

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2181

Introduced by Rep. Eulogio "Amang" R. Magsaysay

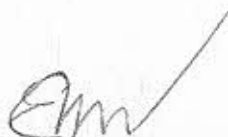
EXPLANATORY NOTE

Every opening of School Year, school managers and education leaders are confronted by the shortage of school plant and facilities, notably, classrooms and chairs. This problem substantially contributes to deteriorating quality of Philippine education. The number of public school buildings and facilities in our country cannot meet the minimum yearly requirements for the operations of regular classes. The steady growth of student population poses an alarming threat to the sustainability of free public education. This situation is aggravated by the exodus of students from private schools, who, by sheer economic difficulties can no longer afford increases in tuition fees. The shortage is locally remedied by the public elementary and secondary school heads through double shifts scheme, thus compromising standards of public school education. Some Local School Boards are vigilant enough to supplement by appropriating considerable amount out of the Special Education Fund. In spite of all these initiatives, the shortages remain imminent.

The bill seeks to create a comprehensive School Building Program, which will address the problem of classroom shortage. A salient feature of this bill is the provision of build-operate-transfer, build-lease-transfer, build-transfer, rehabilitate-operate-transfer, and other contractual arrangements that will allow the use of both government and private funds to finance the construction of needed school buildings. This proposed measure also provides for an inter-agency committee that shall formulate and ensure the effective implementation of the program. The program shall further provide for the integration of all the necessary information to ensure effective monitoring and maintenance of existing school buildings and other facilities.

It is hoped that with the passage of this bill, class sizes will be reduced to a manageable level for a more conducive learning environment for all, better outcomes of teaching-learning process and continuous improvement of the quality of our public education.

For the above mentioned reasons, approval of this bill is earnestly sought.



EULOGIO "AMANG" R. MAGSAYSAY

House of Representatives

House Bill No. 2181

Introduced by Rep. Eulogio "Amang" R. Magsaysay

AN ACT
ESTABLISHING A PROGRAM FOR THE ACQUISITION OF SCHOOL SITES
AND THE CONSTRUCTION, MAINTENANCE, REHABILITATION, REPAIR,
AND MODERNIZATION OF SCHOOL BUILDINGS IN PUBLIC ELEMENTARY
AND SECONDARY SCHOOLS NATIONWIDE, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Title. – This Act shall be known as the "School Building Program Act".

SECTION 2. School Building Program Objectives. – There shall be established a comprehensive and continuing School Building Program, hereinafter referred to as the "Program" which shall have the following objectives:

1. To provide a system for an accurate inventory of all existing public school buildings, with proper indications as to its location, size, capacity, condition, and compliance with basic building safety requirements as provided for in the National Building Code, UNICEF, UNESCO standards and other best practices in the building construction sector;
2. To provide appropriate studies for determining the yearly school building requirements based on projected increases in enrolment and other appropriate indicators;
3. To provide for the effective monitoring and supervision of all school building facilities with respect to its proper and adequate maintenance, replacement, rehabilitation and modernization;
4. To provide a comprehensive plan for the acquisition and/or construction of adequate school buildings and facilities for all public

schools nationwide, with the aim of reducing the classroom-student ratio to an ideal proportion, including that of Children of Special Needs (CSNs) within a period of five (5) years upon approval of this Act;

5. To provide the mechanism, in coordination with School Division Superintendents and School Heads, for the selection of public schools to prioritize in the school-building projects nationwide;
6. To provide a specific time schedule for the construction of public school buildings which shall be strictly followed to prevent unnecessary delays and backlogs;
7. To provide for necessary mechanisms which will facilitate a closer coordination between the Department of Budget and Management, Department of Public Works and Highways, Department of Interior and Local Government, and the Department of Education to expedite the implementation of the Program;
8. To formulate guidelines for the bidding procedures that will be used for school building program including that of the contractual arrangement schemes;
9. To provide for a definite work and financial schedule for the construction, operation, maintenance and modernization of public school buildings under any of the contractual arrangement schemes.

SECTION 3. Inter-Agency Committee. – There is hereby created an Inter-Agency Committee, to be chaired by the Secretary of Education, with the respective Secretaries of Public Works and Highways, Budget and Management, and Interior and Local Government as members. The Committee shall formulate the Program and ensure its effective implementation. Within one (1) year from the approval of this Act and every year thereafter, the Committee shall submit to both Houses of Congress a report on the implementation of the comprehensive school building program herein established.

SECTION 4. Implementation of the Program. – Consistent with the provisions of Republic Act No. 7880, otherwise known as the "Fair and Equitable Access to Education Act", the Committee shall supervise and prioritize the

acquisition and/or construction of school buildings as provided in the Program. The Department of Education is hereby authorized to enter into contracts with duly pre-qualified private contractors for the design and construction management, as well as the financing, construction, operation, maintenance, modernization of school buildings through the build-operate-transfer, build-transfer, build-lease-transfer, rehabilitate-operate-transfer, and other contractual arrangement schemes provided under R.A. 6957, "An Act Authorizing the Financing, Construction, Operation and Maintenance of Infrastructure Projects by the Private Sector and for Other Purposes".

SECTION 5. Release of Maintenance and Other Operating Expenditures. – For the purpose of ensuring compliance of such contractual arrangement as may hereinafter be entered, the appropriation for the School Building Program and for Maintenance and Other Operating Expenditures shall be directly released to the school heads in accordance with the work and financial schedule stipulated in the program.

SECTION 6. Appropriations. – The amount necessary to attain the objectives of this Act shall be appropriated out of the unallocated share of the national government in the income of the Philippine Amusement Gaming Corporation (PAGCOR), for a period of five (5) years.

If the above amount is inadequate and insufficient, such amount as may be necessary to augment said annual appropriations, shall be included in the General Appropriations Act.

SECTION 7. Separability Clause. – If any provision in this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 8. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,