

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
H. No. 4020



Introduced by **Representative Binky April M. Tupas**

AN ACT
ESTABLISHING PUBLIC BASIC EDUCATION SCHOOLS IN
GEOGRAPHICALLY ISOLATED AND DISADVANTAGED AND CONFLICT-
AFFECTED AREAS, PROVIDING ACCESS ROADS LEADING TO LAST MILE
SCHOOLS, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The right to quality and accessible education is set out in Article XIV, Section 1 of the 1987 Constitution, but despite ongoing national efforts, many Filipino children, particularly those from geographically isolated, disadvantaged and conflict-affected areas (GIDCA), remain deprived of this right.

More than 8,000 schools across the country fall under the category of “Last Mile Schools,” defined as schools that lack adequately-sized classrooms, no electricity, severely deficient infrastructure, and lack access to basic learning materials. Many of these schools also serve Indigenous Cultural Communities (ICCs) and Indigenous Peoples (IPs), where more than 75% of students are Indigenous peoples, making them subject to many hours of walking or trekking just to get to school. This also contributes to higher dropout rates and poorer learning outcomes.¹

The Last Mile Schools Act will institutionalize a long-term solution to these challenges by mandating the construction of public elementary schools in GIDCA communities, development of access roads and other necessary infrastructure (e.g. electricity and internet connection) and will ensure the rights of IP learners in accordance with the Indigenous Peoples’ Rights Act of 1997 (RA 8371).

Through a 5-year implementation plan², the measure allows for DepEd to lead the implementation of a multi-agency taskforce, including those of the DPWH, DOE, NEA, DICT, and other relevant government agencies, with assistance from

¹<https://schoolbuildings.deped.gov.ph/lastmile>

² <https://pdp.depdev.gov.ph/philippine-development-plan-2023-2028/>

LGUs, and stipulates clear parameters to choose target schools to assure priority for low-income communities.

By legislating this program, the State also reiterates its mandate to bridge the educational gap, cut down on inequality and defend the rights of each Filipino child, regardless of their distance from the center.

The bill was already approved on Third Reading during the 19th Congress. In light of the foregoing, the immediate consideration and approval of this measure is respectfully urged.


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*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 “*Last Mile Schools 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 take appropriate steps to make such education accessible to all.

The State recognizes and promotes the rights of Indigenous Cultural Communities within the framework of national unity and development. To this end, the State shall recognize the right of indigenous families and communities to retain shared responsibility for upbringing, training, education, and well-being of their children, consistent with the rights of the child.

The State shall improve the quality and access to basic education of children in the far-flung, isolated, disadvantaged and conflict-affected areas, as well as those in Last Mile Schools, by investing in school infrastructure and roads leading to the said public schools.

SEC. 3. *Definition of Terms.* – As used in this Act:

- (a) *Basic education* refers to the intended basic learning needs which provide the foundation on which subsequent learning can be based. It includes kindergarten, elementary and secondary education as well as alternative learning systems for out-of-school learners and those with special needs;
- (b) *Basic Education School* refers to learning institutions accredited by the Department of Education (DepEd) to deliver services addressing the intended basic learning needs of students;

- (c) *Indigenous Cultural Communities (ICCs)/Indigenous Peoples (IPs)* refer to the same definition stated in Section 3h, Chapter 2 of Republic Act No. 8371, or “The Indigenous Peoples’ Rights Act of 1997”, which describes it as “group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains”; and
- (d) *Last Mile Schools* refers to public basic education schools with gaps in resources and facilities which are located in geographically isolated and disadvantaged and conflict-affected areas (GIDCA).

SEC. 4. Establishment of Last Mile Schools. – The Last Mile Schools are hereby established, under the administration of the DepEd, to cater to the basic education of learners throughout the country’s GIDCA.

The establishment of Last Mile Schools in locations situated by the ICCs shall be undertaken in consideration of the rights of the IPs, in accordance with Republic Act No. 8371.

SEC. 5. Access to Education. – The DepEd shall collaborate with concerned national government agencies for the delivery of the infrastructures necessary to ensure access to education in the Last Mile Schools, namely:

- (a) Department of Public Works and Highways (DPWH), for the construction of access roads leading to the location of Last Mile Schools;
- (b) Department of Energy (DOE) and National Electrification Administration (NEA), for the installation of electricity; and
- (c) Department of Information and Communications Technology (DICT), for the installation of information and communications technology.

SEC. 6. Criteria. – The indicators used in identifying a public school to be included among the Last Mile Schools are the following:

- (a) Having less than four (4) classrooms;
- (b) With makeshift or nonstandard rooms;

- (c) Absence of or irregular electricity;
- (d) Have not been allocated funds for repairs or new construction projects in the last four (4) years unless destroyed;
- (e) With travel distance of more than one hour from the center of a city or municipality, or with difficulty of terrain or of such nature as to be considered having difficulty of access to existing educational institutions;
- (f) Having multigrade classes or rooms;
- (g) With less than five (5) teachers;
- (h) Having a student population of less than one hundred (100) learners;
- (i) With more than seventy-five percent (75%) IP learners; and
- (j) Having such other circumstances that make it difficult for learners to access school facilities.

SEC. 7. *Implementation.* – The school building program for the Last Mile Schools shall be established and completed within a period of five (5) years after the effectivity of this Act.

To facilitate synchronicity, harmony and complementarity of plans, resources and efforts of both the national government and the local government units (LGUs) towards the attainment of the objectives of this Act, the DepEd shall plan and implement the programs, projects, and activities that address the needs of the Last Mile Schools, in coordination and collaboration with the National Commission on Indigenous Peoples (NCIP), DPWH, DICT, DOE, NEA, Department of Social Welfare and Development (DSWD), Department of Environment and Natural Resources (DENR), National Disaster Risk Reduction and Management Council (NDRRMC), and concerned LGUs.

SEC. 8. *Appropriations.* – The amount necessary for the implementation of this Act shall be included in the budgets of the concerned Departments, agencies, and Government-Owned and Controlled Corporations in the annual General Appropriations Act.

SEC. 9. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the Secretary of Education shall, in consultation with the NCIP, DPWH, DICT, DOE, NEA, DSWD, DENR, NDRRMC, and Union of Local Authorities of the Philippines, formulate the rules and regulations implementing the provisions of this Act.

SEC. 10. *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. 11. *Repealing Clause.* – All laws, decrees, orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,