



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

23 JUL 26 P6 :22

S E N A T E

RECEIVED BY:

COMMITTEE REPORT NO. 98

Submitted by the Committees on Basic Education; Higher, Technical and Vocational Education; Ways and Means; and Finance on JUL 26 2023.

Re: Senate Bill No. 2367

Recommending its approval in substitution of Senate Bill No. 2022.

Sponsor: Senator Win Gatchalian

MR. PRESIDENT:

The Committees on Basic Education; Higher, Technical and Vocational Education; Ways and Means; and Finance, to which were referred **Senate Bill No. 2022**, introduced by Senators Win Gatchalian, Cynthia A. Villar, Ramon Bong Revilla, Jr., Joel Villanueva, and Loren Legarda, entitled:

"AN ACT

ENSURING THAT SENIOR HIGH SCHOOL GRADUATES UNDER THE K TO 12 PROGRAM ARE EQUIPPED WITH THE KNOWLEDGE, TRAINING AND SKILLS DEMANDED IN THE LABOR MARKET, ENHANCING THEIR EMPLOYABILITY AND COMPETITIVENESS, CREATING THE BATANG MAGALING COUNCILS TO STRENGTHEN MULTI-STAKEHOLDER COLLABORATION AND SUPPORT FOR THEIR EMPLOYMENT, ALLOWING FULL DEDUCTION OF TRAINING EXPENSES

INCURRED FOR THEIR SKILLS DEVELOPMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES”

have considered the same and have the honor to report it back to the Senate with the recommendation that the attached **Senate Bill No. 2367**, prepared by the Committees, entitled:

“AN ACT

ENSURING THAT SENIOR HIGH SCHOOL GRADUATES UNDER THE K TO 12 PROGRAM ARE EQUIPPED WITH THE KNOWLEDGE, TRAINING AND SKILLS DEMANDED IN THE LABOR MARKET, ENHANCING THEIR EMPLOYABILITY AND COMPETITIVENESS, CREATING THE BATANG MAGALING COUNCILS TO STRENGTHEN MULTI-STAKEHOLDER COLLABORATION AND SUPPORT FOR THEIR EMPLOYMENT, ALLOWING DEDUCTION OF TRAINING EXPENSES INCURRED FOR THEIR SKILLS DEVELOPMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES”

be approved in substitution of Senate Bill No. 2022, with Senators Gatchalian, Villar (C.), Revilla, Villanueva, Legarda, Escudero, and Angara as authors thereof.

Respectfully submitted:

Chairpersons



SEN. WIN GATCHALIAN

*Committees on Basic Education; and Ways and Means
Vice Chairperson, Committees on Higher, Technical and Vocational Education; and Finance*

SEN. SONNY ANGARA

*Committee on Finance
Vice Chairperson, Committee on Ways and Means
Member, Committee on Basic Education*

SEN. FRANCIS G. ESCUDERO

*Committee on Higher, Technical and Vocational Education
Vice Chairperson, Committee on Basic Education
Member, Committees on Ways and Means; and Finance*

Senior Vice Chairpersons

SEN. IMEE R. MARCOS

*Committee on Finance
Member, Committees on Basic Education; Higher, Technical and Vocational Education; and Ways and Means*

SEN. PIA S. CAYETANO

*Committee on Finance
Member, Committees on Basic Education; Higher, Technical and Vocational Education; and Ways and Means*

Vice Chairpersons

SEN. CYNTHIA A. VILLAR

*Committee on Finance
Member, Committee on Higher, Technical and Vocational Education*

SEN. JOSEPH VICTOR G. EJERCITO

*Committees on Higher, Technical and Vocational Education; and Finance
Member, Committees on Basic Education; and Ways and Means*

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Committees on Basic Education; and Ways and Means

Vice Chairperson, Committees on Higher, Technical and Vocational Education; and Finance



SEN. SONNY ANGARA

Committee on Finance

Vice Chairperson, Committee on Ways and Means

Member, Committee on Basic Education



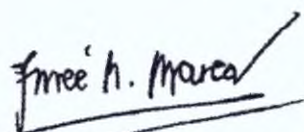
SEN. FRANCIS G. ESCUDERO

Committee on Higher, Technical and Vocational Education

Vice Chairperson, Committee on Basic Education

Member, Committees on Ways and Means; and Finance

Senior Vice Chairpersons



SEN. IMEE R. MARCOS

Committee on Finance

Member, Committees on Basic Education; Higher, Technical and Vocational Education; and Ways and Means

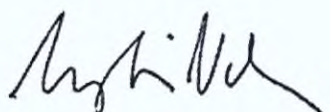


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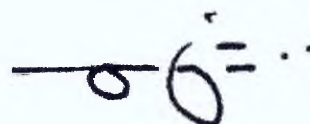
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Member, Committee on Higher, Technical and Vocational Education



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Committees on Higher, Technical and Vocational Education; and Finance

Member, Committees on Basic Education; and Ways and Means

SEN. CHRISTOPHER "BONG" GO
Committee on Finance
Member, Committees on Basic Education;
and Ways and Means

SEN. RONALD "BATO" DELA ROSA
Committee on Finance
Member, Committees on Basic Education;
Higher, Technical and Vocational Education;
and Ways and Means

SEN. MARIA LOURDES NANCY S. BINAY
Committee on Finance
Member, Committees on Basic Education;
and Higher, Technical and Vocational
Education; and Ways and Means

SEN. RISA HONTIVEROS
Committee on Finance
Member, Committees on Basic Education;
Higher, Technical and Vocational Education;
and Ways and Means

stay interpellate }
propose amendments.

SEN. FRANCIS "TOL" N. TOLENTINO
Committee on Finance
Member, Committees on Basic Education;
and Ways and Means

SEN. GRACE POE
Committee on Finance
Member, Committees on Basic Education;
Higher, Technical and Vocational Education;
and Ways and Means

SEN. MARK VILLAR

Committee on Finance
Member, Committees on Basic Education; Higher, Technical and Vocational Education;
and Ways and Means



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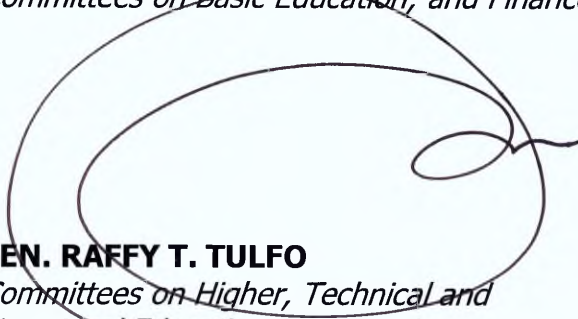
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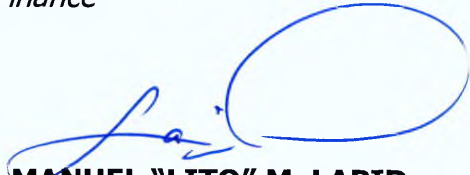
SEN. MARK VILLAR
Committee on Finance
Member, Committees on Basic Education; Higher, Technical and Vocational Education;
and Ways and Means

Members

SEN. ROBINHOOD C. PADILLA
Committees on Basic Education; and Finance



SEN. RAFFY T. TULFO
Committees on Higher, Technical and Vocational Education; Ways and Means; and Finance



SEN. MANUEL "LITO" M. LAPID
Committees on Ways and Means; and Finance



SEN. JINGGOY EJERCITO ESTRADA
Committees on Basic Education; Higher, Technical and Vocational Education; and Finance

SEN. ALAN PETER "COMPAÑERO" S. CAYETANO
Committees on Higher, Technical and Vocational Education; and Finance

SEN. RAMON BONG REVILLA, JR.
Committees on Higher, Technical and Vocational Education; and Finance

Ex Officio Members



SEN. LOREN LEGARDA
President Pro Tempore
Senior Vice Chairperson, Committee on Finance

SEN. JOEL VILLANUEVA
Majority Leader

with interpellate
A. Pimentel III
SEN. AQUILINO "KOKO" PIMENTEL III
Minority Leader

HON. JUAN MIGUEL F. ZUBIRI
Senate President

Members

SEN. ROBINHOOD C. PADILLA

Committees on Basic Education; and Finance

SEN. JINGGOY EJERCITO ESTRADA

Committees on Basic Education; Higher, Technical and Vocational Education; and Finance

SEN. RAFFY T. TULFO

Committees on Higher, Technical and Vocational Education; Ways and Means; and Finance

SEN. ALAN PETER "COMPAÑERO" S. CAYETANO

Committees on Higher, Technical and Vocational Education; and Finance

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Committees on Ways and Means; and Finance

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NINETEENTH CONGRESS OF THE)
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Second Regular Session)

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SENATE

S.B. No. 2367
(In substitution of S.B. No. 2022)

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Prepared by the Committee on Basic Education joint with the Committees on Higher, Technical and Vocational Education; Ways and Means; and Finance, with Senators Gatchalian, Villar (C.), Revilla, Villanueva, Legarda, Escudero, and Angara as authors thereof.

AN ACT

ENSURING THAT SENIOR HIGH SCHOOL GRADUATES UNDER THE K TO 12 PROGRAM ARE EQUIPPED WITH THE KNOWLEDGE, TRAINING AND SKILLS DEMANDED IN THE LABOR MARKET, ENHANCING THEIR EMPLOYABILITY AND COMPETITIVENESS, CREATING THE BATANG MAGALING COUNCILS TO STRENGTHEN MULTI-STAKEHOLDER COLLABORATION AND SUPPORT FOR THEIR EMPLOYMENT, ALLOWING DEDUCTION OF TRAINING EXPENSES INCURRED FOR THEIR SKILLS DEVELOPMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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 “*Batang Magaling Act*”.

2

3 *Sec. 2. Declaration of Policy.* – It is the policy of the State to establish, maintain,
4 and support a complete, adequate, and integrated system of education relevant to
5 the needs of the people and society.

6 This Act likewise reiterates a declared State policy that every graduate of basic
7 education shall be an empowered individual who has learned, through a program that
8 is rooted on sound educational principles and geared towards excellence, the
9 foundations for learning throughout life, the competence to engage in work and be
10 productive, the ability to coexist in fruitful harmony with local and global communities,
11 the capability to engage in autonomous, creative, and critical thinking, and the
12 capacity and willingness to transform others and one’s self.

1 Sec. 3. *Objective.* – This Act shall ensure that the Philippine basic education
2 system, as enhanced under Republic Act (R.A.) No. 10533 or the “Enhanced Basic
3 Education Act of 2013”, will produce Senior High School (SHS) graduates who are
4 equipped with knowledge, training and skills demanded in the labor market, whether
5 they have chosen the higher education, middle-level skills development, employment,
6 or entrepreneurship exit, thereby enhancing their employability and competitiveness
7 in the workforce.

8
9 Sec. 4. *Creation of the Batang Magaling National and Local Councils;
10 Strengthening Multi-Stakeholder Linkages and Collaboration; The Batang Magaling
11 Roadmap.* – To align the tracks and strands of the K to 12 Basic Education Curriculum
12 under R.A. No. 10533 with the needs of the labor market, a National Batang Magaling
13 Council (National Council) shall be created composed of the Department of Education
14 (DepEd), the Technical Education and Skills Development Authority (TESDA), the
15 Department of Labor and Employment (DOLE), three (3) national industry partners,
16 one (1) national labor group, and the Union of Local Authorities of the Philippines.

17 Local Batang Magaling Councils (Local Councils) shall likewise be formed at the
18 provincial, city and municipal levels to ensure that SHS graduates are equipped with
19 education, training and skills demanded by industry partners and government
20 agencies. The Local Councils shall be composed of the provincial, city or municipal
21 local school boards (LSBs), the Public Employment Service Office (PESO), at least two
22 (2) industry partners in the locality, a representative of the TESDA provincial office,
23 and a local employee organization or association.

24 Every education institution offering the SHS Program shall regularly consult with
25 the Local Council at least twice a year to be guided by the actions of the Council
26 especially the roadmap in paragraph e hereunder. The Council shall serve as a
27 mechanism for active collaboration and meaningful communication for the fulfillment
28 of the following purposes:

- 29 a. provision of information to the education institutions for the updating and
30 alignment of the curricular offerings and the work immersion component of

- 1 the SHS program with the market needs as identified by industry partners
2 and government agencies;
- 3 b. increase in the awareness and commitment of industry partners and
4 government agencies to accept learners in Work Immersion Programs
5 (WIPs), ensure that their deployment is done according to their tracks or
6 specialization courses, and enable them to acquire specialized skills and
7 competencies to advance in their chosen path;
- 8 c. enabling the LSBs to provide relevant data and information to the
9 stakeholders, increase their awareness of their mutual issues and concerns
10 on the employability of SHS graduates in the locality, discuss and analyze
11 the duties and risks involved in WIPs, and give local incentives to recognize
12 best practices on collaboration;
- 13 d. crafting of the WIPs of education institutions offering the SHS Program
14 within a province, city or municipality and ensuring that the curriculum is
15 aligned with industry needs, learners meet the minimum requirements of
16 the work immersion industry partners and government agencies, and
17 learners develop competencies and acquire skills that are industry-based to
18 improve their work readiness and employability; and
- 19 e. development of local Batang Magaling Roadmaps, to be evaluated and
20 updated every three years, at the provincial, city and municipal levels that
21 shall introduce interventions and set measurable goals on enhancing the
22 employability, competitiveness, and productivity of SHS graduates,
23 including but not limited to an increase or improvement in the following: the
24 number of industry partners and government agencies participating in the
25 WIPs; the number of SHS learners deployed under the WIPs according to
26 their tracks or specialization courses; and the rate of employment of SHS
27 graduates in jobs aligned to their skills. As such, the local roadmap shall
28 include the skills demanded by industry partners in the locality vis-à-vis the
29 needed knowledge, training and skills of SHS graduates to match the said
30 demand, using the labor market demand forecast under Sec. 6, and the
31 skills database under Sec. 7 hereof.

1 Taking into consideration the local roadmaps developed at the
2 provincial, city and municipal levels, the National Council shall craft a parallel
3 National Batang Magaling Roadmap to achieve the objective under Sec. 3
4 of this Act. The provincial Local Councils shall similarly craft their respective
5 Provincial Batang Magaling Roadmaps based on the Municipal and
6 Component Cities Batang Magaling Roadmaps, while the city Local Councils
7 shall base their respective City Batang Magaling Roadmaps on the WIPs
8 within the locality under their jurisdiction.
9

10 *Sec. 5. Work Immersion Programs.* – The WIPs that are mandated to be offered
11 by education institutions offering the SHS Program shall develop in learners the
12 competencies, skills, work ethic and values relevant to pursuing further education or
13 joining the world of work.

14 The WIP shall be based on the Batang Magaling Roadmap and designed to
15 match the needs of the learners and the capabilities of the education institutions vis-
16 à-vis the demands of the work immersion industry partners.

17 The Schools Division Office of the DepEd shall approve the WIP as proposed in
18 these provinces, cities or municipalities, in accordance with DepEd policies and
19 issuances, and with due compliance to legal and administrative prescriptions on the
20 number of hours and delivery models, among others.
21

22 *Sec. 6. Labor Market Demand Forecasting.* – To align the WIP with market
23 demand and ensure that the knowledge, training and skills of SHS graduates match
24 the in-demand and projected in-demand jobs of industry partners in the locality, the
25 Councils are hereby mandated to conduct labor market demand studies every three
26 (3) years, using quarterly local labor market data collected by the PESO.

27 The data derived from such demand forecast shall serve as basis for the work
28 immersion component of the SHS Program, the Batang Magaling Roadmaps, the WIPs,
29 the trainings to be conducted, the resources to be procured, and the skills to be
30 developed among the learners, among others. The demand forecast will also allow

1 education institutions to focus on employable skills as determined by medium- to long-
2 term labor market demand.

3
4 *Sec. 7. Batang Magaling Database; Centralized Skills Database in Collaboration*
5 *with DOLE.* – The DepEd, in collaboration with the DOLE, shall develop, maintain and
6 update a centralized nationwide database of skills information to serve as one-stop
7 shop for all matters related to the employment of SHS graduates.

8 The Batang Magaling Database shall help strengthen the education institutions’
9 linkages and collaboration with industry partners, facilitating the meeting of skills
10 demand within the province, city, municipality, and the country as a whole.

11 The Batang Magaling database shall register the demographic profile of
12 learners including, but not limited to, their educational background, track and strand
13 completed in SHS, training, skills, competencies, work immersion performance, course
14 taken after SHS, work experience and employment history. It shall also contain the
15 profiles, demands, and vacancies, among others, of industry partners.

16
17 *Sec. 8. Affirmative Hiring of SHS Graduates; Industry Partners; Civil Service*
18 *Commission.* – The DOLE, in coordination with the DepEd, shall conduct studies and
19 research for the crafting of strategies and guidelines to minimize the impediments to
20 SHS employment, and promote the affirmative hiring of SHS graduates.

21 The industry partners are enjoined to rethink and review their hiring policies
22 and job requirements to provide employment opportunities, such as entry-level
23 positions, to SHS graduates.

24 The Civil Service Commission (CSC) is hereby mandated to review the
25 qualification requirements for government employment and revise its policies to
26 integrate the qualifications of SHS graduates in the CSC qualification standards (QS)
27 to provide employment opportunities to SHS graduates. Such QS may include, among
28 others, education, experience, training, and eligibility.

29
30 *Sec. 9. Quality Assurance by the TESDA of the SHS Program of the DepEd;*
31 *National Competency Assessments; National Certificates.* – The DepEd shall comply

1 with the quality assurance framework set by the TESDA and ensure that the SHS
2 program offerings meet the necessary criteria for TESDA's Training Regulations
3 program registration.

4 The DepEd, in coordination with the TESDA, shall provide, free of charge, the
5 national competency assessments to DepEd SHS Program learners upon their
6 graduation. SHS graduates who pass such assessments shall be awarded the
7 appropriate National Certificates (NCs) which shall serve as formal recognition of their
8 skills and competencies in accordance with the standards set by the TESDA.

9

10 Sec. 10. *Joint Delivery Voucher Program for Senior High School Technical-*
11 *Vocational-Livelihood Specializations (JDVP-TVL).* – The JDVP-TVL, a program
12 designed by the DepEd to allow SHS learners enrolled in public schools to avail of
13 vouchers and take their desired TVL specializations in eligible partner institutions from
14 private SHSs, non-DepEd public SHSs, or TESDA-accredited private Technical
15 Vocational Institutes, shall be utilized to enable such learners to receive instruction
16 and training and complete their needed TVL skills and competencies.

17 The rules and regulations to be issued pursuant to Sec. 14 of this Act shall
18 prescribe the guidelines for the implementation of the JDVP-TVL in cases where the
19 specialization desired by the learner is not offered by the public education institution
20 where he or she is enrolled.

21

22 Sec. 11. *Deductible Training Expenses from Taxable Income; Additional Item*
23 *of Deduction.* – Industry partners that incur training expenses for the skills
24 development of SHS learners participating in the WIP shall be allowed the additional
25 item of deduction from their taxable income under Sec. 34 (A) (1) (a) (v) of R.A. No.
26 8424 or the National Internal Revenue Code of 1997, as amended by R.A. No. 11534
27 or "CREATE".

28 The Bureau of Internal Revenue (BIR), in collaboration with the DepEd, shall
29 issue the appropriate rules for availing this incentive, including simplified processes
30 and streamlined requirements for compliance and reporting.

1 Sec. 12. *Mandatory Review and Impact Assessment.* – The DepEd, in
2 collaboration with the National Council, shall conduct a mandatory review of the
3 implementation of this Act and submit an assessment report to Congress on its impact
4 and effectiveness, not later than two (2) years from its effectivity and every two (2)
5 years thereafter.

6
7 Sec. 13. *Appropriations.* – The amount necessary for the initial implementation
8 of this Act shall be charged against the current year’s appropriations of the
9 departments and other agencies concerned. Thereafter, the amount necessary for its
10 continued implementation shall be included in the annual General Appropriations Act.

11 The funding requirements needed for the implementation of this Act by local
12 government units may be charged against their local funds.

13
14 Sec. 14. *Implementing Rules and Regulations (IRR).* – Within ninety (90) days
15 from the effectivity of this Act, the DepEd, CSC, DOLE, TESDA, and other public and
16 private stakeholders, including industry partners, shall issue the rules and regulations
17 implementing its provisions. The IRR issued pursuant to this section shall take effect
18 thirty (30) days after its publication in a newspaper of general circulation.

19
20 Sec. 15. *Separability Clause.* – If any provision of this Act is held invalid or
21 unconstitutional, the other provisions not so declared shall remain in force and effect.

22
23 Sec. 16. *Repealing Clause.* – All laws, executive orders, presidential decrees,
24 administrative orders, rules and regulations, issuances, or parts thereof contrary to or
25 inconsistent with the provisions of this Act are hereby repealed or amended
26 accordingly.

27
28 Sec. 17. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this Act
29 shall take effect fifteen (15) days after its publication in the Official Gazette or in a
30 newspaper of general circulation.

Approved,