TESDA CIRCULAR

Subject: Implementing Guidelines on the Partnership of TESDA with the Bangsamoro Government		Page 1 of 3 page/s Number 003, series of 2021
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In the interest of the service and to define the responsibilities and obligations of TESDA in the implementation of its programs and services within the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) in partnership with the Bangsamoro Government through the Ministry of Basic, Higher, and Technical Education (MBHTE), the following guidelines are hereby issued.

I. RATIONALE/BACKGROUND/LEGAL BASIS

Republic Act No. 11054 is an Act establishing the political entity for the Bangsamoro Autonomous Region in Muslim Mindanao under the Bangsamoro Organic Law. It is hereby declared that it shall be a top priority of the Bangsamoro Government to establish, maintain, and support a complete and integrated system of quality education, which shall be a subsystem of the national education system. For this purpose, the Bangsamoro Government shall conform to the minimum standards set by the National Government.

Accordingly, the thrusts and programs of vocational, technical, non-formal, and special education of the Bangsamoro Autonomous Region educational system for the poor, illiterate, out-of-school youth, persons with special needs, disadvantaged, and senior citizens shall be supportive and relevant to the human resource requirements of the Bangsamoro Autonomous Region, and shall also conform to the minimum standards set by the National Government.

Subject to Section 20, Article X of the Constitution and this Organic Law, the Bangsamoro Government shall exercise its authority over matters involving education and skills training without prejudice to the general supervision of the President of the Republic of the Philippines.

"TESDA Abot Lahat" seeks to reach out and serve new partners and clients to transform and improve lives for the better. In line with this, TESDA is committed to provide its services under its mandate to assist in the Bangsamoro government's pursuit of a higher degree of autonomy, in support of our shared goal of attaining peace, sustainable development, and inclusive economic growth in Mindanao.

II. SCOPE/COVERAGE

These guidelines shall cover all TESDA programs and projects allocated for or to be implemented in the BARMM, whether locally-funded or foreign-assisted, including scholarship and grants, and assets with the corresponding budgetary support which shall be transferred to the Bangsamoro Government.

This shall also cover all special programs and projects during the transition period, which may be implemented by TESDA for the BARMM, including financial and technical assistance and similar programs.

III. GENERAL PROVISIONS

1. The Bangsamoro Government through the MBHTE shall proceed to take charge of the TESDA ARMM powers and functions including the control and supervision of its programs and projects in the region. The Bangsamoro Government shall formulate regional rules and regulations in the implementation of TESD programs and policies in accordance with the standards prescribed by TESDA, but without prejudice to the relevant provisions of the Bangsamoro Organic Law.

2. The TESDA shall extend full assistance and support to the Bangsamoro Government, including but not limited to, technical assistance and capability-building of employees, to carry out the objectives of R.A. 7796 and the Bangsamoro Organic Law.

3. The TESDA shall provide funding support for the implementation of the programs and projects allocated for or to be implemented in the BARMM, subject to the availability of funds and in compliance with government auditing rules and regulations.

4. Through its Finance and Management Service (FMS), TESDA shall ensure the timely release of funds necessary to operationalize the BARMM's TESD Projects in coordination with and under the supervision of the Bangsamoro Government, subject to the accounting and auditing rules of the National Government.

5. The TESDA Regional Offices shall conduct inventory of equipment, building, and all other assets to be transferred to the Bangsamoro Government and provide technical assistance to the MBHTE in the implementation of all TESD projects, programs, and activities in the BARMM, subject to compliance with TESDA rules and regulations.

6. In consideration of public interest and the delivery of services, officials holding appointive positions shall continue to perform their functions in accordance with the phase-out schedule. Transfer of employees to the Bangsamoro Government shall be in accordance with the qualification standards as provided in the laws, rules and regulations of the Civil Service Commission and those that may be set by the Bangsamoro Transition Authority.

IV. COORDINATION, COOPERATION, AND MONITORING

1. The Director General shall oversee the coordination, cooperation, monitoring, and consultations with the Bangsamoro Government through the MBHTE every quarter or as often as may be deemed necessary. Such actions may be initiated and called upon by the aforementioned offices to ensure the effective delivery of services in the BARMM.

2. To ensure smooth and orderly turn-over of powers, functions, and corresponding programs and projects, personnel, and other assets to the Bangsamoro Government, the following officials shall be part of the Transition Task Force in conjunction with the designated officials from the Bangsamoro Government:

   a. Deputy Director General for TESDO as head of the TESDA delegation;
   b. Chief of Services for Administration;
   c. FMS Director; and
   d. ROMO Acting Director-In-Charge;

   The Transition Task Force will serve as the primary coordinating body between TESDA and the Bangsamoro Government in implementing this partnership.

V. SEPARABILITY CLAUSE

If, for any reason, any part or provision of these guidelines is declared invalid or unconstitutional, any part or provision not affected thereby shall remain in full force and effect.

VI. EFFECTIVITY

This Circular shall take effect as indicated and shall remain valid and enforced unless rescinded or superseded.

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Director General