

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
First Regular Session

HOUSE BILL NO. 6150



Introduced by **REP. JUAN CARLOS "ARJO" C. ATAYDE**

AN ACT
PROVIDING FOR THE INCLUSION OF PRIVATE ELEMENTARY AND
SECONDARY SCHOOLS AS BENEFICIARIES OF THE SPECIAL EDUCATION
FUND (SEF), AMENDING FOR THE PURPOSE, REPUBLIC ACT NO. 7160,
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AS
AMENDED

EXPLANATORY NOTE

Article XIV, Section 1 of the 1987 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." Likewise, Article II, Section 17 mandates the State to "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."

Hence, education must be given paramount significance by the State. While public education is largely financed by government funds, private educational institutions have long served as vital partners in ensuring access to quality education, especially in areas where public schools are limited or overburdened.

According to the Department of Education (DepEd)'s data for SY 2024-2025, private elementary and secondary schools accommodate approximately 11.18% of the

total enrollment of the country's total basic education learners.¹ Many of these schools, particularly small and community-based institutions, play a crucial role in extending educational opportunities to underserved and remote areas. However, unlike public schools, they do not benefit from allocations of the Special Education Fund (SEF), administered by local school boards under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

The growing interdependence between public and private education systems underscores the need to extend SEF support to teacher and student development programs in private schools, including seminars, workshops, and continuing education scholarships.

This measure seeks to authorize the inclusion of teacher and student development programs in private elementary and secondary schools as legitimate recipients of SEF support. This reform strengthens collaboration between the public and private education sectors, promotes equity in learning opportunities, and ensures that all Filipino learners benefit from the nation's collective educational resources.

In fulfilling the Constitution's vision of accessible and quality education for all, this proposed measure ensures that no learner — whether in public or private school, is left behind in the pursuit of national development.

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


REP. JUAN CARLOS "ARJO" C. ATAYDE

¹ SY 2024-2025 sees over 23 million enrollees in elementary, high school By: Faith Argosino
<https://newsinfo.inquirer.net/1969717/sy-2024-2025-sees-over-23-million-enrollees-in-elementary-high-school>

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OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AS
AMENDED

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

3 **Section 1. Short Title.** – This Act shall be known as the "Special Education
4 Fund for Private Schools Act."

5 **Section 2. Declaration of Policy.** – It is the policy of the State to protect and
6 promote the right of all citizens to quality education at all levels and shall take
7 appropriate steps to make such education accessible to all.

8 **Section 3.** Section 99 of R.A. No. 7160 or the Local Government Code of 1991,
9 as amended, is hereby amended to read as follows:

10 "SECTION 99. Functions of Local School Boards. – The provincial, city, or
11 municipal school board shall:

12 (a) Determine, in accordance with the criteria set by the Department of
13 Education, Culture, and Sports (DECS), the annual supplementary budgetary needs
14 for the operation and maintenance of public schools AND THE ANNUAL
15 SUPPLEMENTARY BUDGET FOR TEACHER STUDENT DEVELOPMENT

1 PROGRAMS IN PRIVATE ELEMENTARY AND SECONDARY SCHOOLS within
2 the province, city, or municipality, as the case may be, and the supplementary local
3 cost of meeting such needs, which shall be reflected in the form of an annual school
4 board budget corresponding to its share of the proceeds of the special levy on real
5 property constituting the Special Education Fund and such other sources of revenue
6 as this Code and other laws or ordinances may provide;

7 (b) x x x "

8 **Section 4.** Section 272 of R.A. No. 7160 or the Local Government Code of 1991,
9 as amended, is hereby amended to read as follows:

10 "SECTION 272. Application of Proceeds of the Additional One Percent SEF
11 Tax. – The proceeds from the additional one percent (1%) tax on real property
12 accruing to the Special Education Fund (SEF) shall be automatically released
13 to the local school boards: Provided, That, in case of provinces, the proceeds
14 shall be divided equally between the provincial and municipal school boards:
15 Provided, however, That PART OF the proceeds shall be allocated for the
16 operation and maintenance of public schools, construction, and repair of school
17 buildings, facilities and equipment, educational research, purchase of books
18 and periodicals, and sports development as determined and approved by the
19 Local School Board. PROVIDED, FURTHER, THAT PART OF THE
20 PROCEEDS SHALL BE ALLOCATED FOR TEACHER-STUDENT
21 DEVELOPMENT PROGRAMS IN PRIVATE ELEMENTARY AND
22 SECONDARY SCHOOLS, INCLUDING BUT NOT LIMITED TO SEMINARS,
23 WORKSHOPS, AND SCHOLARSHIPS FOR CONTINUING EDUCATION AS
24 DETERMINED AND APPROVED BY THE LOCAL SCHOOL BOARD."

25 **Section 5. Implementing Rules and Regulations.** – The Department of Interior
26 and Local Government (DILG) and the Department of Education (DepEd) shall
27 promulgate the necessary rules and regulations to implement this Act not later than
28 ninety (90) days after its effectivity.

1 **Section 6. Separability Clause.** – If any provision of this Act is declared invalid
2 or unconstitutional, the provisions not affected thereby shall remain in full force and
3 effect.

4 **Section 7. Repealing Clause.** – Sections 99 and 272 of Republic Act No. 7160,
5 as amended, is further amended accordingly. All other laws, presidential decrees,
6 executive orders, presidential proclamations, rules and regulations or parts thereof
7 contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

8 **Section 8. Effectivity.** – This Act shall take effect fifteen (15) days after its
9 publication in the Official Gazette or in a newspaper of general circulation.

10 Approved,