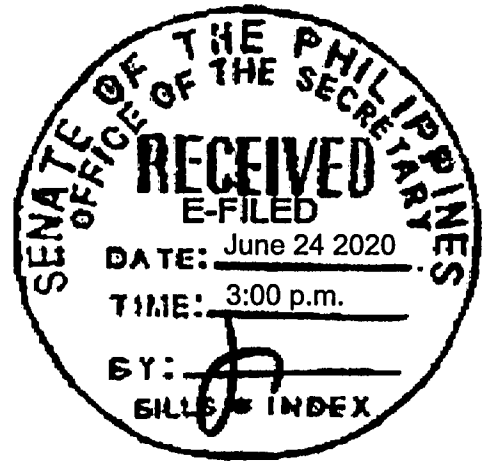


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
S. B. No. 1633

Introduced by Senator SONNY ANGARA

**AN ACT
PROVIDING FOR A COMPREHENSIVE AND SUSTAINABLE
MODERNIZATION, CONNECTIVITY AND INNOVATION PROGRAM FOR
PUBLIC ELEMENTARY AND SECONDARY SCHOOLS PROVIDING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

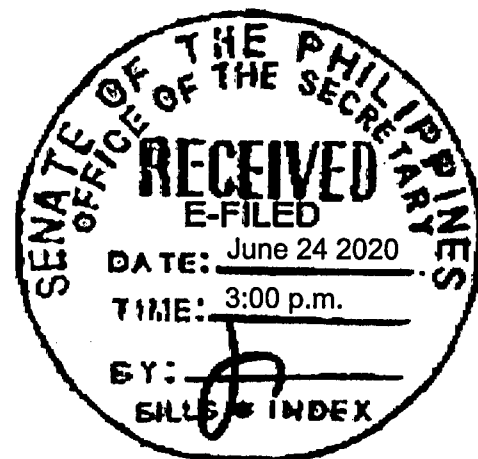
This measure is an amended version of SBN 959, or the School Modernization and Innovation Act, which was filed on August 27, 2019. Also, it is meant to complement the implementation of RA 10929, which establishes the Free Internet Access in Public Places Program and mandates the Department of Information and Communication Technology (DICT) to set up free WiFi hotspots in all public education institutions.

Like SBN 959, this version still mandates the Department of Education (DepEd) to establish and implement a viable, comprehensive and sustainable long-term modernization plan for public elementary, junior high and senior high schools. The main change is that such plan should now include steps through which all schools provide gadgets such as smartphones, tablet, or laptops, as well as mobile internet hotspots, to teachers and students without access to such equipment whenever face-to-face instruction is prohibited and blending learning modalities are being implemented. This version was filed in response to the ongoing COVID-19 pandemic, where many schools are migrating to online means of teaching.

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


SONNY ANGARA

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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 "*School Modernization,*
2 *Connectivity and Innovation Act of 2020.*"

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 promote a comprehensive and sustainable modernization program for all public
5 elementary, junior high, and senior high schools aimed at improving the
6 effectiveness, efficiency, and resilience of the delivery of basic education, especially
7 during disruptions such as pandemics and other health emergencies. The State shall
8 likewise take into account the regional and sectoral needs and conditions in
9 developing a viable long-term school modernization, connectivity, and innovation
10 plan. The State shall also encourage the participation of the private sector and local
11 government units in strengthening programs which provide relevant and adequate
12 skills training and equipment for public school children necessary for them to be
13 globally competitive.

14 Sec. 3. *Statement of Purpose.* – This Act seeks to attain the following
15 objectives:

- 1 a) To provide a broad framework for the institutionalization of a comprehensive,
2 and sustainable modernization, connectivity and innovation program for public
3 elementary and secondary schools;
- 4 b) To encourage the schools to become more innovative and resourceful in
5 developing and implementing programs geared towards modernization;
- 6 c) To develop mechanisms which will define the roles and responsibilities of the
7 officials from the regional, division down to the school levels in the
8 implementation of the school modernization programs;
- 9 d) To provide mechanisms on how the private sector can participate in the
10 program; and
- 11 e) To define a regional, division and school modernization, connectivity, and
12 innovation plan responsive to the needs of the students and teachers in the
13 area.

14 **Sec. 4. *Implementing Agency.*** – The Department of Education, hereinafter
15 referred to as the "Department", shall be the main implementing agency of the
16 School Modernization and Innovation Act. The Secretary of Education shall be
17 responsible for ensuring the smooth implementation of the modernization plan for
18 schools.

19 **Sec. 5. *Components.*** – The School Modernization, Connectivity, and
20 Innovation Program shall consist of the following:

- 21 a) Computerization of public elementary and high schools. The DepEd, in
22 coordination with other appropriate government agencies, shall determine the
23 appropriate number of information technology (IT) equipment to be housed
24 within school premises depending on the number of student enrollment. The
25 Science high schools in every region nationwide shall be given priority in the
26 allocation of funds for the computerization.
- 27 b) Ensuring digital connectivity between students and teachers. All public
28 elementary, junior high, and senior high schools shall endeavor to provide
29 gadgets such as smartphones, tablets, or laptops, as well as mobile internet
30 hotspots and other related apparatuses, to every student and teacher without
31 access to such equipment, whenever face-to-face instruction is prohibited and
32 blended learning modalities are being implemented. The schools shall be

- 1 responsible for establishing and implementing the system through which
2 students and teachers may rent, lease, or purchase at subsidized rates the
3 aforementioned equipment needed for digital connectivity.
- 4 c) Upgrading of Libraries in public elementary and secondary schools. A well-
5 equipped library shall be established in every public elementary and
6 secondary high school. The library should be provided with at least five (5)
7 computers, which have Internet access to assist the students in their research
8 work.
- 9 d) Promotion of an integrated distance-learning program. The distance learning
10 program aims to enable the students from local and foreign private schools to
11 share their knowledge and expertise in the areas of Science and Technology,
12 Mathematics, English and Communication to students in public schools
13 through modern system of instructional and communication technology. It
14 may adopt an interactive system of instruction through television, modern
15 satellite communication or cable system, or the Internet, whichever is
16 appropriate and feasible in the area. The students as well as teachers in
17 public schools shall be provided with opportunities to avail of the latest trends
18 and developments in the field of educational, science, technology and
19 communication even from abroad through distance learning programs.
- 20 e) Upgrading of Science Laboratories. Each public elementary and high school
21 will be provided with well-equipped science laboratories with modern science
22 equipment, which is essential in improving the competencies of the students
23 in the area of science and technology.

24 *Sec. 6. Phased Implementation of the Program.* – The Department shall
25 implement the program in phases to ensure continuity and sustainability of the
26 projects. The phases of implementation will be determined according to the priorities
27 set by the Department as well as the absorptive capacity of the schools.

28 *Sec. 7. Financing of the Program.* – The Department of Budget and
29 Management shall allocate at least ten percent (10%) of the total appropriations of
30 the annual budget of the Department for the financing of the School Modernization
31 and Innovation Program.

1 *Sec. 8. Formulation of School Modernization and Innovation Plan at School*
2 *and Regional Level. –*

- 3 a) National Modernization and Innovation Plan. The Secretary of Education, in
4 consultation with Regional Directors and Schools Division Superintendents,
5 shall develop a comprehensive and sustainable modernization and innovation
6 plan for public elementary and secondary schools nationwide which will be
7 implemented within a period of five (5) years. It shall take into account the
8 rapid changes in the field of information technology, communication and
9 instructional delivery in various part of the world. It shall also identify sources
10 of funding both from local and international financial institutions as well as
11 the role of private sector, local government units and other members of the
12 civil society. It shall likewise define the national standards and framework,
13 which will be adopted in developing the individual plans.
- 14 b) Regional Modernization and Innovation Plan. The Regional Director, in
15 coordination with the Schools Division Superintendents, shall formulate a
16 modernization framework consistent with national standards which will serve
17 as the basis for the plan taking into consideration the specific needs, and
18 requirements of the region. The regional plan shall highlight the peculiarities
19 and unique needs of the various schools within its jurisdiction.
- 20 c) School Modernization and Innovation Plan. Each school shall formulate its
21 own 5-year modernization plan which reflects the aspirations and goals of the
22 school based on the regional plan of action. The plan shall consist of an
23 assessment of the existing needs of the school as well as an inventory of
24 existing educational facilities, priority programs for the allocation of funds,
25 strategies to mobilize financial resources to augment regular budget and
26 strategies to manage the use of personnel, physical and fiscal resources. The
27 individual plans of the schools shall be submitted to the regional offices for
28 consolidation.

29 *Sec. 9. School Modernization and Innovation Trust Fund. –* A School
30 Modernization and Innovation Fund, hereinafter referred to as the Fund, is hereby
31 established, exclusively to augment the regular appropriations provided under

1 Section 7 of this Act to finance the priority programs for school modernization and
2 improvement of public elementary and secondary schools.

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

- 4 1. The amount of Fifteen Billion Pesos (P15,000,000,000.00) as seed
5 capital;
- 6 2. The equivalent of ten percent (10%) of the annual gross earnings of
7 the Philippine Amusement Gaming Corporation (PAGCOR);
- 8 3. The equivalent of 10% annual share on the total gross collections of
9 the travel tax;
- 10 4. The equivalent of 10 %of any additional increase annually in the fees
11 for vehicle registration;
- 12 5. The equivalent of 2% of the additional increase annually in revenue
13 collections;
- 14 6. The equivalent of 10% of the sales of the lotto operations of the
15 Philippine Charity Sweepstakes Offices (PCSO).

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

19 b) The fund shall be *distinct* and separate from the schools' regular allotment for
20 maintenance and other operating expenses (MOOE).

21 c) The Department shall be authorized to use the annual interest income of the
22 Trust Fund provided that the expenditures will be used directly for the
23 implementation of the modernization programs and not on the regular
24 programs of the Department: *Provided*, that 50% of the entire annual income
25 shall be retained in the Bureau of the Special Treasury.

26 **Sec. 10. *Management and Administration of the Fund.*** – The Fund shall be
27 administered by the Department of Education. For sound and judicious management
28 of the Fund, the Department shall appoint a reputable government financial
29 institution as portfolio manager of the Fund, subject to the following conditions:

30 As administrator of the Fund, the Department shall prepare the necessary
31 guidelines for its use, subject to the following conditions:

- 1 a) No part of the seed capital of the Fund, including earnings thereof shall be
2 used to underwrite overhead expenses of the administration;
- 3 b) Unless otherwise stipulated by the private donor, only earnings of private
4 contributions shall be used for administrative expenses;
- 5 c) The Department shall appoint and organize a separate staff that will be
6 independent administratively from the Department. It shall also enjoy fiscal
7 autonomy from the Department.

8 **Sec. 11. Assistance from Local Government Units.** – Each local government
9 unit (LGU) shall allocate at least 5% of their Special Education Fund to augment the
10 appropriations for the financing of programs in line with the thrusts of the school
11 modernization and innovation program.

12 **Sec. 12. Uses of the Fund.** – The School Modernization and Innovation Fund
13 shall be used to finance the following:

- 14 a) Projects, which have been approved and certified as priority by the National
15 Executive Committee and Regional Modernization Committees created under
16 Section 13 based on the guidelines and criteria formulated by the
17 Department;
- 18 b) In-service training of the teachers in the areas of computer literacy,
19 instructional communication technology, and other topics relevant to online,
20 blended, and multiple platform-based learning;
- 21 c) Procurement of equipment, including the maintenance thereof, for computer
22 laboratories, audio visual and multimedia facilities;
- 23 d) Procurement of science equipment for science laboratories in schools; and,
- 24 e) Procurement of gadgets for digital connectivity and online learning, which
25 includes but is not limited to smartphones, tablets, and laptops.

26 **Sec. 13. Order of Priority in the Allocation of Funds.** – In order for the school
27 to be given priority in the allocation of funds from the School Modernization
28 Innovation Trust Fund, the following criteria should be met:

- 29 a) The programs, which will be funded, should be in line with the formulated
30 regional and school modernization plans;

- 1 b) The school should have mobilized additional 40% counterpart funding from
2 the local government unit, private corporations, foundations, business groups
3 or private individuals for every program which will be implemented.
- 4 c) The programs have been approved by either the Regional Modernization
5 Committee or the National Executive Committee, or both depending on the
6 funding required.

7 *Sec. 14. Selection Process.* – The individual schools nationwide are directed to
8 develop project proposals in line with the modernization thrusts of their region and
9 submit to their respective regional offices to determine its feasibility and contribution
10 to the overall thrusts of school modernization in the country.

11 A National Executive Modernization Committee shall be established. It shall be
12 headed by the Secretary of the Department of Education, the Undersecretary for
13 Programs and Directors of Elementary and Secondary Education and two
14 representatives from the private sector. It shall be in-charge in evaluating projects
15 with national application and coverage.

16 A Regional Modernization Committee headed by the Regional Director and
17 composed of three Division Superintendents and two Representatives from Parent
18 Teachers Association in the region shall be established to evaluate all project
19 proposals at the regional level. The Regional Modernization Committee shall have
20 the authority to approve and recommend release of funding for projects with a
21 funding requirement of up to One million pesos (P1,000,000.00).

22 However, the approved project proposals with a funding requirement of more
23 than One million pesos (P1,000,000.00) will be forwarded to the National Executive
24 Modernization Committee chaired by the Secretary of Department of Education or
25 his duly designated representative for final review and approval.

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

28 *Sec. 15. Private Sector Participation.* – The members of the private sector are
29 hereby encouraged to provide technical and/or financial support to the schools as
30 they pursue their modernization plans. The private corporations, foundations,
31 business groups or individuals who shall provide support to modernization programs

1 shall be allowed to deduct from their gross income 100% of the expenses directly
2 used to finance the implementation of the program in the schools.

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

8 Sec. 16. *Implementing Rules and Regulations.* – The Secretary of Education
9 shall promulgate the implementing rules and regulations within (90) ninety days
10 after the approval of this Act.

11 Sec. 17. *Separability Clause.* – If any portion or provision of this Act is
12 subsequently declared invalid or unconstitutional, other provisions hereof which are
13 not affected thereby shall remain in full force and effect.

14 Sec. 18. *Repealing Clause.* – All other laws, acts, presidential decrees,
15 executive orders, presidential proclamations, issuances, rules and regulations, or
16 parts thereof which are contrary to or inconsistent with any of the provisions of this
17 Act are hereby repealed, amended, or modified accordingly.

18 Sec. 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its
19 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,