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Office of the Secretary

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'17 MAY 30 P2:57

SENATE

S.B. No. 1481

RECEIVED BY:

Introduced by Senator **SONNY ANGARA**

AN ACT
MANDATING THE CONSERVATION OF GABALDON SCHOOL BUILDINGS
NATIONWIDE, PROVIDING PENALTIES FOR VIOLATIONS, AND
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Explanatory Note

Year 1902 marked the establishment of the American Insular Government¹ over what was then known as the Philippine Islands. This civilian authority superseded the military regime created immediately after the Philippine-American war. Strides toward nation building were made during this time, as Dr. Maximo M. Kalaw² credited how raw materials in the Philippines including the Filipino's inherent capabilities contributed to the country's progress.

One of the hallmarks of American rule in the country during the early 1900s was the introduction of free public schools that taught Filipinos the duties of citizenship, among others.³ A vital addition to this reformed education system was a measure⁴ authored by the late assemblyman Isauro Gabaldon of Nueva Ecija that sought to allocate P1 million for the construction of schoolhouses in every municipality in the country.

As a result, about 3,000 school buildings made out of local hardwood were built between 1907 and 1946, serving as the birthplace of Philippine public education system.⁵ These one to two-storey structures are H or U shaped buildings that distinctly featured elevated flooring, Capiz-shelled windows with wooden frames, and classrooms connected by corridors, among other unique characteristics.

¹ Philippine Organic Act of 1902.

² *The Foundations of the Modern Philippine State: Imperial Rule and the American Constitutional Tradition, 1898-1935*. Anastacio, L. Cambridge University Press. (2016).

³ *Historical Perspective of the Philippine Educational System*. Department of Education (DepEd). <http://www.deped.gov.ph/history>

⁴ Act No. 1801, otherwise known as the Gabaldon Act (1907).

⁵ *Restoring the glory of Gabaldon buildings*. Ramon Aboitiz Foundation.

The schools, later to be known as *Gabaldon* schoolhouses in honor of Assemblyman Gabaldon, are undoubtedly part of Filipino heritage. However, the remaining 1,400 *Gabaldons*⁶ are imminently facing demolition and decay.

Initiatives by the Department of Education and certain private foundations have been vital to prolonging the integrity of these structures. But there is also the need for a legislation that would institutionalize such conservation efforts.

This measure, which is in line with the Constitutional mandate to “conserve, promote, and popularize the nation’s historical and cultural heritage and resources”⁷, directs the conservation of all Gabaldon school buildings nationwide not only to preserve these structures, but also to reinforce the Filipino heritage as it advances towards the future. This bill serves as the counterpart measure authored by Rep. Victoria Isabel G. Noel of An Waray party-list in the House of Representatives.

In view of the immense need to protect cultural heritage for the next Filipino generations, the urgent passage of the foregoing measure is sought.




SONNY ANGARA

⁶ DepEd estimated 1,446 existing Gabaldon heritage school buildings nationwide last 2015.

⁷ Art. XII, Sec. 15, 1987 Philippine Constitution.

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

1 **SECTION 1. Title.** – This Act shall be known as the “*Gabaldon School*
2 *Buildings Conservation Act*”.

3 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State
4 to conserve and promote the country’s historical and cultural heritage and resources.
5 Towards this end, it shall strengthen its efforts and pursue a more proactive role in
6 the conservation and restoration of built heritage, such as the Gabaldon school
7 buildings, to preserve their architectural, historical, and social significance.

8 **SEC. 3. Definition of Terms.** – As used in this Act:
9
10 a. *Conservation* refers to all processes and measures of maintaining the
11 cultural significance of Gabaldon school buildings including
12 preservation, restoration, reconstruction, protection, adaptation or any
13 combination thereof; and
14
15 b. *Gabaldon school buildings* refer to school buildings designed by
16 American Architect William Parsons and funded through Act No. 1801,
17 authored by Assemblyman Isauro Gabaldon.

18 **SEC. 4. Conservation of Gabaldon School Buildings.** – The Department of
19 Education (DepED), in consultation with the National Commission for Culture and the
20 Arts (NCCA), National Historical Commission of the Philippines (NHCP), and the
21 National Museum (NM), shall implement a program for the identification and
22 conservation of all Gabaldon school buildings nationwide.

1 For this purpose, an inventory of all Gabaldon school buildings, whether fully
2 functional or condemned, in all public elementary and secondary schools shall be
3 jointly undertaken by the DepED and the NCCA to determine the physical status of
4 each structure. School heads shall submit to their respective Schools Division
5 Superintendents, for appropriate action, a report indicating the existence of or any
6 structural damage to any Gabaldon school buildings in schools under their
7 respective supervisions.

8 Local government units that have Gabaldon school buildings under their
9 jurisdiction shall likewise adopt measures for the protection and conservation of
10 these structures and shall provide the DepED with the necessary assistance in the
11 implementation of any conservation project.

12 Any modification, alteration, destruction, demolition, or relocation of Gabaldon
13 school buildings shall be strictly prohibited. In cases where conservation measures
14 are necessary, the DepED, in coordination with the NCCA, NHCP, and the NM, shall
15 provide proper technical assistance to school heads to ensure that the original
16 architectural design of the school building is maintained: *Provided, however,* That,
17 subject to the issuance of a permit from the NCCA, any modification or alteration of
18 the original architectural design of Gabaldon school buildings may be allowed in
19 public elementary and secondary schools where the exigency of constructing new
20 school buildings is a priority in anticipation of the increase in student population by
21 virtue of the implementation of Republic Act No. 10533, or the "Enhanced Basic
22 Education Act of 2013": *Provided, further,* That the facade and other distinct
23 features of the original Gabaldon school buildings shall, as much as possible, be
24 preserved.

25 **SEC. 5. Penalties.** – Any person who shall abet or cause the unauthorized
26 modification, alteration, destruction, demolition, or relocation of the Gabaldon school
27 building shall be subject to a fine of not less than two hundred thousand pesos
28 (P200,000.00) or imprisonment for a term of not less than ten (10) years, or both,
29 upon the discretion of the Court, and shall likewise pay for the conservation of the
30 structure: *Provided,* That if the violation is committed by a juridical person, its
31 license to operate shall be revoked, and its president, manager, representative,
32 director, agent, or employee shall also be liable for the penalties prescribed herein:
33 *Provided, further,* That if the offender is an alien, the offender shall be placed under
34 the custody of the Bureau of Immigration for appropriate proceedings and shall be
35 summarily deported after serving the applicable sentence.

36 School heads who fail to submit a report to their respective Schools Division
37 Superintendents on the existence of or any structural damage to any Gabaldon
38 school buildings in schools under their respective supervisions, shall be held
39 administratively liable for simple neglect of duty and shall be suspended without pay
40 for a period of six (6) months.

41 **SEC. 6. Appropriations.** – The Secretary of Education shall immediately
42 include in the Department's program the implementation of this Act, the initial funding
43 of which shall be charged to the current year's appropriation of the DepED.
44 Thereafter, the amount necessary for the continued implementation of this Act shall
45 be included in the annual General Appropriations Act.

1 **SEC. 7. *Implementing Rules and Regulations.*** – Within ninety (90) days
2 from the approval of this Act, the DepED, in consultation with the NCCA, NHCP, and
3 the NM, shall formulate the rules and regulations implementing the provisions of this
4 Act.

5 **SEC. 8. *Separability Clause.*** – If any provision of this Act is held invalid or
6 unconstitutional, the other provisions not so declared shall remain in force and effect.

7 **SEC. 9. *Repealing Clause.*** – All laws, decrees, orders and rules and
8 regulations contrary to or inconsistent with the provisions of this Act are hereby
9 repealed or amended accordingly.

10 **SEC. 10. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
11 publication in the Official Gazette or in a newspaper of general circulation.

Approved,