

10 JUL -7 AM:19

SENATE

Senate Bill No. 631

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The right of all citizens to quality education at all school levels is upheld by the Constitution. It is therefore, the mandate of the State to protect this right and to provide the resources to implement this policy for the benefit of all citizens.

This bill seeks to institute the appropriate mechanisms for ensuring quality education by the creation of an agency-the National Educational Assessment and Evaluation Authority (NEAEA) - - that will monitor the educational processes and outputs and to oversee how effectively these are implemented.

The NEAEA will be responsible for coordinating current testing efforts, particularly those that have been started by the Department of Education, particularly the National Education Testing and Research Center (NETRC) in its administration of the now-defunct National College Entrance Examination and the National Secondary Achievement Tests as incorporated in the Secondary Education Development Program.

For purposes of screening, selection and promotion, school tests students at different stages in the educational ladder. It is, however, of utmost importance that the quality, validity and reliability of such tests be determined and local norms for foreign ones must be developed.

The administration of achievement tests at the highest elementary grades and in second year high school, the latter for career guidance and counseling purposes, as a valuable tool for assessment, is gaining popularity throughout the country. In addition, it is necessary to assess not only the students, but also the teachers and the school programs as well to gauge the quality of education.

The NEAEA, as proposed in this bill, will improve the delivery of quality education and strengthen the linkage between the educational system and the country's vital economic and industrial sectors.

The enactment of this bill will rationalize the system for monitoring, testing and evaluation of the outputs of different grade/year levels in the elementary, secondary and tertiary levels. Immediate approval of this bill is therefore earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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Senate Bill No. 631

RECEIVED

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
CONVERTING THE NATIONAL EDUCATION TESTING AND RESEARCH
CENTER (NERTC) INTO A NATIONAL EDUCATION ASSESSMENT AND
EVALUATION AUTHORITY (NEAEA), DEFINING ITS STRUCTURE, POWERS
AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

SECTION 1. Title. This Act shall be known as the "**National Education
Assessment and Evaluation Act of 2010**".

SEC. 2. Declaration of Policy. It shall be declared the policy of the State
to promote the right of all citizens to quality education at all levels and to take
appropriate measures to make such education accessible to all.

Thus, to attain quality education, mechanisms shall be established to
monitor educational processes and outcomes through appropriate assessment
and evaluation systems. Assessment and evaluation, in view of their importance,
shall be considered vital to the continuing pursuit of quality education.

SEC. 3. Definition of Terms. As used in this Act:

a) "Authority" shall remain the National Education Assessment and
Evaluation Authority.

b) "Assessment" covers the broader scope than the restrictive
connotations of the term's measurement. The process of assessment involves
the appraisal of the level or magnitude of some attribute.

c) "Evaluation" is the process of gathering data, which can be used as
basis for forming judgments, and to continuous decision making about programs,
processes and products.

d) "Testing" refers to systematic procedures for measuring samples of
behavior under controlled conditions

e) "Equivalency, Certification and Accreditation" shall mean methods of
assessing and evaluating an individual's level of proficiency in a specified area.

f) "Alternative Learning System" shall mean the non-school-based methods acquiring knowledge and skills.

SEC. 4. National Education Assessment and Evaluation Authority. To implement the policy declared in this Act, the National Education Testing and Research Center (MNETRC) of the Department of Education, is hereby converted into a National Education Assessment and Evaluation Authority (NEAEA), hereinafter referred to as the Authority, which shall be attached for administrative purposes to the Office of the President until such a time that an appropriate body is created by law.

SEC. 5. Composition of the Authority. The National Education Assessment and Evaluation Authority shall be composed of the Authority Board and its technical and administrative staff and personnel.

SEC. 6. Composition of the NEAEA Board. The Authority shall be governed by a Board, which shall be composed of the following members:

Ex-Officio Members:

- a) The Secretary of the Department of Education;
- b) The Secretary of the Department of Labor and Employment;
- c) The Secretary of Department of Science and Technology;
- d) The Commission on Higher Education

Regular Members:

- e) A representative of public technical education and skills development institutions;
- f) A representative of private technical education and skills and development institutions;
- g) A representative of public higher education institutions;
- h) A representative of private higher education institutions;
- i) An eminent educator in the field of Measurement and Evaluation;
- j) An eminent educator in the field of Educational Research; and
- k) An eminent educator in the field of Psychology, Psychometrics, or Career Counseling.

The regular members shall be persons known for their integrity and probity. The President, upon the recommendation of their respective organizations and/or peers, for a term of three (3) years without prejudice to one (1) reappointment shall appoint them.

Among the first regular members, three (3) shall hold office for a term of three (3) years each; the next two (2) for a term of two (2) years each; and the last two (2) for a term of one (1) year each.

The Chairman of the Board shall be elected by the members form among the regular members of a term of three (3) years, without prejudice to one reelection. He shall serve full-time.

SEC. 7. Powers and Functions of the Board. The Board shall have the following powers and functions.

a) To formulate and implement national policies and standards on testing and evaluation, develop and administer various tests and other assessment instruments, utilize test and evaluation results to improve education;

b) To develop achievement tests which will be administered at the end of Grade IV, Grade VI and fourth year high school and the aptitude tests to be administered not later than second year high school;

c) To review, improve and oversee the implementation of all national testing programs;

d) To conduct continuing research studies for refinement, standardization and the improvement of existing instruments and evaluation programs;

e) To disseminate to concerned publics the results of tests, research and evaluation;

f) To devise equivalency measures between and among different tests;

g) To accredit testing agencies;

h) To coordinate and collaborate with different institutions, government and private, and other related agencies on matters pertinent to testing and evaluation;

i) To provide consultative assistance related agencies on testing and evaluation;

j) To organize and constitute working committees or groups to carry out its functions;

k) To call upon any department, bureau, office or government corporation, local government units and other concerned agencies for assistance;

l) To provide training and technical assistance to staff and field personnel to safeguard the integrity of testing and evaluation activities and results;

m) To collect fees, receive and maintain funds, grants, donations and bequests for the promotion of its aims and purposes; and

n) To exercise other functions which are necessary for the effective implementation and to carry out the purposes of this Act.

SEC. 8. Executive Officer; Term of Office; Rank and Emoluments. The Authority shall be headed by an executive officer, who shall be chosen by the Board and hold the rank and emoluments of Undersecretary. His/her term of office shall be for a period of five (5) years without prejudice to one reappointment.

The executive officer shall execute and implement the policies, programs and resolutions by the Board.

SEC. 9. *Transitory Provisions.*

a) To provide continuity in the operations and services of the Authority, the incumbent officials and employees of the present NETRC affected under his Act shall continue to perform their respective duties and responsibilities, in a holdover capacity, and receive their corresponding salaries and benefits until such time when the organizational structure and staffing pattern of the Authority will have been approved by the Board.

Those personnel whose positions are not included in the new staffing pattern approved by the Board or who are not reappointed or who choose to be separated as a result of the reorganization shall be entitled to whatever compensation and benefits are due them under existing laws.

b) All assets such as test items in the item bank, equipment, books, including Appropriation and other funds and liabilities of the NETRC shall be transferred to the Authority.

c) The transition period shall not exceed one year from the effectivity of this Act.

SEC. 10. *Appropriations.* The amount of Two Hundred Million Pesos (P200,000,000.00) is hereby appropriated to initially implement the provisions of this Act. Thereafter, such funds as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 11. *Repealing Clause.* Presidential Decree No. 146, and all executive orders, presidential decrees, administrative orders, rules and regulations, or parts thereof inconsistency with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 12. *Effectivity.* This Act shall take effect fifteen (15) days after its publication on the official gazette and in two (2) newspapers of general circulation.

Approved,