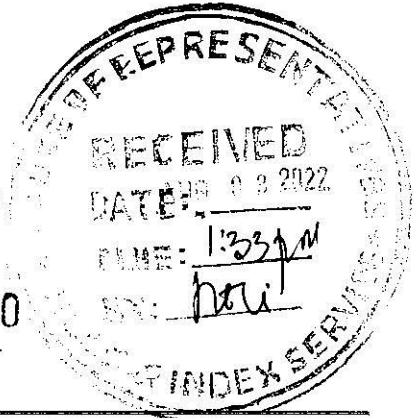


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
Nineteenth Congress
First Regular Session
HOUSE BILL NO. 3090



Introduced by Rep. Anthony R. T. Golez Jr. MD, MBAH

EXPLANATORY NOTE

Section 4, Article II, 1987 Constitution states that: *"The prime duty of the government is to serve and protect the people. The government may call upon the people to defend the State, and in fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military or civil service."*

The proposed law herein seeks to require basic military and police training for Filipino students in the senior high school levels. The representation believes that such training will promote nationalism among Filipino youth. Military and police training will bring out the spirit of service, patriotism, nationalism, and respect to Filipino students. human rights.

Giving basic military and police training in the senior high school levels will also ensure ample and competent personnel for the country in cases of local and foreign aggression. The Filipino youth will also be equipped with disaster and emergency response skills that will be helpful in times of disasters and calamities. This representation likewise sees the proposed measure as a great complement to the Government's law enforcement strategy against crimes, as military and police training will help bring discipline to Filipino youth.

In summary, legislating basic military and police training will bring great benefits to our nation. It will usher in a future where the country will be ensured of a law-abiding and disciplined citizenry.

For the people of the Philippines, passage of the proposed measure is earnestly sought.

HON. ANTHONY R. T. GOLEZ JR. MD, MBAH
Malasakit at Bayanihan Party List

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HOUSE BILL NO. 3090

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**AN ACT PROVIDING FOR
BASIC MILITARY AND POLICE TRAINING IN SENIOR HIGH SCHOOL
LEVELS IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS,
AND APPROPRIATING FUNDS THEREFOR**

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

Section 1. *Short Title.* – This Act shall be known as the “Basic Military and Police Training in Senior High School Act.”

Section 2. *Declaration of Policy.* – It is the policy of the State to inculcate in the Filipino youth – patriotism and nationalism, and to develop their moral character and personal discipline, and encourage their involvement in public and civil affairs.

The State likewise recognizes the role of the youth in nation-building and to promote and protect their physical, intellectual, and social well-being. As such, the State shall include in the curriculum of the senior high school program, subjects of basic military and police training.

Section 3. *Coverage.* – The conduct of basic military and police training shall apply to all students in senior high schools in public and private educational institutions.

Section 4. *Definition of Terms.*

- a. *Appeals Board* – refers to the appellate body that has jurisdiction to hear appeals on the findings and recommendations of any local investigating body.
- b. *Basic Military Training Program* – refers to the training program under the control and supervision of the Armed Forces of the Philippines (AFP) which shall include, but not limited to, basic military science subject, basic training on relief and rescue operation during disaster or calamities; and basic training in the operation and maintenance of essential government or private utilities in the furtherance of overall mission.
- c. *Basic Police Training Program* – refers to the training program under the control and supervision of the Philippine National Police (PNP) which shall

include, but not limited to, basic trainings on law enforcement, disaster preparedness, traffic management, rule of law, and civil rights.

- d. Clustered Training Unit* – refers to two or more educational institutions that are strategically grouped together for the purpose of holding Basic Military and Police Training classes in one location.
- e. Inquiry Body* – refers to an independent body that is tasked to investigate any complaint or allegation of abuse, violence or corruption in any clustered training unit or any educational institution implementing the Basic Military and Police Training.
- f. Private Educational Institutions* – refer to educational institutions maintained and administered by private individuals or groups.
- g. Public Educational Institutions* – refer to educational institutions that are established and administered by the government.

Section 5. Establishment of the Basic Military and Police Training Program in all Public and Private Educational Institutions. – The Department of Education (DepEd), in coordination with the Department of National Defense (DND) and the Department of the Interior and Local Government (DILG), shall establish a mandatory two (2)-year Basic Military and Police Training Program for students enrolled in last two (2) years of senior high school which shall form part of the basic curriculum for the High School Education in any public and private educational institutions. Students who fail to undergo the mandatory Basic Military and Police Training Program in accordance with this Act shall not be qualified for graduation.

Senior high school students undergoing the Basic Military and Police Training Program shall not be subject to military or PNP law, rules and regulations. Senior high school students undergoing basic police and military training shall remain and be recognized as civilians in law.

Section 6. Purposes and Objectives. – The Basic Military and Police Training Program instituted as part of the curricula shall be administered in accordance with the following purposes and objectives:

- a.* To enhance the students' consciousness in the ethics of service, patriotism and nationalism, respect for human rights, appreciation of the role of national heroes in the historical development of the country, strengthen ethical and spiritual values, develop personal discipline and leadership and to encourage creative thinking for scientific and technological development;
- b.* To motivate students to undergo further training in national defense preparedness or civil-military operations;
- c.* To encourage students to be active participants and volunteers for the development and improvement of health, education, ecology and environmental protection, human and civil-rights awareness, and law enforcement;
- d.* To prepare the students during actual disaster response operations on needs assessment, improved skills for search, rescue and relief operations, and early recovery activities; and

- e. To integrate capacity-building activities revolving around risk-related situations in order for students to be proactive in lessening the socio-economic and environmental impacts of disasters including climate change. These capacity building activities will help build understanding and skills with the end of applying disaster risk reduction and management principles, concepts, and concrete action steps towards building their resilience.

Section 7. *Program of Instruction.* – Guided by the purposes and objectives of this Act, the DepEd, DND and DILG, in consultation with other relevant government agencies and private stakeholders as the Secretary of Education may determine, shall design and formulate the Program of Instruction on the Basic Military and Police Training Program in high school.

Section 8. *Schools' Compliance as Zone of Peace.* – Pursuant to Republic Act No. 11188, otherwise known as the "*Special Protection of Children in Situations of Armed Conflict Act*," every educational institution implementing the Basic Military and Police Training Program under this Act shall comply with the declaration and guidelines that are provided for under the said law to maintain the neutrality of the schools as zones of peace.

Section 9. *Students Exempted from this Act.* – The following may be exempted from the coverage of this Act:

- a. Those who are physically or psychologically unfit, as certified by the AFP or PNP medical officer, in pursuance to the recommendation of the educational institutions where the concerned student is enrolled.
- b. Those who were chosen by their school to serve as varsity players in sports competitions.
- c. Those who may be exempted from training for valid reasons as approved by the DND or DILG, upon recommendation by any educational institution.

Section 10. *Organization, Operation and Maintenance of Basic Military and Police Training Units.* – The Secretary of National Defense and the Secretary of the Interior and Local Government, in consultation with the Secretary of Education, shall prescribe the organization and operational manual of the training units in public and private educational institutions for senior high school students. Such educational institutions shall be required to provide an adequate office for the DND and DILG administrative staff assigned thereat.

The AFP and the PNP shall create an office dedicated to the supervision and administration of the Basic Military and Police Training program within the Reserve Commands of the AFP and the PNP in coordination with the DepEd.

Section 11. *Acceptance for Advance Military Training* – Students who volunteer for Advance Military Training program in universities, colleges, vocation schools and other tertiary institutions shall be governed by Section 40 of Republic Act No. 7077 or the Citizen Armed Forces of the Philippines Reservist Act. The provisions of Section 42 and 43 of R.A. No. 7077 in terms of training, uniforms and supplies, and

the scholarship incentive shall remain effective and applicable for those accepted in the Advance Military Training course. It shall be mandatory for all public and private universities, college and similar learning institutions to offer and provide a training school for the Advance Military Training program which shall have a duration in accordance with the curriculum prescribed by the DND and the Commission on Higher Education (CHED).

The Secretary of National Defense, in coordination with CHED, shall prescribe the curriculum for Advance Military Training and the program of instruction in pursuance to the applicable provisions of R.A. No. 7077.

Graduates of Advance Military Training shall be eligible for enlistment in the AFP or shall be given priority for lateral entry in other armed and law enforcement services of the government.

Section 12. *Incentives for Undergoing Military and Police Training Program.* –

- a. Subject to other requirements prescribed by the rules and regulations, graduates of Basic Military Training shall be eligible for enlistment in the AFP, PNP, Philippine Coast Guard (PCG), Bureau of Jail Management and Penology (BJMP), and Bureau of Fire Protection (BFP) unless a waiver is issued by the Department Secretaries of the aforementioned military and civilian organizations.
- b. Students undergoing Basic Military and Police Training and those accepted in the Advance Military Training Course shall be provided free hospitalization in any government hospital in case of accident or injury during the training. Mandatory insurance for students undergoing Military and Police Training shall be provided by the school where the students are enrolled.
- c. Students undergoing Basic Military and Police Training and Advance Military Training shall be given access and privileges with any AFP Commissary and PX Stores nationwide. The Chief of Staff, AFP shall issue the necessary regulations for the implementation of this privilege.
- d. Graduates of Basic Military and Police Training program who have completed a four (4) year baccalaureate degree shall be considered as First Level Civil Service Eligible, whereas graduate of Advance Military Training Program, who have finished a four (4) baccalaureate degree shall be considered a Second Level Civil Service Eligible in the Civil Service.

Section 13. *Prohibited Acts.* – The following acts shall be prohibited:

- a. Hazing as defined and penalized under R.A. 8049, as amended by R.A. 11053;
- b. Physical, sexual or psychological abuse, emotional maltreatment, or any act by deed which tends to degrade or demean the dignity of a child/student as provided under R.A. 7610, otherwise known as the

- “Special Protection of Children Against Abuse, Exploitation and Discrimination Act;”
- c. Physical, humiliating or degrading punishments or penalties by a teacher, school administrator, an adult, or any other child who has been given or has assumed authority or responsibility for punishment or discipline for an alleged or actual offense for the purpose of discipline, training or control except for mild to moderate physical exercise such as push-ups, sit-ups and running within the medically recommended limit for the concerned age group as provided under DepEd Order No. 40, Series of 2012 on Child Protection Policy;
- d. Bribery as penalized under the Revised Penal Code, by directly or indirectly accepting, any gift, in cash or in kind, from any student, or from any parent/guardian of the student in relation to or pertinent with the conduct of the Basic Military and Police Training Program;
- e. Corruption of public officials as penalized under the Revised Penal Code, by offering any gift in relation to or pertinent with the conduct of the Basic Military and Police Training Program;
- f. Graft and corrupt practices contemplated under R.A. 3019, otherwise known as the “Graft and Corrupt Practices Act.”

Section 14. *Establishment of Inquiry Body.* –

- a. An Inquiry Body shall be organized from a cluster of educational institutions that shall receive complaints and/or motu proprio conduct investigations on any complaint or allegation of abuse, violence or corruption in any educational institution implementing the Basic Military and Police Training Program;
- b. Every Inquiry Body shall be composed of three members, to be chosen by the Secretary of National Defense, the Secretary of the Interior and Local Government and the Secretary of Education: one (1) District Commandant from the DND, one (1) District Commandant from the DILG, and one (1) District Schools Supervisor from the DepEd;
- c. The DepEd, the DND, and the DILG shall formulate the manner by which the educational institutions implementing the Basic Military and Police Training Program shall be clustered for the efficient resolution of grievances;
- d. The Inquiry Body shall function as an independent fact-finding body, which shall formulate the recommendation to the proper disciplinary authority that has jurisdiction over the respondent, depending on whether he/she belongs to the military or the police for which purpose, the Articles of War or the PNP Law, as the case may be, shall be employed. In case of school officials and/or employees of public and private educational institutions, the provisions of R.A. 6713 or the “Code of Conduct of Public Officers and Employees” and other relevant laws on the matter shall be applied. This is without prejudice to administrative cases that may be filed pursuant to the Civil service rules for public officers and employees involved in the complaint;

- e. Nothing herein shall prevent any person from filing directly with the regular courts any incident of violation of Republic Act 11053 or the Anti-hazing Act of 2018.

Section 15. Powers and Duties of the Inquiry Body. – Every Inquiry Body shall have the following powers and duties:

- a. Encourage the reporting of any incident of hazing, violence abuse and corruption in every clustered training unit;
- b. *Motu Proprio* or upon a complaint filed by any person, investigate, any act of hazing, violence, abuse and corruption in the clustered training unit;
- c. Issue preventive suspension orders against officers of the Basic Military and Police Training Program or any school employee involved in the training within three (3) days: (i) upon receipt of the complaint, or (ii) after initiation of the *motu proprio* investigation, to preclude him from exerting undue influence over the complaint and impede the normal course of the investigation;
- d. Recommend the appropriate action for any offense committed in the clustered training unit to the proper disciplinary authority which has jurisdiction over the respondent within fifteen (15) days (i) upon receipt of the complaint, or (ii) after initiation of the *motu proprio* investigation;
- e. Monitor all complaints filed with the Body and maintain an updated record of the status of each case;
- f. Provide the parties of the complaint its findings and recommendations within thirty (30) days upon receipt thereof;
- g. Promulgate rules and regulations necessary to carry out its objectives, functions and disciplinary procedures; and
- h. Performs such other functions as may be provided by law.

Section 16. Appeals Board. – There is hereby established an Appeal Board (AB) composed of the Secretary of National Defense or his permanent authorized representative, the Secretary of the Interior and Local Government or his permanent authorized representative, the Secretary of Education or his permanent authorized representative, and the Secretary of Justice or his permanent authorized representative.

The AB shall receive appeals on petitions for review from the findings/recommendation of any of the Inquiry Bodies. It shall render its decision or resolution within fifteen (15) days from the time the petition was received. Any resolution of the AB shall be final.

Section 17. Training Instructors' Capacity Development and Enhancement Program. – There is hereby created and established a training program for training instructors, to ensure that they meet the highest physical and moral standards to teach and carry out the Basic Military and Police Training Program. The Instructors' Program shall be developed and administered under the guidance and tutelage of the DND, the DILG, and the DepEd.

A comprehensive training manual shall be developed for the conduct of these trainings, incorporating among other things, gender-appropriate and child-sensitive awareness, familiarity with relevant laws on the Special Protection of Children, other domestic laws and international obligations necessary and appropriate to guaranty the integrity and the highest standard of moral scruple for the implementers' of the Basic Military and Police Training Program.

Section 18. *Initial Implementation of the Program.* – In order to manage the initial implementation of the Basic Military and Police Training Program in high school, the DND, the DILG, and the DepEd shall, within six (6) months from the effectivity of this Act, design, institute and implement a Pilot Program.

The DND, the DILG, and the DepEd shall jointly submit an annual review and evaluation report to Congress on the Implementation of the Pilot Program. Upon review and approval by Congress, the framework utilized under the Pilot Program shall become the standard for the full national implementation of the Basic Military and Police Training Program.

Section 19. *Mandatory Evaluation and Review.* – The DND, the DILG, and the DepEd shall jointly conduct an annual review and submit a report to Congress on the status of the implementation of the Basic Military and Police Training Program one year after its full implementation.

Section 20. *Penal Provisions.* – Any person who shall violate any provision of this Act shall be punished with imprisonment from one (1) to five (5) years. Any person who shall commit any act already penalized under existing laws and particularly described in Section 11 of this Act such as bribery, corruption of public officials, graft, hazing, sexual harassment, and other abuses shall be prosecuted and subject to penalties in accordance with the applicable laws.

In case that bribery, corruption of public officials, graft, hazing, sexual harassment, and other abuses as particularly described in Section 11 of this Act is committed by persons authorized to administer the Basic Military and Police Training Program or by school officials or employees of public or government educational institutions directly involved in the implementation of the program, the maximum penalty provided under existing laws shall be imposed.

Section 21. *Funding.* – The funding requirement to implement the establishment, maintenance and operations of the Military and Police Training Program shall be included in the budget of the implementing agencies/departments in the annual General Appropriations Act.

Section 22. *Internal Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Department of Education shall promulgate rules and regulations necessary to ensure the effective implementation of this Act. Such rules and regulations shall take effect upon their publication in at least one (1) newspaper of general circulation.

Section 23. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

Section 24. *Repealing Clause.* – All other laws, executive orders, presidential decrees, rules and regulations inconsistent with any provisions of this Act are hereby repealed, amended or modified accordingly.

Section 25. *Effectivity.* – This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in at least one (1) newspaper of general circulation.

Approved,