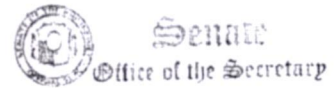


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



SENATE  
S. No. 212

'19 JUL -2 P 6:13

RECEIVED BY \_\_\_\_\_

Introduced by Senator Francis "Tol" N. Tolentino

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**AN ACT  
PROVIDING FOR A MANDATORY BASIC MILITARY AND POLICE TRAINING  
PROGRAM IN ALL SENIOR HIGH SCHOOL LEVELS IN PUBLIC AND PRIVATE  
EDUCATIONAL INSTITUTIONS**

EXPLANATORY NOTE

"The preservation of the State is the obligation of every citizen..." -  
Commonwealth Act No. 1, Sec. 2(a), The National Defense Act.

Article II on the Declaration of Principles and State Policies of the 1987  
Constitution of the Philippines provides:

"Sec. 4. The prime duty of the government is to serve and protect  
the people. The government may call upon the people to defend the  
State and, in the fulfillment thereof, all citizens may be required, under  
conditions provided by law, to render personal, military or civil service.

Sec. 13. The State recognizes the vital role of the youth in nation-  
building and shall promote and protect their physical, moral, spiritual,  
intellectual, and social well-being. It shall inculcate in the youth  
patriotism and nationalism, and encourage their involvement in public  
and civic affairs."

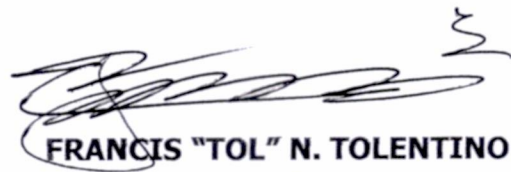
In addition, on the responsibility of all educational institutions, Article XIV, Section 3(2) provides:

"They are mandated to inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency."

This bill, therefore, seeks to include in the senior high school curricula subjects that will introduce the students to basic military and police training program to increase their awareness of the country's need for human resources in times of war, calamities and disasters, national or local emergencies, and in support to the Government's law enforcement strategy against crimes and other civic obligations.

The proposed bill provides safeguards for the protection of the Grades 11 and 12 students against abuses such as bribery, corruption, graft, hazing, sexual harassment, and other abuses that had become the concern of the public in the past. With this proposed measure, the youth, the hope of the mother land, will rekindle in their hearts their love of country and fellow citizens, nationalism and patriotism, and will once again find its mark in the annals of history.

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

  
**FRANCIS "TOL" N. TOLENTINO**  
Senator

**SENATE**  
**S. No. 212**

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**AN ACT**  
**PROVIDING FOR A MANDATORY BASIC MILITARY AND POLICE TRAINING**  
**PROGRAM IN ALL SENIOR HIGH SCHOOL LEVELS IN PUBLIC AND PRIVATE**  
**EDUCATIONAL INSTITUTIONS**

*Be it enacted by the Senate and House of Representatives of the Philippines in*  
*Congress assembled:*

1           Section 1. *Short Title.* – This Act shall be known as the "Basic Military and Police  
2 Training in Senior High School Act."

3           Sec. 2. *Declaration of Policy.* – It is the policy of the State to recognize the role  
4 of the youth in nation-building and to promote and protect their physical, intellectual  
5 and social well-being. It shall inculcate in the youth patriotism and nationalism,  
6 develop their moral character and personal discipline, and encourage their  
7 involvement in public and civil affairs.

8           Towards this end, the State shall include in the senior high school curriculum  
9 subjects that will introduce the students to basic military and police training and will  
10 increase their awareness to the country's need for human resources in times of war,  
11 calamities and disasters, and national or local emergencies. This also supports the  
12 Government's law enforcement strategy against crimes and other civic obligations.

13           Sec. 3. *Definition of Terms.*

- 1           *a. Appeals Board* – refers to the appellate body that has jurisdiction to hear  
2           appeals on the findings and recommendations of any local investigating  
3           body.
- 4           *b. Basic Military Training Program* – refers to the training program under the  
5           command of the Armed Forces of the Philippines (AFP) which shall include,  
6           but not limited to, basic military science subject, basic training on relief and  
7           rescue operation during disaster or calamities; and basic training in the  
8           operation and maintenance of essential government or private utilities in  
9           the furtherance of overall mission.
- 10          *c. Basic Police Training Program* – refers to the training program under the  
11          command of the Philippine National Police (PNP) which shall include, but  
12          not limited to, basic trainings on law enforcement, disaster preparedness,  
13          traffic management, rule of law, and civil rights.
- 14          *d. Clustered Training Unit* – refers to two or more educational institutions that  
15          are strategically grouped together for the purpose of holding Basic Military  
16          and Police Training classes in one location.
- 17          *e. Investigative Body* – refers to an independent body that is tasked to  
18          investigate any complaint or allegation of abuse, violence or corruption in  
19          any clustered training unit or any educational institution implementing the  
20          Basic Military and Police Training.
- 21          *f. Private Educational Institutions* – refer to educational institutions  
22          maintained and administered by private individuals or groups.
- 23          *g. Public Educational Institutions* – refer to educational institutions that are  
24          established and administered by the government.

25          Sec. 4. *Coverage.* – The conduct of basic military and police training shall apply  
26          to all students in Grades 11 and 12 in all senior high schools in public and private  
27          educational institutions.

28          Sec. 5. *Establishment of the Basic Military and Police Training Program in all*  
29          *Public and Private Educational Institutions.* – The Department of Education (DepEd),  
30          in coordination with the Department of National Defense (DND) and the Department  
31          of the Interior and Local Government (DILG), shall establish a mandatory two (2)-year  
32          Basic Military and Police Training Program for students enrolled in Grades 11 and 12

1 which shall form part of the basic curriculum for the Senior High Education in any  
2 public and private educational institutions. Students who fail to undergo the  
3 mandatory Basic Military and Police Training Program in accordance with this Act shall  
4 not be qualified for graduation.

5 Grades 11 and 12 students undergoing the Basic Military and Police Training  
6 Program shall not be subject to military or PNP law and shall be recognized as civilians  
7 in law.

8 *Sec. 6. Purposes and Objectives.* – The Basic Military and Police Training  
9 Program instituted as part of the curricula shall be administered in accordance with  
10 the following purposes and objectives:

- 11 a. To enhance the students' consciousness in the ethics of service, patriotism  
12 and nationalism, respect for human rights, appreciation of the role of  
13 national heroes in the historical development of the country, strengthen  
14 ethical and spiritual values, develop personal discipline and leadership and  
15 to encourage creative thinking for scientific and technological development;
- 16 b. To motivate students to undergo further training in national defense  
17 preparedness or civil-military operations;
- 18 c. To encourage students to be active participants and volunteers for the  
19 development and improvement of health, education, ecology and  
20 environmental protection, human and civil-rights awareness, and law  
21 enforcement;
- 22 d. To prepare the students during actual disaster response operations on  
23 needs assessment, improved skills for search, rescue and relief operations,  
24 and early recovery activities; and
- 25 e. To integrate capacity-building activities revolving around risk-related  
26 situations in order for students to be proactive in lessening the socio-  
27 economic and environmental impacts of disasters including climate change.  
28 These capacity building activities will help build understanding and skills  
29 with the end of applying disaster risk reduction and management principles,  
30 concepts, and concrete action steps towards building their resilience.

31 *Sec. 7. Program of Instruction.* – Guided by the purposes and objectives of this  
32 Act, the DepEd, DND and DILG, in consultation with other relevant government

1 agencies and private stakeholders as the Secretary of Education may determine, shall  
2 design and formulate the Program of Instruction on the Basic Military and Police  
3 Training Program in Grades 11 and 12.

4 *Sec. 8. Schools' Compliance as Zone of Peace.* – Pursuant to Republic Act No.  
5 11188, otherwise known as the "*Special Protection of Children in Situations of Armed*  
6 *Conflict Act,*" every educational institution implementing the Basic Military and Police  
7 Training Program under this Act shall comply with the declaration and guidelines that  
8 are provided for under the said law to maintain the neutrality of the schools as zones  
9 of peace.

10 *Sec. 9. Students Exempted from this Act.* – The following may be exempted  
11 from the coverage of this Act:

12 *a.* Those who are physically or psychologically unfit, as certified by the AFP or  
13 PNP medical officer, in pursuance to the recommendation of the educational  
14 institutions where the concerned student is enrolled.

15 *b.* Those who were chosen by their school to serve as varsity players in sports  
16 competitions.

17 *c.* Those who may be exempted from training for valid reasons as approved  
18 by the DND or DILG, upon recommendation by any educational institution.

19 *Sec. 10. Organization, Operation and Maintenance of Basic Military and Police*  
20 *Training Units.* – The Secretary of National Defense and the Secretary of the Interior  
21 and Local Government, in consultation with the Secretary of Education, shall prescribe  
22 the organization and operational manual of the training units in public and private  
23 educational institutions for Grades 11 and 12. Such educational institutions shall be  
24 required to provide an adequate office for the DND and DILG administrative staff  
25 assigned thereat.

26 The AFP and the PNP shall create an office dedicated to the supervision and  
27 administration of the Basic Military and Police Training program within the Reserve  
28 Commands of the AFP and the PNP in coordination with the DepEd.

29 *Sec. 11. Acceptance for Advance Military Training* – Students who volunteer for  
30 Advance Military Training program in universities, colleges, vocation schools and other  
31 tertiary institutions shall be governed by Section 40 of Republic Act No. 7077 or the  
32 Citizen Armed Forces of the Philippines Reservist Act. The provisions of Section 42 and

1 43 of R.A. No. 7077 in terms of training, uniforms and supplies, and the scholarship  
2 incentive shall remain effective and applicable for those accepted in the Advance  
3 Military Training course. It shall be mandatory for all public and private universities,  
4 college and similar learning institutions to offer and provide a training school for the  
5 Advance Military Training program which shall have a duration in accordance with the  
6 curriculum prescribed by the DND and the Commission on Higher Education (CHED).

7 The Secretary of National Defense, in coordination with CHED, shall prescribe  
8 the curriculum for Advance Military Training and the program of instruction in  
9 pursuance to the applicable provisions of R.A. No. 7077.

10 Graduates of Advance Military Training shall be eligible for enlistment in the  
11 AFP or shall be given priority for lateral entry in other armed and law enforcement  
12 services of the government.

13 *Sec. 12. Incentives for Undergoing Military and Police Training Program. –*

14 a. Subject to other requirements prescribed by the rules and regulations,  
15 graduates of Basic Military Training shall be eligible for enlistment in the  
16 AFP, PNP, Philippine Coast Guard (PCG), Bureau of Jail Management and  
17 Penology (BJMP), and Bureau of Fire Protection (BFP) unless a waiver is  
18 issued by the Department Secretaries of the aforementioned military and  
19 civilian organizations.

20 b. Students undergoing Basic Military and Police Training and those accepted  
21 in the Advance Military Training Course shall be provided free hospitalization  
22 in any government hospital in case of accident or injury during the training.  
23 Mandatory insurance for students undergoing Military and Police Training  
24 shall be provided by the school where the students are enrolled.

25 c. Students undergoing Basic Military and Police Training and Advance Military  
26 Training shall be given access and privileges with any AFP Commissary and  
27 PX Stores nationwide. The Chief of Staff, AFP shall issue the necessary  
28 regulations for the implementation of this privilege.

29 d. Graduates of Basic Military and Police Training program who have  
30 completed a four (4) year baccalaureate degree shall be considered as First  
31 Level Civil Service Eligible, whereas graduate of Advance Military Training

1 Program, who have finished a four (4) baccalaureate degree shall be  
2 considered a Second Level Civil Service Eligible in the Civil Service.

3 Sec. 13. *Prohibited Acts.* – The following acts shall be prohibited:

- 4 a. Hazing as defined and penalized under R.A. 8049, as amended by R.A.  
5 11053;
- 6 b. Physical, sexual or psychological abuse, emotional maltreatment, or any  
7 act by deed which tends to degrade or demean the dignity of a  
8 child/student as provided under R.A. 7610, otherwise known as the  
9 “Special Protection of Children Against Abuse, Exploitation and  
10 Discrimination Act;”
- 11 c. Physical, humiliating or degrading punishments or penalties by a  
12 teacher, school administrator, an adult, or any other child who has been  
13 given or has assumed authority or responsibility for punishment or  
14 discipline for an alleged or actual offense for the purpose of discipline,  
15 training or control except for mild to moderate physical exercise such as  
16 push-ups, sit-ups and running within the medically recommended limit  
17 for the concerned age group as provided under DepEd Order No. 40,  
18 Series of 2012 on Child Protection Policy;
- 19 d. Bribery as penalized under the Revised Penal Code, by directly or  
20 indirectly accepting, any gift, in cash or in kind, from any student, or  
21 from any parent/guardian of the student in relation to or pertinent with  
22 the conduct of the Basic Military and Police Training Program;
- 23 e. Corruption of public officials as penalized under the Revised Penal Code,  
24 by offering any gift in relation to or pertinent with the conduct of the  
25 Basic Military and Police Training Program;
- 26 f. Graft and corrupt practices contemplated under R.A. 3019, otherwise  
27 known as the “Graft and Corrupt Practices Act.”

28 Sec. 14. *Establishment of Investigative Body.* –

- 29 a. An Investigative Body shall be organized from a cluster of educational  
30 institutions that shall receive complaints and/or motu proprio conduct  
31 investigations on any complaint or allegation of abuse, violence or



1 corruption in any educational institution implementing the Basic Military  
2 and Police Training Program;

- 3 b. Every Investigative Body shall be composed of three members, to be  
4 chosen by the Secretary of National Defense, the Secretary of the  
5 Interior and Local Government and the Secretary of Education: one (1)  
6 District Commandant from the DND, one (1) District Commandant from  
7 the DILG, and one (1) District Schools Supervisor from the DepEd;
- 8 c. The DepEd, the DND, and the DILG shall formulate the manner by which  
9 the educational institutions implementing the Basic Military and Police  
10 Training Program shall be clustered for the efficient resolution of  
11 grievances;
- 12 d. The Investigative Body shall function as an independent fact-finding  
13 body, which shall formulate the recommendation to the proper  
14 disciplinary authority that has jurisdiction over the respondent,  
15 depending on whether he/she belongs to the military or the police for  
16 which purpose, the Articles of War or the PNP Law, as the case may be,  
17 shall be employed. In case of school officials and/or employees of public  
18 and private educational institutions, the provisions of R.A. 6713 or the  
19 "Code of Conduct of Public Officers and Employees" and other relevant  
20 laws on the matter shall be applied. This is without prejudice to  
21 administrative cases that may be filed pursuant to the Civil service rules  
22 for public officers and employees involved in the complaint;
- 23 e. Nothing herein shall prevent any person from filing directly with the  
24 regular courts any incident of violation of Republic Act 11053 or the Anti-  
25 hazing Act of 2018.

26 Sec. 15. *Powers and Duties of the Investigative Body.* – Every Investigative  
27 Body shall have the following powers and duties:

- 28 a. Encourage the reporting of any incident of hazing, violence abuse and  
29 corruption in every clustered training unit;
- 30 b. *Motu Proprio* or upon a complaint filed by any person, investigate, any  
31 act of hazing, violence, abuse and corruption in the clustered training  
32 unit;

- 1 c. Issue preventive suspension orders against officers of the Basic Military  
2 and Police Training Program or any school employee involved in the  
3 training within three (3) days: (i) upon receipt of the complaint, or (ii)  
4 after initiation of the *motu proprio* investigation, to preclude him from  
5 exerting undue influence over the complaint and impede the normal  
6 course of the investigation;
- 7 d. Recommend the appropriate action for any offense committed in the  
8 clustered training unit to the proper disciplinary authority which has  
9 jurisdiction over the respondent within fifteen (15) days (i) upon receipt  
10 of the complaint, or (ii) after initiation of the *motu proprio* investigation;
- 11 e. Monitor all complaints filed with the Body and maintain an updated  
12 record of the status of each case;
- 13 f. Provide the parties of the complaint its findings and recommendations  
14 within thirty (30) days upon receipt thereof;
- 15 g. Promulgate rules and regulations necessary to carry out its objectives,  
16 functions and disciplinary procedures; and
- 17 h. Performs such other functions as may be provided by law.

18 Sec. 16. *Appeals Board.* – There is hereby established an Appeal Board (AB)  
19 composed of the Secretary of National Defense or his permanent authorized  
20 representative, the Secretary of the Interior and Local Government or his permanent  
21 authorized representative, the Secretary of Education or his permanent authorized  
22 representative, and the Secretary of Justice or his permanent authorized  
23 representative.

24 The AB shall receive appeals on petitions for review from the  
25 findings/recommendation of any of the Investigative Bodies. It shall render its decision  
26 or resolution within fifteen (15) days from the time the petition was received. Any  
27 resolution of the AB shall be final.

28 Sec. 17. *Training Instructors' Capacity Development and Enhancement*  
29 *Program.* – There is hereby created and established a training program for training  
30 instructors, to ensure that they meet the highest physical and moral standards to  
31 teach and carry out the Basic Military and Police Training Program. The Instructors'

1 Program shall be developed and administered under the guidance and tutelage of the  
2 DND, the DILG, and the DepEd.

3 A comprehensive training manual shall be developed for the conduct of these  
4 trainings, incorporating among other things, gender-appropriate and child-sensitive  
5 awareness, familiarity with relevant laws on the Special Protection of Children, other  
6 domestic laws and international obligations necessary and appropriate to guaranty the  
7 integrity and the highest standard of moral scruple for the implementers' of the Basic  
8 Military and Police Training Program.

9 *Sec. 18. Initial Implementation of the Program.* – In order to manage the initial  
10 implementation of the Basic Military and Police Training Program in the senior high  
11 school, the DND, the DILG, and the DepEd shall, within six (6) months from the  
12 effectivity of this Act, design, institute and implement a Pilot Program.

13 The DND, the DILG, and the DepEd shall jointly submit an annual review and  
14 evaluation report to Congress on the Implementation of the Pilot Program. Upon  
15 review and approval by Congress, the framework utilized under the Pilot Program shall  
16 become the standard for the full national implementation of the Basic Military and  
17 Police Training Program.

18 *Sec. 19. Mandatory Evaluation and Review.* – The DND, the DILG, and the  
19 DepEd shall jointly conduct an annual review and submit a report to Congress on the  
20 status of the implementation of the Basic Military and Police Training Program one  
21 year after its full implementation.

22 *Sec. 20. Penal Provisions.* – Any person who shall violate any provision of this  
23 Act shall be punished with imprisonment from one (1) to five (5) years. Any person  
24 who shall commit any act already penalized under existing laws and particularly  
25 described in Section 11 of this Act such as bribery, corruption of public officials, graft,  
26 hazing, sexual harassment, and other abuses shall be prosecuted and subject to  
27 penalties in accordance with the applicable laws.

28 In case that bribery, corruption of public officials, graft, hazing, sexual  
29 harassment, and other abuses as particularly described in Section 11 of this Act is  
30 committed by persons authorized to administer the Basic Military and Police Training  
31 Program or by school officials or employees of public or government educational

1 institutions directly involved in the implementation of the program, the maximum  
2 penalty provided under existing laws shall be imposed.

3       Sec. 21. *Funding.* – The funding requirement to implement the establishment,  
4 maintenance and operations of the Military and Police Training Program shall be  
5 included in the budget of the implementing agencies/departments in the annual  
6 General Appropriations Act.

7       Sec. 22. *Internal Rules and Regulations.* – Within sixty (60) days from the  
8 effectivity of this Act, the Department of Education shall promulgate rules and  
9 regulations necessary to ensure the effective implementation of this Act. Such rules  
10 and regulations shall take effect upon their publication in at least one (1) newspaper  
11 of general circulation.

12       Sec. 23. *Separability Clause.* - If any provision of this Act is held invalid or  
13 unconstitutional, the other provisions not so declared shall remain in force and effect.

14       Sec. 24. *Repealing Clause.* – All other laws, executive orders, presidential  
15 decrees, rules and regulations inconsistent with any provisions of this Act are hereby  
16 repealed, amended or modified accordingly.

17       Sec. 25. *Effectivity.* – This Act shall take effect after fifteen (15) days following  
18 its complete publication in the Official Gazette or in at least one (1) newspaper of  
19 general circulation.

Approved,