCALIZED CLASS SUSPENSION IN THE MUNICIPALITY OF BABATNGON, LEYTE"**;

WHEREAS, the August Body, deemed it proper to REFER the said Ordinance to the SP Committee on Rules, Laws and Privileges, for further study;

NOW, THEREFORE, on motion presented by Atty. Ronnan Christian M. Reposar, duly seconded by Atty. Carlo P. Loreto, and Honorable Wilson S. Uy, be it

RESOLVED, as it is hereby resolved, to **REFER TO THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON RULES, LAWS AND PRIVILEGES MUNICIPAL ORDINANCE NO. 516 SERIES OF 2026 OF BABATNGON, LEYTE, FOR FURTHER STUDY.**

Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

HON. LEONARDO M. JAVIER, JR.
Vice Governor/Presiding Officer

FLORINDA JILLS UYVICO
Secretary to the Sanggunian

Copy furnished:

Atty. Ronnan Christian M. Reposar
Chairperson - SP Committee on Rules, Laws and Privileges
Province of Leyte

LCE and the Sangguniang Bayan
Babatngon, Leyte

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