

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4831



Introduced by: Rep. Keith Micah "Atty. Mike" D.L. Tan and
Rep. Iris Marie D. Montes

AN ACT
ESTABLISHING THE CLASSROOM-BUILDING ACCELERATION PROGRAM
(CAP), AUTHORIZING LOCAL GOVERNMENT UNITS AND PRIVATE SECTOR
ENTITIES TO UNDERTAKE CLASSROOM CONSTRUCTION PROJECTS, AND
APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This important piece of legislation seeks to establish the Classroom-Building Acceleration Program (CAP).

The CAP is a mechanism that enables capable local government units (LGUs) and private sector entities to actively participate in the construction of classrooms in public schools within their jurisdictions.

According to the Second Congressional Commission on Education (EDCOM II), as of 2023, the country faces a backlog of over 165,000 classrooms, a crisis that contributes to large class sizes, double or even triple shifts, and diminished learning outcomes for millions of Filipino learners.

Although the Department of Education (DepEd) and the Department of Public Works and Highways (DPWH) remain the primary national agencies responsible for education infrastructure, it is a reality that they cannot address the classroom backlog alone.

By authorizing and equipping LGUs and the private sector to build classrooms in compliance with national standards and guidelines, this bill aims to expand the government's delivery capacity and promote more responsive, locally-driven solutions to the classroom shortage.

The CAP will allow LGUs and private sector entities to submit project proposals for funding support from the national government, particularly through DepEd's infrastructure budget. The program also paves the way for private sector participation through donations, public-private partnerships (PPPs), and other innovative financing mechanisms. LGUs that require assistance may receive technical support to meet construction standards and develop their capacity to implement PPPs.

This measure reinforces the constitutional mandate of the State to provide quality education by ensuring that every Filipino learner has access to safe and

conducive learning spaces. It also aligns with the EDCOM II recommendation for stronger coordination and decentralization in education service delivery, and calls for mobilizing all levels of government, including LCDs, to address foundational learning challenges.

The CAP is not meant to replace national infrastructure programs but to complement and accelerate them by empowering local governments and the private sector to act swiftly and effectively. It reflects a whole-of-government, whole-of-nation approach to bridging the infrastructure gap and improving access to quality education.

This bill is being filed as a counterpart measure to Senator Paolo Benigno "Bam" A. Aquino IV's Senate Bill No. 121.

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


KEITH MICAH "ATTY. MIKE" D.L. TAN
4th District, Quezon


IRIS MARIE D. MONTES
Kababaihan Kabalikatan para sa Kapakanan
at Kaunlaran ng Bayan (4K) Party-list

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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 "Classroom-Building Acceleration Program (CAP) Act".

SEC. 2. *Declaration of Policy.* - It is the policy of the State to promote quality education through adequate and accessible public school facilities. In recognition of the persistent classroom backlog across the country, the State shall adopt a whole-of nation approach by enabling local government units (LGUs) and the private sector to actively participate in the construction of school buildings, in coordination with the Department of Education (DepEd), and supported by national government funding, private sector participation, and technical assistance.

SEC. 3. *Creation of the Classroom-Building Acceleration Program (CAP).* - There is hereby established a Classroom-Building Acceleration Program (CAP), which shall enable and authorize qualified LGUs and private sector entities to propose, plan, and access corresponding government funds for the implementation of classroom construction projects in public schools within their respective jurisdictions, in accordance with national standards and in coordination with DepEd.

SEC. 4. *Eligibility of Local Government Units and Private Sector Entities.* - LGUs and private sector entities may participate in the CAP if they meet at least one of the following criteria:

- (a) Demonstrated technical capacity to implement infrastructure projects;
- (b) Willingness to undergo technical assistance and capacity-building support; or
- (c) Proven track record in the successful implementation of infrastructure or education-related projects, as may be determined by the Department of Education and relevant oversight agencies.

LGUs and private sector entities shall submit project proposals, including cost estimates, site plans, implementation timelines, and compliance with DepEd classroom design standards.

SEC. 5. *Program Management.* - The Department of Education shall serve as the lead implementing agency of the CAP. A CAP Secretariat shall be established within the DepEd Central Office to coordinate with stakeholders and to evaluate proposals, recommend funding allocations, and monitor implementation.

SEC. 6. *Funding Sources.* - Funds for the implementation of classroom projects under the CAP shall be drawn from:

- (a) The annual appropriations of DepEd for Basic Education Facilities;
- (b) Other national government sources, subject to budgetary rules;
- (c) Contributions from the private sector through corporate donations, foundations, or Public-Private Partnership (PPP) modalities. Provided, That the CAP may also accept official development assistance (ODA) and other international grants and donations, subject to existing laws.

SEC. 7. *Downloading of Funds.* - Funds approved under the CAP may be released directly to LGUs and private entities upon compliance with documentary requirements and submission of approved project proposals. The use of funds shall be subject to auditing rules of the Commission on Audit (COA) and guidelines to be issued by DepEd and the Department of Budget and Management (DBM).

SEC. 8. *Public-Private Partnerships.* - LCDs may implement classroom construction projects under the CAP through PPP arrangements in accordance with the PPP Code of the Philippines or other applicable laws, rules, and regulations. Technical assistance may be provided to LGUs to develop and manage PPPs for education infrastructure.

SEC. 9. *Capacity Building and Technical Assistance.* - DepEd, in coordination with DILG, shall design and implement a capacity-building program for LGUs and private sector entities to:

- (a) Ensure compliance with DepEd's classroom design standards;
 - (b) Strengthen planning, procurement, and project management capabilities;
- and
- (c) Enable LGUs and private sector entities to pursue PPPs for classroom building projects.

SEC. 10. *Monitoring and Reporting.* - All LGU-implemented projects under the CAP shall be subject to regular monitoring and evaluation. LGUs shall submit quarterly progress reports to DepEd. A consolidated national report shall be submitted annually by DepEd to Congress.

SEC. 11. *Appropriations.* - The amount necessary to implement the initial phase of the CAP shall be charged against the current appropriations of the DepEd.

Thereafter, such sums as may be necessary for the continued implementation of the program shall be included in the annual General Appropriations Act (GAA).

SEC. 12. *Implementing Rules and Regulations.* - Within ninety (90) days from the effectivity of this Act, DepEd, in coordination with DILG, DBM, and DPWH, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 13. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected shall continue to be in full force and effect.

SEC. 14. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

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

Approved,