

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 928



Introduced by Representative Roman T. Romulo

EXPLANATORY NOTE

Republic Act No. 6728, as amended by Republic Act No. 8545, otherwise known as the “Expanded Government Assistance to Students and Teachers in Private Education Act” or E-GASTPE, which provides assistance to students and teachers in the private education needs to be further broadened. Circumstances and conditions have altered since the law was enacted more than twenty years ago.

Private educational institutions are currently afflicted with challenges. In 2020 during the first year of the pandemic, their enrollment dropped by 48%.¹ Prior to that, numerous students had already transferred to public schools due to the abrupt migration of teachers.² This predicament also affects the public schools which are forced to accommodate the increased enrollment.³ Hence, a new law upgrading the EGASTPE is imperative.

Further, various government assistance programs for the benefit of the students in higher education institutions have been institutionalized in Republic Act No. 10931, otherwise known as the “Universal Access to Quality Tertiary Education Act.”

This bill seeks to:

- (a) Specifically include kindergarten and elementary students in private educational institutions;
- (b) Exclude the students in higher education institutions;
- (c) Extend the textbook assistance to students in elementary level;
- (d) Expand the current ESC scheme;
- (e) Continue the Inset Funds for the upgrading of knowledge and teaching competencies and upskilling of teachers in private basic educational institutions, and the Teachers’ Salary Subsidy Fund; and

¹ Juan Miguel Luz, “[ANALYSIS] Too Many Children Not Enrolled This School Year Is A Major Concern,” *Rappler*, November 19, 2020, <https://www.rappler.com/voices/ispeak/analysis-too-many-children-not-enrolled-this-school-year-major-concern/>

² Gilbert P. Felongco, “Education Secretary: More Teachers Opting To Work In Public Schools,” *Gulf News*, July 27, 2018, <https://gulfnews.com/world/asia/philippines/education-secretary-more-teachers-opting-to-work-in-public-schools-1.2257710>

³ See note 2.

- (f) Provide government assistance to private basic educational institutions in the areas of academic leadership and good governance, school finance and administration, research and curriculum design, facilities and school improvement, and institutional development.

With this measure, the complementary role of private educational institutions to the public school system is further strengthened. Quality education will become more accessible and the education sector, especially the private institutions, shall continue to flourish.

In view of the foregoing, this representation seeks the immediate passage of this measure.



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HOUSE BILL NO. 928

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AN ACT
EXPANDING THE APPLICATION OF GOVERNMENT ASSISTANCE TO STUDENTS, TEACHERS,
AND SCHOOLS IN THE PRIVATE BASIC EDUCATION, REPEALING FOR THE PURPOSE
REPUBLIC ACT NO. 6728, AS AMENDED BY REPUBLIC ACT NO. 8545, OTHERWISE KNOWN
AS THE "EXPANDED GOVERNMENT ASSISTANCE TO STUDENTS AND TEACHERS IN PRIVATE
EDUCATION ACT", 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 "Expanded Government
2 Assistance to Students, Teachers, and Schools in Private Basic Education Act".
3

4 **SEC. 2. Declaration of Policy.** – It is the declared policy of the State to protect and
5 promote the right of all citizens to quality education at all levels, and shall take appropriate
6 steps to make such education accessible to all. Likewise, the State recognizes the
7 complementary roles of public and private educational institutions in the educational system
8 and the invaluable contribution that the private schools have made and will make to
9 education.
10

11 The State shall provide the mechanisms to augment the resources and enhance the
12 quality of private basic education, specifically promoting the complementary roles of public
13 and private schools and thus recognize the government's priority of providing basic
14 elementary and secondary education to all Filipino students.
15

16 **SEC. 3. Coverage.** – This Act shall cover government assistance to students, teachers,
17 and schools in formal private basic education.
18

19 Kindergarten education is the first stage of basic education consisting of one (1) year
20 of preparatory education for children at least five (5) years old as a prerequisite for Grade 1.
21

1 Elementary education is the second stage of basic education consisting of six (6) years,
2 the completion of which is attested by a certificate issued by or with permission of the
3 Department of Education (DepEd).
4

5 Secondary education is the third stage of basic education consisting of four (4) years
6 of junior high school education and two (2) years of senior high school education, the
7 completion of which is attested by a high school diploma issued by or with permission of the
8 DepEd.
9

10 The programs of assistance under this Act shall be extended only to students who are
11 citizens of the Philippines.
12

13 **SEC. 4. *Criteria for Assistance.*** – The programs for assistance shall be based on a set
14 of criteria which include among others, tuition and other fees charged by the schools, the
15 socio-economic needs of each region by giving priority to the poorest regions, provinces or
16 municipalities as determined by the Philippine Statistics Authority (PSA), overall performance
17 of the schools, the academic qualifications and the financial needs of the schools, and the
18 geographic spread and size of student enrollment.
19

20 Priority shall be given to students belonging to low and middle-income families, based
21 on the data to be provided by the PSA.
22

23 **SEC. 5. *Forms of Assistance.*** – Assistance to private basic education shall consist of
24 assistance to students, assistance to teachers, and assistance to schools.
25

26 The forms of assistance granted to students in private basic education include:
27

- 28 (1) School fee subsidy for students in private basic education schools;
- 29 (2) Textbook Assistance Fund; and
- 30 (3) Expansion of the existing Educational Service Contracting (ESC) Scheme.
31

32 The forms of assistance granted to teachers in the private basic education include:
33

- 34 (1) In-service training fund for teachers in private basic education schools; and
- 35 (2) Scholarships for qualified private basic education teachers enrolled in quality
36 graduate programs; and
- 37 (3) Participation in government-funded in-service training for basic education
38 teachers.
39

40 The DepEd shall establish a program of assistance for the development of qualified
41 private basic education schools to cover the following areas of school operation:
42

- 43 (1) Academic leadership and good governance;
- 44 (2) School finance and administration;
- 45 (3) Research and curriculum design;
- 46 (4) Facilities and school improvement; and
- 47 (5) Institutional development.
48

Consistent with Sec. 10 of Republic Act No. 10533, or the "Enhanced Basic Education Act of 2013", the DepEd, in consultation with the Department of Budget and Management (DBM), may develop other forms of financial arrangements and engage the services of private basic education schools based on the principles of public-private partnership.

SEC. 6. School Fee Subsidy for Students in Private Basic Education. – Financial assistance in the form of tuition for students in private basic education shall be provided by the government in the following manner:

(a) Under the Voucher System, students enrolled in schools charging school fees shall be provided by the government with a voucher in such amount as may be determined by the DepEd: *Provided*, That the government shall reimburse the vouchers from the schools concerned within one hundred twenty (120) days from the start of the first day of classes.

(b) Under the ESC Scheme, assistance shall be guaranteed to all private basic education schools participating in the program for a number of slots as of the effectivity of this Act as the total number of students who availed of school fee subsidy: *Provided*, That the DepEd may in succeeding years determine additional slots and additional participating private basic education schools, as may be deemed necessary.

Assistance under this section may be increased on the condition that seventy percent (70%) of the amount subsidized allotted for tuition or of the tuition increases shall go to the 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 salary increase as provided for in the collective bargaining agreements existing or in force at the time when this Act is approved and made effective.

At least twenty percent (20%) of the assistance shall go to the improvement or modernization of buildings, equipment, libraries, laboratories gymnasias and similar facilities and to the payment of other costs of operation.

For this purpose, schools shall maintain a separate record of accounts for all assistance received from the government, any tuition increase, and the detailed disposition and use thereof, which record shall be made available for periodic inspection as may be determined by the DepEd.

SEC. 7. Textbook Assistance Fund. – There shall be established in the DepEd a Textbook Assistance Fund, so that assistance on a per student basis shall be given to students enrolled in private basic education schools exclusively for the purchase of basic education textbooks: *Provided*, That the DepEd shall determine the textbook assistance per student in private basic education: *Provided, further*, That such textbook assistance shall not exceed what students in public basic education are provided on a per student basis: *Provided, finally*, That the textbook assistance shall be granted only to beneficiaries of school fee subsidy, as provided in this Act.

1 **SEC. 8. Expansion of the Existing ESC Scheme.** – (a) The DepEd shall continue to enter
2 into contracts with private schools whereby the government shall subsidize the tuition and
3 other fees of basic education students who shall enroll in private basic education schools
4 under this program. Priority shall be given to private schools in communities where the
5 public schools can no longer accommodate basic education students due to the increase in
6 student population, as determined by the DepEd.

7
8 (b) The DepEd shall also enter into contracts with private basic education schools in
9 communities where there are no public schools, in which case the DepEd shall
10 subsidize the tuition and other school fees of students who shall enroll in said
11 private schools.

12
13 (c) The amount of assistance to be given by the government under this section shall
14 not exceed that determined as the per student cost in public basic education.

15
16 (d) The DepEd shall fully pay the subsidized amount to participating schools not later
17 than one hundred eighty (180) days from the close of the registration period.

18
19 (e) The amount of assistance and the number of slots shall be determined by the
20 DepEd and allocated among the seventeen (17) regions in proportion to the total
21 population as well as the basic education school age population for the first
22 school year.

23
24 **SEC. 9. In-Service Training Fund or Inset Fund.** – For the purpose of improving the
25 quality of teaching in private basic education, there is hereby established in the DepEd an
26 Inset Fund to provide for the upgrading of knowledge and teaching competencies in critical
27 subject areas and for the modernization of teaching techniques and strategies, including
28 training on the use of computers and of other multi-media educational technologies to assist
29 instruction: *Provided*, That the Inset Fund shall be available only to private basic education
30 teachers qualified to teach under Republic Act No. 7836, or the “Philippine Teachers
31 Professionalization Act of 1994”, as amended by Republic Act No. 10533: *Provided*,
32 *further*, That the amount of Inset Fund available to private basic education shall not exceed
33 that available to public basic education as per capita basis.

34
35 **SEC. 10. Teachers' Salary Subsidy Fund.** – A Teachers' Salary Subsidy Fund is hereby
36 established in the DepEd to grant government subsidy to teachers in private basic education
37 schools participating in the programs of assistance under in this Act: *Provided*, That the
38 private basic education teachers qualified to receive subsidy under this Act shall be duly
39 qualified to teach under Republic Act No. 7836, as amended by Republic Act No. 10533:
40 *Provided further*, That the government shall provide them with salary subsidy which shall
41 be disbursed within sixty (60) days after the close of the school year upon submission of
42 proof of qualification and actual teaching service directly to the concerned participating
43 private basic education schools: *Provided, further*, That the present allocation out of
44 increases from tuition and other income shall be maintained: *Provided, finally*, That
45 in case of insufficiency of funds, priority shall be given to teachers with children below
46 twenty-one (21) years of age or above twenty-one (21) years of age but physically or
47 mentally incapacitated.

1 **SEC. 11. Program Administration.** – The DepEd shall be responsible for policy
2 guidance and direction, monitoring and evaluation of new and existing programs, and the
3 day-to-day administration and implementation of the programs of assistance to private basic
4 education. The Private Education Assistance Committee (PEAC) shall serve as the permanent
5 secretariat for the implementation of the government assistance programs under this Act.
6

7 **SEC. 12. Appropriations.** – The amount necessary to cover the initial implementation
8 of this Act shall be charged against the appropriations of the DepEd under the current General
9 Appropriations Act. Thereafter, such sums as may be necessary for the continued
10 implementation of this Act shall be included in the annual General Appropriations Act.
11

12 The funds appropriated for this purpose shall be constituted as a trust fund to be
13 administered by the DepEd, which shall be separate and distinct from the regular
14 appropriations of the DepEd, and shall be released directly to the participating private basic
15 education schools.
16

17 **SEC 13. Penalties.** – In case of violation of this Act by a private school, the DepEd may
18 bar, after due process, such school from participating in or benefiting from the programs of
19 this Act, and from other programs of the DepEd, without prejudice to administrative and
20 criminal charges that may be filed against the school or its responsible officers under existing
21 laws.
22

23 **SEC. 14. Transitory Provision.** – Subject to the availability of funds, the
24 implementation of the provisions stipulated in this Act for the kindergarten and elementary
25 levels shall gradually commence in the school year 2023-2024, as may be determined by the
26 DepEd.
27

28 All references to tertiary education programs under the E-GASTPE Law shall be
29 transferred to and managed by the Unified Student Financial Assistance System for Tertiary
30 Education (UniFAST) Board, created by virtue of Sec. 14 of Republic Act No. 10687, or the
31 “UniFAST Act”.
32

33 **SEC. 15. Implementing Rules and Regulations.** – Within ninety (90) days from the
34 approval of this Act, the DepEd shall, in consultation with the DBM, PEAC and other concerned
35 stakeholders from the associations of private schools, promulgate the rules and regulations
36 implementing the provisions of this Act.
37

38 **SEC. 16. Separability Clause.** – If any provision of this Act is held invalid or
39 unconstitutional, the other provisions not so declared shall remain in full force and effect.
40

41 **SEC. 17. Repealing Clause.** – Republic Act No. 6728, as amended by Republic Act No.
42 8545, is hereby repealed. All other laws, decrees, orders and rules and regulations contrary
43 to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.
44

45 **SEC. 18. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in
46 the *Official Gazette* or in a newspaper of general circulation.
47

48 *Approved,*

