



Republic of the Philippines
House of Representatives

20th CONGRESS

First Regular Session



HOUSE BILL NO. 5211

Introduced by Hon. Charisse Anne C. Hernandez

Lone District of Calamba, Laguna

EXPLANATORY NOTE

The Republic faces an acute and growing shortage of learning spaces that threatens the right of every Filipino child to basic education. As of January 2024, the Department of Education estimates an accumulated classroom backlog of roughly 165,443 additional classrooms needed nationwide — a deficit that has persisted despite successive infrastructure programs and occasional gains.

Independent analysts and policy institutes warn that the scale of the problem requires sustained and greatly accelerated effort: one recent study concluded the country must build **thousands of classrooms every year** over the next decade or more just to close the gap and keep up with wear, population growth, and calamity-related losses.

Yet the public sector's current procurement and project-delivery machinery has struggled to translate budgets into completed, usable classrooms. Audits and oversight reviews point to

chronic delays, under-construction and unfinished sites, and low completion rates, all of which drive up costs, multiply administrative bottlenecks, and leave learners to cope with overcrowded and unsafe learning environments.

These realities demand a pragmatic, time-sensitive legislative response that unlocks new delivery pathways while safeguarding public interest. The proposed “Classroom-Building Acceleration Program (CAP)” creates an accountable, transparent framework to authorize and coordinate classroom construction by Local Government Units and qualified private-sector partners, aligns funding and standards, streamlines approvals where appropriate, and preserves strong audit, quality and equity safeguards. By combining targeted appropriations with clearer roles, faster procurement options, and robust oversight, CAP aims to turn existing budgetary commitments into safe, usable classrooms at scale and with urgency — so that no Filipino child is denied the learning environment they need because of bureaucratic delay or avoidable cost escalation.

For these reasons, the immediate passage of this Act is earnestly sought: the cost of inaction — lost learning days, overcrowded classrooms, and a widening infrastructure deficit — is far greater than the investments and reforms proposed herein.



CHARISSE ANNE C. HERNANDEZ



Republic of the Philippines
House of Representatives

20th CONGRESS
First Regular Session

HOUSE BILL NO. 5211

Introduced by Hon. Charisse Anne C. Hernandez

Lone District of Calamba, Laguna

**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**

*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 3 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. - LGUs 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;
- 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 remainder of the Act shall not be affected and shall continue to be in full force and effect.

SEC. 14. Repealing Clause. - All laws, presidential decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed, amended, or modified 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,