

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5970



Introduced by Representative ANTOLIN “LENLEN” A. ORETA III

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

The Philippine government has a duty to give every Filipino child a good education. But right now, one of the biggest problems in our schools is the lack of classrooms. According to the Second Congressional Commission on Education (EDCOM II), there is a shortage of more than 165,000 classrooms as of 2023. Because of this, many students are packed into crowded rooms, and schools are forced to use double or triple shifts. This makes learning harder and less effective.

This bill proposes the creation of the Classroom-Building Acceleration Program (CAP). The goal of this program is to allow local government units (LGUs) and private groups to help build classrooms in public schools in their areas. While the Department of Education (DepEd) and the Department of Public Works and Highways (DPWH) are still the main agencies in charge of school buildings, they cannot solve this problem alone.

Through CAP, LGUs and private groups can send project proposals to get funding from the national government, especially from DepEd’s budget for school buildings. The program encourages donations, public-private partnerships (PPPs), and other innovative approaches to finance classroom construction. Local Government Units (LGUs) in need of assistance will be provided with technical support to ensure that their facilities comply with national standards and are adequately prepared to engage in PPPs.

This program upholds the Constitutional mandate to ensure that every Filipino has access to quality education. It also aligns with the recommendations of EDCOM II to strengthen collaboration between national and local governments, and to empower Local Government Units (LGUs) in addressing education-related challenges.

The CAP initiative is not intended to replace existing national programs. Rather, it aims to accelerate their implementation by enabling LGUs and private sector partners to respond effectively and efficiently. This is a collective effort—by the entire government and the Filipino people—to resolve the classroom shortage and enhance the quality of education for all.

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


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Lone District of Malabon City

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Classroom-Building Acceleration
2 Program (CAP) Act."

3 **SEC. 2. *Declaration of Policy.*** – It is the policy of the State to promote quality education through
4 adequate and accessible public school facilities. In recognition of the persistent classroom
5 backlog across the country, the State shall adopt a whole-of-6 nation approach by enabling local
6 government units (LGUs) and the private sector to actively participate in the construction of
7 school buildings, in coordination with the Department of Education (DepEd), and supported by
8 national government funding, private sector participation, and technical assistance.

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

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

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

22 LGUs and private sector entities shall submit project proposals, including cost estimates, site
23 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 remaining provisions not affected shall continue to be in full force and effect.

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

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

69 *Approved,*