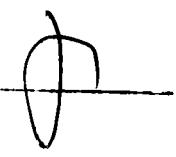


NINETEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
Second Regular Session]

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SENATE

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P.S. Res. No. 925

Introduced by SENATOR WIN GATCHALIAN

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, TO DISCUSS AND ASSESS THE
IMPLEMENTATION OF REPUBLIC ACT NO. 8545, ENTITLED
“EXPANDED GOVERNMENT ASSISTANCE TO STUDENTS AND
TEACHERS IN PRIVATE EDUCATION ACT” (E-GASTPE), AS AMENDED,
FOR THE PURPOSE OF CRAFTING COMPLEMENTARY OR
AMENDATORY LEGISLATION

1 **WHEREAS**, it is a policy of the State to protect and promote the right of
2 all citizens to quality education at all levels and shall take appropriate steps
3 to make such education accessible to all.¹ The State shall also establish and
4 maintain a system of scholarship grants, student loan programs, subsidies,
5 and other incentives which shall be available to deserving students in both
6 public and private schools, especially to the underprivileged²;
7

8 **WHEREAS**, it is enshrined in the Constitution that the State shall
9 recognize the complementary roles of public and private institutions in the
10 educational system and shall exercise reasonable supervision and regulation
11 of all educational institutions;³
12

13 **WHEREAS**, the enactment of Republic Act (R.A.) No. 6728, otherwise

¹ 1987 Philippine Constitution, Article XIV, Sec. 1.
² *Id.* at Sec. 2 (3).
³ *Id.* at Sec. 4 (1).

1 known as the “Government Assistance to Students and Teachers in Private
2 Education Act” (GASTPE), operationalizes the complementary roles of public
3 and private educational institutions by providing assistance to students in
4 private education at the high school, technical-vocational and tertiary levels;
5

6 **WHEREAS**, R.A. No. 6728 provides assistance to private education,⁴
7 most notably, the expansion of the existing Educational Service Contracting
8 (ESC) Scheme. In the ESC, the Department of Education (DepEd), formerly
9 Department of Education, Culture and Sports, shall enter into contracts with
10 private schools whereby the government shall shoulder the tuition and other
11 fees of excess students in public high schools who shall enroll under this
12 program;
13

14 **WHEREAS**, R.A. No. 6728 was later amended by R.A. No. 8545, entitled
15 “Expanded Government Assistance to Students and Teachers in Private
16 Education Act” (E-GASTPE).⁵ Among other amendments, the law expanded
17 the coverage of assistance in R.A. No. 6728 by institutionalizing an In-Service
18 Training (INSET) fund and the Teacher’s Salary Subsidy (TSS);
19

20 **WHEREAS**, the introduction of the K to 12 Curriculum in R.A. No.
21 10533, otherwise known as the “Enhanced Basic Education Act of 2013”,
22 expanded the E-GASTPE coverage to qualified learners enrolled in Grades 11
23 and 12 or Senior High School (SHS). To address classroom shortage due to
24 the creation of new grade levels in basic education, assistance in the form of
25 the SHS Voucher Program (VP) was developed by the DepEd for SHS learners
26 enrolled in VP-participating SHSs⁶;
27

28 **WHEREAS**, based on the 2024 General Appropriations Act (GAA), a total
29 amount of 40.48 billion is allocated to GASTPE. The allocation comprised
30 5.64% of DepEd’s entire appropriation;
31

32 **WHEREAS**, since the enactment of the GASTPE law, these programs of
33 assistance – ESC, SHS VP, INSET, and TSS – have been jointly managed by
34 the DepEd and the Private Education Assistance Committee (PEAC);

⁴ SECTION 4. Forms of Assistance. — Assistance to private education shall consist of: (1) Tuition fee supplements for students in private high schools, including students in vocational and technical courses; (2) High School Textbook Assistance Fund; (3) Expansion of the existing Educational Service Contracting (ESC) Scheme; (4) The voucher system of the Private Education Student Financial Assistance Program (PESFA); (5) Scholarship grants to students graduating as valedictorians and salutatorians from secondary schools; (6) Tuition fee supplements to students in private colleges and universities; (7) Education Loan Fund; and (8) College Faculty Development Fund.⁴

⁵ Enacted on February 24, 1998.

⁶ DepEd Order (D.O.) No. 020, s. 2023, Guidelines on the Implementation of the Senior High School Voucher Program, July 26, 2023.

1
2 **WHEREAS**, Executive Order (E.O.) No. 156, s. 1968⁷ was issued by the
3 late President Marcos pursuant to a Project Agreement⁸ constituting an
4 irrevocable trust fund made available as a “Fund for Assistance to Private
5 Education” (FAPE) to finance various programs of assistance to private
6 education. The said E.O. also created the PEAC which will serve as the trustee
7 of the FAPE and in this capacity shall administer, manage and supervise the
8 operations of the FAPE;
9

10 **WHEREAS**, E.O. No. 156, s. 1968 was amended in the same year by E.O.
11 No. 163, s. 1968⁹ which provided that all positions in the PEAC’s staff be
12 highly technical and/or primarily confidential in nature. However, this
13 classification was removed in E.O. No. 150, s. 1994.¹⁰ Likewise, E.O. No. 150,
14 s. 1994 amended the purpose of the FAPE to include contributions,
15 donations, grants, bequests, gifts and/or loans from the government for
16 programs of assistance to private education which may be managed and
17 administered by the PEAC. The FAPE may be augmented from time to time by
18 grants, donations or other lawful transfers by the government, or any other
19 public or private entity;
20

21 **WHEREAS**, in the implementation of the ESC scheme, there was
22 reported news of ESC grantees being absent, and their existence cannot be
23 satisfactorily explained and supported by school officials. Some of the findings
24 were ESC grantees billed under a specific school were found to be actually
25 attending classes in a different school, ESC grantees who have not been
26 attending classes since the opening of classes, and ESC grantees being
27 double-listed under the ESC program;¹¹
28

29 **WHEREAS**, these irregularities were present in the 2019 Performance
30 Audit Report on GASTPE by the Commission on Audit. Moreover, the audit
31 revealed that for the ESC program, the performance indicators of the E-
32 GASTPE Program are not adequate and suitable to assess its level of success.
33 ESC slots have not been based on the pattern of congestion in public schools,
34 as such, classroom decongestion may not be measured because the target
35 decongestion level was not defined or established. As for the SHS VP, there

⁷ E.O. No. 156, s. 1968: Constituting The “Fund For Assistance To Private Education” As An Irrevocable Trust Fund, Creating A “Private Education Assistance Committee” As Trustee, And Providing For The Management Thereof; November 5, 1968

⁸ entered into on June 11, 1968 between the Philippines and the United States of America, which made available a Special Fund for Education authorized by U.S. Public Law

⁹ Amending E.O. No. 156, s. 1968; December 20, 1968

¹⁰ Amendments to E.O. No. 156, s. 1968, As Amended Re: Fund for Assistance to Private Education; January 10, 1994

¹¹ <https://www.gmanetwork.com/news/topstories/specialreports/525218/ghost-students-feared-as-p20-b-peso-fund-lacks-monitoring/story/>, July 20, 2015.

1 were low participation and retention rates among its beneficiaries coming
2 from public high schools. Further, SHS VP participating schools are not
3 required to undergo recertification to ensure delivery of quality education and
4 minimum compliance;¹²

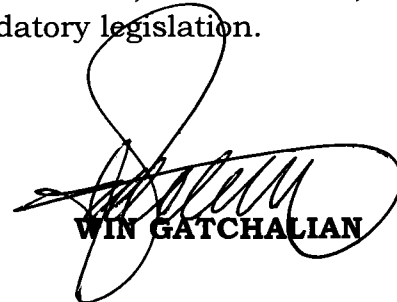
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6 **WHEREAS**, DepEd has stated during a Public Hearing¹³, conducted by
7 the Senate Committee on Basic Education, that classroom congestion
8 remains a perennial issue due to the DepEd’s backlog of 159,000 classrooms
9 requiring construction or repair. As it stands now, even with the programmed
10 construction of 5,393 classrooms in 2022 and 6,241 classrooms in 2023, the
11 public school system is still 159,202 classrooms short of reaching ideal
12 student-to-classroom ratios;

13
14 **WHEREAS**, the DepEd would also welcome new challenges in the coming
15 school year as the Commission on Higher Education (CHED) has reiterated
16 its decision to discontinue the SHS Program in state universities and colleges
17 (SUCs) and local universities and colleges (LUCs).¹⁴ CHED reported that the
18 discontinuance has been ongoing for three years now;¹⁵

19
20 **WHEREAS**, there is a need for a review of the GASTPE programs to
21 ensure its proper implementation and monitoring by the relevant government
22 agencies, thereby promoting complementarity with the end goal of improving
23 learner outcomes, taking into consideration the disadvantaged position of
24 underprivileged learners and their opportunity to have access to quality
25 education;

26
27 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE**
28 **PHILIPPINES**, to direct the appropriate Senate Committee to conduct an
29 inquiry, in aid of legislation, to discuss and assess the implementation of
30 Republic Act No. 8545, entitled “Expanded Government Assistance to
31 Students and Teachers in Private Education Act”, as amended, for the
32 purpose of crafting complementary or amendatory legislation.

Adopted,



WIN GATCHALIAN

¹² https://www.coa.gov.ph/reports/performance-audit-reports/2018-2/gastpe-program/?_cf_chl_tk=w1lFE8dNfJLOPRr9b8QL25FzgOLChVA7OzCFXw9SE7g-1706923720-0-gaNycGzNErs

¹³ Held on August 23, 2023.

¹⁴ <https://www.gmanetwork.com/news/topstories/nation/892975/ched-halts-shs-programs-in-sucs-lucs/story/>, January 3, 2024.

¹⁵ <https://www.pna.gov.ph/articles/1216571>, January 8, 2024.