

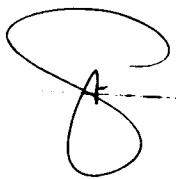
**NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Third Regular Session**

]]]

25 JAN -8 P3:17

SENATE

S.B. No. 2911

RECEIVED


Introduced by SENATOR WIN GATCHALIAN

**AN ACT
PROVIDING FOR GOVERNMENT ASSISTANCE TO PRIVATE BASIC
EDUCATION, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 6728, OTHERWISE KNOWN AS THE "GOVERNMENT ASSISTANCE TO
STUDENTS AND TEACHERS IN PRIVATE EDUCATION ACT", AS
AMENDED, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The 1987 Constitution provides that the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all. The enactment of Republic Act (R.A.) No. 6728, otherwise known as the "Government Assistance to Students and Teachers in Private Education Act" (GASTPE), recognizes the complementary roles of public and private educational institutions by providing assistance to students in private education at the high school, technical-vocational, and tertiary levels.

One form of assistance institutionalized under Section 4 of R.A. No. 6728 is the Educational Service Contracting (ESC) Scheme whereby a subsidy is provided to qualified high school learners in private high schools. At the time, proponents of the ESC Scheme deemed it a possible solution to four key problems in public high schools: congestion, low quality of education, higher

per student cost in public schools as compared to private schools, and declining viability of private high schools.¹ R.A. No. 6728 was later amended by R.A. No. 8545, entitled “Expanded Government Assistance to Students and Teachers in Private Education Act” (E-GASTPE), which expanded the coverage of assistance for high school learners and included assistance for teachers in private education by institutionalizing an In-Service Training (INSET) fund and the Teacher’s Salary Subsidy (TSS).

Coverage under the E-GASTPE was further amended by Section 10 of R.A. No. 10533, otherwise known as the “Enhanced Basic Education Act of 2013”, expanding benefits to qualified learners enrolled in Grades 11 and 12 or Senior High School (SHS). To address classroom shortage due to the creation of new grade levels in basic education, assistance in the form of the SHS Voucher Program (VP) was developed by the DepEd to provide vouchers to qualified SHS learners in VP-participating SHSs.² Currently, the ESC Scheme, SHS-VP, INSET, and TSS programs are being jointly implemented by the DepEd and the Private Education Assistance Committee (PEAC).³

The E-GASTPE Program is the largest program under the DepEd. From Php 21.2 billion in 2016, the program’s budget more than doubled to Php 53.2 billion in 2023. For 2024, the E-GASTPE Program has been allocated a budget of Php 40.48 billion based on the 2024 General Appropriations Act. This allocation makes up 5.7% of the DepEd’s total annual appropriations.

On February 6, 2024, this representation filed Proposed Senate Resolution No. 925 which was referred to the Committee on Basic Education, joint with Finance, to discuss and assess the implementation of the E-

¹ World Bank, A Review of the Government’s Education Service Contracting Program, 2011, pp. 15-16, retrieved from <https://openknowledge.worldbank.org/entities/publication/1ae4cc13-e390-5059-82be-b25cca219d46>

² DepEd Order (D.O.) No. 020, s. 2023, Guidelines on the Implementation of the Senior High School Voucher Program, July 26, 2023.

³ As provided under the special provisions of the annual General Appropriations Act; See also DepEd D.O. No. 006, s. 2022, Reconstitution of the Government Assistance and Subsidies Composite Team, March 4, 2022.

GASTPE Act, for the purpose of crafting complementary or amendatory legislation. The Committee conducted two public hearings on February 28 and March 20, 2024.

The public hearings showed that the E-GASTPE Program is the main vehicle through which complementarity is practiced in basic education with certain perceived benefits. The DepEd confirmed in its analysis, together with the Asian Development Bank, that it would be more cost-efficient for the government to invest in private education by expanding the coverage of the Program rather than building classrooms and providing for complementary resources such as teacher salary and furniture.⁴ Based on the study, accommodating an estimated 7.3 million excess learners in public schools over the next 30 years would cost the government a total of Php 3.7 trillion or Php 124 billion annually. Meanwhile, funding a voucher program over the same period would cost Php 2.6 trillion or Php 86 billion annually. Hence, through the E-GASTPE Program, the government would save Php 1.1 trillion.⁵

However, the ESC Scheme, in its current form, has failed to achieve the objectives of decongesting public high schools and providing equitable access to quality education for “poor but deserving” learners. Its inherent design flaws—lack of evidence-based slot allocation, perverse incentives for private schools, and the complexity of enabling conditions—render it ineffective and inequitable. Discontinuing the ESC Scheme in favor of a voucher system is a simpler and more cost-effective alternative. Adopting a voucher system will foster competition among private schools by incentivizing them to enhance the quality of education while keeping costs affordable. The relative simplicity of allocating vouchers to learners in congested public schools further enhances its appeal.

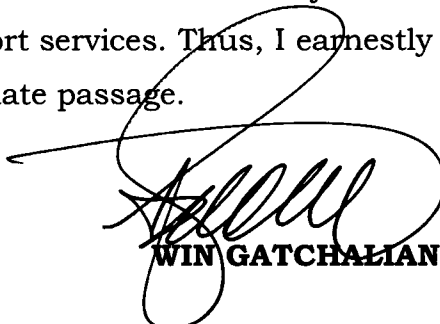
⁴ DepEd, Transcript of Stenographic Notes on the 1st Public Hearing of the Committee on Basic Education on PSRN 925 dated February 28, 2024, p. 43.

⁵ *Id.* at pp. 51-54.

In support of these findings and to further operationalize the principle of complementarity to achieve the country's goals in education, this bill further expands the coverage of R.A. No. 6728, as amended, to integrate all basic education levels through the following provisions:

- (1) Expansion of government assistance to private basic education to include learners from Kindergarten to Grade 6;
- (2) Uniform implementation of tuition fee subsidy through a voucher system;
- (3) Strengthening the objectives of the law by decongesting overcrowded classrooms in public basic education schools and prioritizing learners belonging to low income households and Alternative Learning System completers;
- (4) Ensuring accountability and transparency in the engagement of support services of relevant government agencies or qualified private entities; and
- (5) Removing all assistance for post-secondary education programs handled by the Commission on Higher Education and the Technical Education and Skills Development Authority.

It is my fervent hope that this legislation will contribute to the strengthening of the complementary roles of public and private institutions in the Philippine educational system by providing uniform government assistance for private basic education. Likewise, this bill shall ensure transparency and accountability of public funds that may be handled by private entities in the delivery of support services. Thus, I earnestly seek the support of this Congress for its immediate passage.



WIN GATCHALIAN

**NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Third Regular Session**

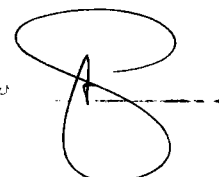
]]]

25 JAN -8 P3:17

SENATE

S.B. No. 2911

RECEIVED



Introduced by SENATOR WIN GATCHALIAN

**AN ACT
PROVIDING FOR GOVERNMENT ASSISTANCE TO PRIVATE BASIC
EDUCATION, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 6728, OTHERWISE KNOWN AS THE "GOVERNMENT ASSISTANCE TO
STUDENTS AND TEACHERS IN PRIVATE EDUCATION ACT", AS
AMENDED, AND APPROPRIATING FUNDS THEREFOR**

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

1 SECTION 1. This Act shall be known as the "*Government Assistance to*
2 *Private Basic Education Act*".

3
4 SEC. 2. Section 2 of Republic Act No. 6728, entitled the "Government
5 Assistance to Students and Teachers in Private Education Act", as amended
6 by Republic Act No. 10533, or the "Enhanced Basic Education Act of 2013"
7 and Republic Act No. 8545, or the "Expanded Government Assistance to
8 Students and Teachers in Private Education Act" is hereby further amended
9 to read as follows:

10 "SEC. 2. *Declaration of Policy.* — It is a declared policy of the
11 State in conformity with the mandate of the Constitution, to
12 promote and make quality education accessible to all Filipino
13 citizens. The State also hereby recognizes the complementary
14 roles of public and private educational institutions in the

1 educational system and the invaluable contribution that the
2 private schools have made and will make to education. For
3 these purposes, the State shall provide the mechanisms to
4 improve quality in private education by maximizing the use of
5 existing resources of private education, recognizing in the
6 process the government's responsibility to provide basic
7 ~~[elementary and secondary education, post-secondary~~
8 ~~vocational and technical education, and higher]~~ education
9 as having priority over its other functions.

10 **THE ENHANCED BASIC EDUCATION PROGRAM**
11 **ENCOMPASSES AT LEAST ONE (1) YEAR OF**
12 **KINDERGARTEN EDUCATION, SIX (6) YEARS OF**
13 **ELEMENTARY EDUCATION, AND SIX (6) YEARS OF**
14 **SECONDARY EDUCATION, PURSUANT TO REPUBLIC ACT**
15 **NO. 10533, OR THE "ENHANCED BASIC EDUCATION ACT**
16 **OF 2013".**

17 ~~["Elementary education is the first six (6) years of basic~~
18 ~~education, excluding pre-school and grade seven, the~~
19 ~~completion of which is attested by a certificate issued by~~
20 ~~or with permission of the Department of Education, Culture~~
21 ~~and Sports. Secondary education is the next four (4) years~~
22 ~~of basic education, the completion of which is attested by~~
23 ~~a high school diploma issued by or with permission of the~~
24 ~~Department of Education, Culture and Sports.~~

25 ~~"Post-secondary education may be education and~~
26 ~~training in non-degree vocational and technical courses~~
27 ~~offered in post-secondary vocational and technical~~
28 ~~institutions or education in degree courses offered by~~
29 ~~higher educational institutions, the completion of which~~
30 ~~are attested by a certificate or diploma issued by or with~~
31 ~~permission of the Technical Education and Skills~~
32 ~~Development Authority (TESDA) or the Commission on~~
33 ~~Higher Education (CHED), respectively.]"~~

1 SEC. 3. SEC. 3 of Republic Act No. 6728, as amended, is hereby further
2 amended to read as follows:

3 "SEC. 3. *Criteria for Assistance.* — The programs for
4 assistance shall be based on a set of criteria which shall
5 include, ~~[among others]~~ **BUT NOT LIMITED TO, CLASSROOM**
6 **CONGESTION, OVERALL PERFORMANCE, AND** tuition **AND**
7 **OTHER** fees charged by ~~[the]~~ **PRIVATE BASIC EDUCATION**
8 schools~~[,]; [the socioeconomic needs of each region giving~~
9 ~~priority to the Social Reform Agenda (SRA) provinces,~~
10 ~~overall performance of schools, the academic~~
11 ~~qualifications, and]~~ financial needs of the ~~[students]~~
12 **LEARNERS[,]; and PERFORMANCE OF PRIVATE BASIC**
13 **EDUCATION [the]** teachers ~~[, and the financial needs of the~~
14 ~~schools, as well as the geographic spread and size of~~
15 ~~student population].~~

16 **FOR PURPOSES OF THIS ACT, PRIVATE BASIC**
17 **EDUCATION SHOOOLS SHALL INCLUDE PRIVATE**
18 **EDUCATION INSTITUTIONS OFFERING BASIC EDUCATION.**
19 **PRIVATE BASIC EDUCATION TEACHERS SHALL INCLUDE**
20 **TEACHERS IN PRIVATE EDUCATION INSTITUTIONS**
21 **OFFERING BASIC EDUCATION.**

22 ~~["In addition to the foregoing criteria, within such~~
23 ~~reasonable time as the respective State Assistance Council~~
24 ~~may determine, student grantees under the Private~~
25 ~~Education Student Financial Assistance Program shall be~~
26 ~~enrolled in schools which have accredited programs or are~~
27 ~~applying for accreditation as may be recognized by the~~
28 ~~respective State Assistance Council.]~~

29 ~~["Preference shall be given to students whose family~~
30 ~~income is not more than Seventy-two thousand pesos~~
31 ~~(P72,000.00) or such amounts as may be determined by the~~
32 ~~respective councils, as defined hereinafter.]~~

33 ~~["For purposes of this Act, programs of assistance to~~

1 ~~students and teachers of private post-secondary vocational~~
2 ~~and technical institutions and higher educational~~
3 ~~institutions shall likewise be extended to students and~~
4 ~~teachers of community colleges in degree and non-degree~~
5 ~~programs. Implementation of the program shall encourage~~
6 ~~students to undergo post-secondary vocational and~~
7 ~~technical and higher education courses in the same region~~
8 ~~where their families reside.]~~

9 "The programs of assistance under this Act shall be extended
10 only to **[students] LEARNERS** who are citizens of the
11 Philippines.

12 "The ~~[State Assistance Council, jointly with the]~~
13 Department of Education (DEPED) ~~[, Culture and Sports~~
14 ~~(DECS), the CHED and the TESDA]~~ shall formulate
15 measurement standards for the ~~[evaluation of the quality of~~
16 ~~courses as well as the standing and status]~~
17 **ACCREDITATION AND QUALITY ASSURANCE** of ~~[the]~~
18 recipient institutions.

19 ~~["Within five (5) years from the approval of this Act, the~~
20 ~~assistance shall be given to schools: Provided, That the~~
21 ~~present allocation of the tuition fee and other income of~~
22 ~~the schools shall be used at the same proportion and~~
23 ~~allocation as provided by law.]"~~

24
25 SEC. 4. SEC. 4 of Republic Act No. 6728, as amended, is hereby further
26 amended to read as follows:

27 "SEC. 4. *Forms of Assistance.* — ~~[Assistance to private~~
28 ~~education shall consist of assistance to students and~~
29 ~~assistance to teachers.]~~ The following are **THE** forms of
30 assistance to **[students] LEARNERS** in private **BASIC**
31 education **SCHOOLS**:

32 "(1) Tuition fee ~~[supplements]~~ **SUBSIDY** ~~[for students~~
33 ~~in private high schools, including students in~~

1 ~~vocational and technical courses~~; AND

2 “(2) ~~[High School] BASIC EDUCATION [Textbook]~~
3 ~~LEARNING MATERIALS Assistance Fund.[: *Provided,*~~
4 ~~That the textbook assistance per student in private~~
5 ~~high schools shall be determined by the council and~~
6 ~~shall not exceed what students in public high schools~~
7 ~~are provided on a per student basis under a~~
8 ~~comprehensive textbook program of the Secondary~~
9 ~~Education Development Program (SEDP): *Provided,*~~
10 ~~further, That the textbook assistance shall be granted~~
11 ~~only to beneficiaries of tuition fee supplements and~~
12 ~~educational service contracting scheme provided in~~
13 ~~this Act;~~

14 ~~“(3) Expansion of the existing Educational Service~~
15 ~~Contracting (ESC) Scheme;~~

16 ~~“(4) The voucher system of the Private Education~~
17 ~~Student Financial Assistance Program (PESFA);~~

18 ~~“(5) Scholarship grants to students graduating as~~
19 ~~valedictorians and salutatorians from secondary~~
20 ~~schools;~~

21 ~~“(6) Tuition fee supplements to students in private~~
22 ~~colleges and universities; and~~

23 ~~“(7) Education Loan Fund.]~~

24 “The following are **THE** forms of assistance to teachers [~~and~~
25 ~~faculty~~] in private **BASIC** education **SCHOOLS**:

26 “(1) In-service training fund [~~for teachers in private~~
27 ~~high schools~~]; and

28 “(2) [~~College Faculty Development Fund~~] **TEACHERS’**
29 **SALARY SUBSIDY FUND.**”

30
31 SEC. 5. SEC. 5 of Republic Act No. 6728, as amended, is hereby further
32 amended to read as follows:

33 “SEC. 5. *Tuition Fee* [~~*Supplements for Students in Private High*~~]

1 ~~Schools]~~ **SUBSIDY.** – ~~[(1) Financial Assistance for tuition for~~
2 ~~students]~~ **TO COMPLY WITH THE STANDARD CLASSROOM-**
3 **LEARNER RATIO BY DECONGESTING OVERCROWDED**
4 **CLASSROOMS IN PUBLIC BASIC EDUCATION SCHOOLS,**
5 **TUITION FEE SUBSIDY FOR LEARNERS in [private high]** SUCH
6 schools shall be provided by the government through a voucher
7 system: ~~[in the following manner: "(a) For students enrolled in~~
8 ~~schools charging an amount as may be determined by the State~~
9 ~~Assistance Council, the government shall provide them with a~~
10 ~~voucher in such an amount as may be determined by the~~
11 ~~council;]~~ **PROVIDED, THAT LEARNERS BELONGING TO LOW**
12 **INCOME HOUSEHOLDS SHALL BE PRIORITIZED: PROVIDED,**
13 **FURTHER, THAT ALTERNATIVE LEARNING SYSTEM**
14 **(ALS) COMPLETERS UNDER REPUBLIC ACT NO. 11510,**
15 **OTHERWISE KNOWN AS THE "ALTERNATIVE LEARNING**
16 **SYSTEM ACT", SHALL BE AUTOMATIC RECIPIENTS OF THE**
17 **SUBSIDY.**

18 **THE AMOUNT OF THE VOUCHER SHALL BE DETERMINED BY**
19 **THE DEPED AND SHALL BE REVIEWED EVERY THREE (3)**
20 **YEARS:** *Provided,* That the government shall reimburse the
21 ~~[vouchers from the]~~ schools concerned within ~~[one hundred~~
22 ~~twenty (120)]~~ **SIXTY (60)** days from the close of the registration
23 period. **THE DEPED SHALL FURTHER ENSURE QUALITY**
24 **STANDARDS FOR SUCH SCHOOLS TO QUALIFY AS RECIPIENT**
25 **INSTITUTIONS.**

26 ~~["(2) Assistance under paragraph (1), subparagraph (a) shall be~~
27 ~~guaranteed to all private high schools participating in the~~
28 ~~program for a number of slots as of the effectivity of this Act as~~
29 ~~the total number of students who availed of tuition fee~~
30 ~~supplements for school year 1997-1998: Provided, That the~~
31 ~~State Assistance Council may in subsequent years determine~~
32 ~~additional slots and/or additional participating high schools as~~
33 ~~may be deemed necessary.]"~~

1 SEC. 6. SEC. 6 of Republic Act No. 6728, as amended, is hereby further
2 amended to read as follows:

3 "SEC. 6. ~~[High School]~~ **BASIC EDUCATION [Textbook]**
4 **LEARNING MATERIALS** Assistance Fund. — There shall be
5 established in the ~~[Department of Education, Culture and~~
6 ~~Sports (DECS)]~~ **DEPED**, a ~~[High School]~~ **BASIC EDUCATION**
7 **[Textbook] LEARNING MATERIALS** Assistance Fund, so that
8 assistance on a per ~~[student]~~ **LEARNER** basis shall be given to
9 ~~[students]~~ **LEARNERS** enrolled in private schools exclusively
10 for the purchase of ~~[high school]~~ **BASIC EDUCATION**
11 **[textbooks] LEARNING MATERIALS** ~~[, in support of the~~
12 ~~implementation of the Secondary Education Development~~
13 ~~Program]~~: *Provided*, That the ~~[textbook]~~ **LEARNING**
14 **MATERIALS** assistance per ~~[student]~~ **LEARNER** in private
15 ~~[high]~~ **BASIC EDUCATION** schools shall be determined by the
16 ~~[council]~~ **DEPED** and shall not exceed what ~~[students]~~
17 **LEARNERS** in public ~~[high]~~ **BASIC EDUCATION** schools are
18 provided on a per ~~[student]~~ **LEARNER** basis: *Provided, further*,
19 That the ~~[textbook]~~ **LEARNING MATERIALS** assistance shall
20 be granted only to ~~[beneficiaries]~~ **RECIPIENTS** of **THE** tuition
21 fee ~~[supplements and educational service contracting~~
22 ~~scheme]~~ **SUBSIDY AS** provided in this Act."

23
24 SEC. 7. Sections 7 (Expansion of the Existing Educational Service
25 Contracting (ESC) Scheme), 8 (Assistance to College Freshmen), 9 (Further
26 Assistance to Students in Private Colleges and Universities), 10 (Education
27 Loan Fund), and 11 of Republic Act No. 6728, as amended, are hereby deleted.

28
29 SEC. 8. SEC. 12 of Republic Act No. 6728, as amended, is hereby
30 further amended to read as follows:

31 "SEC. 12. *In-service Training Fund (Inset Fund)*. — For the
32 purpose of improving the quality of teaching in private
33 ~~[secondary]~~ **BASIC** education **SCHOOLS**, there is hereby

1 established in the ~~[Department of Education, Culture and~~
2 ~~Sports]~~ **DEPED** an Inset Fund to provide for the upgrading of
3 knowledge and teaching competencies in critical subject areas
4 and for the modernization of teaching techniques and
5 strategies, including training in the use of ~~[computers and of~~
6 ~~other multi-media]~~ educational technologies to assist
7 instruction: *Provided*, That the Inset Fund shall be available
8 only to qualified licensed teachers in participating private **[high]**
9 **BASIC EDUCATION** schools as determined by the ~~[State~~
10 ~~Assistance Council]~~ **DEPED**: *Provided, further*, That the
11 amount of Inset Fund available to private **[secondary]** **BASIC**
12 education **SCHOOLS** shall not exceed that available to public
13 **[secondary]** **BASIC** education **SCHOOLS** on a per capita basis.”
14

15 SEC. 9. Section 13 (College Faculty Development Fund) of Republic Act
16 No. 6728, as amended, is hereby deleted.
17

18 SEC. 10. SEC. 14 of Republic Act No. 6728, as amended, is hereby
19 further amended to read as follows:

20 “SEC. 14. *Teachers' Salary Subsidy Fund.* — A Teachers’
21 Salary Subsidy Fund is hereby established in the **[DECS]**
22 **DEPED** to grant government subsidy to teachers in private
23 **[high]** **BASIC EDUCATION** schools participating in the
24 ~~[programs of assistance]~~ **VOUCHER SYSTEM AS** provided in
25 this Act: *Provided*, **THAT PRIORITY SHALL BE GIVEN TO**
26 **HIGH PERFORMING TEACHERS USING STANDARDS-**
27 **BASED ASSESSMENTS, PERFORMANCE EVALUATIONS, OR**
28 **OTHER APPROPRIATE MEASURES OF TEACHING**
29 **COMPETENCE: PROVIDED, FURTHER**, That the total monthly
30 salary which includes the subsidy to be received by such private
31 **[high]** **BASIC EDUCATION [school]** teachers shall not be more
32 than eighty percent (80%) of the salary of **[his]** **THEIR**
33 counterpart**S** in the public sector: *Provided, further* **MORE**, That

1 the amount of monthly subsidy shall not exceed the amount of
2 any monthly salary increase that teachers in public high
3 schools shall after the effectivity of this Act hereinafter receive:
4 *Provided, further***MORE**, That private **[high] BASIC EDUCATION**
5 **[school]** teachers qualified to receive **THE** subsidy under this
6 Act are duly licensed by the Professional Regulation
7 Commission: *Provided, [further]* **FINALLY**, That the
8 **[government] DEPED** shall provide them with a **[voucher for**
9 **the]** salary subsidy which shall be **[reimbursed] PAID OUT**
10 directly to the teachers within **[sixty (60)] THIRTY (30)** days
11 after the close of the school year upon submission of proof of
12 qualification and actual teaching service in **[a]** participating
13 private **[high] BASIC EDUCATION** schools ~~[: *Provided,*~~
14 ~~*finally, That the present allocation out of increases from*~~
15 ~~*tuition and other income shall be maintained: Provided,*~~
16 ~~*finally, That in case of insufficiency of funds, priority shall*~~
17 ~~*be given to married teachers supporting a family].*~~
18

19 SEC. 11. SEC. 15 of Republic Act No. 6728, as amended, is hereby
20 further amended to read as follows:

21 “SEC. 15. *Program Administration*[/]; *Rules and Regulations.*
22 — The **[State Assistance Council] DEPED** shall be responsible
23 for policy guidance and direction, monitoring and evaluation of
24 new and existing programs, **[and the]** promulgation of the rules
25 and regulations, ~~**[while the Department of Education,**~~
26 ~~**Culture and Sports, shall be responsible for]**~~ day to day
27 administration[,] and program implementation for the
28 programs of assistance to private **[secondary] BASIC** education
29 **SCHOOLS** ~~**[, post-secondary vocational and technical**~~
30 ~~**education and higher education, respectively].**~~ Likewise, it
31 may engage the **SUPPORT** services ~~**[and support]**~~ of any
32 **[qualified] RELEVANT** government or **QUALIFIED** private
33 ~~**[entity for its] ENTITIES TO ASSIST IN THE**~~ implementation

1 OF THE PROGRAMS UNDER THIS ACT: *PROVIDED*, THAT
2 THE ENGAGEMENT OF PRIVATE ENTITIES UNDER THIS
3 SECTION SHALL BE SUBJECT TO PROCUREMENT LAWS
4 AND REGULATIONS, AND SUCH PRIVATE ENTITIES SHALL
5 BE SUBJECT TO THE POWER AND AUTHORITY OF THE
6 COMMISSION ON AUDIT WITH RESPECT TO THE USE OF
7 PUBLIC FUNDS RECEIVED PURSUANT TO THIS ACT.

8 ~~["The State Assistance Council, hereinafter known as the~~
9 ~~Council, shall be headed by the Secretary of Education,~~
10 ~~Culture and Sports as chairperson, the chairperson of the~~
11 ~~CHED and the director-general of the TESDA as co-~~
12 ~~chairpersons, with representatives from the National~~
13 ~~Economic and Development Authority, the Department of~~
14 ~~Budget and Management, the Department of Science and~~
15 ~~Technology, and representatives from duly organized~~
16 ~~nationwide associations of teachers, students, parents, and~~
17 ~~school administrators concerned with secondary, post-~~
18 ~~secondary vocational and technical education and higher~~
19 ~~education as members. The last three (3) members shall be~~
20 ~~appointed by the Council upon the recommendation of~~
21 ~~their respective sectors for a term of one (1) school year~~
22 ~~subject to re-appointment for a maximum term of four (4)~~
23 ~~school years. A representative each from the Committees~~
24 ~~on Education of both Houses of Congress shall be~~
25 ~~designated resource persons to the Council.~~

26 ~~"The Council shall meet, from time to time, as the need~~
27 ~~arises, to assess the effectivity of the programs and to~~
28 ~~ensure that the secondary schools, post-secondary~~
29 ~~vocational and technical institutions and higher~~
30 ~~educational institutions where student recipients are~~
31 ~~enrolled continue to provide quality education. For this~~
32 ~~purpose, the Council shall establish criteria, to determine~~
33 ~~which secondary schools, post-secondary vocational and~~

~~technical institutions and higher educational institutions
may continue to enroll students and teachers/faculty as
recipients of government assistance under this Act.]”~~

SEC. 12. *Transitory Provision.* – Upon the effectivity of this Act, recipients of the Educational Service Contracting Scheme under Republic Act No. 6728, as amended, shall become voucher recipients under Sec. 5 herein: *Provided*, That they meet the criterion on financial need under Sec. 3.

Further, all forms of assistance for post-secondary education programs under Republic Act No. 6728, as amended, shall be transferred to and managed by the Unified Student Financial Assistance System for Tertiary Education (UniFAST) Board, as created by Republic Act No. 10687, otherwise known as the “Unified Student Financial Assistance System for Tertiary Education (UniFAST) Act.”

SEC. 13. *Annual Report.* – Three (3) years after the effectivity of this Act, the DepEd shall commence the submission of annual reports on the status of its implementation to the Committee on Basic Education of the Senate and the Committee on Basic Education and Culture of the House of Representatives.

SEC. 14. *Implementing Rules and Regulations (IRR).* – The DepEd, in consultation with the DBM, relevant government agencies, and other education stakeholders, shall formulate and issue the rules and regulations within sixty (60) days after the effectivity of this Act. The IRR issued pursuant to this section shall take effect thirty (30) days after its publication in a newspaper of general circulation.

SEC. 15. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the other provisions hereof which are not affected thereby shall continue to be in full force and effect.

1 SEC. 16. *Repealing Clause.* – All other laws, executive orders,
2 presidential decrees, administrative orders, rules and regulations, issuances,
3 or parts thereof inconsistent with or contrary to the provisions of this Act are
4 hereby repealed or amended accordingly.

5
6 SEC. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after
7 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,