

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **5010**



Introduced by Representative RAMON V. A. "RAV" ROCAMORA

EXPLANATORY NOTE

Article XIV, Section 4 (1) of the 1987 Constitution "recognizes the complementary roles of public and private institutions in the educational system." Article XIV, Section 2 (3) mandates that the State "establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged." Given these express policies of the State, Congress enacted Republic Act No. 6728, or the Government Assistance to Students and Teachers in Private Education (GASTPE) Act.

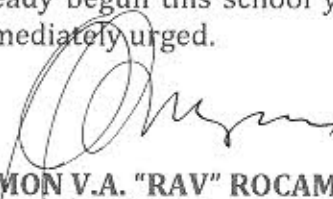
The GASTPE Act, passed in 1989, was amended by Republic Act No. 8545 in 1998 in order to expand its application. However, after almost 20 years from the last amendment, certain developments have occurred in the education system that require the law to once again adapt to the changes therein. One of these is the passage of Republic Act No. 10533, or the Enhanced Basic Education Act.

RA 10533 mandated the implementation of the Senior High School program. One of the strategies being utilized in order to properly implement the said program is to create partnerships with private educational institutions who are willing and able to accommodate the public school students who cannot be absorbed by their public schools due to, among others, the oversized classes, the lack of the chosen Senior High School offering or track, the absence or deficiency of the needed facilities, etcetera. This strategy may have provided some measure of relief by decongesting the public school system, but it has also made it difficult for those students to maximize or even access the private schools due to financial constraints. These students, who used to receive free education, are now placed in private schools who charge not only tuition fees, but all sorts of other fees that the public school student never had to pay. They cannot be left to fend for themselves in this regard. Thus, as a way of aiding the students who were transferred to private schools, they must be able to receive the benefits outlined in the GASTPE, especially the benefits regarding tuition fee supplements and textbook assistance.

Also, given the partnership between the public and private school systems, it is only fair that the teachers, as well as the schools themselves, be given benefits and be duly compensated for receiving the additional workload. Thus, the faculty in private

Senior High Schools should also be able to access the In-service Training Fund as well as receive scholarships for their enrollment in graduate programs to improve their skills as teachers. As for the private educational institutions themselves, they should be brought within the coverage of the Expanded Education Service Contracting Scheme for the utilization of their previously unused capacity where the government will shoulder the fees of the students who will be enrolled in their schools.

Therefore, since the implementation of the Senior High School program has already begun this school year 2016-2017, the enactment of this bill is earnestly and immediately urged.



RAMON V.A. "RAV" ROCAMORA
Representative
Lone District, Siquijor

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1 **AN ACT PROVIDING FOR AN EXPANDED VOUCHER SYSTEM IN THE ELEMENTARY,**
2 **SECONDARY, AND SENIOR HIGH SCHOOL EDUCATION SYSTEM, AMENDING FOR**
3 **THE PURPOSE REPUBLIC ACT NO. 6728, AS AMENDED**
4

5 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
6 *assembled:*
7

8 **SECTION 1.** Section 2 of Republic Act No. 6728, otherwise known as the "Government
9 Assistance to Students and Teachers in Private Education Act," as amended, is hereby
10 further amended to read as follows:
11

12 "SEC. 2. *Declaration of Policy.* – It is a declared policy of the State, in conformity
13 with the mandate of the Constitution, to promote and make quality education
14 accessible to all Filipino citizens. The State also hereby recognizes the
15 complementary roles of public and private educational institutions in the
16 educational system and the invaluable contribution that the private schools have
17 made and will make to education. For these purposes, the State shall provide the
18 mechanism to improve quality in private education, recognizing in the process
19 the government's responsibility to provide basic elementary [and], secondary,
20 AND SENIOR HIGH SCHOOL education, post-secondary vocational and technical
21 education, and higher education as having priority over its other functions.
22

23 Elementary education is the first six (6) years of basic education, excluding pre-
24 school and Grade Seven, the completion of which is attested by a certificate
25 issued by or with permission of the Department of Education (DEPED) [, Culture
26 and Sports]. Secondary education is the next four (4) years of basic education
27 AND SENIOR HIGH EDUCATION IS THE FOLLOWING TWO (2) YEARS
28 THEREAFTER, the completion of which is attested by a school diploma issued by
29 or with permission of the DEPED [Department of Education, Culture and Sports].
30

31 Post-secondary education may be education and training in non-degree
32 vocational and technical courses offered in post-secondary vocational and
33 technical institutions or education in degree courses offered by higher
34 educational institutions, the completion of which are attested by a certificate or

1 diploma issued by or with permission of the Technical Education and Skills
2 Development Authority (TESDA) or the Commission on Higher Education
3 (CHED), respectively.”
4

5 **SECTION 2.** Section 3 of the same Act, as amended, is hereby further amended to read
6 as follows:
7

8 “SEC. 3. *Criteria for Assistance.* – The programs for assistance shall be based on a
9 set of criteria which includes, among others, THE FOLLOWING:
10

11 (1) the tuition AND OTHER fees charged by the schools;
12

13 (2) the socio-economic needs of each region giving priority to the
14 [Social Reform Agenda (SRA) provinces] POOREST REGIONS,
15 PROVINCES, OR MUNICIPALITIES AS DETERMINED BY THE
16 APPROPRIATE GOVERNMENT AGENCY;
17

18 (3) the overall performance of the schools;
19

20 (4) the academic qualifications and the financial needs of the schools;
21 and
22

23 (5) [as well as] the geographic spread and size of student [population]
24 ENROLLMENT.
25

26 In addition to the foregoing criteria, within which such reasonable time as the
27 respective State Assistance Council (COUNCIL) may determine, student grantees
28 under the Private Education Student Financial Assistance Program shall be
29 enrolled in schools which have accredited programs or are applying for
30 accreditation as may be recognized by the respective [State Assistance] Council.
31

32 Preference shall be given to students whose ANNUAL family income is [not more
33 than seventy-two thousand pesos (P 72,000.00) or such amounts as may be
34 determined by the respective councils, as defined hereinafter] BELOW THE
35 POVERTY THRESHOLD INCOME LEVEL IN THEIR RESPECTIVE REGION,
36 PROVINCE, CITY, OR MUNICIPALITY AS DETERMINED BY THE APPROPRIATE
37 GOVERNMENT AGENCY, OR, IN THE ABSENCE OF SUCH DATA, THE NATIONAL
38 POVERTY THRESHOLD INCOME LEVEL AS DETERMINED BY THE NATIONAL
39 ECONOMIC DEVELOPMENT AUTHORITY (NEDA).
40

41 For purposes of this Act, programs of assistance to students and teachers of
42 private post-secondary vocational and technical institutions and higher
43 educational institutions shall likewise be extended to students and teachers of
44 community colleges in degree and non-degree programs. Implementation of the
45 program shall encourage students to undergo post-secondary vocational and
46 technical and higher education courses in the same region where their families
47 reside.
48

49 The programs of assistance under this Act shall be extended only to students

1 who are citizens of the Philippines.

2
3 The [State Assistance] Council, jointly with the DEPED [Department of
4 Education, Culture, and Sports (DECS)], the CHED, and the TESDA shall
5 formulate measurement standards for the evaluation of the quality of courses as
6 well as the standing and status of the recipient institutions.

7
8 Within five (5) years from the approval of this Act, the assistance shall be given
9 to schools; Provided, That the present allocation of the tuition fee and other
10 income of the schools shall be used at the same proportion and allocation as
11 provided by law.

12
13 **SECTION 3.** Section 4 of the same Act, as amended, is hereby further amended to read
14 as follows:

15
16 “SEC. 4. *Forms of Assistance.* – Assistance to private education shall consist of
17 assistance to students [and], [assistance] to teachers, AND TO SCHOOLS.

18
19 The following are forms of assistance to students in private education:

20
21 (1) Tuition fee supplements for students in private ELEMENTARY,
22 SECONDARY, AND SENIOR high schools, including students in
23 vocational and technical courses;

24
25 (2) [High School] Textbook Assistance Fund; Provided, That the
26 textbook assistance per student in private ELEMENTARY, SECONDARY,
27 AND SENIOR high schools shall be determined by the Council and shall
28 not exceed what students in public ELEMENTARY, SECONDARY, AND
29 SENIOR high schools are GIVEN [provided] on a per student basis
30 [under a comprehensive textbook, program of the Secondary Education
31 Development Program (SEDP)]; Provided, further, That the textbook
32 assistance shall be granted only to beneficiaries of tuition fee
33 supplements and educational service contracting scheme AS SET
34 FORTH [provided] in this Act;

35
36 (3) Expansion of the existing Educational Service Contracting (ESC)
37 Scheme;

38
39 (4) The voucher system of the Private Education Student Financial
40 Assistance Program (PESFA);

41
42 (5) Scholarship grants to students graduating as valedictorians and
43 salutatorians from ELEMENTARY, secondary, AND SENIOR HIGH
44 schools;

45
46 (6) Tuition fee supplements to students in private colleges and
47 universities; and

48
49 (7) Education Loan Fund.

1
2 The following are forms of assistance to teachers and faculty in private
3 education:

4
5 (1) In-service training fund for teachers in private ELEMENTARY,
6 SECONDARY, AND SENIOR high schools; and

7
8 (2) College Faculty Development Fund.
9

10 THE FOLLOWING ARE FORMS OF ASSISTANCE TO PRIVATE SCHOOLS:

11
12 (1) UTILIZATION OF THEIR UNUSED CAPACITY THROUGH THE
13 EXPANDED EDUCATION SERVICE CONTRACTING SCHEME;

14
15 (2) SCHOLARSHIPS FOR QUALIFIED ELEMENTARY, SECONDARY,
16 AND SENIOR HIGH SCHOOL TEACHERS ENROLLED IN QUALITY
17 GRADUATE PROGRAMS;

18
19 (3) PARTICIPATION IN GOVERNMENT FUNDED IN-SERVICE
20 TRAINING FOR PRIVATE ELEMENTARY, SECONDARY, AND SENIOR
21 HIGH SCHOOL TEACHERS;

22
23 (4) ACCESS TO GOVERNMENT FUNDED LABORATORY FACILITIES
24 ESPECIALLY FOR SCIENCE AND TECHNOLOGY."
25

26 **SECTION 4.** Section 5 of the same Act, as amended, is hereby further amended to read
27 as follows:

28
29 "*SEC. 5. Tuition Fee Supplements for Students in Private* ELEMENTARY,
30 *SECONDARY, AND SENIOR High Schools:*

31
32 (1) Financial Assistance for tuition for students in private
33 ELEMENTARY, SECONDARY, AND SENIOR high schools shall be
34 provided by the government through a voucher system in the following
35 manner:

36
37 (a) For students enrolled in schools charging an amount as
38 may be determined by the [State Assistance] Council, the
39 government shall provide them with a voucher in such an
40 amount as may be determined by the Council; Provided, That
41 the government shall reimburse the vouchers from the schools
42 concerned within one hundred twenty (120) days from the
43 close of the registration period.
44

45 (2) Assistance under paragraph (1), subparagraph (a) shall be
46 guaranteed to all private ELEMENTARY, SECONDARY, AND SENIOR
47 high schools participating in the program for a number of slots as of the
48 effectivity of this Act as the total number of students who availed of
49 tuition fee supplements for school year 2016-2017 [1997-1998];

1 Provided, That the [State Assistance] Council may in subsequent years
2 determine additional slots and/or additional participating
3 ELEMENTARY, SECONDARY, AND SENIOR high schools as may be
4 deemed necessary.”
5

6 **SECTION 5.** Section 6 of the same Act, as amended, is hereby further amended to read
7 as follows:
8

9 “SEC. 6. *[High School] Textbook Assistance Fund.* – There shall be established in
10 the DEPED [Department of Education, Culture, and Sports (DECS)] a [High
11 School] Textbook Assistance Fund so that assistance on a per student basis shall
12 be given to students enrolled in private schools exclusively for the purchase of
13 ELEMENTARY, SECONDARY, AND SENIOR high school textbooks [, in support of
14 the implementation of the Secondary Education Development Program];
15 Provided, That the textbook assistance per student in private ELEMENTARY,
16 SECONDARY, AND SENIOR high schools shall be determined by the Council and
17 shall not exceed what students in public ELEMENTARY, SECONDARY, AND
18 SENIOR high schools are provided on a per student basis; Provided, further, That
19 the textbook assistance shall be granted only to beneficiaries of tuition fee
20 supplements and educational service contracting scheme provided in this Act.”
21

22 **SECTION 6.** Section 7 of the same Act, as amended, is hereby further amended to read
23 as follows:
24

25 “SEC. 7. *Expansion of the Existing Educational Service Contracting (ESC) Scheme.*
26

27 (a) The DEPED [Department of Education, Culture, and Sports (DECS)]
28 shall continue to enter into contracts with private schools whereby the
29 government shall shoulder the tuition and other fees of ELEMENTARY,
30 SECONDARY, AND SENIOR high school students who shall enroll in
31 private [high] schools under this program. PRIORITY SHALL BE GIVEN
32 TO PRIVATE SCHOOLS IN COMMUNITIES WHERE THE PUBLIC
33 SCHOOLS CAN NO LONGER ACCOMMODATE THE STUDENTS DUE TO
34 THE INCREASE IN STUDENT POPULATION.
35

36 (b) The DEPED [Department] shall also enter into contracts with
37 private schools in communities where there are no public
38 ELEMENTARY, SECONDARY, OR SENIOR high schools, in which case the
39 DEPED [Department] shall shoulder the tuition and other fees of
40 students who shall enroll in said private school.
41

42 (c) The amount of assistance to be given by the government under
43 this section shall not exceed that determined as the per student cost in
44 public ELEMENTARY, SECONDARY, AND SENIOR high schools.
45

46 (d) The DEPED [Department] shall fully pay the subsidized amount to
47 participating schools not later than one hundred eighty (180) days from
48 the close of the registration period.
49

(e) The amount of assistance AND THE NUMBER OF SLOTS SHALL BE DETERMINED BY THE COUNCIL AND ALLOCATED [shall be allocated and distributed] among the sixteen (16) regions in proportion to the total population as well as the ELEMENTARY, SECONDARY, AND SENIOR high school age population for the first school year; Provided, That starting school year 2017 [1998], an equalization scheme shall be implemented by the [State Assistance] Council.

(f) The amount of assistance to private ELEMENTARY, SECONDARY, AND SENIOR high 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 the school year 2016-2017 (1997-1998); Provided, That the [State Assistance] Council may, in subsequent years determine additional slots and/or additional participating private ELEMENTARY, SECONDARY, AND SENIOR high schools a may be deemed necessary."

SECTION 7. Section 8 of the same Act, as amended, is hereby further amended to read as follows:

"SEC. 8. Assistance to College Freshmen.

(a) *The Voucher System of Private Education Student Financial Assistance (PESFA) Program.* – The existing PESFA Program, which covers degree and non-degree vocational/technical courses, shall be expanded so that all qualified enrolling first year students can benefit from a scholarship, plus an allowance. Such financial assistance shall be granted to deserving, underprivileged students who shall be selected on the basis of family income, geographic spread, and results of competitive examinations to be given by the CHED for degree courses and the TESDA for non-degree vocational/technical courses in all secondary AND SENIOR HIGH schools in coordination with the DEPED [DECS]. The program shall be equitably allocated to REGIONS, provinces, [and] cities, AND MUNICIPALITIES in accordance with regional and national plans to priority courses as determined by the CHED and the TESDA.

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 (P 72,000.00)] THE POVERTY THRESHOLD INCOME LEVEL IN THEIR RESPECTIVE REGION, PROVINCE, CITY, OR MUNICIPALITY AS MAY BE DETERMINED BY THE APPROPRIATE GOVERNMENT AGENCY OR, IN THE ABSENCE OF SUCH DATA, THE NATIONAL POVERTY THRESHOLD INCOME LEVEL AS MAY BE DETERMINED BY THE NEDA."

SECTION 8. Section 12 of the same Act, as amended, is hereby further amended to read as follows:

1 "SEC. 12. *In-Service Training Fund (Inset Fund)*. For the purpose of improving the
2 quality of teaching in private ELEMENTARY, secondary, AND SENIOR HIGH
3 education, there is hereby established in the DEPED [Department of Education,
4 Culture, and Sports] an Inset Fund to provide for the upgrading of knowledge
5 and teaching competencies in critical subject areas and for the modernization of
6 teaching techniques and strategies, including training in the use of computers
7 and of other multimedia educational technologies to assist instruction; Provided,
8 That the Inset Fund shall be available only to qualified licensed teachers in
9 participating private [high] schools as determined by the [State Assistance]
10 Council; Provided, further, That the amount of Inset Fund available to private
11 ELEMENTARY, secondary, AND SENIOR HIGH education shall not exceed that
12 available to public ELEMENTARY, secondary, AND SENIOR HIGH education on a
13 per capita basis."

14
15 **SECTION 9.** Section 14 of the same Act, as amended, is hereby further amended to read
16 as follows:
17

18 "SEC. 14. *Teacher's Salary Subsidy Fund*. A Teacher's Salary Subsidy Fund is
19 hereby established in the DEPED [DECS] to grant government subsidy to
20 teachers in private ELEMENTARY, SECONDARY, AND SENIOR high schools
21 participating in the programs of assistance provided in this Act; Provided, That
22 the total monthly salary, which includes the subsidy to be received by such
23 ELEMENTARY, SECONDARY, AND SENIOR high school teachers, shall not be
24 more than eighty percent (80%) of the salary of his counterpart in the public
25 sector; Provided, further, That the amount of monthly subsidy shall not exceed
26 the amount of any monthly salary increase that teachers in public ELEMENTARY,
27 SECONDARY, AND SENIOR high schools shall, after the effectivity of this Act,
28 hereinafter receive; Provided, furthermore, That private ELEMENTARY,
29 SECONDARY, AND SENIOR high school teachers qualified to receive subsidy
30 under this Act are duly licensed by the Professional Regulation Commission;
31 Provided, also, That the government shall provide them with a voucher for the
32 salary subsidy, which shall be reimbursed directly to the teachers within sixty
33 (60) days after the close of the school year upon submission of proof of
34 qualification and actual teaching service in a participating private ELEMENTARY,
35 SECONDARY, AND SENIOR high school; Provided, as well, That the present
36 allocation out of increases from tuition and other income shall be maintained;
37 Provided, finally, That in case of insufficiency of funds, priority shall be given to
38 [married] teachers supporting a family."
39

40 **SECTION 10.** Section 15 of the same Act, as amended, is hereby further amended to
41 read as follows:
42

43 "SEC. 15. *Program Administration Rules and Regulations*. The [State Assistance]
44 Council shall be responsible for policy guidance and direction, monitoring and
45 evaluation of new and existing programs, and the promulgation of the rules and
46 regulations; while the DEPED [Department of Education, Culture, and Sports],
47 the TESDA, and the CHED shall be responsible for the day to day administration
48 and program implementation for the programs of assistance to private
49 ELEMENTARY, SECONDARY, AND SENIOR HIGH education; post-secondary

1 vocational and technical education; and higher education, respectively. Likewise,
2 it may engage the services and support of any qualified government or private
3 entity for its implementation.

4
5 The [State Assistance] Council [, hereinafter known as the Council,] shall be
6 headed by the Secretary of Education [, Culture, and Sports] as Chairperson, the
7 Chairperson of the CHED and the Director-General of the TESDA as Co-
8 Chairpersons, with representatives from the NEDA, the Department of Budget
9 and Management, the Department of Science and Technology, and
10 representatives from duly organized nationwide associations of teachers,
11 students, parents, and school administrators concerned with ELEMENTARY,
12 secondary, SENIOR, post-secondary vocational and technical education, and
13 higher education as members. The last FIVE (5) [three (3)] members shall be
14 appointed by the Council upon the recommendation of their respective sectors
15 for a term of THREE (3) [one (1) school year subject to reappointment for a
16 maximum of four (4)] school years. A representative each from the SENATE
17 COMMITTEE ON EDUCATION, ARTS, AND CULTURE AND THE CONGRESSIONAL
18 COMMITTEE ON BASIC EDUCATION AND CULTURE [Committee on Education of
19 both Houses of Congress] shall be designated resource persons to the Council.
20

21 The Council shall meet, from time to time as the need arises, to assess the
22 effectivity of the programs and to ensure that the ELEMENTARY, secondary,
23 SENIOR HIGH schools, post-secondary vocational and technical institutions, and
24 higher educational institutions may continue to enroll students and
25 teachers/faculty as recipients of government assistance under this Act.”
26

27 **SECTION 11.** Section 16 of the same Act, as amended, is hereby further amended to
28 read as follows;
29

30 “SEC. 16. *Appropriations.* The amount needed to implement these programs shall
31 be provided for in the Annual General Appropriations Act [for] BEGINNING the
32 year 2018. [The appropriation of one billion pesos (P 1,000,000,000.00) already
33 appropriated under the General Appropriations Act of 1998 shall be used for this
34 purpose.]
35

36 All funds appropriated for this purpose shall be constituted as a trust fund to be
37 administered by the [State Assistance] Council, which shall be SEPARATE AND
38 DISTINCT FROM THE REGULAR APPROPRIATIONS OF THE DEPED, CHED, AND
39 TESDA AND SHALL BE RELEASED BY THE DEPED, CHED, AND TESDA DIRECTLY
40 TO THEIR RESPECTIVE PARTICIPATING SCHOOLS [directly and automatically
41 released to the different regional offices of the DECS].
42

43 **SECTION 12.** Section 17 of the same Act, as amended, is hereby further amended to
44 read as follows:
45

46 “SEC. 17. *Penalties.* – In case of violations of the provisions of this Act or the rules
47 and regulations promulgated pursuant thereto by an institution, the DEPED
48 [Department of Education, Culture, and Sports], the TESDA, and the CHED, upon
49 the recommendation of the Council, may bar the institution from participating in

1 or benefiting from the programs of this Act, and from other programs of the
2 DEPED [Department], TESDA, OR CHED, without prejudice to administrative and
3 criminal charges as may be filed against the school and/or its responsible
4 officers under existing laws.”
5

6 **SECTION 13. *Separability Clause.*** – If any section or part of this Act is held
7 unconstitutional or invalid, the other sections or provisions shall remain in full force
8 and effect.
9

10 **SECTION 14. *Repealing Clause.*** – All laws, decrees, executive orders, rules and
11 regulations, issuances, or any part thereof inconsistent with the provisions of this Act
12 are deemed repealed or amended accordingly.
13

14 **SECTION 15. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
15 publication in at least two (2) national newspapers of general circulation.
16

17 *Approved.*