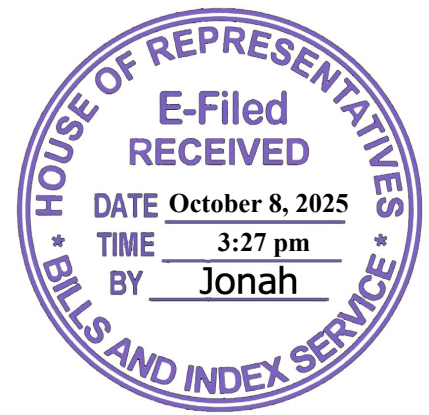


TWENTIETH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session*



**HOUSE OF REPRESENTATIVES  
HOUSE BILL NO. 5322**

---

Introduced by **REPRESENTATIVE MA. NINA FRANCESCA P. LACSON**

---

**EXPLANATORY NOTE**

In Article II, Section 17 of the 1987 Constitution states that “The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.” Similarly, Article XIV, Section 1 of the 1987 Philippine Constitution, provides that "The 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”.

From these Principles enshrined in the Constitution, the State acknowledges the indispensable role of quality education in nation-building. It is only through the formation of an educated and literate citizenry can a nation achieve true freedom and development. To achieve these ends, it becomes imperative for the State to ensure and promote quality education for all by ensuring that education policies, strategies and programs in all levels are defined and structured in conformity with the country’s national objectives and standards.

However, problems in governance within the education system persists because of the lack of inter-agency coordination among key stakeholders. and offices. Streamlining educational policies, guidelines, and standards to ensure the delivery of quality education in all schools at all levels remains a challenge.

This bill aims to bridge the governance and policy-making frameworks of basic education, higher education, and technical-vocational education which shall set the general directions for educational policies, quality standards, guidelines and supervision of learning outcomes of the entire education system. By defining the roles and responsibilities of different education agencies and offices, the goals and objectives set forth in the national qualifications framework will be better achieved.

This bill also aims to develop a comprehensive educational policy based on extensive research on education and industry trends to ensure the professional and career suitability of the students both in local and international professions.

With the aim to continuously develop the country's human capital especially in the field of education, the immediate approval of this measure is earnestly sought.

A handwritten signature in black ink, reading "Nina Lacson". The signature is fluid and cursive, with the first name "Nina" and last name "Lacson" clearly distinguishable.

**MA. NINA FRANCESCA P. LACSON**  
**Manila Teachers Party-list**

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

**HOUSE OF REPRESENTATIVES**  
**HOUSE BILL NO. 5322**

---

Introduced by **REPRESENTATIVE MA. NINA FRANCESCA P. LACSON**

---

AN ACT  
CREATING AN INDEPENDENT POLICY-MAKING, QUALITY ASSESSING,  
RESEARCH AND REGULATORY BODY FOR THE EDUCATION SYSTEM IN THE  
PHILIPPINES TO BE KNOWN AS THE NATIONAL EDUCATION COMMISSION,  
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SEC. 1. *Short Title.* - This Act shall be known as “*National Education Commission Act.*”

SEC. 2. *Declaration of Policy* – The State shall promote the right of all citizens to affordable quality education at all levels and shall take steps to ensure that equality education shall be accessible to all. The State shall promote the continuing intellectual growth and development of students in schools and professionals in industries, the advancement of research and development, and the enrichment of responsible and effective leadership in the academe.

Towards this end, Basic Education, Undergraduate, Graduate, Post-Graduate, Technical and Vocational Institutions shall gear their education programs in conformity with national qualifications framework plans to achieve total development.

SEC. 3. *Purposes and Objectives.* - The purposes and objectives of this Act are:

- a) To bridge the governance and policy-making frameworks of basic education, higher education and technical-vocational education which shall set the general directions for educational policies, quality standards, guidelines and supervision of learning outcomes of the entire education system;
- b) To define the roles and responsibilities of different education agencies and offices at various levels in implementing programs, projects and services to realize the goals and objectives set forth in the national qualifications' framework;

- c) To empower educational institutions as effective partners in the delivery of educational services at all levels in the attainment of greater access to educational opportunities;
- d) To develop a comprehensive educational policy based on extensive research on education and industry trends to ensure the professional and career suitability of the students both in local and international professions; and
- e) To guide future professionals and skilled workers in choosing appropriate professions in key industries that are vital in nation-building and will further spur economic growth and development.

SEC. 4. *Creation.* - The National Education Commission, which is created pursuant to this Act and hereinafter referred to as the Commission, shall be vested with authority, accountability and responsibility for ensuring accessibility and improving the delivery of quality basic, collegiate, technical-vocational and higher education.

The Commission shall be headed by a Commissioner with five (5) Deputy Commissioner which shall have jurisdiction on (1) public basic education schools; (2) private basic educational schools; (3) private higher educational institutions; (4) State Universities and Colleges (SUCs); and (5) technical-vocational schools.

The Commission shall render an annual report of its programs, activities, and achievements to the President and Congress.

SEC. 5. *Philippine Education Advisory Council.* - There shall be constituted a Philippine Education Advisory Council which shall meet with the Commission at least once a year to assist the Commission in aligning its policies and plans with the cultural, political and socioeconomic development needs of the country. The Advisory Council shall be comprised of:

- a. President of the Philippines as Chairperson;
- b. Secretary of the Department of Education as Co-Vice Chairperson;
- c. Chairperson of the Commission on Higher Education as Co-Vice Chairperson;
- d. Director General of the Technical Education and Skills Development Authority as Co-Vice Chairperson;
- e. President of the Senate as Member:
- f. Speaker of the House of Representatives as Member:
- g. Director General of the National Economic and Development Authority as Member;
- h. Secretary of the Department of Science and Technology as Member;

- i. Secretary of the Department of Trade and Industry as Member;
- j. Secretary of the Department of Information and Communications Technology as Member
- k. Secretary of the Department of Budget and Management as Member;
- l. Secretary of the Department of Interior and Local Government as Member;
- m. Secretary of the Department of Labor and Employment as Member;
- n. Chairperson of the Civil Service Commission as Member;
- o. National Statistician and Civil Registrar General of the Philippine Statistics Authority as Member:
- p. Chairperson of the Professional Regulation Commission - Member, and
- q. Four (4) Members to be appointed by the President from each of the following stakeholders: education sector, business sector, academe, and other sectors, whether public or private, with a direct stake in education to ensure broad-based consultation and planning.

SEC. 6. *Powers and Functions of the Commission.* – The Commission shall exercise the following powers and functions:

- a) Formulate develop plans, policies, priorities and programs on the entire educational system;
- b) Set minimum standards for programs/courses of studies at all levels and to approve standards and test established and conducted by private industries including registrations of educational institutions and certifications;
- c) Set standards for safety and security protocols for all academic institutions to ensure that all-over environment including physical facilities and learning spaces in schools and learning institutions remain conducive for learning and responsive to the safety needs of the academic stakeholders;
- d) Establish and develop testing and evaluation programs that will assess the over-all performance of the education system in the country and research on the data gathered such tests and evaluation programs to better improve education service delivery in the country;
- e) Guide students towards the most appropriate profession by formulating a comprehensive profession test that is programmed to gauge the capability and intellectual activity of students and match it to appropriate industries to ensure better work opportunities for students in both domestic and foreign job markets while being relevant to current and future employment needs;

f) Regulate and supervise the admission of students on course and programs offered by schools and educational institutions by requiring the results of the comprehensive programs that are deemed vital to the economic direction of the country;

g) Require schools to provide the Commission their admission policies, results of admission exams, scores of admitted students and equivalent passing rates;

h) Monitor, evaluate, classify, rate and rank the performance of programs and educational institutions, schools and training centers undertaking standardized national competency tests to be able to appropriate incentives and/or sanctions such as but not limited to, diminution or withdrawal of subsidy, downgrading or withdrawal of permits or status conferred by the Commission, non-recognition of accreditation, termination of program or certificate or closure of the school or training center;

i) Inspect, evaluate and review the textbooks and instructions used materials used in schools to ensure that knowledge being remain factual, relevant and consistent with current existing paradigms and void of errors and inconsistencies;

j) Monitor, supervise and regulate the administration of scholarship grants and academic financial assistance offered to qualified students in order to ensure an equitable academic support delivery anchored on national economic development goals and professional qualification frameworks;

k) Publish performance ratings and ranking of schools and educational institutions nationwide based on national competency test and other parameters with the aim to set a national standard of measurement for school competency;

l) Identify, support and develop potential centers of excellence in different levels and program areas;

m) Rationalize educational institutions and their educational offerings and set standards, policies and guidelines for the creation, conversion and elevation of schools to institutions of higher learning subject to budget limitations and the number of institutions of higher learning in the province or region where creation, conversion or elevation is sought to be made;

n) Institutionalize a research development program that will monitor educational innovations and changes in the industry to ensure the professional and career suitability of the students both in local and international industries;

o) To receive, collect and appropriate all sums as may be provided for the support of the Commission in the manner it may determine in its discretion, in order to carry out the purposes and functions of the Commission;

p) To receive in trust legacies, gifts and donations of real and personal properties of all kinds, and to administer and disposed of the same when necessary for the benefit of the Commission, and subject, if any, to the donor's limitations, directions and instructions. q) Promulgation such rules and regulations and exercise such other powers and functions ad may be necessary to carry out effectively the purposes and objectives of this Act; and

q) Perform such other functions as may be necessary for its effective operations and for the continued enhancement, growth or development of the education system.

*SEC. 7. Congressional Oversight Committee on Education.* - To monitor and ensure the proper implementation of laws, implementing rules and regulations, and executive issuances relating to education, a Congressional Oversight Committee on Education shall be constituted in accordance with the provisions of this Act.

The Committee shall be composed of the Chairpersons of the Committee on Basic Education and Culture and Committee on Higher and Technical Education of the Senate and the House of Representatives and three (3) additional members from each chamber to be designated by the Senate President and the House Speaker, respectively. One (1) of the said three (3) additional members shall come from the minority members of each chamber.

*SEC. 8. Authority to Use Generated Revenues.* - The Commission shall have the authority to use generated revenues from the collection of fees from the issuance of permits, certifications and research documents to ensure the optimal operations of the Commission. Such authority shall however be subject to applicable budgeting and auditing laws, rules and regulation to ensure accountability.

*SEC. 9. Retention of Mandates of Other Education Agencies.* - The operations of the Commission shall not be construed prejudicial to the current functions and mandates of other existing education agencies. The mandates of other education agencies shall remain in force and such agencies shall continue to exercise their powers and functions within their jurisdictions.

*SEC. 10. Appropriations.* - The amount necessary to implement the provisions of this Act shall be included in the annual appropriations under the General Appropriations Act.

*SEC. 11. Separability Clause.* - If any provision or portion of this Act is declared unconstitutional, the remainder of this Act or any provision not thereby affected shall remain in full force and effect.

SEC. 12. *Repealing Clause.* - All laws, decrees, executive orders, ordinances, rules, regulations, and other issuances, or parts thereof, which are inconsistent with any provision of this Act, are hereby repealed, amended, and/ or modified accordingly.

SEC. 13. *Effectivity.*- This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,