

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

House Bill No. 5719



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Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

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**EXPLANATORY NOTE**

Article XIV, Section 1 of the 1987 Philippine Constitution declares 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.

Despite the government's continuing efforts, the persistent classroom shortage remains one of the biggest bottlenecks in delivering quality public education. Population growth, recurring natural disasters, and increasing student enrollment have all contributed to the widening gap between the number of learners and available school facilities. The Department of Education (DepEd) estimates a national classroom backlog of hundreds of thousands, particularly in rapidly urbanizing and disaster-prone areas where the demand for learning spaces continues to outpace construction capacity and funding.

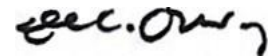
This bill seeks to address this long-standing problem through the establishment of a Classroom-Building Acceleration Program (CAP)- a strategic, collaborative mechanism that empowers local government units (LGUs) and the private sector to actively participate in classroom construction and rehabilitation projects. By authorizing capable LGUs and private entities to propose, plan, and implement school building projects in coordination with the DepEd, this measure aims to accelerate classroom delivery, decentralize project implementation, and ensure efficient utilization of public resources.

Under the CAP, national government funds may be downloaded directly to qualified LGUs and private sector partners, subject to the auditing and transparency standards of the Commission on Audit (COA). The program also provides for technical assistance and capacity-building support from DepEd and the Department of the Interior and Local Government (DILG) to strengthen local planning, procurement, and project management capabilities. Moreover, the measure allows the use of Public-Private Partnership (PPP) modalities and corporate donations, thereby leveraging private sector efficiency and innovation for the benefit of the public education system.

By institutionalizing a whole-of-nation approach to addressing the classroom backlog, this bill complements existing education and infrastructure

initiatives and reinforces the principle that education is a shared responsibility of the national government, local communities, and the private sector. It aims not only to increase the number of classrooms built but also to ensure that these facilities are safe, resilient, and conducive to effective learning.

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

A handwritten signature in black ink, appearing to read "eric. Olivarez", with a stylized flourish at the end.

**ERIC L. OLIVAREZ**

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**“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 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 DepEd and relevant oversight agencies.

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

**SEC. 5. Program Management.** -The DepEd 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, including but not limited to, availability payment schemes, hybrid PPPs, or Adopt-a-School partnerships. Such projects shall not require revenue collection from end-users but shall be funded through appropriations from the DepEd, LGUs, or authorized funding sources.

Technical assistance may be provided to LGUs to develop and manage PPPs for education infrastructure.

Private sector participation under the CAP may also include donations, cost-sharing arrangements, or corporate social responsibility (CSR) initiatives, which shall qualify as adopt-a-school partnerships under existing laws, and shall be entitled to the incentives, tax deductions, and recognitions provided in Republic Act No. 8525 otherwise known as the Adopt-a-School Act of 1998, and its implementing rules and regulations.

The Department of Education (DepEd) shall ensure that such partnerships are properly accredited and documented to facilitate the availment of incentives by participating entities and to guarantee transparency and accountability in project implementation.

**SEC. 9. Capacity Building and Technical Assistance.** - DepEd, in coordination with the 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,