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SENATE
P.S.R. No. **887**

RECEIVED BY

Introduced by Senator Lacson

RESOLUTION

DIRECTING THE COMMITTEE ON EDUCATION, ARTS AND CULTURE TO INQUIRE, IN AID OF LEGISLATION, INTO THE REPORTED PLANS OF THE DEPARTMENT OF EDUCATION (DepEd) AND THE COMMISSION ON HIGHER EDUCATION (CHED) TO EVALUATE TEXTBOOKS BEING USED AND INTENDED TO BE USED BY PRIVATE SCHOOLS, WITH THE END IN VIEW OF DETERMINING ITS PROPRIETY AND LEGALITY IN LIGHT OF THE PROVISIONS OF REPUBLIC ACT NO. 8047, OTHERWISE KNOWN AS THE "BOOK PUBLISHING INDUSTRY DEVELOPMENT ACT" AND PROVIDE REMEDIAL LEGISLATIONS THAT WILL BRING ABOUT QUALITY TEXTBOOKS TO PUBLIC AND PRIVATE SCHOOLS

WHEREAS, in order to ensure that students in the country will only be using quality textbooks, Commission on Higher Education (CHED) Chair, Dr. Emmanuel Angeles proposed that all books used by elementary and high school students should be evaluated by college professors;

WHEREAS, in view of said proposal, Education Secretary Jesli Lapus said that the Department of Education (DepEd) would conduct a study on textbooks being used in private schools;

WHEREAS, according to the Secretary, DepEd would coordinate with the Fund Assistance for Private Education (FAPE) for content evaluation of textbooks used in private schools. He further stated that said study would also look into the textbook procurement systems and check if private institutions are doing content evaluation;

WHEREAS, this was proposed after a recent decision of the DepEd to ban two books being used in private schools because of various errors;

WHEREAS, on February 3, 2009 the private sector presented a position paper stating that any intended move to provide stricter measures in evaluating content of textbooks should first view the historical perspectives and ascertain the factors which could have brought about the present concern;

WHEREAS, during the last Congress, the Senate investigated the existence of a cartel of publishers who for years cornered the bulk of contracts for textbooks under the World Bank Social Expenditure Management Project despite the fact that their books contain numerous errors;

WHEREAS, with respect to the practicability and legality of the move by government agencies like CHED and DepEd to evaluate materials for private

schools, the private sector argued that bureaucratic intervention in the form of evaluation only served as a breeding ground for corruption aside from bringing an increase in prices brought about by the costly evaluation fees;

WHEREAS, in response to this situation, Republic Act No. 8047 was precisely passed by Congress to eradicate these anomalous considerations among others;

WHEREAS, it should be remembered that because of various negative considerations effecting the book publishing industry, the Book Publishing Industry Development Act or RA 8047 was passed on June 7, 1995 to bring about quality, affordable, accessible books including textbooks for the public and private schools through the active participation of the private sector and that the decision-making process would be done at the school or lowest level;

WHEREAS, Sections 10 and 11 of RA 8047 provide the entire procedural guidelines in the preparation, evaluation and procurement of textbooks for the public schools;

WHEREAS, a perusal of the provisions of the law, however, does not indicate that neither the DepEd nor the CHED was given the power or authority to intervene in the evaluation of textbooks for the private schools;

WHEREAS, the private sector has lobbied for decades for the passage of the law to bring about affordable quality and accessible materials, not only for the public schools but for the private schools as well, under a democratized setting with the active participation of the private sector but the same was not given a chance to be implemented (for the past fourteen years now by the government agencies concerned) alleging the contrary provisions of the World Bank loan arrangement and the non-intervention policy;

WHEREAS, for the supply of textbooks to the private schools, the private sector has proposed regulatory and legislative measures that would eradicate cutthroat competition in order to provide an environment where competition would be on the merits and not on other considerations, but the government has adopted a hands off policy ;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED by the Senate to direct the Committee on Education, Arts and Culture to inquire in aid of legislation into the reported plans of DepEd and CHED to evaluate textbooks being used and intended to be used by private schools, with the end in view of determining its legal foundation and at the same time providing remedial legislation that will further strengthen Republic Act No. 8047, which hopefully will result in better textbooks for our children, whether they are in private or public schools.

Adopted,


PANFILO M. LACSON
Senator