

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City



THIRTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 3288

Introduced by Honorable JUDY JALBUENA SYJUCO

EXPLANATORY NOTE

The Philippine Constitution provides that "the State shall give priority to education...accelerate social progress, and promote total human liberation and development."

Further, the Philippine Constitution declares that the State shall establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society.

The rationalization of the Special Education Fund is geared towards these principles. This bill aims to increase the resources devoted to technical vocational education and training (TVET), increase the resources of LGUs for technical education and training, ensure continuing fund source for TVET at the local government level, rationalize the distribution and sharing of the Special Education Fund and to respond to the immediate employment thrust of the government.

In view of the foregoing, the passage of this proposal is earnestly sought.


JUDY JALBUENA SYJUCO
2nd District, Province of Iloilo

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

THIRTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 3288

Introduced by Honorable JUDY JALBUENA SYJUCO

**AN ACT TO RATIONALIZE ALLOCATION OF THE SPECIAL EDUCATION FUND,
AMENDING FOR THE PURPOSE REPUBLIC ACT 5447, AS AMENDED AND FOR
OTHER PURPOSES**

SECTION 1. Title. This Act shall be known as the "Rationalization the Special Education Fund".

SECTION 2. Declaration of Policy. It is hereby declared the policy of the state to ensure efficient and effective allocation of resources for the development of quality education and the nation's manpower thereby enhancing the country's employment performance.

SECTION 3. Objectives. This Act shall have the following objectives.

- a) Increase the resources devoted to technical vocational education and training to equip existing government training centers and technical/vocational school and the whole delivery system in TVET thereby responding to the needs of the industry and improve employment situation of the country;
- b) Increase the resources of the local government units for technical education and training including community-based training and entrepreneurship programs;
- c) Ensure continuing fund source for TVET at the local government level;
- d) Rationalize distribution/sharing of the Special Education Fund between the Basic Education level and post secondary technical vocational education and training level as envisioned in R.A 5447 and;
- e) Respond to the immediate employment thrust of the government.

SECTION 4. Definition of terms. For Purposes of this Act, the following terms shall mean:

- a) "Manpower" is a portion of the population which has actual or potential capability to contribute to the production of goods and services;
- b) "Post Secondary TVET" is the stage of the formal education following the secondary level covering non-degree programs that have varying duration for the three months to three years, concerned primarily with developing strong and appropriately trained middle-level skilled manpower possessing capabilities supportive of national development;
- c) "TESDA" or Technical Education and Skills Development Authority created by virtue of Republic Act No. 7796;
- d) "DepEd" or the Department of Education established under Republic Act No. 9155;
- e) "CHED" or the Commission on Higher Education as created by Republic Act No. 7722;

- f) "Special Education Fund" is the Fund created under Republic Act No. 5447, and managed by the local school boards for the purpose of financing certain education-related projects and activities. The fund is derived from the additional tax on real property and from a certain portion of the taxes on Virginia type cigarettes and duties on imported leaf tobacco.
- g) "Skills Development" is the process through which learners and workers are systematically provided with learning opportunities to acquire or upgrade, or both, their ability, knowledge and behavior pattern required as qualifications for a job or range of jobs in given occupational area;
- h) "Entrepreneurship training" is a training scheme to develop persons for self-employment or for the organizing, financing and/or managing an enterprise.
- i) "RTESDC/PTESDCs" are regional and Provincial Technical Education and Skills Development Committees which are inter-agency and multi-sectoral bodies in the areas charged with policy-recommending functions on technical-vocational education and training.

SECTION 5. Rationalization of the Special Education Fund.

Distribution/sharing of the Special Education Fund, hereinafter referred to as the Fund, is hereby rationalized in accordance with the provisions of this Act.

SECTION 6. Coverage. This Act covers the Special Education Fund created by Republic Act No. 5447 as revised by Republic Act 7160 or the Local Government Code of 1991.

SECTION 7. Mode of sharing. The fund shall be proportionately allocated for Basic Education, Technical Vocational Education and Skills Development as well as the Higher Tertiary Education Programs.

SECTION 8. Membership of the Local School Board. The Local School Board shall be include as members of the Provincial/District Director of TESDA or his representative, or any member of CHED.

SECTION 9. Priority Activities and Programs to be funded under the fund. In addition to the priority activities under the Fund as defined in the Local Government Code and RA 5447, the following concerns shall be given priority.

- a) Construction, repair and maintenance of school building, training centers, and other facilities and vocational schools and government training centers.
- b) Conduct of relevant community based programs including entrepreneurship and other short term courses for the workers, out of school youth and unemployed adults.
- c) Capability build up of trainers, coordinators, planners, assessors and other technical personnel of TVET in the locality.
- d) Scholarship grants.

SECTION 10. Amendatory Provision. This Act amends pertinent provision of the Local Government Code and Republic Act No. 5447

SECTION 11. Separability Clause. If for any reason, any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and effective.

SECTION 12. Repealing Clause. All laws decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 13. Effectivity. This Act shall take effect immediately following completion of its publication in the Official Gazette or two (2) newspaper of general circulation.

Approved,