

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 1280

Introduced by **REP. BERNADETTE "DETTE" G. ESCUDERO**

AN ACT
ESTABLISHING THE PRIVATE BASIC EDUCATION VOUCHER PROGRAM,
PROVIDING FOR THE CREATION OF THE BUREAU OF PRIVATE
EDUCATION, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR
THE PURPOSE SECTIONS 2, 3, 4(2), 4(3), 5, 6, 7, 12, 14, AND 15 OF
REPUBLIC ACT NO. 8545, OTHERWISE KNOWN AS THE "EXPANDED
GOVERNMENT ASSISTANCE TO STUDENTS AND TEACHERS IN PRIVATE
EDUCATION ACT", WHICH AMENDED REPUBLIC ACT NO. 6728,
OTHERWISE KNOWN AS THE "GOVERNMENT ASSISTANCE TO STUDENTS
AND TEACHERS IN PRIVATE EDUCATION ACT"

EXPLANATORY NOTE

The 1987 Constitution states in Article XIV, Section 1 that "[t]he State shall 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." For this reason, it is the responsibility of the state to create, support, and maintain a comprehensive, appropriate, and integrated system of education that is in line with the needs of the populace and society".

Anchored on the state's mandate that no Filipino child should be deprived of quality basic education due to economic limitations or geographical challenges, this proposed measure seeks to institutionalize a Private Basic Education Voucher Program and establish the Bureau of Private Education, thereby strengthening the government's commitment to accessible, equitable, and quality education for all Filipino learners.

Through this education voucher program, we strategically address the chronic problem of overcrowding in public schools through a system of decongestion and redistribution of our learners and maximizing private schools which are ready to accommodate them with the support of the Government. This proposed policy is also consistent with the state's mandate under Section 2(1) of Republic Act No. 9155, otherwise known as the Governance of Basic Education Act of 2001, which recognizes

the complementary roles of public and private educational institutions in the national educational system.

Pursuant to the same legislative intent, the Department of Education (DepEd) significantly focused its efforts and resources in addressing the pressing concerns of the public school system. While the challenges confronting education delivery in public schools are substantial and warrants the attention of DepEd, it is equally important that the broader educational landscape be considered and taken into account. Education delivery in private schools, which serves as a vital complement in our system of education, faces its own set of issues and developmental needs that must be acknowledged and addressed. There have been reports that the current organizational setup assigns only one supervisor per division to oversee numerous private schools. In Metro Manila alone, there are nearly 2,000 private schools distributed across 16 divisions—yet only 16 supervisors are designated to monitor and support them. These same supervisors are also burdened with other tasks unrelated to private education, such as nutrition programs, monitoring activities, among others. This situation has led to a disproportionate allocation of time and resources for the private education sector, despite its significant contribution to the country's overall educational landscape.

It is therefore imperative to create a Bureau of Private Education that will exclusively focus on the development, regulation, and management of private elementary and secondary schools. The proposed Bureau shall serve as a centralized and dedicated body to address all concerns, initiatives, and programs relating to private basic education, thereby ensuring timely and responsive governance.

Ultimately, the enactment of this measure shall institutionalize a learner-centered, inclusive, and future-ready education system that recognizes the integral role of private education in national development. It affirms the State's duty to provide adequate support and regulation for all educational stakeholders and ensures that both public and private institutions are empowered to nurture the next generation of Filipinos.

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


HON. BERNADETTE "DETTE" G. ESCUDERO
Representative
1st District, Sorsogon

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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 "Private Basic
2 Education Vouchers Assistance Act".

3
4 **SEC. 2. Declaration of Policy.** It is the declared policy of the State to protect
5 and promote the right of all citizens to quality education at all levels, and shall take
6 appropriate steps to make such education accessible to all. As part of its mandate, it
7 is the State's policy to establish and maintain a system of scholarship grants, subsidies,
8 and other incentives which shall be available to deserving students, as determined by
9 the guidelines, in both public and private schools, especially to the underprivileged.
10 Likewise, the State recognizes the complementary roles of public and private
11 educational institutions in the educational system and the invaluable contribution that
12 the private schools have made and will make to education.

13
14 The State shall provide the mechanisms to augment the resources and enhance the
15 quality of private basic education, specifically promoting the complementary roles of
16 public and private schools and thus recognize the government's priority of providing
17 basic elementary and secondary education to all Filipino students.
18

1 **SEC. 3. Coverage.** This Act shall cover all private basic education institutions
2 that receive government assistance in the form of vouchers for qualified students,
3 teachers and schools. This covers all the years of basic education. The programs of
4 assistance for students under this Act shall be extended only to citizens of the
5 Philippines.

6
7 **SEC. 4. Criteria for Voucher Assistance.** The programs for voucher
8 assistance shall be based on a set of criteria which include among others, the
9 following:

10
11 (a) Criteria for Students. – The voucher assistance will be provided to
12 students from middle-income families, as determined by the Philippine Statistics
13 Authority (PSA), who attended public schools identified by the Department of
14 Education as congested or those living in areas with congested public schools
15 or without a nearby public school who wish to enroll in private basic education
16 schools.

17
18 Students who are most vulnerable and underprivileged shall receive a higher
19 voucher amount as determined by the Basic Education Assistance Council
20 (BEAC).

21
22 (b) Criteria for Schools. – The participating private basic education
23 schools shall receive assistance based on Quality Assurance under Section 6 of
24 this Act, and the geographic spread and size of student enrollment, as likewise
25 determined by the BEAC, except schools with gaps in resources and facilities
26 which are located in geographically isolated and disadvantaged and conflict-
27 affected areas, or GIDCA schools. Private schools shall undergo the process of
28 recognition and periodic assessment to be able to participate in the programs
29 for voucher assistance.

30
31 **SEC. 5. Empowering Student Choice.** The Department of Education
32 (DepEd) shall create a system that allows students and parents to select their
33 preferred schools from a registry of participating recognized schools, subject to
34 availability of slots.

35
36 The registry of participating recognized private basic educational institutions shall
37 include their schools' information, such as location, number of available slots, number
38 of students per classroom and level, extra-curricular programs, current tuition fees,
39 and top-up required in cases where the voucher amount is less than the tuition fee,
40 among others.

41
42 **SEC. 6. Quality Assurance.** The DepEd shall establish, operate and maintain
43 a system and mechanism for monitoring program outcomes to ensure accountability
44 of participating recognized private basic educational institutions. This covers the
45 following areas:

46
47 (a) Improved Student Performance – Appropriate performance
48 indicators to determine the extent and outcome of the government assistance

1 and subsidies (GAS) programs including youth literacy rates, national and
2 international assessment scores, among others. For this purpose, the National
3 Achievement Tests and all national assessment examinations generally given
4 by the DepEd shall be administered to all eligible students in all participating
5 private basic education institutions;

6
7 (b) Improved Student Outcomes – Tracer system to collect and
8 evaluate the career and employment path of its graduates;

9
10 (c) School Performance – School performance data indicating the
11 mean, median and mode of the scores of the students in the national
12 examinations, and such other measures of quality education delivery; and

13
14 (d) Priority Subsidy for Underprivileged Students – Distribution of the
15 GAS programs while ensuring that funding is equitably allocated following the
16 order of priority groups.

17
18 **SEC. 7. Other Forms of Assistance.** The following shall consist of assistance
19 to private basic education institutions and teachers participating in the voucher
20 program under this Act. The forms of assistance granted to teachers in the participating
21 recognized private basic education schools include:

22
23 (a) In-service training fund for teachers in private basic education schools;

24
25 (b) Scholarships for qualified private basic education teachers enrolled in
26 quality graduate programs; and

27
28 (c) Participation in government-funded in-service training for basic education
29 teachers.

30
31 The DepEd may establish a program of assistance for the development of
32 qualified recognized private basic education schools to cover the following areas of
33 school operation:

34
35 (a) Institutional Development;

36
37 (b) Organizational Development;

38
39 (c) Human Resource Development;

40
41 (d) Curriculum and Instructional Development;

42
43 (e) Research and Planning; and

44
45 (f) Facilities and School Improvement consistent with Section 10 of Republic
46 Act No. 10533, or the "Enhanced Basic Education Act of 2013", the DepEd, in
47 consultation with the Department of Budget and Management (DBM), may
48 develop other forms of financial arrangements and engage the services of

private basic education schools based on the complementary roles of public and private institutions in the educational system.

SEC. 8. Basic Education Voucher Program. Under the basic education voucher program, kindergarten, elementary, and secondary students enrolled in recognized private basic education schools charging school fees shall be provided by the government with vouchers in such amount as may be determined by the DepEd: Provided, That the amount shall not be less than the amount currently provided by the DepEd: Provided, That the government shall disburse payment of the vouchers to the schools concerned within sixty (60) days from the submission of complete documents to the DepEd.

The budget for the basic education voucher program shall be equitably allocated and distributed among all regions including the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) based on official data sources including, but not limited to, congestion data and open seats, giving priority to underprivileged students.

Pursuant to Section 2(V), Article V of the Bangsamoro Organic Law, the Bangsamoro Government shall exercise its authority over education for the areas under the BARMM and will directly implement the same program to be charged against their block grant. The DepEd shall provide technical assistance in the implementation of the GAS programs, when necessary.

Schools participating in the basic education voucher program may increase tuition on the condition that seventy percent (70%) of the amount of the tuition increases shall go to the payment of salaries, wages, allowances, and other statutory 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 tuition increases 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. 9. In-Service Training Fund or Inset Fund. For the purpose of improving the quality of teaching in private basic education, there is hereby established in the DepEd an Inset Fund to provide for training programs for the upgrading of knowledge and teaching competencies in critical subject areas and for the modernization of teaching techniques and strategies, including training on the use of computers and of other multi-media educational technologies to assist instruction:

Provided, That the amount of Inset Fund available to private basic education shall not exceed that available to public basic education as per capita basis, Provided further, That the training programs shall be approved by the DepEd.

1
2 **SEC. 10. Teachers' Salary Subsidy Fund.** A Teachers' Salary Subsidy Fund
3 is hereby established in the DepEd to grant government subsidy to teachers in
4 recognized private basic education schools participating in the programs of assistance
5 under in this Act: Provided, That the government shall provide the teachers with salary
6 subsidy, to be determined by the DepEd: Provided, further, That the government shall
7 disburse payment within sixty (60) days after the close of the school year upon
8 submission of complete documents, including but not limited to qualification and
9 actual teaching service, to the DepEd: Provided, furthermore, That the present
10 allocation out of increases from tuition and other income shall be maintained:
11 Provided, finally, That the teacher's salary subsidy received by the teacher shall form
12 part of the exclusions from taxable gross income in accordance with Section
13 32(B)(7)(e) of the National Internal Revenue Code of 1997, as amended.
14

15 **SEC. 11. Creation of the Bureau of Private Education.** The Bureau of
16 Private Education (BPE) under the DepEd shall be created to serve as the focal office
17 for the administration, supervision, and regulation of all matters relating to private
18 basic education institutions, including government assistance and subsidies. It shall
19 be headed by a Bureau Director.
20

21 It shall have the following powers and functions:
22

23 (a) Monitor and assess the implementation of the private basic education
24 institutions of the policies, plans, and programs established by the DepEd as
25 recommended by BPE;
26

27 (b) Set and enforce minimum standards for programs and institutions of
28 learning, subject to public hearing;
29

30 (c) Ensure that the activities, efforts, and performance of private basic
31 education institutions shall meet the high standards of excellence and
32 accountability;
33

34 (d) Administer and implement the policies and programs related to the
35 assistance and subsidies given by the government to students, teachers, and
36 schools in private education;
37

38 (e) Establish and support partnerships with individual private education
39 institutions to respond effectively to the pressing needs of students and
40 teachers, and to provide learning solutions to underserved communities;
41

42 (f) Monitor and ensure compliance of private basic education institutions to the
43 promulgated rules and regulations of the DepEd in all matters concerning
44 private schools, including tuition fee increases; and
45

46 (g) Such other powers and functions as may be necessary for the effective and
47 efficient implementation of this Act.
48

1 **SEC. 12. Program Administration and Implementation.** The BEAC shall
2 be responsible for policy guidance and direction, monitoring and evaluation of new
3 and existing programs while the Government Assistance and Subsidies Service (GASS)
4 under the BPE shall be responsible for the day-to-day administration and
5 implementation on the programs of assistance to private basic education.
6

7 The BEAC shall be composed of the Secretary of the DepEd, as Chairperson,
8 and the Secretary of the National Economic and Development Authority (NEDA) and
9 the Secretary of the DBM, as members.
10

11 The alternate representative of the Chairperson shall possess the rank of an
12 Undersecretary while the alternate representatives of the members shall possess the
13 rank of not less than an Assistant Secretary in order to secure a quorum.
14

15 The BEAC shall meet, from time to time, as the need arises, to assess the
16 effectivity of the programs under this Act and to propose to Congress other forms of
17 assistance to participating students and schools.
18

19 The GASS shall serve as the permanent secretariat for the implementation of
20 the GAS programs under this Act.
21

22 The DepEd may engage the services of a third party co-implementor of the
23 GAS programs under this Act.
24

25 **SEC. 13. Appropriations.** The amount necessary for the initial
26 implementation of this Act shall be charged against the current year's appropriation
27 of the DepEd. Thereafter, such amount shall be included in the annual General
28 Appropriations Act.
29

30 **SEC. 14. Penalties.** In case of violation of this Act by a private school, the
31 DepEd may bar, after due process, such school from participating in or benefiting
32 from the programs of this Act, and from other programs of the DepEd, without
33 prejudice to administrative and criminal charges that may be filed against the school
34 or its responsible officers under existing laws.
35

36 **SEC. 15. Transitory Provision.** Subject to the availability of funds, the
37 implementation of the provisions stipulated in this Act for the kindergarten and
38 elementary levels shall gradually commence in school year 2026-2027, as may be
39 determined by the DepEd.
40

41 **SEC. 16. Implementing Rules and Regulations.** Within ninety (90) days
42 from the approval of this Act, the DepEd shall, in consultation with the NEDA, the
43 DBM, and other concerned stakeholders from the national associations of private basic
44 education institutions, promulgate the rules and regulations implementing the
45 provisions of this Act.
46

1 **SEC. 17. Separability Clause.** If any provision of this Act is held invalid or
2 unconstitutional, the other provisions not so declared shall remain in full force and
3 effect.

4
5 **SEC. 18. Repealing Clause.** Sections 2, 3, 4(2), 4(3), 5, 6, 7, 12, 14, and
6 15 of Republic Act No. 8545, or the "Expanded Government Assistance to Students
7 and Teachers in Private Education Act", which amended Republic Act No. 6728, or the
8 "Government Assistance to Students and Teachers in Private Education Act", are
9 hereby repealed. All other laws, decrees, orders and rules and regulations contrary to
10 or inconsistent with the provisions of this Act are hereby repealed or amended
11 accordingly.

12
13 **SEC. 19. Effectivity.** Notwithstanding the non-issuance of the implementing
14 rules and regulations, this Act shall take effect fifteen (15) days after its publication in
15 2 the Official Gazette or in a newspaper of general circulation.

Adopted,