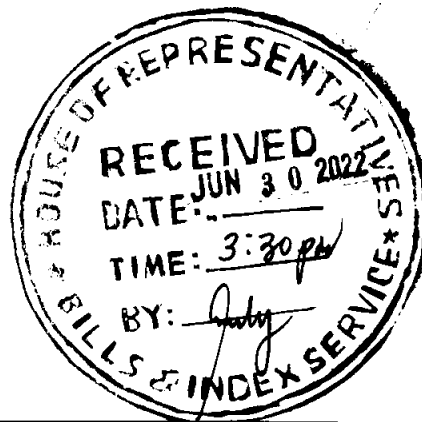


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 251



Introduced by

KABATAAN PARTY-LIST Representative Raoul Dannel A. Manuel,
ACT TEACHERS PARTY-LIST Representative France L. Castro,
and GABRIELA WOMEN'S PARTY Representative Arlene D. Brosas

AN ACT
PROVIDING FOR THE SAFE REOPENING OF SCHOOLS AND APPROPRIATING
FUNDS THEREFOR

EXPLANATORY NOTE

It is the declared policy of the State to protect and promote the right of all citizens to quality education at all levels, and to take appropriate steps to make such education accessible to all. In line with this policy, economic, technological and health-related barriers to achieving quality education need to be minimized if not eliminated – even in the context of a global pandemic.

The COVID-19 public health emergency has worsened the pre-pandemic education situation in the Philippines. Schools have remained closed since the government declared a nationwide lockdown in March 2020, with face-to-face classes only operating on a very limited capacity and no clear direction towards the safe and full resumption of face-to-face classes. The abrupt shift to remote learning and teaching has magnified the income and digital divide among students, teachers, and all other stakeholders, thereby making quality education largely inaccessible amid the

pandemic. The prolonged school closures and never-ending lockdowns have affected not just learning and teaching, it has also taken a toll on mental health and the total well-being. Not everyone has conducive learning, teaching, and working spaces at home. Children have suffered immensely from learning loss. Clearly, we are facing a major learning crisis as much as we are in a major health crisis.

Based on World Bank (September 2020) and Asian Development Bank (December 2020) reports, the estimated cost of school closure and learning loss due to the COVID-19 pandemic is about 16-point loss learning in terms of PISA scores, and up to \$10 trillion learning loss or 2.3% in lifetime learning of current students. In the Philippines, school closures cost up to 1.9 trillion or 10% reduction in real GDP based on 2019 figures.

As of September 2021, UNICEF and UNESCO reported that the Philippines was one of the last two countries in the world with schools fully closed since the World Health Organization declared COVID-19 a pandemic in March 2020. Eventually, the Philippines was left behind as the last country to decide to gradually reopen schools. Despite several criticisms launched at the implementation of distance learning, no meaningful changes have been introduced to virtual and/or modular learning, thus leading to the conclusion that face-to-face classes are a better option to minimize the technological and income divide brought about by distance learning.

While there have been face-to-face classes operating in a limited capacity, there needs to be a measure that will set into motion the resumption of face-to-face classes, and not just rely on the sluggish pace of executive action. This bill seeks to provide the framework and funding for the safe reopening of schools—it proposes several mandatory actions for the reopening of public and private schools in the basic and tertiary levels of education and the conduct of face-to-face classes: the conduct of free and regular mass testing of teachers, school personnel, field personnel and students who are suspect cases; contact tracing of individuals testing positive for COVID-19; referral of appropriate actions for individuals who test positive and become probable cases such as treatment and isolation; COVID-safe classrooms and learning spaces; devices or gadgets and internet connectivity for

teachers; hazard pay; and education information about COVID-19, its transmission, and prevention.

The provisions of the bill aim to ensure that schools are immediately equipped with necessary systems and facilities necessary for the implementation of full resumption of face-to-face classes at the soonest possible and that schools are logistically prepared to prevent the uncontrolled and unmonitored spread of COVID-19 among teachers, non-teaching personnel and students while these institutions continue providing education. These will address the immediate and long-term concerns aired by teachers, employees in schools, students, and parents: How do we ensure that reopening of schools and the conduct of face-to-face classes will not subject them to infection from individuals who may either be with symptoms, undiagnosed sufferers of COVID-19, or asymptomatic carriers?

Schools ought to be places where children can access basic health services—just as the World Health Organization has urged the Philippines and other member-states in 1995 through its Global School Health Initiative to make every school an “entry point for health promotion and a location for health intervention.” A health-based response against COVID-19 means that schools are recognized as crucial institutions in this long-term health crisis, where education personnel and children are empowered with the knowledge, capacity, and facilities to prevent themselves and their families from being infected with the novel coronavirus and to inhibit the spread in their communities.

The essence of this bill also corresponds to several mandates under existing laws on the working conditions of and health measures for teachers and school personnel, such as the *Magna Carta for Public School Teachers* (Republic Act 4670), the *Labor Code* (Presidential Decree 442), and rules and regulations issued by the Department of Education, Commission on Higher Education, and Department of Labor.

The authors, along with various sectors of society, call on Congress to allocate sufficient budget to address these demands, and on Malacañang to certify as urgent this bill along with other much-needed, long overdue ‘ayuda’ or relief measures, for implementation at the soonest time possible.

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


RAOUL DANNIEL A. MANUEL
Kabataan Partylist


ARLENE D. BROSAS
Gabriela Women's Party


FRANCE L. CASTRO
Act Teachers Partylist

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 251

Introduced by
KABATAAN PARTY-LIST Representative Raoul Dannel A. Manuel,
ACT TEACHERS PARTY-LIST Representative France L. Castro,
and GABRIELA WOMEN'S PARTY Representative Arlene D. Brosas

AN ACT
PROVIDING FOR THE SAFE REOPENING OF SCHOOLS AND APPROPRIATING
FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** – This act shall be known as the “Safe Schools Reopening
2 Bill.”

3
4 **SECTION 2. Declaration of Policy.** – It is the policy of the State to uphold the right to
5 education, ensure its quality and accessibility at all levels, and allocate public funding
6 and resources accordingly.

7
8 **SECTION 3. Definition of Terms.** For purposes of this Act:

9
10 (a) “Government schools” – refers to public educational institutions owned and
11 controlled by the government or its instrumentalities, including state universities
12 and colleges, local universities and colleges, other government schools, and
13 public schools in basic education;

14
15 (b) “Private schools” – refers to private educational institutions not owned and
16 controlled by the government or its instrumentalities;

17
18 (c) “Teachers” – refers to all persons engaged in teaching at the elementary,
19 secondary levels, or higher levels of education, whether on full-time or part-time
20 basis, including industrial arts or vocational teachers and all other persons
21 performing supervisory and/or administrative functions in all schools in the
22 aforesaid levels and qualified to practice teaching;

23
24 (d) “Education personnel” – refers to those persons holding some academic
25 qualifications and performing academic functions directly supportive of
26 teaching, such as registrars, librarians, research assistants, research aides,

1 and similar staff and/or all other school personnel not falling under the definition
2 and coverage of “teachers” as defined in this Act;
3

4 (e) “Learners” – refer to all Filipino students who are either currently enrolled at the
5 time of the effectivity of this Act, or shall enroll at any time thereafter, at all
6 levels: *Provided*, That they pass the entrance examination and other admission
7 and retention requirements of these academic institutions;
8

9 (f) “Safe reopening and safe operations of schools” – shall mean schools and
10 learning establishments that are logistically prepared (1) to prevent the spread
11 of COVID-19 among teachers, non-teaching personnel, and students and (2)
12 to continue providing education at the same time, with the maximum protection
13 for all individuals. Measures for safe reopening and safe operations of schools
14 will ensure conditions that reduce the transmission of the coronavirus;
15 safeguard essential services and supplies; and promote healthy behavior
16 among teachers, non-teaching personnel, and students. This includes the
17 provision of access to clean water and soap for safe handwashing, sanitation
18 facilities, procedures on when staff or students feel unwell, protocols on
19 physical distancing, and good hygiene practices;
20

21 (g) “Risk assessment” – refers to a methodology to determine the nature and extent
22 of risk by analyzing potential hazards and evaluating existing conditions of
23 vulnerability that together could potentially harm exposed people, property,
24 services, livelihood, and the environment on which they depend. Risk
25 assessments with associated risk mapping include: a review of the technical
26 characteristics of hazards such as their location, intensity, frequency and
27 probability; the analysis of exposure and vulnerability including the physical,
28 social, health, economic and environmental dimensions; and the evaluation of
29 the effectiveness of prevailing and alternative coping capacities in respect to
30 likely risk scenarios;
31

32 (h) “Low-risk areas” – refers to areas which have substantially low rates in these
33 respects: (i) the number of confirmed cases per 10,000 population, and (ii) the
34 average land area per confirmed case, as a measure of the ability to practice
35 social distancing; (iii) the number of isolation rooms per active case (defined as
36 total number of symptomatic cases less recoveries less deaths), and (iv) the
37 number of ventilators per active case, pursuant to local and global standards;
38

39 (i) “High-risk areas” – refers to areas which have substantially high rates in these
40 respects: (i) the number of confirmed cases per 10,000 population, and (ii) the
41 average land area per confirmed case, as a measure of the ability to practice
42 social distancing; (iii) the number of isolation rooms per active case (defined as
43 total number of symptomatic cases less recoveries less deaths), and (iv) the
44 number of ventilators per active case, pursuant to local and global standards;
45

46 (j) “Community-based, people-oriented, grassroots-level response” – refers to the
47 planning, execution, and assessment of pandemic-related response to
48 educational needs of the community, with active involvement of civil society
49 groups, individuals, and other interested parties;
50

- 1 (k) "Education stakeholders" – refers to those persons or groups of persons as
2 such or associated in institutions involved in organized teaching and learning
3 systems, which may include, but are not limited to, parents, students, teachers,
4 school personnel, and administrators;
5
- 6 (l) "Well-ventilated" – means the conformity of a particular educational institution
7 with science-based ventilation requirements imposed by national and
8 international standards;
9
- 10 (m) "Mass testing for COVID-19" – is the testing of teachers, school personnel, field
11 personnel, and students who are at risk of contracting COVID-19 infection.
12 Testing shall be free of charge or covered by PhilHealth, as the case may be.
13 No part of the test or procedure towards the same shall be charged from
14 teachers, personnel or students;
15
- 16 (n) "Suspect cases" – are, pursuant to the case definitions published and
17 implemented by the World Health Organization and the Department of Health:
18
- 19 1. individuals with acute respiratory illness (fever and at least one sign or
20 symptom of respiratory disease, e.g., cough, shortness of breath), AND
21 a history of travel to or residence in a location reporting community
22 transmission of COVID-19 disease during the 14 days prior to symptom
23 onset;
24
 - 25 2. individuals with any acute respiratory illness AND having been in contact
26 with a confirmed or probable COVID-19 case (see definition of contact)
27 in the last 14 days prior to symptom onset; or
28
 - 29 3. individuals with severe acute respiratory illness (fever and at least one
30 sign/symptom of respiratory disease, e.g. cough, shortness of breath;
31 AND requiring hospitalization) AND in the absence of an alternative
32 diagnosis that fully explains the clinical presentation.
33
- 34 (o) "Probable cases" – are:
35 1. suspect cases for whom testing for the COVID-19 virus is inconclusive or
36 2. suspect cases for whom testing could not be performed for any reason.
37

38 **SECTION 4. Implementation of the Program for Safe Reopening of Schools.** – It
39 is hereby mandated that a program to enable the safe reopening of schools be
40 instituted immediately at all levels of education amid the COVID-19 pandemic:
41 *Provided further*, that the safety of the educational institutions be based on the risk
42 assessment of their localities as per health and scientific standards. Commission on
43 Higher Education (CHED), Department of Education (DepEd), State Universities and
44 Colleges (SUCs), Local University and Colleges (LUCs), Department of Health (DOH),
45 and the Local Government Units (LGUs) will immediately implement policies in line
46 with said health risk assessment.
47

48 **SECTION 5. Coverage.** – This Act shall cover all public and private educational
49 institutions at primary, secondary, tertiary, and postgraduate levels.
50

SECTION 6. Specific Programs and Funding to Ensure the Safe Reopening of Schools. – To enable the safe reopening of schools, the following programs shall, at minimum, be funded and implemented:

- a) *Proper Ventilation of Learning Spaces.* Classrooms and laboratories in government-funded educational institutions at the basic and tertiary levels must be provided with exhaust fans, air filters and carbon dioxide meters.

Four hundred forty-one million pesos (P441,000,000.00) for Higher Education and Five billion, Six hundred seventy million pesos (P5,670,000,000.00) for Basic Education is hereby appropriated.

- b) *On-Campus Health Facilities and Supplies.* CHED and DepEd shall have additional fund allocations equivalent to One million pesos (P1,000,000.00) per public school in basic education and per campus of government schools in higher education.

Six hundred sixty-seven million pesos (P667,000,000.00) for Higher Education and Forty-seven billion, Five hundred fifty-three million pesos (P47,553,000,000.00) for Basic Education is appropriated for supply of well-fitting face masks for learners, teachers and education personnel; retrofitting of classrooms; construction, repair, or conversion of spaces for school clinics; adequate water supply; installation or repair of sanitation facilities such as adequate comfort rooms, hand-washing facilities, and others; procurement of supplies for hygiene and regular sanitation such as soap, sanitizers, alcohol and disinfectant; and other necessary health facilities and supplies.

- c) *Hiring of Human Resources for Health.* There must be an addition of at least one (1) school nurse per campus of government schools in higher education and per district among public schools in basic education.

Three hundred thirteen million, Five hundred twenty-three thousand, Three hundred fifty pesos (P313,523,350.00) for Higher Education and Nine hundred forty million, One hundred thousand pesos (P940,100,000.00) for Basic Education is hereby appropriated.

- d) *Support for Private Educational Institutions.* Private schools shall hereby receive a grant of One million pesos (P1,000,000.00) per institution for the implementation of specific measures to ensure their safe reopening, subject to qualifications and requirements that may be imposed by either DepEd or CHED.

Two hundred twenty million pesos (P220,000,000.00) is appropriated to CHED and One billion, Eight hundred eleven million pesos (P1,811,000,000.00) to DepEd for this purpose.

- e) *Testing Program for Learners, Teachers and Education Personnel.* PhilHealth shall shoulder the costs of testing among teachers and education personnel, while CHED and DepEd shall have a ready fund for weekly testing of learners.

Four hundred nineteen million, Eight hundred thirty-two thousand pesos (P419,832,000.00) is appropriated to CHED and Three billion, Two hundred forty-seven million, Five hundred twenty-four thousand pesos (P3,247,524,000.00) to DepEd to ensure the regular COVID-19 testing of learners every seven (7) days.

- f) *Medical Fund for Free Treatment.* There shall also be a ready fund for both basic and higher education to ensure that the treatment of learners, teaching and non-teaching personnel who contract COVID-19 will be paid for by the state.

Four billion, Seven hundred million Pesos (P4,700,000,000.00) is hereby appropriated to DOH for this particular standby fund.

- g) *Internet Allowance for Teachers.* There must be an allocation of One thousand five hundred pesos (P1,500.00) for a period of ten (10) months to ensure internet connectivity of teachers at both basic and higher levels of education for the continued distance learning amid reopening of schools.

Two billion, One hundred ninety million pesos (Php 2,190,000,000.00) is hereby appropriated to CHED and Twelve billion, Five hundred thirty-nine million, One hundred sixty pesos (P12,539,160,000.00) is hereby appropriated to DepEd for the provision of internet allowance of teachers.

- h) *Devices for Teachers.* There must be a subsidy of Twenty-five thousand pesos (P25,000.00) for all teachers without proper devices.

Seventeen billion, Three hundred thirty nine million, Six hundred twenty five thousand pesos (P17,339,625,000.00) is appropriated and be made available for the procurement of laptops for basic education teachers.

- i) *Compensation for Work Rendered in Excess of Teaching Hours and Additional Compensation for Co-curricular Activities.* Teachers shall be paid an additional compensation of at least twenty-five (25) percent of their basic pay for work rendered in excess of six (6) teaching hours, and an additional compensation of at least twenty-five (25) percent of their basic pay for co-curricular, out of school activities and any other activities outside of what is defined as normal duties of any teacher, as provided under Sections 13 and 14 of Republic Act 4670 or the *Magna Carta for Public School Teachers*: *Provided, That* this shall include a backpay of additional compensation for excess work and co-curricular activities rendered by teachers in School Year 2020-2021.

Twenty two billion pesos (P22,000,000,000.00) is appropriated to provide for the payment of additional compensation under this Act.

- j) *Hazard Pay for Teachers and Education Personnel.* Teachers and non-teaching personnel must be compensated for the risks they will be taking when they perform their duties.

1 Three hundred fifty million pesos (P350,000,000.00) is appropriated as a
2 standby fund for CHED to provide hazard pay for teachers and education
3 personnel, while Two billion pesos (P2,000,000,000.00) is allocated as a
4 standby fund for DepEd for the same program.
5

6 The sum of **One hundred twenty-two billion, Four hundred one million, Seven**
7 **hundred sixty-four thousand, three hundred fifty pesos (P122,401,764,350.00)** is
8 hereby appropriated to DepEd, CHED and DOH for the implementation of this Section.
9

10 This section shall lose its operative force upon full utilization of the funds appropriated
11 therefor.
12

13 **SECTION 7. Safe Operations under Better Conditions.**

14

15 a) *Contact tracing of individuals who test positive for COVID-19.* The DOH shall
16 ensure that all individuals who have tested positive shall be interviewed for as
17 many contacts as possible, with priority to close contacts. It shall also ensure
18 that all traced contacts are monitored for symptoms and, where necessary,
19 tested and treated.
20

21 b) *Referral of appropriate actions for individuals who test positive and become*
22 *probable cases, as the case may be.* This shall include but not be limited to
23 treatment and isolation at home or at the public nearest to the individual's
24 residence. Referral shall be, as much as possible, to public hospitals,
25 institutions, and facilities so as to encourage maximum compliance and to
26 ensure the least financial burden to the individual concerned and her or his
27 family.
28

29 In no case may a teacher, non-teaching personnel, or student be discriminated
30 against in any manner in instances where her or his absence from school
31 occurs due to treatment or isolation.
32

33 c) *Education information about COVID-19, its transmission, and prevention for*
34 *teaching personnel, school staff and students.* The above agencies shall
35 ensure the conduct of activities such as a "COVID Hour" where information
36 about the novel coronavirus, how it is transmitted, and how it can be prevented
37 will be taught. This mandate shall also include the delivery of such information
38 through accessible learning modes for teachers and learners with disabilities.
39

40 d) All agencies shall endeavor to achieve improved learning and the provision of
41 more comprehensive support for children at the school including health,
42 nutrition, psychosocial support, and water, sanitation and hygiene facilities.
43 They shall also develop the capacities of teachers and school personnel
44 towards making schools resilient from COVID-19.
45

46 **SECTION 8. Guidelines for Reopening of Schools.** – All LGUs and concerned
47 government agencies, together with the education stakeholders, shall evaluate actual
48 needs and conditions in their respective localities, and shall be guided by the following:
49

- (a) There shall be immediate planning for the mechanics of the resumption of face-to-face classes in low-risk areas, while undertaking plans to reduce the risk in high-risk areas;
- (b) The LGUs and education stakeholders shall be involved in the conduct of thorough and scientific risk assessments. A community-based, people-oriented, grassroots-level response to the pandemic shall be in place. Stakeholders shall also be included and involved in all levels of education-related pandemic response and recovery steps;
- (c) Allowing the physical use of school facilities such as libraries, laboratories and computer rooms shall be mandatory as part of the reopening of schools, subject to certain health regulations;
- (d) Extracurricular activities may be allowed, provided that these abide with minimum health standards and other reasonable guidelines that schools and other education stakeholders may agree upon;
- (e) Schools must be provided with necessary facilities and supplies, ensure proper training for all personnel on sanitation procedures, and prepare a contingency plan for suspect, probable and confirmed COVID-19 cases;
- (f) Should the area where a school is located be classified as high-risk, the school and LGU shall ramp up programs on free and efficient testing, contact tracing and treatment, and free, safe, and accessible vaccination. Schools and LGUs shall exhaust all possible mechanisms to provide venues that allow physical learning among students and teachers;
- (g) With the voluntary return of stakeholders in schools, continued support for distance learning programs, in the form of free gadgets and stable internet connectivity to students and teachers, remains urgent and necessary for those who opt not to avail of the physical resumption of classes; and
- (h) Emphasis must be on the quality of learning rather than the imposition of heavy academic requirements and grading system. Academic easing shall be implemented as the need arises and upon deliberation by the educational institutions' administration and representatives of stakeholders.

SECTION 9. Protection of Democratic Rights and Welfare of the Education Sector. – Upon effectivity of this Act, the democratic rights and welfare of students, teachers and education personnel shall be guaranteed through various democratic and inclusive means and spaces, such as, but not limited to:

- (a) Guaranteeing financial autonomy and independent operations of student councils/governments, publications and organizations;
- (b) Supporting the needs for physical, mental, and emotional health;
- (c) Providing adequate, accessible psychosocial services and counseling;

(d) Activating mechanisms against sexual harassment and in-campus violence; and

(e) Upholding academic freedom, institutional autonomy, and schools as zones of peace by prohibiting the police, military, and other law enforcement forces and agents from entering schools and conducting red-tagging fora that endanger the safety and security of education stakeholders: Provided, that prior notification shall be given by the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), or any other law enforcement agency intending to conduct any police, military, or law enforcement operations in any educational institution; notification shall be given to the school head, or officer-in-charge in the event of his/her absence, and to the student regent, student council or government, faculty regent or representative, and staff regent or non-academic personnel representative, when the situation so warrants.

SECTION 10. Assessment at Least One Month Prior to School Reopening. Within one (1) month before the target reopening of schools, the DOH, DepEd, CHED, and Technical Education and Skills Development Authority (TESDA) shall assess the readiness of all schools under their jurisdiction for safe reopening. They shall submit to the Senate and the House of Representatives their respective reports under this Act, including but not limited to statistics on mass testing, contact tracing, availability of COVID-safe classrooms or lack thereof, and the budgetary and personnel requirements of public schools and higher education institutions for the safe reopening of schools.

SECTION 11. Participatory and Transparent Mechanisms for the Safe Reopening of Schools. In the fulfillment of their respective mandates under this Act, the DOH, DepEd, CHED, and TESDA shall be in strict consultation with organizations and unions of teaching and non-teaching staff in schools, field personnel, parents and students. All dialogues and documents, especially those which are made the bases of policy, shall furthermore be open to the public.

At the school and LGU level, the genuine participation of students, parents, teaching and non-teaching personnel, and representatives of immediate communities in committee meetings and planning related to school reopening must be ensured.

SECTION 12. Prohibited Acts. – Upon effectivity of this Act, it shall be unlawful for any person and/or any learning institution to:

(a) Impose additional rates on the tuition and/or other school fees being charged to its students under a State of Calamity and/or Public Health Emergency;

(b) Unlawfully appropriate said funding for purposes other than those specified in this Act: *Provided*, That the criminal offense arising from the violation of this Section does not preclude the criminal offenses that may be charged under the Revised Penal Code and other special laws;

(c) Allow entry in schools and the conduct of fora of police, military, and other law enforcement forces and agents, who endanger the safety and security of education stakeholders based on national and international laws and agreements, and violate Section 8(f) of this Act.

1
2 **SECTION 13. Penalties.** – A violation as enumerated under Section 8 of this Act shall
3 be meted a penalty of imprisonment of not less than six (6) months but not more than
4 one (1) year or a fine of not less than Twenty thousand pesos (Php 20,000.00) but not
5 more than One hundred thousand pesos (Php 100,000.00), or both, at the discretion
6 of the court. In case of a university, college or any other judicial entity, the penalty shall
7 be imposed on the president, treasurer or the officer or person responsible for the
8 violation.
9

10 **SECTION 14. Sources of Funding.**
11

12 (a) For the immediate implementation of Section 6 of this Act, funds shall be
13 sourced from the following:
14

15 (i) The General Appropriations Act (GAA) in place for the particular
16 fiscal year that this Act is passed: *Provided*, That funds for the
17 herein authorized programs, activities and projects (P/A/Ps) shall
18 be sourced primarily from the unprogrammed funds and savings
19 realized from modified, realigned, or reprogrammed allocations
20 for operational expense of any government agency or
21 instrumentality under the Executive Department, including, but
22 not limited to, traveling expenses, supplies and materials,
23 expenses, professional services, infrastructure projects, general
24 services, advertising expenses, printing and publication
25 expenses, and other maintenance and operating expenses in the
26 GAA currently in place: *Provided*, That such discontinued P/A/Ps
27 do not support the objectives of economic stimulus and recovery
28 for having low labor intensity or low multiplier effects: *Provided*,
29 *further*, That infrastructure, having the highest multiplier effect can
30 only be discontinued when all other funds, including unobligated
31 allotments and unreleased appropriations, have been exhausted.
32

33 (ii) Excess revenue collections in any one of the identified tax or non-
34 tax revenue sources from its corresponding revenue collection
35 target, as provided in the Budget of Expenditures and Sources of
36 Financing (BESF);
37

38 (iii) New revenue collections or those arising from new tax or non-tax
39 sources which are not part of nor included in the original sources
40 included in the FY 2021 BESF;
41

42 (iv) Any unutilized or unreleased balance in special purpose funds
43 (SPFs) shall be considered to have their purpose abandoned as
44 declared by the President. All such unspent, unutilized, or
45 unreleased money or funds sourced from SPFs shall be utilized
46 and are hereby appropriated for such measures to accomplish the
47 declared national policy herein;
48

49 (v) Cash, funds, and investments held by any GOCC or any National
50 Government Agency: Notwithstanding any law to the contrary, the

President is hereby authorized to allocate cash, funds, investments, including unutilized or unreleased subsidies and transfers, held by any GOCC or any National Government Agency; and

(vi) Unused appropriation for debt servicing: Notwithstanding any law to the contrary, the President may direct the discontinuance of unutilized automatic appropriations for debt service and available appropriation for redemption of maturing government securities and use the savings generated therefrom to augment the allocation for any item necessary for the purposes identified in this Act. All amounts so reprogrammed, reallocated, or realigned shall be deemed automatically appropriate for the said purposes: *Provided*, That for interest payments, the savings will be generated from the unused appropriations after actual payment of interest per month as reported by the Bureau of Treasury to the DBM: *Provided further*, That for principal repayment the savings will be generated from the funds freed up as a result of a debt exchange by the Bureau of Treasury.

(b) For succeeding implementation of this Act, the amounts necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act (GAA) and shall be appropriated under SUCs, DepEd, CHED, TESDA and PhilHealth in accordance with the provisions of this Act.

SECTION 15. Implementing Rules and Regulations. – Upon enactment of this Act, a task force shall be created in charge of the promulgation of the Implementing Rules and Regulations (IRR) needed for the implementation of the relevant provisions of this Act. This task force shall be led by representatives of DepEd and CHED, and composed of following members: (1) representatives of accredited regional unions of public school teachers and unions of education teaching personnel in public schools; (2) National Youth Commission; (3) a representative from the Philippine Association of State Universities and Colleges; (4) a representative from the Coordinating Council of Private Educational Associations; (5) a representative from the Association of Local Colleges and Universities; (6) representatives from the Student Regents' Federation and student councils; and (7) representatives from the National Youth and Student Organizations and Formations: *Provided*, That the committee shall finish and promulgate the IRR within thirty (30) days after the effectivity of this Act.

SECTION 16. Reporting to Congress. – The implementing agencies shall submit, in either printed form or by way of electronic document, to the Joint Congressional Oversight Committee, the House Committee on Appropriations, the Senate Committee on Finance and the Commission on Audit, the monthly reports regarding the implementation of this Act. The quarterly reports shall likewise be uploaded on the official website of the respective implementing agencies.

SECTION 17. Separability Clause. – If, for any reason or reasons, any part or provision of this Act shall be declared as unconstitutional or invalid, the other parts or

1 provisions hereof which are not affected thereby shall continue to be in full force and
2 effect.

3
4 **SECTION 18. Repealing Clause.** – All provisions of existing laws, orders, rules and
5 regulations or parts thereof which are in conflict or inconsistent with the provisions of
6 this Act are hereby repealed, amended or modified accordingly.

7
8 **SECTION 19. Effectivity Clause.** – This Act shall take effect immediately upon its
9 publication in the Official Gazette or in at least two (2) newspapers of general
10 circulation in the Philippines.

11
12
13 *Approved,*