

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 1900



Introduced by Rep. Eulogio "Amang" R. Magsaysay

EXPLANATORY NOTE

This bill seeks to institute the needed quality-assurance mechanisms to our present educational system through the creation of a separate and independent agency - the National Educational Testing and Assessment Authority (NETAA).

Testing and assessment are necessary links to establish the extent to which quality, relevance, efficiency, and other educational goals are met, germane in decision-making on crucial items like curricular reforms, refocusing educational philosophy, new directions and the likes. While there are various forms of testing already being administered at different educational levels in our system, these on the other hand are carried out by individual agencies or institutions. For example, the National Education Testing and Research Center (NETRC) under the Department of Education (DepEd) takes care of our basic education's achievement tests, career guidance and assessment, while the DepEd's Bureau of Elementary Education (BEE) takes charge of the school readiness index. In the same way that colleges and universities develop and administer their own respective college admission tests, and the Technical Education and Skills Authority (TESDA) administers trade tests. As the measures of learning outcome in different levels are inter-related, this fragmented context of testing and assessment leads to such occurrences like basic education-college curriculum incoherence, skills-jobs mismatches, and many others.

Establishing a unified testing and assessment system is the ultimate goal of this legislation. Under one, solid harmonized educational system that we envision, the NETAA will fill the gap by coordinating and harmonizing various existing efforts in educational assessment.

The establishment of an evaluation and testing body as proposed under this bill has long been overdue. In 1991, the *Congressional Commission to Review and Assess Philippine Education (EDCOM)* in its final report which caused the restructuring and tri-focalization of the management of the country's educational system, called for the institution of this structural reform. In 2000, its implementation was particularly reiterated in the nine (9) reform proposals contained in the "Philippine Agenda for Educational Reform" embodying the report of the *Presidential Commission on Educational Reform (PCER)* which was created in 1998 to continue and build on the work of the 1991 Congressional Commission on Education. Again, in 2009, its establishment was directed among the strategic platforms laid down in "The Main Education Highway" adopting the recommendations and action plans of the *Presidential Task Force for Education (PTFE)*. The task force was created in 2007 to assess, plan and monitor the entire educational system to further strengthen the role of education in accelerating national and global competitiveness;

Immediate approval of this bill is therefore earnestly sought.


EULOGIO "AMANG" R. MAGSAYSAY

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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House Bill No. 1900

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AN ACT

CREATING THE NATIONAL EDUCATIONAL TESTING AND ASSESSMENT AUTHORITY (NETAA), DEFINING ITS STRUCTURE, POWERS AND FUNCTIONS, 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. *Short Title.* This Act shall be known as the "*National Educational Testing and Assessment Act of 2013*".

SECTION 2. *Declaration of Policy.* It shall be declared the policy of the State to promote the right of all citizens to quality education at all levels and to take appropriate measures to make such education accessible to all. Thus, to attain quality education, mechanisms shall be established to monitor educational processes and outcomes through appropriate assessment and evaluation systems. Assessment and evaluation, in view of their importance, shall be considered vital to the continuing pursuit of quality education.

SECTION 3. *Definition of Terms.* As used in this Act:

- a) "Assessment" covers the broader scope than the restrictive connotations of the term's measurement. The process of assessment involves the appraisal of the level or magnitude of some attribute.
- b) "Evaluation" is the process of gathering data, which can be used as basis for forming judgments, and to continuous decision making about programs, processes and products.
- c) "Testing" refers to systematic procedures for measuring samples of behavior under controlled conditions
- d) "Equivalency, Certification and Accreditation" shall mean methods of assessing and evaluating an individual's level of proficiency in a specified area.

SECTION 4. *Creation of the National Educational Testing and Assessment Authority (NETAA).* To implement the policy declared in this Act, the National Educational Testing and Assessment Authority (NETAA) is hereby created hereinafter referred to as the "Authority", which shall be attached for administrative purposes to the Office of the President until such a time that an appropriate body is created by law.

The Authority shall be a separate and independent body, attached to the Office of the President for administrative purposes only.

SECTION 5. *Organization of the Authority.* The National Education Assessment and Evaluation Authority shall be composed of the Authority Board, the NETAA Research Council, its technical and administrative staff and personnel.

SECTION 6. *Composition of the Authority Board.* The Authority shall be governed by a Board, which shall be composed of nine (9) full-time regular members.

During the transition period, which begins upon approval of this Act, the following shall act as Ex-Officio Members of the Board for a maximum period of one (1) year under an Ex-Officio Chairman chosen by the members among themselves:

- a) The Secretary of the Department of Education (DepEd);
- b) The Chairman of the Commission on Higher Education (CHED);
- c) The Director-General of the Technical Education and Skills Development Authority (TESDA);
- d) The Secretary of the Department of Science and Technology (DOST);

Thereafter, the President shall appoint the nine (9) regular members of the Board, as follows:

- a) A representative of public basic education schools;
- b) A representative of private basic education schools;
- c) A representative of state universities and colleges;
- d) A representative of private higher education institutions;
- e) A representative of government technical education and skills development institutions;
- f) A representative of private technical education and skills and development institutions;
- g) An eminent educator in the field of Measurement and Evaluation;
- h) An eminent educator in the field of Educational Research; and
- i) An eminent educator in the field of Psychology, Psychometrics, or Career Counseling.

The regular members shall be persons known for their high degree of professionalism and probity who have distinguished themselves as authorities in their respective fields or levels of learning. The representative-members shall be appointed upon the recommendation of their respective duly recognized organizations.

SECTION 7. *Term of Office.* The President shall appoint the regular members of the Authority Board for a term of four (4) years without prejudice to one reappointment, unless otherwise elected as Chairman of the Board by the members themselves, whose term shall be five (5) years which may be extended for another term upon reappointment.

The Authority Board Members shall hold office on full-time basis until their successors shall have been appointed and qualified. Should a member fail to complete his term, his successor shall be appointed by the President of the Philippines but only for the unexpired portion of the term.

In no case shall any and all of the members appoint representatives to act on their behalf.

SECTION 8. *Rank and Emoluments.* The elected Chairman of the Board shall at the same time become the Director-General of the Authority with the rank, compensation and emoluments of Department Secretary. He shall execute and implement the policies, programs and resolutions by the Authority Board.

All other members shall then hold the rank of Department Undersecretary with the corresponding compensation and other emoluments.

SECTION 9. Board of Advisers. The Ex-Officio Members as provided under Section 6 of this Act shall constitute the Board of Advisers which shall meet with the Authority at least once a year for consultation and coordination purposes.

The President, upon recommendation of the Authority or when the need arises, may appoint additional members of the Board of Advisers.

SECTION 10. The NETAA Research Council. The Authority Board, immediately after its official constitution, shall cause the formation of NETAA Research Council to act as the research arm of the body.

SECTION 11. Powers and Functions of the Authority Board. Assuming the responsibility and accountability for educational assessment at all levels --- early childhood care and development, basic education (formal and alternative), higher education, technical education and skills development --- whether public or private, the Board shall have the following powers and functions.

- a) Formulation and implementation of system-wide national policies and plans, standards and programs on testing and evaluation, and assessment pertaining to the country's educational system;
- b) Review, improve and oversee the implementation of all national testing and assessment programs;
- c) Coordination and collaboration with different institutions and concerned agencies, government and private, on matters pertinent to testing and evaluation;
- d) Conduct of research on areas that bear on assessment of student learning and teaching, and development of database in all levels;
- e) Extension of assistance to schools or institutions, upon their request, in developing their capability to assess and evaluate students or learners;
- f) Dissemination of information to the public;
- g) Exercise other functions which are necessary for the effective implementation and to carry out the purposes of this Act.

In the performance of the foregoing powers and functions, the Board shall indulge itself in the following specific duties:

- a) To develop various types of test instruments and assessment tools considering those that are currently being used or administered by concerned agencies or institutions;
- b) To administer the tests and assessment with concerned clienteles and carry out the needed post-administration procedures and processes;
- c) To organize and constitute working committees or groups to carry out specific tasks;
- d) To call upon any department, bureau, office or government corporation, academic institutions, and other concerned government, private and non-government organizations for assistance;
- e) To evaluate the basic education such that it will provide worthy inputs to tertiary education;
- f) To consider the required knowledge and skills by the industries in conducting tests and assessments;
- g) To devise equivalency measures between and among different tests;
- h) To accredit testing agencies;
- i) To conduct continuing research studies relating to the mandate of the Authority;
- j) To provide consultative assistance to agencies or institutions on testing and evaluation;
- k) To provide training and technical assistance to its staff and field personnel to safeguard the integrity of testing and evaluation programs;
- l) To collect fees, receive and maintain funds, grants, donations and bequests for the promotion of its aims and purposes;
- m) To carry out all other duties necessary to the performance of its powers and functions.

SECTION 12. *Transitory Provisions.*

a) The incumbent officials and employees of the present National Educational Testing and Research Center (NETRC) presently attached with DepEd, shall continue to perform their respective duties and responsibilities, in a holdover capacity, and receive their corresponding salaries and benefits until such time when the organizational structure and staffing pattern of the Authority will have been approved by the Board.

Those personnel whose positions are not included in the new staffing pattern approved by the Board or who are not reappointed or who choose to be separated as a result of the reorganization shall be entitled to whatever compensation and benefits are due them under existing laws.

b) All assets such as test items in the item bank, equipment, books, including Appropriation and other funds and liabilities of the NETRC shall be transferred to the Authority

c) The transition period shall not exceed one year from the effectivity of this Act.

SECTION 13. *Appropriations.* The amount of Two Hundred Million Pesos (P200,000,000) is hereby appropriated to initially implement the provisions of this Act. Thereafter, such funds as may be necessary for its continued implementation shall be included in the Annual General Appropriations Act.

SECTION 14. *Implementing Rules and Regulations.* Within ninety (90) days from the effectivity of this Act, the DepEd Secretary, the CHED Chairman, the TESDA Director-General, the DOST Secretary, in coordination and collaboration with the concerned duly established and accredited organizations, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 15. *Separability Clause.* If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 16. *Repealing Clause.* All laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SECTION 17. *Effectivity Clause.* This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,