

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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SENATE

S.B. No. 1912

Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

The shortage in the number of public school buildings to accommodate the increasing number of enrollees in our public schools, associated with the deteriorating quality of our education system, has always been a perennial problem.

To date, the national classroom - student ratio for elementary and secondary public schools is a lamentable 1:65, due largely to the free education program, which has not been met by a corresponding increase in the number of classrooms.

In her various policy pronouncements, President Gloria Arroyo has repeatedly promoted her "education for all" program. However, following the General Appropriations Act FY 2005, the proposed allocation for school building program will be 50% lower than the 2004 allocation. From a Php 2 Billion allocation in 2004, it is now only Php 1 Billion for 2005. The said cut in the classroom construction budget is inconsistent with the funding requirement prescribed by the department to eliminate backlog by 2008. Without doubt, this will bring modest answers to the pressing need of addressing classroom shortage.

As per DepEd records, the total nationwide classroom shortage is 51,947 for 2004. Using official estimates that P1 billion or \$17.95 million can construct 2,500 classrooms, the Php1 Billion allocated for school buildings in the 2005 GAA will reduce the classroom shortage by a mere 4.8%. This estimate does not even include those classrooms that have to be rehabilitated. DepEd further reported that 20% of the country's classrooms have no proper ventilation, 27% have no lighting, 55% do not have electricity, and 25% have no ceilings. It also added that in 2005, 20% of elementary and secondary schools did not have science laboratories.

The bill seeks to create a comprehensive program which will address the problem of classroom shortage. A salient feature of this bill is the provision of build-operate-transfer, build-lease-transfer, build-transfer, rehabilitate-operate-transfer, and other contractual arrangements that will allow the use of both government and private funds to finance the construction of needed school buildings, and the creation of an inter-agency committee to formulate and ensure the effective implementation of the program by the Department of Education, Culture and Sports. The program also provide for the integration of all the necessary information for the effective monitoring and maintenance of existing school buildings.

Reducing the shortage in classrooms will not automatically reduce the class size to the ideal 25, however. Today, the actual class size in public schools is 60 to 110. *This pales in comparison to Thailand (18), Malaysia (19), China (24), Taiwan (14), and Indonesia (22).*

It is hoped that with the passage of this bill, class sizes will be reduced to a manageable and ideal proportion level for a more conducive learning environment and thus result in the improvement of the quality of our education.

Towards this end, I urge my colleagues in the Chamber to immediately pass this bill.


EDGARDO J. ANGARA
Senator

SENATE

S.B. No. 1912

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AN ACT ESTABLISHING A PROGRAM
FOR THE ACQUISITION OF SCHOOL SITES
AND THE CONSTRUCTION, MAINTENANCE, REHABILITATION,
AND REPAIR OF SCHOOL BUILDINGS IN THE PUBLIC ELEMENTARY
AND SECONDARY SCHOOLS NATIONWIDE,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Republic of the Philippines in Congress Assembled:

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “***School Building***
2 ***Program Act of 2005.*”**

3
4 **SECTION. 2. *School Building Program Objectives.*** – There shall be
5 established a comprehensive and continuing School Building Program, hereinafter
6 referred to as the “Program”, which shall have the following objectives:

- 7 1. To provide a system for an accurate inventory of all existing public
8 primary and secondary school buildings, with proper indications as to its
9 location, size, capacity, condition, and compliance with basic building
10 safety requirements;
- 11 2. To provide appropriate studies for determining the yearly school building
12 requirements base on projected increases in enrollment and other
13 appropriate indicators;

1 **SECTION. 3. *Inter-Agency Committee.*** – To formulate and ensure the
2 effective implementation of the program, there is hereby created an inter-agency
3 committee, to be headed by the Secretary of the Department of Education, Culture
4 and Sports (DECS) as Chairperson, and the respective Secretaries of the Department
5 of Public Works and Highways (DPWH), Department of Budget and Management
6 (DBM), and the Department of Interior and Local Government (DILG), as members.
7 The committee shall within one (1) year from the approval of this Act, submit to the
8 Committee on Education of both houses of Congress and every year thereafter, the
9 comprehensive school-building program herein established.

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11 **SECTION. 4. *Implementation of the Program.*** – Consistent with the
12 provisions of Republic Act No. 7880, otherwise known as the “Fair and Equitable
13 Access to Education Act,” the committee shall determine and supervise the
14 acquisition and/or construction of priority school building projects to be
15 implemented by the DECS as provided in the Program. The DECS is hereby
16 authorized to enter into contracts with duly pre-qualified private contractors for the
17 design, financing, construction, maintenance and other aspects of school buildings
18 through the build-operate and transfer, build and transfer, build-lease and transfer,
19 rehabilitate-operate and transfer and such other contractual arrangement schemes as
20 provided under the Build – Operate and Transfer Law (Republic Act No. 6957).

21
22 **SECTION. 5. *Release of Maintenance and Other Operating Expenditures.***
23 – For the purpose of ensuring compliance of such contractual arrangement as may
24 hereinafter be entered, the appropriation of DECS for the School Building Program
25 and for Maintenance and other Operating Expenditures shall be directly released to
26 DECS according to the work and financial schedule stipulated in the program.

- 1 3. To provide for the effective monitoring and supervision of all school
2 building facilities with respect to its proper and adequate maintenance,
3 replacement, rehabilitation and repair;
- 4 4. To provide a comprehensive plan for the acquisition and/or construction
5 and adequate school sites, buildings and facilities for all public
6 elementary and secondary schools nationwide, with the aim of reducing
7 the classroom-students ratio to an ideal proportion within a period of five
8 (5) years upon approval of this Act;
- 9 5. To provide the mechanism for the selection of public schools to prioritize
10 in the school-building projects nationwide;
- 11 6. To provide a specific time schedule for the construction of school
12 buildings which shall be strictly followed so as to prevent unnecessary
13 delays and backlogs;
- 14 7. To provide for necessary mechanisms which will facilitate a closer
15 coordination between the Department of Budget and Management
16 (DBM), Department of Public Works and Highways (DPWH),
17 Department of Interior and Local Government (DILG), and Department of
18 Education, Culture and Sports (DECS) to expedite the implementation of
19 the Program;
- 20 8. To formulate guidelines for the bidding procedures that will be used for
21 the school building program including that of the contractual
22 arrangement schemes; and
- 23 9. To provide for a definite work and financial schedule for the construction,
24 operation and maintenance of school buildings under any of the
25 contractual arrangement schemes.

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1 **SECTION. 6. *Appropriation.*** – The amount necessary to attain the
2 objectives of this Act shall be authorized to be appropriated out of the unallocated
3 share of the national government in the income of the Philippine Amusement
4 Gaming Corporation (PAGCOR), for a period of five (5) years.

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6 If the above amount be deemed inadequate, such amount as may be
7 necessary to augment said annual appropriations shall be included in the General
8 Appropriations Act.

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10 **SECTION. 7. *Separability Clause.*** – If any provision in this Act is declared
11 unconstitutional, the same shall not affect the validity and effectivity of the other
12 provisions hereof.

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14 **SECTION. 8. *Repealing Clause.*** – All laws, decrees, orders, rules and
15 regulations and all other issuances of parts thereof, which are inconsistent with this
16 Act are hereby repealed or modified accordingly.

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18 **SECTION. 9. *Effectivity Clause.*** – This Act shall take effect upon its
19 approval.

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21 *Approved,*