



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Item No.: 09
Date: 23 2026 OCT

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

2nd INDORSEMENT

September 15, 2026

Date: OCT 09 2026
By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2026-20 of the Sangguniang Bayan of San Miguel, Leyte.

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

- Ordinance No. 2026-20 entitled: **“An Ordinance converting San Andres Primary School into San Andres Elementary School 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)(1)¹ of the Local Government Code of 1991 (R.A 7160) subject to the requirements provided under DepEd Order No. 71, s. 2003². 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 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.


ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer }

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,

² **RANSFER OF DELEGATED AUTHORITY FROM THE OFFICE OF THE SECRETARY TO THE REGIONAL OFFICES REGARDING APPROVAL OF THE ESTABLISHMENT, SEPARATION OF ANNEXES, INTEGRATION, CONVERSION AND RENAMING OF PUBLIC ELEMENTARY AND SECONDARY SCHOOL**

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED

By: 
Date: 09.16.26 Time: 8:26 AM

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
15 September 2026

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2026-20** of the **Municipality of San Miguel, Leyte**, entitled: **An Ordinance converting San Andres Primary School into San Andres Elementary School and appropriating funds therefor.**


FLORINDA JILL S. UYVICO
Secretary to the Sangguniang



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
-oOo-

OFFICE OF THE SANGGUNANG BAYAN

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: SEP 10 2026
By: [Signature]

September 09, 2026

The Honorable Members of the Sangguniang Panlalawigan of Leyte
Thru: The Sangguniang Panlalawigan Secretary
Provincial Legislative Building,
Candahug, Palo, Leyte

Gentlemen/Ladies:

I have the honor to forward herewith pertinent documents of the Sangguniang Bayan of the Municipality of San Miguel, Leyte for review and approval, to wit:

1. Fifteen (15) copies of Municipal Ordinance No. 2026-20, Series of 2026 entitled:
**"AN ORDINANCE CONVERTING SAN ANDRES PRIMARY SCHOOL INTO
SAN ANDRES ELEMENTARY SCHOOL AND APPROPRIATING FUNDS
THEREFOR".**

Kindly acknowledge receipt hereof.

Very truly yours,

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Certified Correct:



Date: SEP 10 2026

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN, SAN MIGUEL, LEYTE, HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, SAN MIGUEL, LEYTE ON AUGUST 24, 2026

PRESENT:

Hon. Norman Niel G. Martija	-	SB Member/Temporary Presiding Officer
Hon. Jerome P. Peñaranda	-	SB Member
Hon. Letecia G. Espos	-	SB Member
Hon. Francis Jay D. Sabdao	-	SB Member
Hon. Thelma M. Brazil	-	SB Member
Hon. Raul A. Salasño	-	SB Member
Hon. Richard Len B. Lapidario	-	SB Member
Hon. Samuel P. Salomon	-	Ex-Officio Member, President, Liga ng mga Barangay
Hon. Joss Novem B. Labaclado	-	Ex-Officio Member, President, Sangguniang Kabataan Pambayang Pederasyon

ABSENT:

Hon. Estanislao D. Sabdao, Jr.	-	Municipal Vice-Mayor/Presiding Officer (on official leave)
Hon. Danilo L. Aureo	-	SB Member (on official leave)

**Resolution No. 208
Series of 2026**

AN ORDINANCE CONVERTING SAN ANDRES PRIMARY SCHOOL INTO SAN ANDRES ELEMENTARY SCHOOL AND APPROPRIATING FUNDS THEREFOR

WHEREAS, the 1987 Constitution mandates the State shall provide quality and accessible education to all citizens;

WHEREAS, there is an increasing number of school-age children in Barangay San Andres who need access to complete elementary education;

WHEREAS, the existing San Andres Primary School currently offers limited grade levels, thereby requiring pupils to transfer to distant schools to complete their elementary education;

WHEREAS, the conversion of the school into a full elementary school will promote accessibility, reduce dropout rates, and ease the financial burden of families;

WHEREAS, the Department of Education is empowered under Republic Act No. 9155 to supervise and regulate the establishment and conversion of public schools;

WHEREAS, pursuant to DepEd Order No. 71, s. 2003, the conversion of schools may be approved subject to compliance with requirements and standards;

WHEREAS, it is the duty of the Local Government Unit to support educational development within its jurisdiction;

WHEREFORE on motion of Hon. Raul A. Salasño duly seconded by all members present;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Municipality of San Miguel, Leyte in regular session assembled;

BRYAN NEIL B. BRAZIL
Secretary of the Sangguniang Bayan

HON. THELMA M. BRAZIL
SB MEMBER

HON. RAUL A. SALASÑO
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO
SB MEMBER

HON. JEROME P. PEÑARANDA
SB MEMBER

HON. LETECIA G. ESPOS
SB MEMBER

HON. SAMUEL P. SALOMON
President, Liga ng mga Barangay

HON. JOSS NOVEM B. LABACLADO
President, SK Pambayang Pederasyon

HON. FRANCIS JAY D. SABDAO
SB MEMBER

Approved:
ATTY. NORMAN D. SABDAO
Municipal Mayor

MUNICIPAL ORDINANCE NO.2026-20
Series of 2026

AN ORDINANCE CONVERTING SAN ANDRES PRIMARY SCHOOL INTO SAN ANDRES
ELEMENTARY SCHOOL AND APPROPRIATING FUNDS THEREFOR

Authored by: RAUL A. SALAÑO
Committee Chairman on Education, Family and Housing

SECTION 1. TITLE. This Ordinance shall be known as:
"An Ordinance Converting San Andres Primary School into San Andres Elementary School."

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the
municipality of San Miguel, Leyte to ensure accessible and quality basic education to all learners
pursuant to the 1987 Constitution.

SECTION 3. CONVERSION. The San Andres Primary School located in Barangay San
Andres, San Miguel, Leyte, is hereby converted into a complete Elementary School to be known
as San Andres Elementary School, offering Kindergarten to Grade VI.

SECTION 4. LEGAL BASIS. This Ordinance is anchored on the following laws and
issuances:

1. 1987 Philippine Constitution (Article XIV) – mandates the State to establish and
maintain a complete, adequate, and integrated system of education.
2. Republic Act No. 9155 (Governance of Basic Education Act of 2001) – vests authority
in the Department of Education (DepEd) over the governance and operation of basic
education institutions.
3. Republic Act No. 10533 (Enhanced Basic Education Act of 2013) – strengthens the
K to 12 basic education system and authorizes DepEd to set standards for
elementary education.
4. DepEd Order No. 71, s. 2003 – delegates authority to DepEd Regional Offices to
approve the establishment, conversion, and integration of public schools.

SECTION 5. IMPLEMENTATION

1. The Department of Education (DepEd) Schools Division Office of Leyte shall
oversee and supervise the implementation of this Ordinance, subject to existing
laws, rules, and regulations governing the establishment and conversion of public
schools;
2. The Local Government Unit of San Miguel, in coordination with the Schools
Division Office and the District Office, shall provide support for the conversion of
San Andres Primary School into an elementary school, particularly in the
construction of additional classrooms, provision of school facilities, and
procurement of instructional materials;

Certified Correct:

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

HON. THELMA M. BRAZIL
SB MEMBER

Attested by:

HON. NORMAN NIEL G. MARTILJA
SB Member/ Temporary Presiding Officer

HON. RAUL A. SALAÑO
SB MEMBER

Concurred:

HON. JEROME H. ENARANDA
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO
SB MEMBER

HON. LETECIA G. ESTROS
SB MEMBER

HON. SAMUEL P. SALOMON
President, Liga ng mga Barangay

HON. FRANCIS JAY D. SABDAO
SB MEMBER

HON. JOSS NOVEN B. LABACLAO
President, SK Pambarangay Pederasyon

Approved:

ATTY. NORMAN D. SABDAO
Municipal Mayor

3. The Local Government Unit of San Miguel may assist in the provision of teaching personnel, subject to existing Civil Service laws and DepEd hiring guidelines; Provided, that the selection, hiring, and deployment of teachers shall remain under the authority of the Department of Education, and shall be based on merit, qualifications, and the Registry of Qualified Applicants (RQA), with preference, where feasible, given to qualified applicants residing within the locality.

SECTION 6. MANAGEMENT AND OPERATIONS

1. The San Andres Elementary School shall be managed by a duly designated School Head (Head Teacher or Principal) who shall serve as both instructional leader and administrative manager of the school, in accordance with existing policies of the Department of Education;
2. The Public Schools District Supervisor (PSDS) shall provide instructional supervision, curriculum guidance, and technical assistance to the school, including the conduct of classroom observations and mentoring of teachers, in line with DepEd standards and guidelines;
3. The School Head shall initiate and strengthen partnerships with stakeholders, including the Local Government Unit, parents, and community organizations, and shall undertake networking and resource mobilization activities to address learning gaps, improve learner performance, and enhance the delivery of quality basic education, consistent with school-based management principles.

SECTION 7. TRANSFER OF ASSETS AND PERSONNEL. All personnel, records, assets, and liabilities of San Andres Primary School shall be retained and utilized by San Andres Elementary School.

SECTION 8. ROLE AND PARTICIPATION OF BARANGAY OFFICIALS

In support of this Ordinance converting San Andres Primary School into San Andres Elementary School, the Barangay Officials shall actively participate in the planning, implementation, and monitoring of programs and activities related thereto, as follows:

1. Implementation and Support;
- The Punong Barangay and the Sangguniang Barangay shall ensure the effective implementation of this Ordinance within their jurisdiction, consistent with their duty to enforce laws and ordinances at the barangay level.

Certified Correct:

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

HON. THELMA M. BRAZIL
SB MEMBER

HON. RAUL A. SALAÑO
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO
SB MEMBER

HON. SAMUEL P. SALOMON
President, Liga ng mga Barangay

HON. JOSS NOVEM B. LABACIADO
President, SK Panibayang Pederasyon

ATTY. NORMAN D. SABDAO
Municipal Mayor

Attested by:

HON. NORMAN D. SABDAO
SB Member / Temporary Presiding Officer

HON. JEROME P. GEMARANDA
SB MEMBER

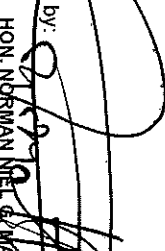
HON. LETECIA G. ESPINO
SB MEMBER

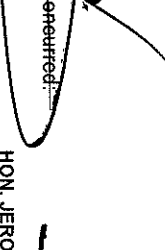
HON. FRANCIS JAY D. SABDAO
SB MEMBER

Approved:

Certified Correct:

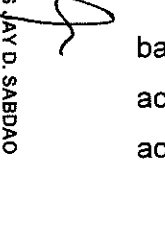

BRYAN NEIL B. BRAZIL
Secretary of the Sangguniang Bayan


HON. NORMAN NEIL G. MARTILLA
SB Member/ Temporary Presiding Officer

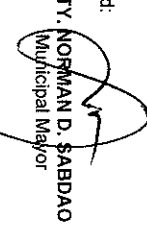

HON. RAUL A. SALANO
SB MEMBER


HON. RICHARD LEN B. LAPIDARIO
SB MEMBER


HON. SAMUEL P. SALOMON
President, Liga ng mga Barangay


HON. JOSS NOVEM B. LABACCLADO
President, SK Pambayang Pederasyon


HON. FRANCIS JAY D. SABDAO
SB MEMBER


ATTY. NORMAN D. SABDAO
Municipal Mayor

Approved:

2. Coordination with School Authorities;
- Barangay officials shall coordinate with the school administration, Department of Education (DepEd), and the Local Government Unit (LGU) in facilitating the transition, development, and operation of the San Andres Elementary School.
3. Information Dissemination;
- The Barangay shall assist in disseminating information regarding the conversion of the school, enrollment procedures, and school programs to ensure community awareness and participation.
4. Community Mobilization and Participation;
- Barangay officials shall encourage the active involvement of parents, guardians, and community members in school-related activities, including Brigada Eskwela, school meetings, and other educational initiatives.
5. Monitoring and Feedback Mechanism;
- The Barangay Council shall monitor the implementation of this Ordinance and provide feedback, recommendations, and reports to the concerned LGU offices to improve educational services.
6. Maintenance of Peace and Order;
- Barangay officials, including Barangay Tanods, shall help ensure peace and order within the vicinity of the school to provide a safe learning environment for students.
7. Support in Child Protection and Attendance;
- The Barangay shall assist in ensuring school attendance and may coordinate with parents and school authorities regarding issues such as absenteeism or child welfare concerns, consistent with existing laws and ordinances.
8. Resource Assistance (Subject to Availability of Funds);
- The Barangay may allocate resources, subject to existing budgeting laws and regulations, to support minor infrastructure, maintenance, and school-related activities.

SECTION 9. BUDGET. Funds raised by the parents teachers association (PTA) and the barangay council will be used for the initial operation of the newly converted school. Also, will accept donation coming from any generous individual and other local sources, subject to accounting and auditing rules.

Concurred by:

HON. JEROME P. BENAARANDA
SB MEMBER
HON. RAUL A. SALAÑO
SB MEMBER

HON. LETECIA G. JESPOS
SB MEMBER
HON. RICHARD LEN B. LAPIDARIO
SB MEMBER

HON. FRANCIS JAY D. SABDAO
SB MEMBER
HON. SAMUEL P. SALOMON
PRESIDENT, LIGA NG MGA BARANGAY

HON. THELMA M. BRAZIL
SB MEMBER
HON. JOSS NOVEM B. LABACLADO
PRESIDENT, SK PAMBAYANG PEDERASYON

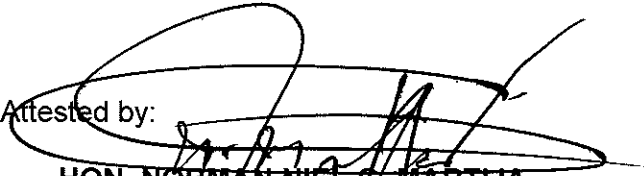
SECTION 10. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared invalid, the remaining provisions shall remain in full force and effect.

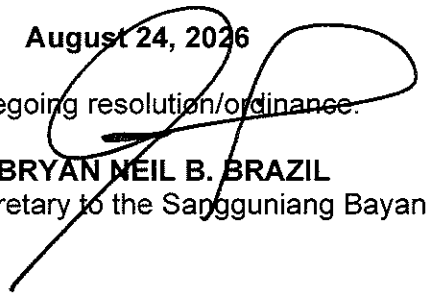
SECTION 11. EFFECTIVITY. This Ordinance shall take effect upon approval and compliance with publication requirements.

UNANIMOUSLY APPROVED -

August 24, 2026

I HEREBY CERTIFY to the correctness of the foregoing resolution/ordinance.

Attested by:

HON. NORMAN NIEL G. MARTIJA
SB Member/Temporary Presiding Officer


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Approved:

ATTY. NORMAN D. SABDAO
Municipal Mayor



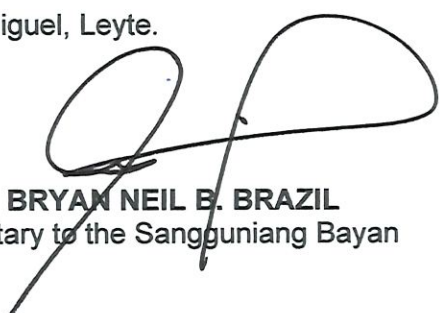
Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

1. **THIS IS TO CERTIFY** that Municipal Ordinance No. 2026-20, Series of 2026 as embodied under Resolution No. 208, Series of 2026 entitled: **“AN ORDINANCE CONVERTING SAN ANDRES PRIMARY SCHOOL INTO SAN ANDRES ELEMENTARY SCHOOL AND APPROPRIATING FUNDS THEREFOR”**, has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Done this 9th day of September 2026 at San Miguel, Leyte.


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan