

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2812

Introduced by Rep. Eulogio "Amang" R. Magsaysay

EXPLANATORY NOTE

The 1987 Philippine Constitution, in Section 1 of Article 14 provides that: *"The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all"*. Further, Section 2(1) of the same article provides that the State shall establish and maintain a system of free public education in the elementary and high school levels.

Our education system claims of providing "free education" to students enrolled in all public elementary and secondary schools, free from payment of tuition and other school fees. Aside from the Parents-Teachers Association (PTA) fee, there are, however, other contributions that public schools are authorized to collect from the students. These include fees considered not covered by "tuition fee" and "other school fees" provided for by the "free public basic education".

The Department of Education (DepEd) orders the collection of such contributions "only on voluntary basis", and that "non-payment to these fees shall not in any case be a bar to the enrollment or graduation of any student". In many instances, the non-payment of such collection by a big number of students gives certain troubles on the part of the school administration forcing them to limit the implementation of some initiatives, or not at all, that may significantly affect the academic advancement of the students. On the other hand, the students, realizing that their non-payment is the cause of such trouble, find themselves uncomfortable going or staying in school, thus resulting to absences, worse, to drop-out.

For parents who opted to send their children in public schools due to financial constraints or difficulties of their families, the collection of such school contributions has definitely caused them worries. Imposed upon them, and realizing the consequences of its non-payment, especially to their children, the parents more than anybody else carry such compelling reasons to pay it or to have it paid. At many times every school year they are being bothered how to pay their children's contributions such as school publication fee and student organizations' fee. Adding to these is the fee due for PTA where they themselves are members.

Such predicament weakens our battle for EFA — Education for All. How can we achieve that ultimate aim of improving the quality of basic education for every Filipino if there are such obstacles for his/her enrolment or continued schooling? Something has to be done.

This bill reconsiders the present provision of our free public basic education. It seeks to prescribe certain guidelines that will apply on such collection of contributions in public elementary and secondary schools, delineating which fees are free and which are not, specifying conditions for collection and/or payment of the latter.

In view of the foregoing, immediate approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be 'Em' followed by a long, sweeping diagonal stroke.

EULOGIO "AMANG" R. MAGSAYSAY

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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House of Representatives

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AN ACT
PRESCRIBING CERTAIN GUIDELINES ON COLLECTION OF SCHOOL
CONTRIBUTIONS FROM PUBLIC ELEMENTARY AND HIGH SCHOOL
STUDENTS, EXPANDING THE PROVISION OF FREE PUBLIC BASIC
EDUCATION THEREOF, 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. *Declaration of Policy.* It is hereby declared policy of the State to establish and maintain a system of free public education in the elementary and high school levels.

SECTION 2. *Inclusion of Certain School Contributions Under the Provision of Free Public Education.* The following contributions which are currently authorized to be collected by the Department of Education (DepEd) are hereby included under the provision of free education in all public elementary and secondary schools nationwide:

- a) Computer fee, test paper fee, and other similar fees representing direct costs of instruction, training and other related activities, and for the students' use of the instruction and other training facilities are classified hereto as "tuition fees";
- b) Fees pertaining to school publication, student organizations, sports development and/or athletic support, Student Technology and Entrepreneurship of the Philippines (STEP), membership in the Boy Scout of the Philippines/Girl Scout of the Philippines (BSP/GSP), and the likes covering the other necessary costs supportive of instruction are considered hereto as "other school fees";

- c) Identification (ID) Cards shall be provided to students at no cost on their part, as the school administration shall fund these from its Maintenance and Other Operating Expenses (MOOE).

SECTION 3. *Other Authorized Collections Remain but on Voluntary Basis.* For the ultimate reason of promoting the values of social awareness and involvement among students, school contributions intended to support national initiatives for charitable or civic cause such as Red Cross, Anti-TB Fund and Alay-Lakad, may be collected by any public elementary or secondary school. Provided, however, that it shall involve only a very minimal amount, duly endorsed or authorized by the Department of Education (DepEd), and only on voluntary basis.

SECTION 4. *PTA Contribution.* Contribution due to the school's Parents-Teachers Association (PTA) continues as allowable collection: Provided, that the amount of contribution for the current school-year shall be: a) caused only after presenting the Financial Report on the previous school-year's collections; b) determined based on the current financial status of the PTA Fund vis-à-vis the actual plan of incoming projects and other undertakings; and c) agreed upon in a general assembly of the PTA where two-third (2/3) of its total members are present during the meeting. Provided, further, that the collection of such agreed amount shall be purely voluntary, where payment can be made on installment basis.

SECTION 5. *Appropriation.* – The President is hereby authorized to realign or transfer any item of appropriation within the Department of Education, and/or utilize any savings therein to carry out the purposes of this Act. Whatever additional amount as may be needed for its implementation shall be included in the General Appropriations Acts for the ensuing fiscal years. Income from income generating assets and resources of government-owned and –controlled corporations may be utilized for this purpose.

SECTION 6. *Implementing Guidelines.* – Upon promulgation of this Act, the Department of Education (DepED) shall issue the necessary guidelines to carry out the provisions of this Act.

SECTION 7. *Separability Clause.* The provisions of this Act are hereby declared to be separable, and in the event any part, section or provision of this Act is held invalid or unconstitutional, no other part, section or provision thereof shall be affected thereby.

SECTION 8. *Repealing Clause.* All laws, parts of laws, executive orders, ordinances, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9. *Effectivity.* This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,