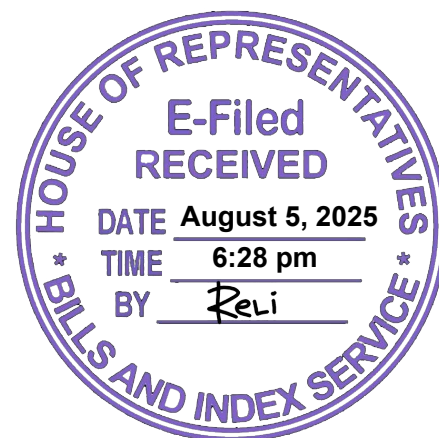


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **3161**



Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

EXPLANATORY NOTE

The right to quality education is a cornerstone of national development and a fundamental guarantee under the *1987 Philippine Constitution*. As provided in *Article XIV, Section 1*, the State is mandated to protect and promote the right of all citizens to quality education at all levels and to take appropriate steps to make such education accessible to all. While the government continues to strengthen the public education system, it also recognizes the indispensable role of private educational institutions in realizing this constitutional mandate. To this end, the State must adopt a more inclusive and equitable approach that empowers Filipino families with greater access to quality basic education, regardless of whether it is offered by public or private schools. Over the decades, this vision has been pursued through a dual system that recognizes the vital, complementary roles of both public and private educational institutions in delivering basic education.

In many communities across the country, private schools have long filled the gaps left by limited public school capacity, especially in underserved or densely populated areas. Despite this, government support for private education remains constrained, fragmented, and in need of systemic reform. The current programs, while beneficial, are no longer fully aligned with the evolving needs of Filipino learners and the changing landscape of basic education.

This proposed measure seeks to institutionalize a more effective, inclusive, and accountable mechanism for supporting private basic education in the Philippines. It aims to empower students and their families, particularly those in congested urban areas, low-income communities, and geographically disadvantaged regions—with real educational choices through a well-targeted voucher system. By providing financial assistance directly to learners, the government enables them to access private schools that meet minimum quality standards, helping to reduce class congestion in public schools while promoting equitable access to learning opportunities.

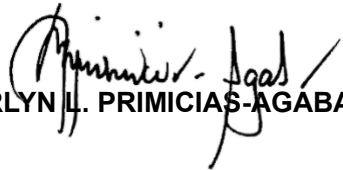
Crucially, this bill affirms the principle of student-centered funding. Instead of relying solely on the expansion of infrastructure, the measure invests in learners themselves and strengthens the capacity of private institutions that commit to quality, transparency, and service to the Filipino public. It acknowledges the socioeconomic realities faced by many Filipino families and provides differentiated levels of support based on income brackets and school access. In doing so, the measure ensures that children from disadvantaged backgrounds are prioritized and empowered with genuine school choice.

The measure also introduces governance reforms, including the creation of a dedicated bureau within the Department of Education to oversee private education policy, ensure quality assurance, and enforce standards. By streamlining administration and building institutional accountability, the State reinforces its responsibility to ensure that public funds are used effectively and that students' rights to safe, inclusive, and high-quality education are upheld.

In addition to student subsidies, the bill institutionalizes support for private school teachers through the creation of a Teachers' Salary Subsidy Fund and an In-Service Training (Inset) Fund. These funds are aimed at narrowing the resource and skills gap between public and private educators, especially those in schools located in remote or disadvantaged communities. Through targeted subsidies and professional development support, the bill seeks to uplift the teaching profession within the private education sector.

Finally, this legislative proposal represents a long-overdue recalibration of the government's education policy—one that is equitable, forward-looking, and rooted in the principles of inclusive development. By providing targeted financial assistance to deserving students and support to private educational institutions, this measure upholds the constitutional right to quality education and ensures that no Filipino child is denied the opportunity to learn simply because of where they live or how much their family earns.

In view of the urgent need to strengthen the private education sector as a reliable partner in nation-building and to provide Filipino learners with greater access to educational choices, the immediate passage of this bill is earnestly sought.


MARLYN L. PRIMICIAS-AGABAS

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HOUSE BILL NO. **3161**

Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

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"

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 "Private Basic Education Vouchers Assistance Act".

SEC. 2. *Declaration of Policy.* - It is the declared 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. As part of its mandate, it is the State's policy to establish and maintain a system of scholarship grants, subsidies, and other incentives which shall be available to deserving students, as determined by the guidelines, in both public and private schools, especially to the underprivileged. Likewise, the State recognizes the complementary roles of public and private educational institutions in the educational system and the invaluable contribution that the private schools have made and will make to education.

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

SEC. 3. *Coverage.* - This Act covers all private basic education institutions that receive government assistance in the form of vouchers for qualified students, teachers and schools. This covers all the years of basic education.

The programs of assistance for students under this Act shall be extended only to citizens of the Philippines.

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

- a. **Criteria for Students.** - The voucher assistance will be provided to students from middle-income families, as determined by the Philippine Statistics Authority (PSA), who attended public schools identified by the Department of Education as congested or those living in areas with congested public schools or without a nearby public school who wish to enroll in private basic education schools.
- b. Students who are most vulnerable and underprivileged shall receive a higher voucher amount as determined by the Basic Education Assistance Council (BEAC).
- c. **Criteria for Schools.** - The participating private basic education schools shall receive assistance based on Quality Assurance under Section 6 of this Act, and the geographic spread and size of student enrollment, as likewise determined by the BEAC, except schools with gaps in resources and facilities which are in geographically isolated and disadvantaged and conflict-affected areas, or GIDCA schools. Private schools shall undergo the process of recognition and periodic assessment to be able to participate in the programs for voucher assistance.

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

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

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

- a. Improved Student Performance - Appropriate performance indicators to determine the extent and outcome of the government assistance and subsidies (GAS) programs including youth literacy rates, national and international assessment scores, among others. For this purpose, the National Achievement Tests and all national assessment examinations generally given by the DepEd shall be administered to all eligible students in all participating private basic education institutions.
- b. Improved Student Outcomes - Tracer system to collect and evaluate the career and employment path of its graduates.
- c. School Performance - School performance data indicating the mean, median and mode of the scores of the students in the national examinations, and such other measures of quality education delivery; and
- d. Priority Subsidy for Underprivileged Students - Distribution of the GAS programs while ensuring that funding is equitably allocated following the order of priority groups.

SEC. 7. Other Forms of Assistance. - The following shall consist of assistance to private basic education institutions and teachers participating in the voucher program under this Act:

The forms of assistance granted to teachers in the participating recognized private basic education schools include:

- a. In-service training fund for teachers in private basic education schools.
- b. Scholarships for qualified private basic education teachers enrolled in quality graduate programs; and
- c. Participation in government-funded in-service training for basic education teachers.
- d. The DepEd may establish a program of assistance for the development of qualified recognized private basic education schools to cover the following areas of school operation:
 - e. Institutional Development.
 - f. Organizational Development.
 - g. Human Resource Development.
 - h. Curriculum and Instructional Development.
 - i. Research and Planning; and
 - j. Facilities and School Improvement.

Consistent with Section 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 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 go to the improvement or modernization of buildings, equipment, libraries, laboratories, gymnasium 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.

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

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

It shall have the following powers and functions:

- a. Monitor and assess the implementation of the private basic education institutions of the policies, plans, and programs established by the DepEd as recommended by BPE.
- b. Set and enforce minimum standards for programs and institutions of learning, subject to public hearing.
- c. Ensure that the activities, efforts, and performance of private basic education institutions shall meet high standards of excellence and accountability.

- d. Administer and implement the policies and programs related to the assistance and subsidies given by the government to students, teachers, and schools in private education.
- e. Establish and support partnerships with individual private education institutions to respond effectively to the pressing needs of students and teachers, and to provide learning solutions to underserved communities.
- f. Monitor and ensure compliance of private basic education institutions to the promulgated rules and regulations of the DepEd in all matters concerning private schools, including tuition fee increases; and
- g. Such other powers and functions may be necessary for the effective and efficient implementation of this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved,