

Republic of the Philippines
SENATE OF THE PHILIPPINES
Pasay City



Senate
Office of the Secretary

13 JUL -1 P4 35

SIXTEENTH CONGRESS
First Regular Session

S. B. No. 198

Introduced by SENATOR JUAN EDGARDO "SONNY" M. ANGARA

EXPLANATORY NOTE

The era of globalization has placed extreme pressure on our government to produce highly specialized and technical personnel in a relatively short period of time. Given the rapid changes and developments in the field of Information Technology and emergence of knowledge-based society, the Philippines has to reorient the thrusts of its educational system to meet the growing needs and demands of a highly competitive world market.

To achieve this arduous task, there is a need to formulate a viable, comprehensive and sustainable long-term modernization plan for schools primarily at the elementary and secondary levels.

At present, the students in public schools have been left behind by their counterparts in the private schools. Based on preliminary report of Department of Education (DepEd), only 50% of the 4336 high schools nationwide have computer laboratories. But most of them need to be repaired or upgraded because after these computers have been delivered to schools, they have not been properly maintained. A computer laboratory consists of a minimum of 10 computers.

Given the scarce resources of the national government, there is a need to be more cost-effective and innovative in our approach to finance school modernization programs. This can be achieved through active partnership with local government units and private sector such as foundations private corporations and business groups.

The School Modernization and Innovation bill aims to:

- a. Provide a broad framework for the institutionalization of a comprehensive and sustainable modernization program for the public schools;
- b. Encourage the schools to become more innovative and resourceful in developing and implementing programs geared towards modernization;

- c. Develop mechanisms that will define the roles and responsibilities of the officials from the regional, division down to the school levels in the implementation of school modernization programs;
- d. Provide mechanism on how the private sector can participate in the program;
- e. Define regional and school modernization plans responsive to the needs of the students in the area.

The bill also seeks to establish the School Modernization and Innovation Trust Fund which will augment the regular appropriations that will be provided under the annual General Appropriations Act to finance the priority programs for school modernization and improvement of public elementary and secondary schools.

This is the opportune time for the government to seriously consider ways of increasing the share of budget devoted to computerization of schools, upgrading of libraries and science laboratories. Moreover the application of information technology in classroom instruction would increase efficiency in teaching and learning process and enhance competencies of students.

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


JUAN EDGARDO "SONNY" M. ANGARA



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7 RECEIVED BY: *ji*

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9 Introduced by Senator JUAN EDGARDO "SONNY" M. ANGARA
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11
12 AN ACT
13 INSTITUTIONALIZING A SCHOOL MODERNIZATION AND INNOVATION
14 PROGRAM FOR PUBLIC ELEMENTARY AND SECONDARY
15 SCHOOLS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES
16

17
18 *Be it enacted by the Senate and the House of Representatives in Congress assembled:*
19

20 SECTION 1. *Title.* - This Act shall be known as the "*School Modernization and*
21 *Innovation Act of 2013.*"
22

23 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
24 promote a comprehensive and sustainable modernization program for all public elementary and
25 secondary schools aimed at improving the effectiveness and efficiency of delivery of basic
26 education. The State shall likewise take into account the regional and sectoral needs and
27 conditions in developing a viable long-term modernization plan. The State shall also encourage
28 the participation of the private sector and local government units in strengthening programs
29 which provide relevant and adequate skills for public school children necessary for them to be
30 global competitive.
31

32 SECTION 3. *Statement of Purpose.* - This Act seeks to attain the following objectives:
33

34 (a) To provide a broad framework for the institutionalization of a comprehensive, and
35 sustainable modernization program for the public schools.
36

37 (b) To encourage the schools to become more innovative and resourceful in developing
38 and implementing programs geared towards modernization
39

40 (c) To develop mechanisms which will define the roles and responsibilities of the officials
41 from the regional, division down to the school levels in the implementation of the
42 school modernization programs.
43

44 (d) To provide mechanisms on how the private sector can participate in the program
45

46 (e) To define a regional, division and school modernization and innovation plan
47 responsive to the needs of the students in the area.

1
2 **SECTION 4. *Implementing Agency.*** - The Department of Education, hereinafter
3 referred to as the "Department", shall be the main implementing agency of the School
4 Modernization and Innovation Act. The Secretary of Education shall be responsible of ensuring
5 the smooth implementation of the modernization plan for schools.
6

7 **SECTION 5. *Components.*** - The School Modernization and Innovation Program shall
8 consist of the following:
9

10 (a) Computerization of public elementary and high schools. At least one computer
11 laboratory with a minimum of 10 computers shall be established in every public high
12 school nationwide. The Science high schools in every region nationwide shall be
13 given priority in the allocation of funds for the computerization. After more than 50%
14 of the public high schools have been computerized, the public elementary schools
15 shall start its own massive computerization program.
16

17 (b) Upgrading of Libraries in public elementary and secondary schools. A well-equipped
18 library shall be established in every public elementary and secondary high school.
19 The library should be provided with at least 2 computers which have Internet access
20 to assist the students in their research work.
21

22 (c) Promotion of an integrated distance-learning program. The distance learning
23 program aims to enable the students from local and foreign private schools to share
24 their knowledge and expertise in the areas of Science and Technology, Mathematics,
25 English and Communication to students in public schools through modern system of
26 instructional and communication technology. It may adopt an interactive system of
27 instruction through television, modern satellite communication or cable system
28 whichever is appropriate and feasible in the area. The students as well as teachers
29 in public schools shall be provided with opportunities to avail of the latest trends and
30 developments in the field of educational, science, technology and communication
31 even from abroad through distance learning programs.
32

33 (d) Upgrading of Science Laboratories. Each public elementary and high school will be
34 provided with a well-equipped science laboratories with modern science equipment,
35 which is essential in improving the competencies of the students in the area of
36 science and technology.
37

38 **SECTION 6. *Phased Implementation of the Program.*** - The Department shall
39 implement the program in phases to ensure continuity and sustainability of the projects. The
40 phases of implementation will be determined according to the priorities set by the Department
41 as well as the absorptive capacity of the schools.
42

1 **SECTION 7. *Financing of the Program.*** The Department of Budget and Management
2 shall allocate 10% of the total appropriations of the annual budget of DECS for the financing of
3 the School Modernization and Innovation Program.
4

5 **SECTION 8. *Formulation of School Modernization and Innovation Plan at School***
6 ***and Regional Level.***

7 (a) National Modernization and Innovation Plan. The Secretary of Education in
8 consultation with regional directors and schools division superintendents shall
9 develop a comprehensive and sustainable modernization and innovation plan for
10 public elementary and secondary schools nationwide which will be implemented
11 within a period of 10 years. The plan shall be divided into short, medium and long
12 term period of implementation. It shall take into account the rapid changes in the field
13 of information technology, communication and instructional delivery in various part of
14 the world. It shall also identify sources of funding both from local and international
15 financial institutions as well as the role of private sector, local government units and
16 other members of the civil society. It shall likewise define the national standards and
17 framework, which will be adopted in developing the individual plans.
18

19 (b) Regional Modernization and Innovation Plan. The Regional Director in coordination
20 with the Schools Division Superintendents shall formulate a modernization
21 framework consistent with national standards which will serve as the basis for the
22 plan taking into consideration the specific needs, and requirements of the region.
23 The regional plan shall highlight the peculiarities and unique needs of the various
24 schools within its jurisdiction.
25

26 (c) School Modernization and Innovation Plan. Each school shall formulate its own 10-
27 year modernization plan which reflects the aspirations and goals of the school based
28 on the regional plan of action. The plan shall consist of an assessment of the existing
29 needs of the school as well as an inventory of existing educational facilities, priority
30 programs for the allocation of funds, strategies to mobilize financial resources to
31 augment regular budget and strategies to manage the use of personnel, physical and
32 fiscal resources. The individual plans of the schools shall be submitted to the
33 regional offices for consolidation.
34

35 **SECTION 9. *School Modernization and Innovation Trust Fund.*** - A School
36 Modernization and Innovation Fund, hereinafter referred to as the Fund, is hereby established,
37 exclusively to augment the regular appropriations provided under Section 7 to finance the
38 priority programs for school modernization and improvement of public elementary and
39 secondary schools.

40 (a) The government's contribution to the Fund shall be the following:

41 1) The amount of Fifteen billion pesos (P15,000,000,000) as seed capital;

- 1 2) The equivalent of twenty percent (20%) of the annual gross earnings of the
- 2 Philippine Amusement Gaming Corporation (PAGCOR);
- 3 3) The equivalent of 10% annual share on the Total gross collections of the travel
- 4 tax;
- 5 4) The equivalent of 20 %of any additional increase annually in the fees for vehicle
- 6 registration;
- 7 5) The equivalent of 2% of the additional increase annually in revenue collections;
- 8 6) The equivalent of 10% of the sales of the lotto operations of the Philippine
- 9 Charity Sweepstakes Offices.

10
11 The fund shall have a private portion to be raised from donations and gifts and other
12 conveyances including materials, equipment, properties and services by gratuitous title.

- 13
- 14 (b) The fund shall be distinct and separate from the schools regular allotment for
- 15 maintenance and other operating expenses (MOOE).
- 16 (c) The Department shall be authorized to use the annual interest income of the Trust
- 17 Fund provided that the expenditures will be used directly for the implementation of
- 18 the modernization programs and not on the regular programs of the Department.
- 19 Provided further that 50% of the entire annual income shall be retained in the Bureau
- 20 of the Special Treasury.

21
22 **SECTION 10. Management and Administration of the Fund.** - The Fund shall be
23 administered by the Department of Education. For sound and judicious management of the
24 Fund, the Commission shall appoint a reputable government financial institution as portfolio
25 manager of the Fund, subject to the following conditions.

26
27 As administrator of the Fund, the Department shall prepare the necessary guidelines for
28 its use, subject to the following conditions:

- 29
- 30 (a) No part of the seed capital of the Fund, including earnings thereof shall be used to
- 31 underwrite overhead expenses of the administration;
- 32 (b) Unless otherwise stipulated by the private donor, only earnings of private
- 33 contributions shall be used for administrative expenses;
- 34 (c) The Department shall appoint and organize a separate staff that will be independent
- 35 administratively from the Department. It shall also enjoy fiscal autonomy from the
- 36 Department.

37
38 **SECTION 11. Mandatory Allocation.** - Each local government unit is hereby directed to
39 allocate at least 5% of their Special Education Fund to augment the appropriations for the
40 financing of programs in line with the thrusts of the school modernization and innovation
41 program.

1 **SECTION 12. Uses of the Fund.** - The School Modernization and Innovation Fund shall
2 be used to finance the following:

3 (a) Projects, which have been approved and certified as priority by the National
4 Executive Committee and Regional Modernization Committees created under
5 Section 9 based on the guidelines and criteria formulated by the Department.

6 (b) In service training of the teachers in the area of computer literacy and instructional
7 communication technology.

8 (c) Procurement of computer equipments including maintenance of computer,
9 laboratories, audio visual and multimedia facilities, and appropriate education
10 technology softwares.

11 (d) Procurement of science equipments for science laboratories in schools

12
13 **SECTION 13. Order of Priority in the allocation of funds.** In order for the school to be
14 given priority in the allocation of funds from the School Modernization Innovation Trust Fund,
15 The following criteria should be met:

16 (a) The programs, which will be funded, should be in line with the formulated regional
17 and school modernization plans.

18 (b) The school should have mobilized additional 40% counterpart funding from either the
19 local government unit, private corporations, foundations, business groups or private
20 individuals for every program which will be implemented.

21 (c) The programs have been approved by either the Regional Modernization Committee,
22 and the National Executive Committee or both depending on the funding required.

23
24 **SECTION 14. Selection Process.** - The individual schools nationwide are directed to
25 develop project proposals in line with the modernization thrusts of their region and submit to
26 their respective regional offices to determine its feasibility and contribution to the overall thrusts
27 of school modernization in the country.

28
29 A National Executive Modernization Committee shall be established. It shall be headed
30 by the Secretary of the Department of Education, the Undersecretary for Programs and
31 Directors of Elementary and Secondary Education and 2 representatives from the private
32 sector. It shall be in-charge in evaluating projects with national application and coverage.

33
34 A Regional Modernization Committee headed by the Regional Director and composed of
35 3 Division Superintendents and 2 Representatives from Parent Teachers Association in the
36 region shall be established to evaluate all project proposals at the regional level. The Regional
37 Modernization Committee shall have the authority to approve and recommend release of
38 funding for projects with a funding requirement of P500,000.00 and less.

39
40 However, the approved project proposals with a funding requirement of more than
41 P500,000.00 will be forwarded to the National Executive Modernization Committee chaired by

1 the Secretary of Department of Education or his duly designated representative for final review
2 and approval.

3
4 The Department shall promulgate guidelines for the selection of the project proposals,
5 which will be funded by the School Modernization and Innovation Fund.

6
7
8 **SECTION 15. *Private Sector Participation.*** - The members of the private sector are
9 hereby encouraged to provide technical and/or financial support to the schools as they pursue
10 their modernization plans. The private corporations, foundations, business groups or individuals
11 who shall provide support to modernization programs shall be allowed to deduct from their gross
12 income 100% of the expenses directly used to finance the implementation of the program in the
13 schools.

14
15 The schools which would be able to seek at least 40% counterpart funding support from
16 private corporations, foundations, business groups individuals as well as local government in
17 their respective local communities shall be given the priority the provision of direct grants and
18 funding from the School Improvement and Innovation Fund particularly in programs which are
19 mentioned in Section 9.

20
21 **SECTION 16. *Implementing Rules and Regulations.*** - The Secretary of Education
22 shall promulgate the implementing rules and regulations within (90) ninety days after the
23 approval of this Act.

24
25 **SECTION 17. *Separability Clause.*** - If any portion or provision of this Act shall be
26 declared unconstitutional, such declaration shall not invalidate other parts thereof, which shall
27 remain in full force and effect.

28
29 **SECTION 18. *Repealing Clause.*** - All laws and rules and regulations or parts thereof
30 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

31
32 **SECTION 19. *Effectivity.*** - This Act shall take effect fifteen (15) days following the
33 publication in at least two (2) newspapers of general circulation.

34 ***Approved,***