

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5830



Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

EXPLANATORY NOTE

The recent findings of the Second Congressional Commission on Education (EDCOM 2) reveal a continuing infrastructure gap that constrains access to quality basic education across the country. The Department of Education (DepEd) currently faces a classroom backlog estimated at over 165,000 units nationwide.¹ Out of the 6,379 targeted classroom projects in 2023, only 192 classrooms were completed, or about three percent of the annual goal.² DepEd estimates that, at the present rate of construction, it may take 55 years to address the deficit.³

More than mere statistics, these figures represent millions of Filipino learners cramped in overcrowded classrooms, and thousands of exhausted educators teaching in multi-shift schedules. These figures reflect the urgent need to strengthen institutional capacity, improve coordination, and develop alternative modes of delivery to accelerate classroom construction.

The challenge is not limited to funding constraints but it extends to fragmentation in implementation. Despite billions appropriated annually under the Basic Education Facilities Fund (BEFF), implementation remains constrained by procurement delays, weak inter-agency coordination, and underutilized resources. Local government units (LGUs) and the private sector have demonstrated both willingness and technical capacity to support classroom construction, but they lack a formal framework to participate in planning, implementation, and monitoring.

Recent pronouncements by President Ferdinand R. Marcos Jr. declared that classroom construction is no longer solely within the domain of the Department of Public Works and Highways (DPWH), with implementation now to be undertaken directly by LGUs under DepEd’s oversight. This policy shift underscores the urgent need for a

¹ EDCOM 2 urges DepEd: Fix delays, explore PPP to ramp up classroom construction, EDCOM 2, 2024, available at <https://edcom2.gov.ph/edcom-2-urges-deped-fix-delays-explore-ppp-to-ramp-up-classroom-construction/>

² Ibid.

³ DepEd seeking ‘other avenues’ for classroom construction, BUSINESSWORLD, 2025, available at <https://www.bworldonline.com/the-nation/2025/09/16/698900/deped-seeking-other-avenues-for-classroom-construction/>

mechanism that ensures coordination, efficiency, and accountability in classroom delivery. It acknowledges that the provision of adequate and safe learning spaces is a shared responsibility and reinforces the premise of convergence.

The proposed Classroom-Building Acceleration Program (CAP) Act institutionalizes this convergence through a whole-of-nation approach that mobilizes public and private resources and expertise to accelerate the delivery of classroom infrastructure. It authorizes qualified LGUs and private sector entities to implement classroom projects, subject to DepEd oversight, Commission on Audit (COA) auditing, and clear guidelines on fund use and reporting.

The bill likewise mandates capacity-building programs for LGUs and private partners to strengthen planning, procurement, and project management, thus addressing the implementation gaps identified by EDCOM 2.

A counterpart measure to a version filed by Senator Bam Aquino in the Senate, this proposed legislation represents a coordinated initiative between both Chambers to strengthen education infrastructure policy and underscore the shared legislative commitment to resolve the classroom backlog.

This measure acknowledges that no single agency can confront this crisis in isolation. It proposes a legal and administrative structure that unites resources, expertise, and accountability across sectors. By doing so, it offers a realistic pathway to reduce the classroom backlog and strengthen the foundations of public education governance.

In pursuit of the constitutional promise of accessible and quality education for all, the immediate passage of this measure is earnestly sought.


AGATHA PAULA "AGAY" AGUILAR CRUZ
Representative, Fifth Legislative District of Bulacan



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Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

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 the House of Representatives of the Philippines in Congress assembled:

1 **Section 1. Short Title.** – This Act shall be known as the “Classroom-Building
2 Acceleration Program (CAP) Act.”
3

4 **Section 2. Declaration of Policy.** – It is the policy of the State, consistent with
5 Article XIV, Sections 1 and 2 of the 1987 Constitution, to protect and promote the right of
6 every Filipino to quality and equitable education at all levels, and to take appropriate
7 steps to make such education accessible to all.
8

9 To fulfill this mandate, the State recognizes that adequate, safe, and climate-
10 resilient classrooms are indispensable to the realization of quality basic education and to
11 the attainment of national development goals. Accordingly, the State shall accelerate the
12 provision and improvement of classroom infrastructure through a convergence
13 framework that mobilizes the collective capacities and resources of national government
14 agencies, local government units (LGUs), and the private sector.
15

16 The State shall empower LGUs as vital partners in the planning, construction, and
17 maintenance of school facilities, ensuring that education infrastructure responds to local
18 needs and standards prescribed by the Department of Education (DepEd).
19

20 The State likewise recognizes the private sector as a key partner in accelerating
21 education infrastructure delivery through corporate social responsibility initiatives,
22 philanthropic foundations, and public-private partnership modalities. The State shall
23 create an enabling environment for private investment and participation in classroom-

1 building projects, subject to transparency, accountability, and equitable access principles.

2
3 To achieve these ends, the government shall pursue a whole-of-nation and
4 convergence-based approach that aligns national and local priorities, promotes multi-
5 sectoral collaboration, and ensures the efficient, transparent, and accountable utilization
6 of public and private resources in advancing the right to education.

7
8 **Section 3. *Creation of the Classroom-Building Acceleration Program (CAP).*** –
9 There is hereby established a Classroom-Building Acceleration Program (CAP) to enable
10 and authorize qualified LGUs and private sector entities to propose, plan, and implement
11 classroom construction projects in public schools within their respective jurisdictions.
12 Such projects shall be consistent with national standards, harmonized with the Basic
13 Education Facilities Fund (BEFF), and implemented in coordination with the Department
14 of Education (DepEd).

15
16 **Section 4. *Eligibility of Local Government Units and Private Sector Entities.*** –
17 LGUs and private sector entities may participate in the CAP if they meet at least one of
18 the following criteria:

- 19
20 (a) Demonstrated technical capacity to implement infrastructure projects;
21
22 (b) Willingness to undergo technical assistance and capacity-building support; or
23
24 (c) Proven track record in the successful implementation of infrastructure or
25 education-related projects, as determined by DepEd and relevant oversight
26 agencies.

27
28 LGUs and private sector partners shall submit project proposals containing cost
29 estimates, site plans, implementation timelines, and proof of compliance with DepEd's
30 classroom design standards and other relevant regulations.

31
32 **Section 5. *Program Management.*** – The DepEd shall serve as the lead
33 implementing agency of the CAP.

34
35 A CAP Secretariat shall be established within the Physical Facilities and Schools
36 Engineering Division (PFSED) of DepEd to coordinate with stakeholders, evaluate
37 proposals, recommend funding allocations, and monitor implementation. The Secretariat
38 shall submit quarterly progress reports to the DepEd Secretary for consolidation and
39 review.

40
41 **Section 6. *Funding Sources.*** – Funds for the implementation of classroom projects
42 under the CAP shall be drawn from the following sources:

- 43
44 (a) The Basic Education Facilities Fund (BEFF) appropriated annually in the

- 1 General Appropriations Act (GAA);
- 2 (b) Other national government sources, subject to budgetary rules and approval
- 3 by the Department of Budget and Management (DBM);
- 4 (c) Contributions from the private sector through corporate donations,
- 5 foundations, or Public-Private Partnership (PPP) modalities consistent with
- 6 Republic Act No. 11966, otherwise known as the “PPP Code of the
- 7 Philippines”; and
- 8 (d) Official Development Assistance (ODA) and other international grants and
- 9 donations, subject to Republic Act No. 8182 (ODA Act of 1996) and existing
- 10 laws.
- 11

12 **Section 7. *Downloading and Use of Funds.*** – Funds approved under the CAP may

13 be released directly by DBM to the implementing LGUs and private sector partners upon

14 compliance with documentary requirements and submission of approved project

15 proposals. Fund transfers to private entities shall be governed by a Memorandum of

16 Agreement (MOA) executed with DepEd.

17

18 The use of funds shall be subject to the auditing rules of the Commission on Audit

19 (COA) and guidelines to be issued by DepEd and the Department of Budget and

20 Management (DBM).

21

22 All funds shall be utilized exclusively for the intended projects, and liquidation

23 reports shall be submitted within the period prescribed by DepEd and COA.

24

25 **Section 8. *Public-Private Partnerships.*** – LGUs may implement classroom

26 construction projects under the CAP through PPP arrangements, in accordance with the

27 PPP Code of the Philippines and its implementing rules. The PPP Center and DepEd shall

28 provide technical assistance to LGUs in developing and managing PPPs for education

29 infrastructure.

30

31 **Section 9. *Capacity Building and Technical Assistance.*** – DepEd, in coordination

32 with the Department of the Interior and Local Government (DILG) and the Department

33 of Public Works and Highways (DPWH), shall design and implement a capacity-building

34 program for LGUs and private sector entities to:

35

- 36 (a) Ensure compliance with DepEd classroom design standards;
- 37
- 38 (b) Strengthen planning, procurement, and project management capabilities; and
- 39
- 40 (c) Enable LGUs and private sector entities to pursue PPPs and other collaborative
- 41 mechanisms for classroom construction projects.
- 42

43 **Section 10. *Monitoring, Evaluation, and Transparency.*** – All projects

44 implemented under the CAP shall be subject to regular monitoring and evaluation by

1 DepEd. LGUs shall submit quarterly progress and financial reports to DepEd, which shall
2 consolidate such reports into an annual national CAP report to be submitted to Congress.

3
4 DepEd shall maintain a publicly accessible online database of all CAP projects
5 indicating project location, implementer, cost, and completion status.

6
7 **Section 11. *Joint Congressional Oversight Committee.*** – A Joint Oversight
8 Committee is hereby constituted to oversee, monitor, and evaluate the implementation of
9 this Act and ensure its alignment with national education goals.

10
11 It shall be composed of ten (10) members: five (5) members from the Senate, to be
12 appointed by the Senate President, at least one (1) of whom shall be from the minority,
13 and must include the Chairpersons of the Senate Committee on Basic Education; and five
14 (5) members from the House of Representatives, to be appointed by the Speaker of the
15 House, at least one (1) of whom shall be from the minority, and must include the House
16 Chairperson of the Committee on Basic Education and Culture.

17
18 **Section 12. *Appropriations.*** – The amount necessary to implement the initial phase
19 of the CAP shall be charged against the current appropriations of the DepEd. Thereafter,
20 such sums as may be necessary for the continued implementation of the program shall be
21 included in the annual General Appropriations Act (GAA).

22
23 **Section 13. *Implementing Rules and Regulations.*** – Within ninety (90) days from
24 the effectivity of this Act, DepEd, in coordination with DILG, DBM, and DPWH, shall
25 promulgate the necessary rules and regulations for the effective implementation of this
26 Act.

27
28 **Section 14. *Separability Clause.*** – If any part or provision of this Act is held
29 unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in
30 full force and effect.

31
32 **Section 15. *Repealing Clause.*** – All laws, decrees, executive orders, rules, and
33 regulations, or parts thereof inconsistent with the provisions of this Act are hereby
34 repealed or modified accordingly.

35
36 **Section 16. *Effectivity.*** – This Act shall take effect fifteen (15) days following the
37 completion of its publication in the *Official Gazette* or in a newspaper of general circulation.

38
39 *Approved,*