



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
First Regular Session



HOUSE BILL NO. 2577

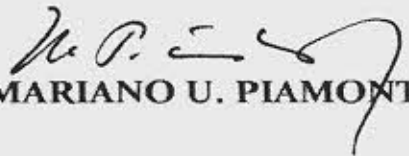
Introduced by Honorable Mariano U. Piamonte Jr. and Honorable Julieta R. Cortuna, Representatives, A TEACHER Party-list

EXPLANATORY NOTE

The existing Government Assistance to Students and Teachers in Private Education Act under Republic Act No. 6728 as amended by Republic Act No. 8545 covers only students and teachers in secondary and higher institutions. This is somewhat short of what the constitution mandated that the state should provide or support basic education.

By amending further the provisions of Republic Act No. 6728 as amended by Republic Act No. 8545 to include pre-elementary and elementary education, the constitutional provision on basic education will now be fully satisfied.

In view of the foregoing, passage of this bill is hereby being earnestly sought.


MARIANO U. PIAMONTE, JR.


JULIETA R. CORTUNA



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Introduced by Honorable Mariano U. Piamonte Jr. and Honorable Julieta R. Cortuna, Representatives, A TEACHER Party-list

AN ACT
AMENDING REPUBLIC ACT NO. 8545, OTHERWISE KNOWN AS THE "EXPANDED GOVERNMENT ASSISTANCE TO STUDENTS AND TEACHERS IN PRIVATE EDUCATION ACT", PROVIDING FOR AN EXPANDED VOUCHER OR COUPON SYSTEM IN SECONDARY, POST-SECONDARY AND TERTIARY EDUCATION AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Section 2 of Republic Act No. 8545, otherwise known as the "Expanded Government Assistance to Students and Teachers in Private Education Act", is hereby amended to read as follows:

"SEC. 2. Declaration of Policy. - It is a declared policy of the State in conformity with the mandate of the Constitution, to promote and make quality education accessible to all Filipino citizens. The State also hereby recognizes the complementary roles of public and private educational institutions in the educational system and the invaluable contribution that the private schools have made and will make to education. For these purposes, the State shall provide the mechanisms to improve quality in [private] education by maximizing the use of existing resources of private education, recognizing in the process the government's responsibility to provide basic elementary and secondary education, post-secondary [vocational and] technical **VOCATIONAL [e]Education and TRAINING**, higher education **AND ALTERNATIVE LEARNING SYSTEM (ALS)** as having priority over its other functions.

"Elementary education is the first six (6) years of basic education, excluding pre-school and grade seven, the completion of which is attested by a certificate issued by or with permission of the Department of Education [Culture and Sports] (DEPED). "Secondary education is the next four (4) years of basic education, the completion of which is attested by a high school diploma issued by or with permission of the [Department of Education, Culture and Sports.] DEPED.

"Post-secondary **TECHNICAL VOCATIONAL education AND TRAINING** [may be] **IS THE** education and training in non-degree [vocational and] technical **AND VOCATIONAL** courses offered in post-secondary [vocational and] technical **VOCATIONAL EDUCATION AND TRAINING** institutions, [or education in degree courses offered by higher educational institutions.] the completion of which [are] **IS** attested by a certificate or diploma issued by or with permission of the Technical Education and Skills Development Authority (TESDA)[or the Commission on Higher Education (CHED), respectively].

"TERTIARY EDUCATION REFERS TO UNDERGRADUATE AND POST-GRADUATE COURSES OFFERED BY HIGHER EDUCATION INSTITUTIONS, THE COMPLETION OF WHICH IS ATTESTED BY THE CONFERMENT OF ACADEMIC DEGREES ISSUED BY OR WITH THE PERMISSION OF THE COMMISSION OF HIGHER EDUCATION (CHED).

"ALTERNATIVE LEARNING SYSTEM IS A PARALLEL LEARNING SYSTEM TO PROVIDE A VIABLE ALTERNATIVE TO THE EXISTING FORMAL EDUCATIONAL INSTRUCTION. IT ENCOMPASSES BOTH THE NON-FORMAL AND INFORMAL SOURCES OF KNOWLEDGE AND SKILLS."

SEC. 2. A new section 3 is hereby inserted to read as follows:

"SEC. 3. ADMINISTRATIVE AUTHORITY. – THE STATE ASSISTANCE COUNCIL, HEREINAFTER KNOWN AS THE "COUNCIL" SHALL BE HEADED BY THE SECRETARY OF THE DEPED AS CHAIRPERSON, THE CHAIRPERSON OF THE CHED AND THE DIRECTOR-GENERAL OF THE TESDA AS CO-CHAIRPERSONS, WITH REPRESENTATIVES FROM THE NATIONAL ECONOMIC DEVELOPMENT AUTHORITY (NEDA), THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM), THE DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST), AND REPRESENTATIVES FROM DULY ORGANIZED NATIONWIDE ASSOCIATIONS OF TEACHERS, STUDENTS, PARENTS AND SCHOOL ADMINISTRATORS CONCERNED WITH SECONDARY, POST-SECONDARY AND TERTIARY EDUCATION AS MEMBERS. THE LAST THREE(3) MEMBERS SHALL BE APPOINTED BY THE COUNCIL UPON THE

RECOMMENDATION OF THEIR RESPECTIVE SECTORS FOR A TERM OF ONE(1) SCHOOL YEAR SUBJECT TO REAPPOINTMENT FOR A MAXIMUM OF FOUR(4) SCHOOL YEARS. A REPRESENTATIVE EACH FROM THE COMMITTEES ON EDUCATION OF BOTH HOUSES OF CONGRESS SHALL BE DESIGNATED RESOURCE PERSONS TO THE COUNCIL.

"THE COUNCIL SHALL MEET TWICE A YEAR OR AS THE NEED ARISES, TO ASSESS THE EFFECTIVITY OF THE PROGRAMS AND TO ENSURE THAT THE SECONDARY SCHOOLS, POST-SECONDARY TECHNICAL VOCATIONAL EDUCATION AND TRAINING INSTITUTIONS AND TERTIARY EDUCATIONAL INSTITUTIONS WHERE STUDENT RECIPIENTS ARE ENROLLED CONTINUE TO PROVIDE QUALITY EDUCATION."

SEC.3. Sec. 3 of Republic Act No. 8545 is hereby amended to read as follows:

"**SEC. 3. Criteria for Assistance.** - The programs for assistance TO STUDENTS shall be based on a set of criteria which shall include, among others, tuition fees charged by the schools, the socioeconomic needs of each region giving priority to the [Social Reform Agenda (SRA)] 5th AND 6TH CLASS MUNICIPALITIES, overall performance of the PRIVATE schools, the academic qualifications and the financial needs of the students and the teachers and the financial [needs] STATUS of the PRIVATE schools, as well as the [geographic spread]RATIO OF PUBLIC SCHOOLS VIS-A-VIS PRIVATE SCHOOLS and size of student population IN THE PUBLIC SCHOOLS IN THE AREA.

"In addition to the foregoing criteria, within such reasonable time as the [respective State Assistance Council] COUNCIL may determine, student grantees under the Private Education Student Financial Assistance Program (PESFA) shall be enrolled in schools which have accredited programs or are applying for accreditation as may be recognized by the [respective State Assistance] Council.

"Preference shall be given to students whose ANNUAL family income is [not more than Seventy-two thousand pesos (P72,000) or such amounts as may be determined by the respective councils, as defined hereinafter] BELOW THE POVERTY THRESHOLD INCOME as may be determined by the [respective councils, as defined hereinafter] NEDA. STUDENTS WHOSE ANNUAL FAMILY INCOME IS ABOVE THE POVERTY THRESHOLD INCOME MAY ALSO BE CONSIDERED AS ELIGIBLE TO PARTICIPATE IN THE PROGRAM PROVIDED: THAT PRIORITY SHALL BE GIVEN TO STUDENTS WHOSE ANNUAL FAMILY INCOME IS BELOW THE POVERTY THRESHOLD INCOME.

"THE COUNCIL MAY ADJUST THE ANNUAL FAMILY INCOME QUALIFICATION DEPENDING ON THE CHANGES IN THE ECONOMIC CIRCUMSTANCE AND CONDITIONS OF THE COUNTRY TO ACCOMMODATE MORE BENEFICIARIES.

"For purposes of this Act, programs of assistance to students and teachers of private post-secondary [vocational and] technical **VOCATIONAL EDUCATION AND TRAINING** institutions and [higher] **TERTIARY** educational institutions shall likewise be extended to students and teachers of [community] **LOCAL colleges AND UNIVERSITIES** in degree and non-degree programs. Implementation of the program shall encourage students to undergo post-secondary [vocational and] technical **VOCATIONAL EDUCATION AND TRAINING** and [higher] **TERTIARY** education courses in the same region where their families reside.

"The programs of assistance under this Act shall be extended only to students who are citizens of the Philippines. **x - x - x**

"The [State Assistance] Council[, jointly with the Department of Education, Culture and Sports (DECS), the CHED and the TESDA] shall formulate measurement standards for the evaluation of the quality of courses as well as the standing and status of the recipient institutions.

"Within five (5) years... **x - x - x**."

SEC. 4. Sec. 4 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. 4. Forms of Assistance. - Assistance to private education shall consist of assistance to students and assistance to teachers.

"The following are forms of assistance to students in private education:

["(1) Tuition fee supplements for students in private high schools, including students in vocational and technical courses;]

"(2) [High School Textbook Assistance Fund:] **TRANSPORTATION AND/OR TEXTBOOK/BOOK ALLOWANCES FOR SECONDARY, POST-SECONDARY TECHNICAL VOCATIONAL EDUCATION AND TRAINING, AND COLLEGE STUDENTS; [:** *Provided*, That the textbook assistance per student in private high schools shall be determined by the [c]Council and shall not exceed what students in public high schools are provided on a per student basis under a comprehensive textbook program of the Secondary Education Development Program (SEDP): *Provided, further*, That the textbook assistance shall be granted only to beneficiaries of tuition fee supplements and educational service contracting scheme provided in this Act;]

"(3) [Expansion of the existing] Educational Service Contracting (ESC) Scheme;

"(4) The voucher system of the Private Education Student Financial Assistance Program (PESFA);

"(5) Scholarship grants to students graduating as valedictorians [and], salutatorians **AND THOSE WITH ACADEMIC HONORS** from secondary schools;

"(6) Tuition fee supplements to students in **THE POST-SECONDARY TECHNICAL VOCATIONAL EDUCATION AND TRAINING COURSES AND STUDENTS IN** [private colleges and universities]; **TERTIARY EDUCATION** and

"(7) Education Loan Fund.

"The following are forms of assistance to teachers and faculty in private education:

"(1) In-service training fund for teachers in private high schools; and

"(2) [College] Faculty/**TRAINER** Development Fund **FOR:**

- (A) **BASIC EDUCATION;**
- (B) **POST-SECONDARY TECHNICAL VOCATIONAL EDUCATION AND TRAINING INSTITUTIONS;**
- (C) **TERTIARY EDUCATION; AND**
- (D) **ALTERNATIVE LEARNING SYSTEM**

)**"3) TEACHERS' SALARY SUBSIDY."**

SEC.5. Sec. 5 of Republic Act No. 8545 is hereby deleted.

SEC.6. Sec. 6 of Republic Act No.8545 is hereby amended to read as follows:

"SEC. 6. High School Textbook Assistance Fund. –There shall be established in the [Department of Education, Culture and Sports (DECS),] **DEPED** a High School Textbook Assistance Fund, so that assistance on a per student basis shall be given to students enrolled in private schools exclusively for the purchase of high school textbooks, in support of the implementation of the Secondary Education Development Program (SEDP): Provided, That the textbook assistance shall be determined by the council and shall not exceed what students in public high schools are provided on a per student basis:

Provided, further, That the textbook assistance shall be granted only to beneficiaries of [tuition fee supplements and] educational service contracting scheme **FOR BASIC EDUCATION AS** provided in this Act."

SEC 7. Sec. 7 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. 7. [Expansion of the Existing] Educational Service Contracting (ESC) Scheme. –

"(a) The [Department of Education, Culture and Sports (DECS)] **DEPED** shall continue to enter into contracts with private schools whereby the government shall [shoulder the tuition and other fees of high school students who shall enrol in private high schools under this program] **PROVIDE DIRECT FINANCIAL ASSISTANCE TO THE STUDENTS WHO WANT TO ENROL IN PRIVATE SCHOOLS BUT DO NOT HAVE THE FINANCIAL CAPABILITY TO AFFORD THE TUITION FEE IN THESE SCHOOLS.**

"(b) The [Department] **DEPED** shall also enter into contracts with private schools [in communities where there are no public high schools, in which case the Department shall shoulder the tuition and other fees of students who shall enrol in said private schools] **ACCREDITED BY THE DEPED PARTICULARLY IN COMMUNITIES WHERE THE PUBLIC SCHOOLS CANNOT ACCOMMODATE THE STUDENTS DUE TO THE INCREASING STUDENT POPULATION, IN WHICH CASE THE DEPED SHALL PROVIDE FINANCIAL ASSISTANCE WHICH MAY COVER THE TUITION AND OTHER FEES OF STUDENTS WHO SHALL ENROL IN SAID PRIVATE SCHOOLS.**

"(c) The amount of assistance to be given by the government [under this Sec. shall not exceed that determined as the] **SHALL BE EQUAL TO BUT NOT MORE THAN THE** per student cost in public [high] **SECONDARY** schools.

"(d) The [Department] **DEPED** shall fully pay the subsidized amount to participating **SECONDARY** schools not later than one hundred eighty (180) days from the close of the registration period.

"(e) The amount of assistance shall be allocated and distributed among the [sixteen (16)] **SEVENTEEN (17)** regions in proportion to the total population as well as the [high] **SECONDARY** school age population for the first school year [: *Provided, That* starting school year 1998, an equalization scheme shall be implemented by the State Assistance Council].

"(f) The amount of assistance to private [high] **SECONDARY** schools participating in the program shall be guaranteed for a number of slots as of the

effectivity of this Act as the number of students availing of educational service contracting assistance for school year [1997-1998] **2011-2012**: *Provided*, That the Council may, in subsequent years determine additional slots and/or additional participating private [high] SECONDARY schools as may be deemed necessary.

"(G) THE COUNCIL MAY IN SUBSEQUENT YEARS INCREASE THE AMOUNT OF FINANCIAL ASSISTANCE FOR STUDENTS UNDER THE ESC PROGRAM SUBJECT TO AVAILABILITY OF FUNDS. SUCH ASSISTANCE MAY BE EQUIVALENT TO THE PER STUDENT COST IN THE PUBLIC SECONDARY SCHOOL BUT NOT MORE THAN THE PER STUDENT COST IN THE PRIVATE SECONDARY SCHOOL."

SEC 8. Sec. 8 of Republic Act No.8545 is hereby amended to read as follows:

"SEC. 8. Assistance to College Freshmen. –

(a) *The Voucher System of PESFA Program.* - [The existing Private Education Student Financial Assistance (PESFA) Program which covers degree and non-degree [vocational/]technical **VOCATIONAL EDUCATION AND TRAINING** courses shall be expanded so that all qualified enrolling first year students can benefit from a scholarship, plus an allowance.] **THE GOVERNMENT SHALL UNDERTAKE AN ANNUAL INCREASE IN THE AMOUNT OF ASSISTANCE, AS DETERMINED BY THE COUNCIL, PROVIDED UNDER THE PESFA PROGRAM OF TESDA COVERING THE TUITION FEE, BOOK ALLOWANCE AND STIPEND SO AS TO HELP THE STUDENTS COPE WITH THE INCREASING COST OF EDUCATION, SUBJECT TO AVAILABILITY OF FUNDS: PROVIDED, THAT, [S]such financial assistance shall be granted to deserving underprivileged students, who shall be selected on the basis of family income AS DETERMINED BY THE NEDA, geographic spread and results of competitive examinations to be given by the CHED for degree courses and the TESDA for non-degree**

[vocational/]technical VOCATIONAL EDUCATION AND TRAINING courses in all secondary schools in coordination with the [DECS] **DEPED**. The program shall be equitably allocated to provinces and cities in accordance with regional and national plans to priority courses as determined by the CHED and the TESDA. **PROVIDED, FURTHER, THAT THE CHED AND TESDA SHALL DIRECTLY PAY THE STUDENTS THE AMOUNT COVERING THE TUITION AND OTHER SCHOOL FEES SUBJECT TO STRICT MONITORING. HOWEVER, THE STIPEND OF EACH STUDENT BENEFICIARY SHALL BE CLAIMED IN THE NEAREST CHED OR TESDA REGIONAL OFFICE.**

"THE CHED AND TESDA SHALL REVIEW AND EVALUATE THE PRESENT COURSES OF STUDENTS WHICH ARE CONSIDERED PRIORITY IN THE GRANTING OF FINANCIAL ASSISTANCE TO MAKE THE LIST OF COURSES MORE RELEVANT TO THE NEEDS OF THE COUNTRY.

"For purposes of this Act, an underprivileged student shall refer to a student whose gross income, if any, and that of the combined annual gross income of his/her parents [do not exceed Seventy-two thousand pesos (P72,000).] **IS BELOW THE POVERTY THRESHOLD INCOME.**

"(b) *Tuition FEE Waiver.* - Private post-secondary [vocational and]technical **VOCATIONAL EDUCATION AND TRAINING** institutions and [higher] **TERTIARY** educational institutions shall provide for full or half tuition **FEE** waivers for five percent (5%) of the entering freshmen, which shall include among others, valedictorians and salutatorians of both public [high] **SECONDARY** schools and private [high] **SECONDARY** schools: *Provided,* That those valedictorians and salutatorians meet admission tests of the schools concerned.

["(c) *Allowance for Valedictorians* - . Subject to rules and regulations as may be promulgated by the State Assistance Council, valedictorians, referred to under subparagraph (b) above, may, in addition to tuition waivers granted by the school concerned, be entitled to such allowances from the government as are provided to PESFA grantees, provided they shall enroll in priority courses.]

["(d) *Allowance for other Honorees.* - In case the graduating class is composed of more than two hundred and fifty (250) students, all salutatorians and first honorable mention graduates thereof may also be entitled to the allowance granted to valedictorians under the preceding paragraph.".]

"(C) ALLOWANCE FOR VALEDICTORIANS, SALUTATORIANS AND OTHER ACADEMIC HONOREES. - SUBJECT TO THE RULES AND REGULATIONS AS MAY BE PROMULGATED BY THE COUNCIL, VALEDICTORIANS, SALUTATORIANS AND OTHER ACADEMIC HONOREES REFERRED TO UNDER SUBPARAGRAPH (B) ABOVE, MAY, IN ADDITION TO TUITION FEE WAIVERS GRANTED BY THE SCHOOL CONCERNED, BE ENTITLED TO SUCH ALLOWANCES FROM THE GOVERNMENT AS ARE PROVIDED TO PESFA GRANTEES, PROVIDED THEY SHALL ENROL IN PRIORITY COURSES."

SEC. 9. Sec. 9 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. 9. Further Assistance to Students in Private Colleges and Universities. – Tuition fee supplements for students of private post-secondary [vocational and] technical **VOCATIONAL EDUCATION AND TRAINING** institutions and [higher] **TERTIARY** educational institutions enrolled in priority course programs determined by the TESDA and the CHED, **RESPECTIVELY**, shall be provided by the government through a voucher system in the following manner:

"For students in priority programs in schools charging an effective per unit tuition rate of such amount as may be determined by the [State Assistance] Council, the government shall provide the student with a voucher for the amount of tuition fee supplement determined by the [State Assistance] Council."

"[Government assistance and tuition increases as described in this Sec. shall be governed by the same condition as provided under Sec. **[5] 6** (2) of this Act.]

SEC 10. Section 10 of Republic Act No. 8545. **x - x - x**

SEC. 11. Sec. 11 of Republic Act No. 8545. **x – x - x**

SEC. 12. A new Section 12 is hereby inserted to read as follows:

"SEC. 12. SCHOLARSHIP FUND IN PRIVATE SECONDARY AND POST-SECONDARY SCHOOLS, COLLEGES AND UNIVERSITIES. - THE PARTICIPATING PRIVATE SCHOOLS IN THE GASTPE PROGRAM MAY INSTITUTIONALIZE COUNTERPART FUNDING TO FINANCE THE ESC SCHEME, TRANSPORTATION AND/OR TEXTBOOK/BOOK ASSISTANCE PROGRAM AND THE PESFA. THE PRIVATE SCHOOLS ARE HEREBY ENJOINED TO PROVIDE A COUNTERPART OF AT LEAST 20% OF THE GOVERNMENT FINANCIAL ASSISTANCE GIVEN TO THE STUDENT-BENEFICIARIES."

SEC. 13. A new section 13 is hereby inserted to read as follows:

SEC. 13. TAX INCENTIVES TO PRIVATE SCHOOL. PARTICIPATING PRIVATE SCHOOLS WHICH ARE WILLING TO CONDONE/SHOULDER THE AMOUNT OF THE DIFFERENTIAL, THE DIFFERENCE BETWEEN THE AMOUNT OF SUBSIDY GRANTED TO THE STUDENT BENEFICIARY AND THE PARTICIPATING PRIVATE SCHOOL'S ACTUAL TUITION AND OTHER FEES, SHALL BE GIVEN TAX INCENTIVES SIMILAR/COMPARABLE TO THOSE PROVIDED FOR IN SECTION 3 OF REVENUE REGULATIONS NO. 10-2003 OF THE BUREAU OF INTERNAL REVENUE, TITLED, "IMPLEMENTING THE TAX INCENTIVES PROVISIONS OF REPUBLIC ACT NO. 8525, OTHERWISE KNOWN AS THE "ADOPT-A-SCHOOL ACT OF 1998".

SEC. 14. A new section 14 is hereby inserted to read as follows:

"SEC. 15. CONDITIONS FOR TUITION FEE SUBSIDY. – ASSISTANCE PROVIDED IN THE PRECEDING SECTIONS SHALL BE GRANTED ON THE CONDITION THAT SEVENTY PERCENT (70%) OF THE AMOUNT SUBSIDIZED SHALL GO TO PAYMENT OF SALARIES, WAGES, ALLOWANCES AND OTHER BENEFITS OF TEACHING AND NON-TEACHING PERSONNEL EXCEPT ADMINISTRATORS WHO ARE PRINCIPAL STOCKHOLDERS OF THE SCHOOL, AND MAY BE USED TO COVER INCREASES AS PROVIDED FOR IN THE COLLECTIVE BARGAINING AGREEMENTS EXISTING OR IN FORCE UPON THE EFFECTIVITY OF THIS ACT: PROVIDED, THAT AT LEAST 20% SHALL GO TO THE IMPROVEMENT OR MODERNIZATION OF BUILDINGS, EQUIPMENT, LIBRARIES, LABORATORIES, GYMNASIA AND SIMILAR FACILITIES AND TO THE PAYMENT OF OTHER COSTS OF OPERATION. FOR THIS PURPOSE, THE SCHOOL SHALL MAINTAIN A SEPARATE RECORD OF ACCOUNTS FOR ALL ASSISTANCE RECEIVED FROM THE GOVERNMENT, ANY TUITION FEE INCREASE, AND THE DETAILED DISPOSITIONS AND USE THEREOF, WHICH RECORD SHALL BE MADE AVAILABLE FOR PERIODIC INSPECTION AS MAY BE DETERMINED BY THE COUNCIL."

SEC. 15. Sec. 12 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. [12]16. *In-service Training Fund (Inset Fund)*. - For the purpose of improving the quality of teaching in private secondary education, there is hereby established in the [Department of Education, Culture and Sports] **DEPED** an Inset Fund to provide for the upgrading of knowledge and teaching competencies in critical subject areas and for the modernization of teaching techniques and strategies, including training in the use of computers and of other multi-media educational technologies to assist instruction: *Provided*, That the Inset Fund shall be available [only] to **ALL** [qualified licensed] teachers in participating private [high]**SECONDARY** schools as determined by the [State Assistance] Council: *Provided, further*, That the amount of Inset Fund available to private secondary education shall not exceed that available to public secondary education on a per capita basis."

SEC 16. Section 13 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. [13]17. [College] Faculty/TRAINER Development Fund FOR BASIC EDUCATION, POST-SECONDARY TECHNICAL VOCATIONAL EDUCATION AND TRAINING INSTITUTIONS, TERTIARY EDUCATION AND ALTERNATIVE LEARNING SYSTEM. - For the purpose of improving the quality of teaching in private **BASIC EDUCATION**, post-secondary [vocational and] technical **VOCATIONAL EDUCATION AND TRAINING** institutions and [higher]**TERTIARY** educational institutions, there is hereby established in the **DEPED**, TESDA and the CHED, a [College] Faculty/TRAINER Development Fund to provide for scholarships for **BASIC EDUCATION**, graduate degree,

degree and non-degree workshops or seminars for faculty members in private **BASIC EDUCATION**, post-secondary [vocational and] technical **VOCATIONAL EDUCATION AND TRAINING** institutions and [higher] **TERTIARY** educational institutions: *Provided*, That faculty member recipients of such scholarships shall serve as many number of years for every year of scholarship availed of as may be determined by the [State Assistance] Council in conformity with **THE** prevailing [National Economic and Development Authority (NEDA)] **NEDA** policies on return service of government scholars. The scholarship shall be in priority courses as determined by the **DEPED**, TESDA and the CHED and cannot be awarded to promote or inhibit sectarian purposes."

SEC. 17. Sec. 14 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. [14]18. Teachers' Salary Subsidy Fund. - A Teachers' Salary Subsidy Fund is hereby established in the [DECS] **DEPED** to grant government subsidy, **IN THE AMOUNT TO BE DETERMINED BY THE COUNCIL**, to teachers in private [high] **SECONDARY** schools participating in the programs of assistance provided in this Act: *Provided*, That the total monthly salary which includes the subsidy to be received by such private [high] school teachers shall not be more than eighty percent (80%) of the salary of his counterpart in the public sector: *Provided, further*, That the amount of monthly subsidy shall not exceed the amount of any monthly **BASIC** salary increase that teachers in public [high]**SECONDARY** schools shall after the effectivity of this Act hereinafter receive: *Provided, further*, That private [high] **SECONDARY** school teachers qualified to receive subsidy under this Act are duly licensed by the Professional Regulation Commission: *Provided, further*, That the government shall provide them with a voucher for the salary subsidy which shall be reimbursed directly to the teachers within sixty (60) days after the close of the school year upon submission of proof of qualification and actual teaching service in a participating private [high] **SECONDARY** school: *Provided, further*, That the present allocation out of increases from tuition and other income shall be maintained: *Provided, finally*, That in case of insufficiency of funds, priority shall be given to married teachers supporting a family."

SEC 18. Section 15 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. [15] 19. Program Administration/Rules and Regulations. - The [State Assistance] Council shall be responsible for policy guidance and direction, monitoring and evaluation of new and existing programs, and the promulgation of the rules and regulations, while the [Department of Education, Culture and Sports] **DEPED**, the TESDA and the CHED shall be responsible for the day to day administration and program implementation for the programs of assistance to private secondary education, post-secondary

[vocational and technical] education and [higher] **TERTIARY** education, respectively. Likewise, it may engage the services and support of any qualified government or private entity for its implementation.

["The State Assistance Council, hereinafter known as the Council, shall be headed by the Secretary of Education, Culture and Sports as chairperson, the chairperson of the CHED and the director-general of the TESDA as co-chairpersons, with representatives from the National Economic and Development Authority, the Department of Budget and Management, the Department of Science and Technology, and representatives from duly organized nationwide associations of teachers, students, parents and school administrators concerned with secondary, post-secondary vocational and technical education and higher education as members. The last three members shall be appointed by the Council upon the recommendation of their respective sectors for a term of one (1) school year subject to reappointment for a maximum term of four (4) school years. A representative from each from the Committees on Education of both Houses of Congress shall be designated resource persons to the Council.

"The Council shall meet, from time to time, as the need arises, to assess the effectivity of the programs and to ensure that the secondary schools, post-secondary vocational and technical institutions and higher educational institutions where student recipients are enrolled continue to provide quality education. For this purpose, the Council shall establish criteria to determine which secondary schools, post-secondary vocational and technical institutions and higher educational institutions may continue to enroll students and teachers/faculty as recipients of government assistance under this Act."]

SEC 19. Sec. 16 of Republic Act No. 8545 is hereby amended to read as follows:

"SEC. [16]20. Appropriations. – [The amount needed to implement these programs shall be provided for in the annual General Appropriations Act for the year 1998. The appropriation of One billion pesos (P1,000,000,000) already appropriated under the General Appropriations Act of 1998 shall be used for this purpose.

"All funds appropriated for this purpose shall be constituted as a trust fund to be administered by the State Assistance Council, which shall be directly and automatically released to the different regional offices of the DECS.] **THE DEPED MAY UTILIZE ITS SAVINGS FROM ANY ITEM OF APPROPRIATION IN FISCAL YEAR 2011: PROVIDED, THAT ANY DEFICIENCY SHALL BE TAKEN FROM ANY OR ALL OF THE FOLLOWING SOURCES:**

- 1. TWENTY PERCENT (20%) OF THE TRAVEL TAX AND AIRPORT DEPARTURE TAX COLLECTIONS;**

2. TEN PERCENT (10%) OF ANY FUNDS COLLECTED BY THE SUGAR REGULATORY ADMINISTRATION OF THE PHILIPPINES AND THE PHILIPPINE COCONUT AUTHORITY;
3. TEN PERCENT (10%) OF THE NET INCOME OF THE DEVELOPMENT ACADEMY OF THE PHILIPPINES;
4. PORTIONS OF THE OVERSEAS WELFARE FUND TO BENEFIT THE DEPENDENTS OR CHILDREN OF OVERSEAS WORKERS; AND
5. ANY OTHER LUMP SUM APPROPRIATIONS OR COLLECTIONS UNDER THE SUPERVISION AND CONTROL OF THE OFFICE OF THE PRESIDENT.

PROVIDED, FINALLY, THAT THE TOTAL AMOUNT MADE AVAILABLE TO CARRY OUT THE PURPOSES OF THIS ACT SHALL NOT EXCEED ONE BILLION PESOS (P1,000,000,000.00) FOR FISCAL YEAR 2011. THEREAFTER, SUCH AMOUNT AS MAY BE NECESSARY FOR ITS CONTINUED IMPLEMENTATION SHALL BE [INCLUDED IN THE ANNUAL GENERAL APPROPRIATIONS ACT] INCLUDED IN THE ANNUAL AGENCY APPROPRIATIONS ACT OF DEPED, TESDA AND CHED. SUCH AMOUNT SHALL BE SEPARATE AND DISTINCT FROM THE BUDGET CEILINGS OF THESE AGENCIES ."

SEC 20. Sec. 17 of Republic Act No. 8545 shall be renumbered as Sec. 21 and is hereby amended to read as follows:

*"SEC. [17] 21. Penalties. - In case of violations of the provisions of this Act or the rules and regulations promulgated pursuant thereto by an institution, the [Department of Education, Culture and Sports] **DEPED**, the **TESDA** and the **CHED**, upon the recommendation of the Council, may bar the institution from participating in or benefiting from the programs of this Act, and from other programs of the [Department,] **DEPED, THE TESDA AND THE CHED**, without prejudice to administrative and criminal charges as may be filed against the school and/or its responsible officers under existing laws."*

SEC.21. A new section 22 is hereby inserted to read as follows:

"SEC. 22. JOINT CONGRESSIONAL OVERSIGHT COMMITTEE- THE SENATE COMMITTEE ON EDUCATION, CULTURE AND ARTS AND THE HOUSE COMMITTEES ON BASIC EDUCATION AND CULTURE AND HIGHER AND TECHNICAL EDUCATION SHALL OVERSEE THE IMPLEMENTATION OF THE EXPANDED VOUCHER SYSTEM IN COORDINATION WITH THE COUNCIL. THE COUNCIL SHALL SUBMIT TO CONGRESS AN ANNUAL ACCOMPLISHMENT REPORT ON THE IMPLEMENTATION OF THIS ACT. THE OVERSIGHT COMMITTEE SHALL BE COMPOSED OF FIVE (5) MEMBERS EACH FROM THE SENATE AND FROM THE HOUSE OF REPRESENTATIVES , INCLUDING CHAIRS OF

THE COMMITTEES ON EDUCATION, ARTS AND CULTURE, AND FINANCE OF BOTH HOUSES. THE MEMBERSHIP OF THE COMMITTEE FOR EVERY HOUSE SHALL HAVE AT LEAST TWO (2) OPPOSITION OR MINORITY MEMBERS"

SEC. 22. A new section 23 is hereby inserted to read as follows:

"SEC. 23. - THE COUNCIL SHALL FORMULATE RULES AND REGULATIONS NECESSARY FOR THE SMOOTH IMPLEMENTATION OF THIS ACT WITHIN A PERIOD OF NINETY (90) DAYS FROM THE DAY OF THIS EFFECTIVITY."

SEC. 23. Sections 18, 19 and 20 of Republic Act No. 8545 shall be renumbered as Sec. 24, 25 and 26, respectively:

Sec. 24. *Repealing Clause.* – All laws and decrees[, particularly Presidential Decree Nos. 932 and 1371,] and such letters of instructions, rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 25. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SEC. 26. *Effectivity Clause.* – This Act shall take effect immediately **FIFTEEN (15) DAYS AFTER** its publication in **AT LEAST TWO (2) NEWSPAPERS OF GENERAL CIRCULATION**

Approved,