

Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7890



INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

EXPLANATORY NOTE

4 million or 18 percent of the 21 million elementary and high school students who start a new school year in the Philippines every June are cramped into extremely overcrowded public schools.¹ In 2017, the Department of Education (DepEd) estimates that the public school system still lacked 47,000 classrooms.² A 2015 study found that school buildings in the eastern seaboard and thus prone to natural disasters are poor compared to the buildings in the northern provinces and other relatively safe areas.³ In addition, there was worse deterioration in education facilities in southern provinces where civil unrest continues.⁴

These problems in our public school system are alarming especially as studies show that the quality of educational facilities is directly proportional to student performance.⁵ The State, through the school officials and relevant government agencies, must apply a systematic approach to the evaluation of infrastructures and monitoring of facilities for maintenance and repair.⁶ The ultimate aim herein is to provide both a conducive teaching-learning and recreation area for the students and faculty for the holistic development of the learners.

The State is mandated under Section 17, Article II of the Constitution to address such problems. Priority is given to education “to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development”. Sec. 1 and 2 of Article XIV further provides the primary task of the State to ensure that all citizens are provided quality education at all levels

¹ Nicholas Jones, “School Congestion in the Philippines: A Breakthrough Solution,” *Asia Foundation*, April 5, 2017, <https://asiafoundation.org/2017/04/05/school-congestion-philippines-breakthrough-solution/>

² Rajel Adora, “DepEd to address shortage of teachers and lack of classrooms,” *UNTV News and Rescue*, August 16, 2017, <https://www.untvweb.com/news/deped-address-shortage-teachers-lack-classrooms/>

³ Ligaya Leah Figueroa, Samsung Lim, & Jihyun Lee, “Investigating the relationship between school facilities and academic achievements through geographically weighted regression,” *Annals of GIS*, 22:4, 273-285, DOI: 10.1080/19475683.2016.1231717

⁴ Ibid.

⁵ Mark Raguindin Limon, “The Effect of the Adequacy of School Facilities on Students’ Performance and Achievement in Technology and Livelihood Education,” *International Journal of Academic Research in Progressive Education and Development*, Vol. 5 No. 1, January 2016, http://hrmars.com/hrmars_papers/The_Effect_of_the_Adequacy_of_School_Facilities_on_Students%E2%80%99_P erformance_and_Achievement_in_Technology_and_Livelihood_Education.pdf

⁶ Ibid.

and that the education system is adapted to the needs of the people and society. As such, the State should thus be able to utilize the land, facilities, and resources of its public elementary and secondary schools.

Given this mandate, this bill seeks to organize the preparation of a land use and development plan in all public schools. This involves the evaluation of existing buildings and facilities to determine whether or not they are conducive for learning. It should be followed by a design and financial plan for the rehabilitation, maintenance, and/or repair based on the findings of the assessment. The plan should also incorporate disaster risk management principles for contingency purposes. Moreover, this should be made in anticipation of the future needs and expansion of schools relative to school population growth and construction of needed infrastructure and physical facility requirements.

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



ALFRED VARGAS

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AN ACT

REQUIRING ALL PUBLIC ELEMENTARY AND SECONDARY SCHOOLS TO PREPARE AND IMPLEMENT A LAND USE DEVELOPMENT AND INFRASTRUCTURE PLAN FOR THE OPTIMUM UTILIZATION OF ITS RESOURCES IN ADDRESSING BASIC EDUCATION FACILITY SHORTAGES

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

Section 1. Short Title. – This Act shall be known as the “*Public School Site Development and Infrastructure Plan Act of 2016*”.

Section 2. Declaration of Policies. – It is the policy of the State to ensure optimum utilization of the land resources of all public elementary and secondary schools for the purposes of anticipating future needs and expansion of schools relative to school population growth and construction of needed infrastructure and physical facility requirements which will contribute to a more conducive teaching-learning environment and comply with disaster risk reduction management in schools.

Section 3. Preparation and Implementation. – The school principals, with the assistance of the Office of the School Division Superintendent, the District/City/Municipal Engineering Office of the Department of Public Works and Highways (DPWH), the Local Government Unit (LGU) where it is located, and the duly-established Local School Board, shall prepare and implement a land use development and infrastructure plan designed to improve and optimally utilize the resources of their respective public elementary and secondary schools. The land use development and infrastructure plan shall be submitted to the Department of Education (DepEd) within two years after the approval of this Act and shall be updated periodically as the need arises. The plan shall also be incorporated into the Comprehensive Land Use Plan (CLUP) and the Comprehensive Development Plan (CDP) of the respective LGU where the school is located.

Section 4. Land Use Development and Infrastructure Plan. – Each public elementary and secondary school shall endeavor to provide both a conducive teaching-learning and recreation area for the students and faculty for the holistic development of the learners. The infrastructure

and physical facility requirements must also comply with prevailing disaster risk reduction and mitigation measures.

The site development must be flexible enough to allow modifications according to the school's prevailing and future needs: Provided, That modifications shall adhere as much as possible to the basic pattern of development.

The land use development and infrastructure plan shall include, but is not limited to, the following:

- (a) Detailed geographical description and survey of the site occupied by the educational institution;
- (b) Inventory of all existing buildings, facilities, and other infrastructure within the compound or area occupied by the public school;
- (c) Recommendations for use of all idle and available land inside the school campus including a feasibility study on the construction of additional classrooms or buildings relative to population growth and estimated increase in student environment;
- (d) School building and facility condition assessment report which will include actual defects, damages, and other structural issues; replacement, repairs, retrofitting, improvements, and maintenance needed;
- (e) Design and estimated cost of construction, operation, and maintenance of other infrastructure needs of the educational institution; and
- (f) Financial plan, which may include among others, feasibility studies, sources of funding, income, loans, and public-private partnerships.

Section 5. *Implementing Rules and Regulations.* – The departments and agencies charged with the carrying out of the provisions of this Act shall, within **sixty (60) days** of its effectivity, formulate the rules and regulations for its effective implementation

Section 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation, contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 7. *Separability Clause.* – If any provision or part of this Act is held unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

Section 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,