



HOUSE OF REPRESENTATIVES

H. No. 4744

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AN ACT

ESTABLISHING THE PRIVATE BASIC EDUCATION VOUCHER PROGRAM, PROVIDING FOR THE CREATION OF THE BUREAU OF PRIVATE EDUCATION, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE SECTIONS 2, 3, 4(2), 4(3), 5, 6, 7, 12, 14, AND 15 OF REPUBLIC ACT NO. 8545, OTHERWISE KNOWN AS THE "EXPANDED GOVERNMENT ASSISTANCE TO STUDENTS AND TEACHERS IN PRIVATE EDUCATION ACT", WHICH AMENDED REPUBLIC ACT NO. 6728, OTHERWISE KNOWN AS THE "GOVERNMENT ASSISTANCE TO STUDENTS AND TEACHERS IN PRIVATE EDUCATION ACT"

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 "Private Basic
2 Education Vouchers Assistance Act."

3 **SEC. 2. Declaration of Policy.** – It is the declared policy of the State to
4 protect and promote the right of all citizens to quality education at all levels, and take
5 appropriate steps to make such education accessible to all. As part of its mandate, it
6 is the State's policy to establish and maintain a system of scholarship grants, subsidies,
7 and other incentives which shall be available to deserving students, as determined by

1 the guidelines, in both public and private schools, especially to the underprivileged.
2 Likewise, the State recognizes the complementary roles of public and private
3 educational institutions in the educational system and the invaluable contribution that
4 the private schools have made and will make to education.

5
6 The State shall provide the mechanisms to augment the resources and enhance
7 the quality of private basic education, specifically promoting the complementary roles
8 of public and private schools and thus recognize the government's priority of providing
9 basic elementary and secondary education to all Filipino students.

10
11 **SEC. 3. Coverage.** – This Act shall cover all private basic education institutions
12 that receive government assistance in the form of vouchers for qualified students,
13 teachers and schools. This covers all the years of basic education.

14
15 The programs of assistance for students under this Act shall be extended only
16 to citizens of the Philippines.

17
18 **SEC. 4. Criteria for Voucher Assistance.** – The programs for voucher
19 assistance shall be based on a set of criteria which include, among others, the
20 following:

21
22 (a) *Criteria for Students.* – The voucher assistance may be provided to students
23 belonging to middle-income families and below, as determined by the Philippine
24 Statistics Authority (PSA), who attended public schools identified by the Department
25 of Education (DepEd) as congested or those living in areas with congested public
26 schools or without a nearby public school who wish to enroll in private basic
27 education schools.

28
29 Families with students who are recognized as most vulnerable and
30 underprivileged shall receive a higher voucher amount as determined by the Basic
31 Education Assistance Council (BEAC), in accordance with Section 6(d) of this Act.

32
33 For purposes of this Act, the DepEd shall include the definition and classification
34 of "middle-income" and "vulnerable and underprivileged" in the implementing rules
35 and regulations, under Section 17 of this Act: *Provided*, That the DepEd shall regularly
36 review and update the definition and classification accordingly, in coordination with
37 PSA, Department of Economy, Planning, and Development (DEPDev), and other key
38 government agencies."

39
40 (b) *Criteria for Schools.* – The participating private basic education schools shall
41 receive assistance based on Quality Assurance under Section 6 of this Act, and with
42 due regard to their geographic distribution and student enrollment, as determined by
43 the BEAC: *Provided*, That schools with gaps in resources and facilities which are
44 located in geographically isolated, disadvantaged, and conflict-affected areas (GIDCA),
45 schools with the highest incidences of classroom congestion or multiple-shift
46 operations, and schools situated in high-risk or disaster-prone areas, shall be
47 exempted from the qualification criteria of geographic distribution and student
48 enrollment.

1 Private schools shall undergo the process of recognition and periodic
2 assessment to be able to participate in the programs for voucher assistance: *Provided*,
3 That the DepEd shall develop a system of prioritization that shall ensure and support
4 the adequate participation of small and medium-sized private schools: *Provided*,
5 *further*, That DepEd shall issue corresponding guidelines on the typology of private
6 schools consistent with Section 12(j) of this Act.”
7

8 **SEC. 5. Empowering Student Choice.** – The DepEd shall create a system
9 that allows students and parents to select their preferred schools from a registry of
10 participating recognized schools, subject to availability of slots.

11 The registry of participating recognized private basic educational institutions
12 shall include their schools’ information, such as location, number of available slots,
13 number of students per classroom and level, extra-curricular programs, current tuition
14 fees, and top-up required in cases where the voucher amount is less than the tuition
15 fee, among others.
16

17 **SEC. 6. Quality Assurance.** – The DepEd shall establish, operate and
18 maintain a system and mechanism for monitoring program outcomes to ensure
19 accountability of participating recognized private basic educational institutions. This
20 covers the following areas:
21

22 (a) Improved Student Performance – Appropriate performance indicators to
23 determine the extent and outcome of the government assistance and subsidies (GAS)
24 programs including youth literacy rates, national and international assessment scores,
25 among others. For this purpose, the National Achievement Tests or any national
26 assessment examinations generally given by the DepEd shall be administered to all
27 eligible students in all participating private basic education institutions;
28

29 (b) Improved Student Outcomes – Tracer system to collect and evaluate the
30 career and employment path of its graduates, including learner performance in the
31 Comprehensive Rapid Literacy Assessment (CRLA), Rapid Math Assessment (RMA),
32 Philippine Informal Reading Inventory (PHIL-IRI), and other similar assessments
33 conducted by the DepEd;
34

35 (c) School Performance – School performance data indicating the mean,
36 median and mode of the scores of the students in the national examinations, and such
37 other measures of quality education delivery, which shall be published by the DepEd
38 and the participating schools regularly; and
39

40 (d) Priority Subsidy for Underprivileged Students – Distribution of the GAS
41 programs while ensuring that funding is equitably allocated following the order of
42 priority groups.
43

44 **SEC. 7. Other Forms of Assistance.** – The following shall consist of
45 assistance to private basic education institutions and teachers participating in the
46 voucher program under this Act:

1 The forms of assistance granted to teachers in the participating recognized
2 private basic education schools may include:

- 3
4 (a) In-service training for teachers in private basic education schools;
5
6 (b) Scholarships for qualified private basic education teachers enrolled in
7 quality graduate programs; and
8
9 (c) Participation in government-funded in-service training for basic education
10 teachers.

11 The DepEd may establish a program of assistance for the development of
12 qualified recognized private basic education schools to cover the following areas of
13 school operation:

- 14
15 (a) Institutional development;
16
17 (b) Organizational development;
18
19 (c) Human resource development;
20
21 (d) Curriculum and instructional development;
22
23 (e) Research and planning; and
24
25 (f) Facilities and school improvement.

26 Consistent with Section 10 of Republic Act No. 10533, or the "Enhanced Basic
27 Education Act of 2013," the DepEd, in consultation with the Department of Budget
28 and Management (DBM), may develop other forms of financial arrangements and
29 engage the services of private basic education schools based on the complementary
30 roles of public and private institutions in the educational system.

31
32 **SEC. 8. Basic Education Voucher Program.** – Under the basic education
33 voucher program, kindergarten, elementary, and secondary students enrolled in
34 recognized private basic education schools charging school fees shall be provided by
35 the government with vouchers in such amount as may be determined by the DepEd:
36 *Provided*, That the amount shall not be less than the amount currently provided by
37 the DepEd: *Provided, further*, That the government shall reimburse the vouchers
38 from the schools concerned within sixty (60) days from the submission of complete
39 documents, as required by the BEAC, to the DepEd.

40
41 The budget for the basic education voucher program shall be equitably
42 allocated and distributed among all regions including the Bangsamoro Autonomous
43 Region in Muslim Mindanao (BARMM) based on official data sources including, but not
44 limited to, congestion data and open seats, giving priority to underprivileged students:
45 *Provided*, That pursuant to Section 2(V), Article V of the Bangsamoro Organic Law,

1 the Bangsamoro Government shall exercise its authority over education for the areas
2 under the BARMM and will directly implement the same program to be charged against
3 their block grant: *Provided, further,* That the DepEd shall provide technical assistance
4 in the implementation of the GAS Program, when necessary.
5

6 Schools participating in the basic education voucher program may increase
7 tuition on the condition that seventy percent (70%) of the amount of the tuition
8 increases shall go to the payment of salaries, wages, allowances, and other benefits
9 of teaching and non-teaching personnel, except administrators who are principal
10 stockholders of the school, and may be used to cover salary increase as provided for
11 in the collective bargaining agreements existing or in force at the time when this Act
12 is approved and made effective. At least twenty percent (20%) of the tuition increases
13 shall go to the improvement or modernization of buildings, equipment, libraries,
14 laboratories, gymnasias and similar facilities and to the payment of other costs of
15 operation. For this purpose, schools shall maintain a separate record of accounts for
16 all assistance received from the government, any tuition increase, and the detailed
17 disposition and use thereof, which record shall be made available for periodic
18 inspection by the faculty, the non-teaching personnel, students of the school
19 concerned, and relevant government agencies.
20

21 **SEC. 9. *In-Service Training or Inset.*** – For the purpose of improving the
22 quality of teaching in private basic education, the DepEd may propose allocation, in
23 its annual budget, for Inset programs for the upgrading of knowledge and teaching
24 competencies in critical subject areas and for the modernization of teaching
25 techniques and strategies, including training on the use of computers and of other
26 multi-media educational technologies to assist instruction: *Provided,* That the
27 amount available to private basic education shall not exceed the amount available to
28 public basic education as per capita basis: *Provided, further,* That the training
29 programs shall be approved by the DepEd.
30

31 **SEC. 10. *Teachers' Salary Subsidy.*** – The DepEd may propose allocation,
32 in its annual budget, for government subsidy to teachers in recognized private basic
33 education schools participating in the programs of assistance under this Act: *Provided,*
34 That the government shall provide the teachers with salary subsidy, to be
35 determined, reviewed, and updated regularly by the DepEd, at least every three
36 (3) years: *Provided, further,* That the government shall disburse payment within
37 sixty (60) days after the close of the school year upon submission of proof of
38 complete documents, including but not limited to qualification and actual teaching
39 service, to the DepEd: *Provided, furthermore,* That the present allocation out of
40 increases from tuition and other income shall be maintained: *Provided, finally,*
41 That the salary subsidy received by the teacher shall form part of the exclusions
42 from gross income in accordance with Section 32(B)(7)(e) of the National Internal
43 Revenue Code of 1997, as amended.
44

45 **SEC. 11. *Institutionalization of Anti-Fraud Mechanisms in the***
46 ***Expanded Government Assistance to Students and Teachers in Private***
47 ***Education (E-GASTPE).*** – DepEd shall adopt and implement robust anti-fraud
48 safeguards, including but not limited to:

1 (a) Centralized verification system for learner eligibility and participating school
2 compliance;

3 (b) Enhanced audit and monitoring protocols, including periodic field validations
4 and inspections;

5
6 (c) Whistleblower protection mechanisms to encourage reporting of
7 irregularities;

8
9 (d) Imposition of administrative and legal sanctions, including suspension,
10 disqualification, reimbursement of funds, blacklisting, and prosecution, on any school,
11 personnel, or individual found to have committed fraud; and
12

13 (e) Long-term data sharing agreements with other government agencies for
14 cross-validation and fraud prevention, among others.
15

16 These measures shall be reviewed and updated regularly to ensure the continued
17 integrity and effectiveness of the E-GASTPE Programs.

18 **SEC. 12. *Creation of the Bureau of Private Education.*** – The Bureau of
19 Private Education (BPE) under the DepEd shall be created to serve as the focal office
20 for the administration, supervision, and regulation of all matters relating to private
21 basic education institutions, including government assistance and subsidies. It shall
22 be headed by a Bureau Director.
23

24 It shall have the following powers and functions:
25

26 (a) Monitor and assess the implementation of the private basic education
27 institutions of the policies, plans, and programs established by the DepEd as
28 recommended by BPE;
29

30 (b) Set and enforce minimum standards for programs and institutions of
31 learning, subject to public hearing;
32

33 (c) Ensure that the activities, efforts, and performance of private basic
34 education institutions shall meet the high standards of excellence and accountability;
35

36 (d) Administer and implement the policies and programs related to the
37 assistance and subsidies given by the government to students, teachers, and schools
38 in private education;
39

40 (e) Establish and support partnerships with individual private education
41 institutions to respond effectively to the pressing needs of students and teachers, and
42 to provide learning solutions to underserved communities;

1 (f) Monitor and ensure compliance of private basic education institutions to the
2 promulgated rules and regulations of the DepEd in all matters concerning private
3 schools, including tuition fee increases;

4 (g) Jointly formulate and implement a unified investment plan that indicates
5 the complementary targets for voucher slots, for classroom construction and repair,
6 for public-private partnerships, and other efforts to address congestion, with all
7 relevant DepEd units, submitting the same to Congress for budgetary deliberations;

8 (h) Regularly conduct or commission studies to assess the efficacy and
9 efficiency of the voucher program, to inform refinements in policies and programs,
10 including targeting, subsidy amounts, and learner supports;

11
12 (i) Propose and implement developmental programs and grants to support the
13 upgrading of quality of private schools, particularly small and medium-sized
14 institutions;

15
16 (j) Formulate and implement a typology or a system of classification of basic
17 education private schools based on quantitative and qualitative standards, including,
18 but not limited to, student enrollment size, specific clientele served (e.g. isolated and
19 far-flung communities, indigenous peoples, mission schools, learners with special
20 needs, gifted learners, etc.), as well as learner outcomes;

21
22 (k) Devise a corresponding system of budgetary or fiscal allocation for
23 assistance and development based on the typology of the schools under Section 12(j),
24 and in consideration of types of learners served; and

25
26 (l) Such other powers and functions as may be necessary for the effective and
27 efficient implementation of this Act.

28 **SEC. 13. *Program Administration and Implementation.*** – The BEAC shall
29 be responsible for policy guidance and direction, monitoring and evaluation of new
30 and existing programs while the Government Assistance and Subsidies Service (GASS)
31 under the BPE shall be responsible for the day-to-day administration and
32 implementation on the programs of assistance to private basic education.

33
34 The BEAC shall be composed of the Secretary of the DepEd, as Chairperson,
35 and the Secretary of the DEPDev and Secretary of the DBM as members.

36
37 The alternate representative of the Chairperson shall possess the rank of an
38 Undersecretary while the alternate representatives of the members shall possess the
39 rank of not less than an Assistant Secretary in order to secure a quorum.

40
41 The BEAC shall meet, from time to time, as the need arises, to assess the
42 effectivity of the programs under this Act and to propose to Congress other forms of
43 assistance to participating students and schools.

1 The GASS shall serve as the permanent secretariat for the implementation of
2 the government assistance and subsidies programs under this Act.

3
4 The DepEd may engage the services of a third party co-implementor of the
5 government assistance and subsidies program under this Act.

6
7 **SEC. 14. Appropriations.** – The amount necessary for the initial
8 implementation of this Act shall be charged against the current year's appropriation
9 of the DepEd. Thereafter, such amount shall be included in the annual General
10 Appropriations Act.

11
12 **SEC. 15. Penalties.** – In case of violation of this Act by a private school, the
13 DepEd may bar, after due process, such school from participating in or benefiting from
14 the programs of this Act, and from other programs of the DepEd, without prejudice
15 to administrative and criminal charges that may be filed against the school or its
16 responsible officers under existing laws.

17
18 **SEC. 16. Transitory Provision.** – Subject to the availability of funds, the
19 implementation of the provisions stipulated in this Act for the kindergarten and
20 elementary levels shall gradually commence in school year 2026-2027, as may be
21 determined by the DepEd.

22
23 Until such time as the DepEd has issued the necessary rules and guidelines
24 for the proper implementation of this Act, but in no case later than five (5) years from
25 its effectivity, the existing educational service contracting (ESC) program for the junior
26 high school shall continue to be implemented.

27
28 **SEC. 17. Implementing Rules and Regulations.** – Within ninety (90) days
29 from the approval of this Act, the DepEd shall, in consultation with the DEPDev, the
30 DBM, and other concerned stakeholders from the national associations of private basic
31 education institutions, promulgate the rules and regulations implementing the
32 provisions of this Act.

33 **SEC. 18. Separability Clause.** – If any provision of this Act is held invalid or
34 unconstitutional, the other provisions not so declared shall remain in full force and
35 effect.

36
37 **SEC. 19. Repealing Clause.** – Sections 2, 3, 4(2), 4(3), 5, 6, 7, 12, 14, and
38 15 of Republic Act No. 8545, or the "Expanded Government Assistance to Students
39 and Teachers in Private Education Act, which amended Republic Act No. 6728, or the
40 "Government Assistance to Students and Teachers in Private Education Act," are
41 hereby repealed. All other laws, decrees, orders and rules and regulations contrary
42 to or inconsistent with the provisions of this Act are hereby repealed or amended
43 accordingly.

1 **SEC. 20. *Effectivity.*** – Notwithstanding the non-issuance of the implementing
2 rules and regulations, this Act shall take effect fifteen (15) days after its publication in
3 the *Official Gazette* or in a newspaper of general circulation.

Approved,