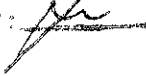


FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

10 JUL 26 P2 58

RECEIVED BY: 

SENATE

S.B. No. 2025

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 still far from the ideal ratio of 1:30, 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, Former President Gloria Arroyo has repeatedly promoted her "education for all" program and despite of the yearly increases in the budget of the education sector, the impact of public school enrolment on basic schooling resources is immense amounting to as much as P11.30 Billion worth of government expenditures and investments for this year only.

Note that out of the P11.30 Billion funding requirements to eliminate backlog in the education system, almost 40% or an amount equivalent to P4.61 Billion will go to classroom gap alone - under a double-shift scenario at 1:50 per shift. The said amount will just be enough to cover the artificial shortage of roughly 6,000 classrooms.

As per DepEd records, the total nationwide classroom shortage is 41,197 - at current prices, the government will be in need of at least P16 Billion of additional funding to be able to crack the classroom shortage.

Furthermore, DepEd 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**

FIFTEENTH CONGRESS OF THE )  
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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 in the Senate and House of Representatives of the Philippines in the Congress assembled:*

1        **SECTION 1. *Short Title.*** - This Act shall be known as the "***School Building***  
2 ***Program Act of 2010.***"

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

7        (a) To provide a system for an accurate inventory of all existing public primary and  
8        secondary school buildings, with proper indications as to its location, size,  
9        capacity, condition, and compliance with basic building safety requirements;

10       (b) To provide appropriate studies for determining the yearly school building  
11       requirements base on projected increases in enrollment and other appropriate  
12       indicators;

13       (c) To provide for the effective monitoring and supervision of all school building  
14       facilities with respect to its proper and adequate maintenance, replacement,  
15       rehabilitation and repair;

16       (d) To provide a comprehensive plan for the acquisition and/or construction and  
17       adequate school sites, buildings and facilities for all public elementary and

1 secondary schools nationwide, with the aim of reducing the classroom-students  
2 ratio to an ideal proportion within a period of five (5) years upon approval of  
3 this Act;

4 (e) To provide the mechanism for the selection of public schools to prioritize in the  
5 school-building projects nationwide;

6 (f) To provide a specific time schedule for the construction of school buildings  
7 which shall be strictly followed so as to prevent unnecessary delays and  
8 backlogs;

9 (g) To provide for necessary mechanisms which will facilitate a closer coordination  
10 between the Department of Budget and Management (DBM), Department of  
11 Public Works and Highways (DPWH), Department of Interior and Local  
12 Government (DILG), and Department of Education (DepEd) to expedite the  
13 implementation of the Program;

14 (h) To formulate guidelines for the bidding procedures that will be used for the  
15 school building program including that of the contractual arrangement schemes;  
16 and

17 (i) To provide for a definite work and financial schedule for the construction,  
18 operation and maintenance of school buildings under any of the contractual  
19 arrangement schemes.  
20

21 **SEC. 3. *Inter-Agency Committee.*** - To formulate and ensure the effective  
22 implementation of the program, there is hereby created an interagency committee, to be  
23 headed by the Secretary of the Department of Education (DepEd) as Chairperson, and the  
24 respective Secretaries of the Department of Public Works and Highways (DPWH),  
25 Department of Budget and Management (DBM), and the Department of Interior and Local  
26 Government (DILG), as members. The committee shall within one (1) year from the  
27 approval of this Act, submit to the Committee on Education of both houses of Congress  
28 and every year thereafter, the comprehensive school/building program herein established.  
29

30 **SEC. 4. *Implementation of the Program.*** - Consistent with the provisions of  
31 Republic Act No. 7880, otherwise known as the "Fair and Equitable Access to Education  
32 Act," the committee shall determine and supervise the acquisition and/or construction of  
33 priority school building projects to be implemented by the DepEd as provided in the  
34 Program. The DepEd is hereby authorized to enter into contracts with duly pre-qualified  
35 private contractors for the design, financing, construction, maintenance and other aspects

1 of school buildings through the build-operate and transfer, build and transfer, build-lease  
2 and transfer, rehabilitate-operate and transfer and such other contractual arrangement  
3 schemes as provided under the Build - Operate and Transfer Law (Republic Act No.  
4 6957).

5 **SEC. 5. Release of Maintenance and Other Operating Expenditures.** - For the  
6 purpose of ensuring compliance of such contractual arrangement as may hereinafter be  
7 entered, the appropriation of DepEd for the School Building Program and for Maintenance  
8 and other Operating Expenditures shall be directly released to DepEd according to the  
9 work and financial schedule stipulated in the program.

10  
11 **SEC. 6. Appropriation.** - The amount necessary to attain the objectives of this Act  
12 shall be authorized to be appropriated out of the unallocated share of the national  
13 government in the income of the Philippine Amusement Gaming Corporation (PAGCOR),  
14 for a period of five (5) years. If the above amount be deemed inadequate, such amount as  
15 may be necessary to augment said annual appropriations shall be included in the General  
16 Appropriations Act.

17  
18 **SEC. 7. Separability Clause.** - If any provision in this Act is declared  
19 unconstitutional, the same shall not affect the validity and effectivity of the other  
20 provisions hereof.

21  
22 **SEC. 8. Repealing Clause.** - All laws, decrees, orders, rules and regulations and all  
23 other issuances of parts thereof, which are inconsistent with this Act are hereby repealed or  
24 modified accordingly.

25  
26 **SEC. 9. Effectivity Clause.** -This Act shall take effect upon its approval.

27  
28 **Approved,**