

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 9808



Introduced by Representative CAMILLE A. VILLAR

AN ACT ENSURING THAT SENIOR HIGH SCHOOL GRADUATES UNDER THE K TO 12 PROGRAM ARE EQUIPPED WITH THE KNOWLEDGE, TRAINING AND SKILLS DEMANDED IN THE LABOR MARKET, ENHANCING THEIR EMPLOYABILITY AND COMPETITIVENESS, CREATING THE BATANG MAGALING COUNCILS TO STRENGTHEN MULTI-STAKEHOLDER COLLABORATION AND SUPPORT FOR THEIR EMPLOYMENT, ALLOWING DEDUCTION OF TRAINING EXPENSES INCURRED FOR THEIR SKILLS DEVELOPMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Explanatory Note

Republic Act No. 10533, or the “Enhanced Basic Education Act of 2013” was signed into law on May 15, 2013 or more than ten (10) years ago. The primordial objective of the law is to create a functional basic education system that will develop productive and responsible citizens equipped with the essential competencies, skills and values for both life-long learning and employment. In order to achieve this, the State shall, among others, give every student an opportunity to receive quality education that is globally competitive based on a sound curriculum that is at par with international standards.

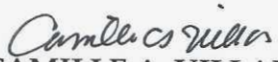
When the Enhanced Basic Education Act of 2013 was enacted, it instituted a K to 12 Program that envisions Senior High School (SHS) graduates as employment-ready.

This bill seeks to reinforce such objective by ensuring that SHS graduates are equipped with knowledge, training and skills demanded in the labor market, whether they have chosen the higher education, middle-level skills development, employment, or entrepreneurship exit, thereby enhancing their employability and competitiveness in the workforce.

Batang Magaling National and Local councils are created to serve as mechanisms for active collaboration and meaningful communication for the

provision of information to the education institutions for the updating and alignment of the curricular offerings and the work immersion component of the SHS program with the market needs as identified by industry partners and government agencies. The councils are mandated to conduct regular labor market demand studies. The data derived from such demand forecast shall serve as basis for the work immersion component of the SHS Program, the Batang Magaling Roadmaps, and work immersion programs of educational institutions offering SHS Programs.

In view of the foregoing, the approval of this measure is urgently sought.


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AN ACT ENSURING THAT SENIOR HIGH SCHOOL GRADUATES UNDER THE K TO 12 PROGRAM ARE EQUIPPED WITH THE KNOWLEDGE, TRAINING AND SKILLS DEMANDED IN THE LABOR MARKET, ENHANCING THEIR EMPLOYABILITY AND COMPETITIVENESS, CREATING THE BATANG MAGALING COUNCILS TO STRENGTHEN MULTI-STAKEHOLDER COLLABORATION AND SUPPORT FOR THEIR EMPLOYMENT, ALLOWING DEDUCTION OF TRAINING EXPENSES INCURRED FOR THEIR SKILLS DEVELOPMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

Section 1. Short Title. - This Act shall be known as the "Batang Magaling Act".

Sec. 2. Declaration of Policy. - It is the policy of the State to establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society.

This Act reiterates a declared State policy that every graduate of basic education shall be an empowered individual who has learned, through a program that is rooted on sound educational principles and geared towards excellence, the foundations for learning throughout life, the competence to engage in work and be productive, the ability to coexist in fruitful harmony with local and global communities, the capability to engage in autonomous, creative, and critical thinking, and the capacity and willingness to transform others and one's self.

Sec. 3. Objective. - This Act shall ensure that the Philippine basic education system, as enhanced under Republic Act (R.A.) No. 10533 or the "Enhanced Basic Education Act of 2013", will produce Senior High School (SHS) graduates who are equipped with knowledge, training and skills demanded in the labor market, whether they have chosen the higher education, middle-level skills development,

employment, or entrepreneurship exit, thereby enhancing their employability and competitiveness in the workforce.

Sec. 4. Creation of the Batang Magaling National and Local Councils; Strengthening Multi-Stakeholder Linkages and Collaboration; The Batang Magaling Roadmap. - To align the tracks and strands of the K to 12 Basic Education Curriculum under R.A. No. 10533 with the needs of the labor market, a National Batang Magaling Council (National Council) shall be created composed of the Department of Education (DepEd), the Technical Education and Skills Development Authority (TESDA), the Department of Labor and Employment (DOLE), three (3) national industry partners, one (1) national labor group, and the Union of Local Authorities of the Philippines.

Local Batang Magaling Councils (Local Councils) shall likewise be formed at the provincial, city and municipal levels to ensure that SHS graduates are equipped with education, training and skills demanded by industry partners and government agencies. The Local Councils shall be composed of the provincial, city or municipal local school boards (LSBs), the Public Employment Service Office (PESO), at least two (2) industry partners in the locality, a representative of the TESDA provincial office, and a local employee organization or association. Every educational institution offering the SHS Program shall regularly consult with the Local Council at least twice a year to be guided by the actions of the Council especially the roadmap in paragraph (e) hereunder. The Council shall serve as a mechanism for active collaboration and meaningful communication for the fulfillment of the following purposes:

a. provision of information to the education institutions for the updating and alignment of the curricular offerings and the work immersion component of the SHS program with the market needs as identified by industry partners and government agencies;

b. increase in the awareness and commitment of industry partners and government agencies to accept learners in Work Immersion Programs (WIPs), ensure that their deployment is done according to their tracks or specialization courses, and enable them to acquire specialized skills and competencies to advance in their chosen path;

c. enabling the LSBs to provide relevant data and information to the stakeholders, increase their awareness of their mutual issues and concerns on the employability of SHS graduates in the locality, discuss and analyze the duties and risks involved in WIPs, and give local incentives to recognize best practices on collaboration;

d. crafting of the WIPs of education institutions offering the SHS Program within a province, city or municipality and ensuring that the curriculum is aligned with industry needs, learners meet the minimum requirements of the work

immersion industry partners and government agencies, and learners develop competencies and acquire skills that are industry-based to improve their work readiness and employability; and

e. development of local Batang Magaling Roadmaps, to be evaluated and updated every three years, at the provincial, city and municipal levels that shall introduce interventions and set measurable goals on enhancing the employability, competitiveness, and productivity of SHS graduates, including but not limited to an increase or improvement in the following: the number of industry partners and government agencies participating in the WIPs; the number of SHS learners deployed under the WIPs according to their tracks or specialization courses; and the rate of employment of SHS graduates in jobs aligned to their skills. As such, the local roadmap shall include the skills demanded by industry partners in the locality vis-a-vis the needed knowledge, training and skills of SHS graduates to match the said demand, using the labor market demand forecast under Sec. 6, and the skills database under Sec. 7 hereof. Taking into consideration the local roadmaps developed at the provincial, city and municipal levels, the National Council shall craft a parallel National Batang Magaling Roadmap to achieve the objective under Sec. 3 of this Act. The provincial Local Councils shall similarly craft their respective Provincial Batang Magaling Roadmaps based on the Municipal and Component Cities Batang Magaling Roadmaps, while the city Local Councils shall base their respective City Batang Magaling Roadmaps on the WIPs within the locality under their jurisdiction.

Sec. 5. Work Immersion Programs. -The WIPs that are mandated to be offered by education institutions offering the SHS Program shall develop in learners the competencies, skills, work ethic and values relevant to pursuing further education or joining the world of work. The WIP shall be based on the Batang Magaling Roadmap and designed to match the needs of the learners and the capabilities of the education institutions vis-a-vis the demands of the work immersion industry partners.

The Schools Division Office of the DepEd shall approve the WIP as proposed in these provinces, cities or municipalities, in accordance with DepEd policies and issuances, and with due compliance to legal and administrative prescriptions on the number of hours and delivery models, among others.

Sec. 6. Labor Market Demand Forecasting. - To align the WIP with market demand and ensure that the knowledge, training and skills of SHS graduates match the in-demand and projected in-demand jobs of industry partners in the locality, the Councils are hereby mandated to conduct labor market demand studies every three (3) years, using quarterly local labor market data collected by the PESO. The data derived from such demand forecast shall serve as basis for the work immersion component of the SHS Program, the Batang Magaling Roadmaps, the WIPs, the trainings to be conducted, the resources to be procured, and the skills to be developed among the learners, among others. The demand forecast will also allow

education institutions to focus on employable skills as determined by medium to long-term labor market demand.

Sec. 7. Batang Magaling Database; Centralized Skills Database in Collaboration with DOLE. - The DepEd, in collaboration with the DOLE, shall develop, maintain and update a centralized nationwide database of skills information to serve as one-stop shop for all matters related to the employment of SHS graduates. The Batang Magaling Database shall help strengthen the education institutions' linkages and collaboration with industry partners, facilitating the meeting of skills demand within the province, city, municipality, and the country as a whole.

The Batang Magaling database shall register the demographic profile of learners including, but not limited to, their educational background, track and strand completed in SHS, training, skills, competencies, work immersion performance, course taken after SHS, work experience and employment history. It shall also contain the profiles, demands, and vacancies, among others, of industry partners.

Sec. 8. Affirmative Hiring of SHS Graduates; Industry Partners; Civil Service Commission. -The DOLE, in coordination with the DepEd, shall conduct studies and research for the crafting of strategies and guidelines to minimize the impediments to SHS employment, and promote the affirmative hiring of SHS graduates. The industry partners are enjoined to rethink and review their hiring policies and job requirements to provide employment opportunities, such as entry-level positions, to SHS graduates. The Civil Service Commission (CSC) is hereby mandated to review the qualification requirements for government employment and revise its policies to integrate the qualifications of SHS graduates in the CSC qualification standards (QS) to provide employment opportunities to SHS graduates. Such QS may include, among others, education, experience, training, and eligibility.

Sec. 9. Quality Assurance by the TESDA of the SHS Program of the DepEd; National Competency Assessments; National Certificates. - The DepEd shall comply with the quality assurance framework set by the TESDA and ensure that the SHS program offerings meet the necessary criteria for TESDA's Training Regulations program registration. The DepEd, in coordination with the TESDA, shall provide, free of charge, the national competency assessments to DepEd SHS Program learners upon their graduation. SHS graduates who pass such assessments shall be awarded the appropriate National Certificates (NCs) which shall serve as formal recognition of their skills and competencies in accordance with the standards set by the TESDA.

Sec. 10. Joint Delivery Voucher Program for Senior High School Technical Vocational-Livelihood Specializations (JDVP-TVL). - The JDVP-TVL, a program designed by the DepEd to allow SHS learners enrolled in public schools to avail of vouchers and take their desired TVL specializations in eligible partner institutions from private SHSs, non-DepEd public SHSs, or TESDA-accredited private Technical

Vocational Institutes, shall be utilized to enable such learners to receive instruction and training and complete their needed TVL skills and competencies. The rules and regulations to be issued pursuant to Sec. 14 of this Act shall prescribe the guidelines for the implementation of the JDVP-TVL in cases where the specialization desired by the learner is not offered by the public education institution where he or she is enrolled.

Sec. 11. Deductible Training Expenses from Taxable Income; Additional Item of Deduction. - Industry partners that incur training expenses for the skills development of SHS learners participating in the WIP shall be allowed the additional item of deduction from their taxable income under Sec. 34 (A) (1) (a) (v) of R.A. No. 8424 or the National Internal Revenue Code of 1997, as amended by R.A. No. 11534 or "CREATE". The Bureau of Internal Revenue (BIR), in collaboration with the DepEd, shall issue the appropriate rules for availing this incentive, including simplified processes and streamlined requirements for compliance and reporting.

Sec. 12. Mandatory Review and Impact Assessment - The DepEd, in collaboration with the National Council, shall conduct a mandatory review of the implementation of this Act and submit an assessment report to Congress on its impact and effectiveness, not later than two (2) years from its effectivity and every two (2) years thereafter.

Sec. 13. Appropriations. -The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the departments and other agencies concerned. Thereafter, the amount necessary for its continued implementation shall be included in the annual General Appropriations Act. The funding requirements needed for the implementation of this Act by local government units may be charged against their local funds.

Sec. 14. Implementing Rules and Regulations (IRR). - Within ninety (90) days from the effectivity of this Act, the DepEd, CSC, DOLE, TESDA, and other public and private stakeholders, including industry partners, shall issue the rules and regulations implementing its provisions. The IRR issued pursuant to this section shall take effect thirty (30) days after its publication in a newspaper of general circulation.

Sec. 15. 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.

Sec. 16. Repealing Cause. - All laws, executive orders, presidential decrees, administrative orders, rules and regulations, issuances, or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Sec. 17. Effectivity. - Notwithstanding the non-issuance of the IRR, this Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,