



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

20th CONGRESS
1st Regular Session

HOUSE BILL NO. **6911**



Introduced by Representative SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

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

This bill seeks to establish the Classroom-Building Acceleration Program or CAP for brevity in light of the persistent challenges presented by the inadequate number of school buildings and classrooms across the country.

Student population has tremendously outgrown the pace of classroom construction in the way these are constructed at present; thus, this proposal is being presented in the hope that a pro-active response to the needs of our public-school students is addressed effectively and in a timely manner.

Public-Private Partnerships as defined and allowed by law has been proven effective in addressing inadequacy of public infrastructure specifically roads, bridges and others, a fact that this representation is proposing to accelerate the construction of classrooms and school buildings.

Our children and the next generation of young students deserve the right to learn in an environment that is safe, secure and comfortable, a condition that we, as members of Congress should immediately address and resolve.

Passage of this measure therefore is earnestly sought.


SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

Representative

Maguindanao del Norte with Cotabato City, Lone District



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Be it enacted by the Senate and the 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 the provision of adequate and accessible facilities for students of public schools. The State shall adopt a whole-of-nation approach to address the classroom backlog across the country by allowing local government units, and the private sector to actively contribute and / or directly participate in the construction of school buildings, in close collaboration and coordination with the Department of Education (DepEd), with national government funding, and 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 local government units and the private sector, whether jointly or individually, to proposition, design, and source funds from government for the construction of public schools primarily within their respective jurisdictions in accordance with national standards of planning and construction, in coordination with DepEd.

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

- (a) Possessed and have demonstrated technical capacity to implement infrastructure projects;

- (b) Willing and committed to participate in technical assistance and capacity building programs;
- (c) Has a proven track record in the implementation of successful infrastructure projects, whether education-related or non-education related, as may be verified by the Department of Education or other relevant oversight agencies or instrumentalities of government.

SEC. 5. Program Management. – The Department of Education shall serve as the lead implementing agency of the CAP. A secretariat shall be established within the DepEd Central Office to coordinate with stakeholders, evaluate proposals, recommend funding and budget allocations, and monitor implementation and progress.

SEC. 6. Sources of Funds. – Funds for the implementation of classroom projects under the CAP shall be sourced from:

- a) Annual appropriations of DepEd for Basic Education Facilities;
- b) Subject to budgetary policies, other national government sources;
- c) Private sector contributions in the form of corporate donations, through duly-registered and valid foundations, or via Public-Private Partnership (PPP) modalities.

SEC. 7. Public-Private Partnerships (PPP). – In accordance with Republic Act No. 11966 otherwise known as the “Public-Private Partnership (PPP) Code of the Philippines”, classroom-building may be implemented by LGUs through PPP arrangements.

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

SEC. 8. Capacity Building and Technical Assistance. – DepEd, in coordination with the Department of Interior and Local Government (DILG) shall design and implement a capacity-building program for LGUs and the private sector to ensure:

- a) Ensure compliance with DepEd’s classroom design standards;
- b) Strengthen planning, procurement, and project management capabilities; and
- c) Encourage and enable LGUs and the private sector to pursue PPPs for classroom building projects.

SEC. 9. 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 and a consolidated report from all school divisions shall be submitted annually by DepEd to Congress.

SEC. 10. 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. 11. *Implementing Rules and Regulations (IRR).* – 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. 12. *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.

SEC. 13. *Repealing Clause.* – All laws, executive orders, presidential decrees, presidential proclamations, letters of instructions, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation.

Approved,