

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 1583



Introduced by

HON. YEDDA MARIE K. ROMUALDEZ
and
HON. JUDE A. ACIDRE

AN ACT
PROVIDING FOR THE INCLUSION OF PRIVATE ELEMENTARY AND
SECONDARY SCHOOLS AS BENEFICIARIES OF THE SPECIAL
EDUCATION FUND (SEF), AMENDING FOR THE PURPOSE, REPUBLIC
ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT
CODE OF 1991, AS AMENDED

EXPLANATORY NOTE

This Bill proposes to amend Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, and include private elementary and secondary schools as beneficiaries of the Special Education Fund (SEF).

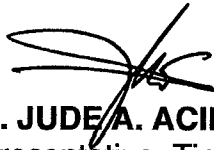
Public schools enjoy support from the Government. Under the Local Government Code, the Special Education Fund is from the additional one (1%) percent tax on real property levied and collected by Local Government Units, to be utilized by the Local School Board for school-related expenses and programs. This provision creates inequity between public and private schools and its students.

The inclusion of private elementary and secondary schools as beneficiaries of the Special Education Fund (SEF) will uphold the mandate of the constitution to provide the citizens with equal access to quality education.

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



Rep. YEDDA MARIE K. ROMUALDEZ
Representative, Tingog Sinirangan



Rep. JUDE A. ACIDRE
Representative, Tingog Sinirangan

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

Section 1. *Short Title.* – This Act shall be known as the “*Special
Education Fund for Private Schools Act of 2022.*”

Section 2. *Declaration of Policy.* – It is the policy of the State to protect
and promote the right of all citizens to quality education at all levels and shall
take appropriate steps to make such education accessible to all.

Section 3. Section 99 of R.A. No. 7160 or the Local Government Code
of 1991, as amended, is hereby amended to read as follows:

“SECTION 99. Functions of Local School Boards. – The provincial, city,
or municipal school board shall:

- (a) Determine, in accordance with the criteria set by the Department of
Education, Culture, and Sports (DECS), the annual supplementary

budgetary needs for the operation and maintenance of public schools **AND THE ANNUAL SUPPLEMENTARY BUDGET FOR TEACHER-STUDENT DEVELOPMENT PROGRAMS IN PRIVATE ELEMENTARY AND SECONDARY SCHOOLS** within the province, city, or municipality, as the case may be, and the supplementary local cost of meeting such needs, which shall be reflected in the form of an annual school board budget corresponding to its share of the proceeds of the special levy on real property constituting the Special Education Fund and such other sources of revenue as this Code and other laws or ordinances may provide;

(b) x x x

Section 4. Section 272 of R.A. No. 7160 or the Local Government Code of 1991, as amended, is hereby amended to read as follows:

“SECTION 272. Application of Proceeds of the Additional One Percent SEF Tax. – The proceeds from the additional one percent (1%) tax on real property accruing to the Special Education Fund (SEF) shall be automatically released to the local school boards: *Provided*, That, in case of provinces, the proceeds shall be divided equally between the provincial and municipal school boards: *Provided, however*, That **PART OF** the proceeds shall be allocated for the operation and maintenance of public schools, construction, and repair of school buildings, facilities and equipment, educational research, purchase of books and periodicals, and sports development as determined and approved by the Local School Board. **PROVIDED, FURTHER, THAT PART OF THE PROCEEDS SHALL BE ALLOCATED FOR TEACHER-STUDENT DEVELOPMENT PROGRAMS IN PRIVATE ELEMENTARY AND SECONDARY SCHOOLS, INCLUDING BUT NOT LIMITED TO SEMINARS, WORKSHOPS, AND SCHOLARSHIPS FOR CONTINUING EDUCATION AS DETERMINED AND APPROVED BY THE LOCAL SCHOOL BOARD.**”

Section 5. Implementing Rules and Regulations. – The Department of Interior and Local Government (DILG) and the Department of Education

(DepEd) shall promulgate the necessary rules and regulations to implement this Act not later than ninety (90) days after its effectivity.

Section 6. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

Section 7. *Repealing Clause.* - All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed or modified accordingly. Republic Act No. 1161, as amended, is further amended accordingly.

Section 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,