

RECORD OF THE SENATE

MONDAY, OCTOBER 23, 2000

OPENING OF THE SESSION

At 3:32 p.m., the Presiding Officer, Hon. Vicente C. Sotto III, called the session to order.

The Presiding Officer [Sen. Sotto]. The 30th session of the Senate in the Third Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Senate President Franklin M. Drilon.

After the prayer, the Stella Maris Choir will lead us in the singing of the national anthem. The Choir will also render another song, entitled "Medley of Patriotic Songs."

Everybody rose for the prayer.

PRAYER

Senator Drilon.

In the name of the Father, of the Son, and of the Holy Spirit.

Almighty Father,

As we begin another session of the Senate in these challenging times, we humbly appeal for Your divine assistance.

We implore Thee for Thy grace, that You may lead our people and resolve conflicts and issues for the betterment of our country. Make us realize that the national interest cries out for a halt to our overextended political bickering, backstabbing and buck-passing.

Above all, bestow on us, Your people, the grace to come together, once and for all, as one people, one nation and one community. It is only in harmony that we can find lasting strength; it is only in unity that we can move forward; it is only in our efforts toward mutual understanding that we can gain a semblance of Your divine wisdom.

Thank You, dear Lord. In Your name, we pray all these.

Amen.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

At this juncture, Senator Sotto relinquished the Chair to the Hon. Senate President Franklin M. Drilon.

The President. The Chair wishes to thank the members of Stella Maris Choir for their rendition of the national anthem and a medley of patriotic songs.

The Secretary will please call the roll.

ROLL CALL

The Secretary, reading:

Senator Teresa Aquino-Oreta	Present
Senator Robert Z. Barbers	Absent ***
Senator Rodolfo G. Biazon	**
Senator Renato L. Compañero Cayetano ...	Present
Senator Anna Dominique M.L. Coseteng ...	Present
Senator Miriam Defensor Santiago	Present
Senator Juan Ponce Enrile	Present
Senator Juan M. Flavies	Present
Senator Teofisto T. Guingona Jr.	Present
Senator Gregorio B. Honasan	Present
Senator Robert S. Jaworski	**
Senator Loren B. Legarda-Leviste	Present
Senator Ramon B. Magsaysay Jr.	Present
Senator Blas F. Ople	Present
Senator John Henry R. Osmeña	Absent ***
Senator Sergio R. Osmeña III	Present *
Senator Aquilino Q. Pimentel Jr.	Present
Senator Ramon B. Revilla	Present
Senator Raul S. Roco	Present
Senator Vicente C. Sotto III	Present
Senator Francisco S. Tatad	Present
The President	Present

The President. With 17 senators present, there is a quorum. The Majority Leader is recognized.

THE JOURNAL

Senator Tatad. Mr. President, I move that we dispense with the reading of the *Journal* of Session No. 29, Wednesday afternoon, October 18, 2000, and consider it approved.

* Arrived after the roll call

** On official mission

*** On account of illness

recommending its approval in substitution of Senate Bill Nos. 18, 582, 641 and 742.

Sponsor: Senator Honasan

The President. To the Calendar for Ordinary Business

The Secretary. Committee Report No. 432, submitted by the Committee on Public Works, on House Bill No. 6516, introduced...

Before that, there is another committee report.

Committee Report No. 430, submitted by the Committee on Environment and Natural Resources, on Proposed Senate Resolution No. 801, introduced by Senator Barbers, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO INQUIRE, IN AID OF LEGISLATION, INTO THE INABILITY OF CERTAIN OFFICERS OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES PARTICULARLY IN CARAGA REGION TO IMPLEMENT LAWS CAUSING FURTHER DAMAGE TO OUR ENVIRONMENT AS WELL AS ENDANGERING THE LIVES OF CERTAIN RESIDENTS OF THE REGION WITH THE END IN VIEW OF ENACTING REMEDIAL LEGISLATION TO ADDRESS THE SAME,

recommending the adoption of the recommendations contained therein and their immediate implementation.

Sponsor: Senator Jaworski

The President. To the Calendar for Ordinary Business

The Secretary. Committee Report No. 431, submitted by the Committee on Games, Amusement and Sports, on the Privilege Speech delivered by Senator Barbers on 17 August 1999, entitled

ROMANCING THE GAME OF BASKETBALL,

recommending the adoption of the recommendations contained therein and their immediate implementation, taking into consideration Senate Bill No. 1739.

Sponsor: Senator Jaworski

The President. To the Calendar for Ordinary Business

ADDITIONAL REFERENCE OF BUSINESS

COMMITTEE REPORTS

The Secretary. Committee Report No. 432, submitted by the Committee on Public Works, on House Bill No. 6516, introduced by Representatives Macias II and Paras, entitled

AN ACT NAMING THE DUMAGUETE NORTH ROAD, EXTENDING FROM THE CITY OF DUMAGUETE UP TO THE MUNICIPALITY OF VALLEHERMOSO, ALL IN THE PROVINCE OF NEGROS ORIENTAL TO DIEGO DE LA VIÑA HIGHWAY,

recommending its approval without amendments.

Sponsor: Senator Revilla

The President. To the Calendar for Ordinary Business

The Secretary. Committee Report No. 433, prepared and submitted jointly by the Committees on Education, Arts and Culture; and Finance, on Senate Bill No. 2191, with Senator Aquino-Oreta as author thereof, entitled

AN ACT ESTABLISHING AUTHORITY AND ACCOUNTABILITY FOR BASIC EDUCATION IN THE DEPARTMENT OF EDUCATION, INSTITUTING A FRAMEWORK FOR GOVERNANCE, DEFINING THE ROLES AND RESPONSIBILITIES FOR BUILDING AND CONSTANTLY IMPROVING AN EDUCATION SYSTEM THAT ENABLES THE FILIPINO CHILDREN, OUT-OF-SCHOOL YOUTH AND ADULT LEARNERS TO BECOME CARING, SELF-RELIANT, PRODUCTIVE AND NATIONALISTIC CITIZENS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 1558.

Sponsor: Senator Aquino-Oreta

The President. To the Calendar for Ordinary Business

Senator Tatad. Mr. President.

The President. The Majority Leader is recognized.

SPECIAL ORDERS

Senator Tatad. Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders, Committee Report No. 433 on Senate Bill No. 2191, entitled

AN ACT ESTABLISHING AUTHORITY AND ACCOUNTABILITY FOR BASIC EDUCATION IN THE DEPARTMENT OF EDUCATION, INSTITUTING A FRAMEWORK FOR GOVERNANCE, DEFINING THE ROLES AND RESPONSIBILITIES FOR BUILDING AND CONSTANTLY IMPROVING AN EDUCATION SYSTEM THAT ENABLES THE FILIPINO CHILDREN, OUT-OF-SCHOOL YOUTH AND ADULT LEARNERS TO BECOME CARING, SELF-RELIANT, PRODUCTIVE AND NATIONALISTIC CITIZENS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

CONFERENCE COMMITTEE ON S. NO. 1355/H. NO. 7081
(Landscape Architecture Act)

Senator Tatad. Mr. President, I move that we now constitute the Senate panel to the conference committee on the disagreeing provisions of Senate Bill No. 1355, the Landscape Architecture Bill and its House counterpart.

For this purpose, I hereby nominate Sen. Nikki Marquez Lim Coseteng as chairperson; and as members, Senators Ople, Aquino-Oreta, Revilla, and Biazon. For the Minority, Sen. Juan M. Flavio.

The President. The Senate contingent to the Bicameral Conference Committee to discuss the disagreeing provisions of Senate Bill No. 1355 and its House counterpart is hereby constituted consisting of Sen. Anna Dominique Marquez Lim Coseteng as chairperson, and as members, Senators Ople, Aquino-Oreta, Revilla, Biazon and Flavio.

MANIFESTATION OF SENATOR TATAD
(Senator Honasan as Coauthor of S. No. 1978)

Senator Tatad. Mr. President, may I also manifest that Sen. Gregorio B. Honasan is a coauthor of Senate Bill No. 1978, entitled

AN ACT PROVIDING FOR A MORE COMPREHENSIVE NURSING PROFESSION,

AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7164, OTHERWISE KNOWN AS THE PHILIPPINE NURSING ACT OF 1991, AND FOR OTHER PURPOSES.

The President. The *Record of the Senate* will also reflect the manifestation of the Majority Leader.

BILL ON SECOND READING

S. No. 2191—Governance of Basic Education Act of 2000

Senator Tatad. Mr. President, I move that we consider Senate Bill No. 2191 under Committee Report No. 433 as reported out by the Committees on Education, Arts and Culture; and Finance.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

Consideration of Senate Bill No. 2191 is now in order.

With the permission of the Body, the Secretary will read only the title of the bill without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 2191, entitled

AN ACT ESTABLISHING AUTHORITY AND ACCOUNTABILITY FOR BASIC EDUCATION IN THE DEPARTMENT OF EDUCATION, INSTITUTING A FRAMEWORK FOR GOVERNANCE, DEFINING THE ROLES AND RESPONSIBILITIES FOR BUILDING AND CONSTANTLY IMPROVING AN EDUCATION SYSTEM THAT ENABLES THE FILIPINO CHILDREN, OUT-OF-SCHOOL YOUTH AND ADULT LEARNERS TO BECOME CARING, SELF-RELIANT, PRODUCTIVE AND NATIONALISTIC CITIZENS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

The following is the whole text of the bill:

Senate Bill No. 2191

AN ACT ESTABLISHING AUTHORITY AND ACCOUNTABILITY FOR BASIC EDUCATION IN THE DEPARTMENT OF EDUCATION, INSTITUTING A FRAMEWORK FOR GOVERNANCE, DEFINING THE ROLES AND

RESPONSIBILITIES FOR BUILDING AND CONSTANTLY IMPROVING AN EDUCATION SYSTEM THAT ENABLES THE FILIPINO CHILDREN, OUT-OF-SCHOOL YOUTH AND ADULT LEARNERS TO BECOME CARING, SELF-RELIANT, PRODUCTIVE AND NATIONALISTIC CITIZENS, 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. *Short Title.* - This Act shall be known as the "Governance of Basic Education Act of 2000."

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to protect and promote the right of all citizens to quality basic education and to make such education accessible to all by providing all Filipino children a free and compulsory education in the elementary level and free education in the high school level. Such education shall also include alternative learning systems for out-of-school youth and adult learners. It shall be the goal of basic education to provide them with the skills, knowledge and values they need to become caring, self-reliant, productive and nationalistic citizens.

All Filipino children, out-of school youth and adult learners have the right to receive quality basic education that will enable them to acquire knowledge, to be equipped with skills and imbibe the core values they need to develop their potentials to the fullest according to their talents and abilities and to grow into responsible and committed Filipino citizens.

It shall be a national commitment to provide the early and young learners an environment in the school that is child-centered for them to fully develop their talents and abilities. It shall likewise be a national commitment to provide out-of-school youth and adult learners alternative learning systems for them to learn a core of basic competencies and receive accreditation for at least the equivalent of a high school education.

The school teacher/learning facilitator shall play a central role in the teaching-learning process and shall be accountable for achieving higher learning outcomes.

It shall be a national commitment to continuously enhance the status and quality of the teaching profession and to promote the employment status, professional competence, well-being and working conditions of all teachers and learning facilitators.

Schools and learning centers shall be established as facilities where schoolchildren are able to learn a range of core competencies prescribed for elementary and high school education programs or where the out-of-school youth and adult learners are provided alternative learning programs.

The Secretary of Education shall promulgate the broad policy framework defining the mission and vision for basic education; the goals for improving the quality of basic education in both public and private schools; the policy providing for systems of alternative learning and the policy adopting a principle of shared governance.

Governance of basic education shall begin at the national level. It is at the regions, divisions, schools and learning centers - herein referred to as the field offices - where the policy and principle for the governance of basic education shall be translated into programs, projects and services developed, adapted and offered to fit local needs.

The State shall encourage local initiatives for improving the quality of basic education. The State shall ensure that the values, needs and aspirations of a school community are reflected in the program of education for the children, out-of-school youth and adult learners. Schools and learning centers shall be empowered to make decisions on what is best for the learners they serve.

The State shall orient the education system towards a new paradigm that seeks to enhance the delivery of quality basic education in all schools and learning centers. For this purpose, the Department of Education, Culture and Sports, herein renamed as the Department of Education (DE), shall install the appropriate administrative and support systems for the educational thrusts of the field offices. The Department of Budget and Management (DBM), the Civil Service Commission (CSC) and the Commission on Audit (COA) shall, in the issuance and application of policies, rules and regulations, recognize the uniqueness of the educational programs, projects and services undertaken.

SEC. 3. *Purposes and Objectives.* - The purposes and objectives of this Act are:

a) To provide the broad framework for the governance of basic education which shall set the general directions for educational policies and standards and establish authority, accountability and responsibility for achieving higher learning outcomes;

b) To define the roles and responsibilities of the field offices which shall implement educational programs, projects and services for the communities they serve;

c) To make schools and learning centers the most important vehicle for the teaching and learning of national values and for developing in the Filipino learners love of country and pride in its rich heritage;

d) To ensure that schools and learning centers receive the kind of focused attention they deserve and that educational programs, projects and services take into account the interests of all members of the community;

e) To enable the schools and learning centers to reflect the values of the community by allowing teachers/learning facilitators and other staff to have the flexibility to serve the needs of all learners; and

f) To encourage local initiatives for the improvement of schools and learning centers and to provide the means by which these improvements may be achieved and sustained.

SEC. 4. *Definition of Terms.* - For purposes of this Act, the terms or phrases used shall mean or be understood as follows:

a) *Alternative Learning System* - is a parallel learning system to provide a viable alternative to the existing formal education instruction. It encompasses both the non-formal and informal sources of knowledge and skills.

b) *Basic Education* - refers to the education intended to meet basic learning needs. It lays the foundation on which subsequent learning can be based. It encompasses early childhood, elementary and high school education as well as alternative

learning systems for out-of-school youth and adult learners and includes education for those with special needs;

c) *Cluster of Schools* - is a group of schools which are geographically contiguous and brought together to improve the learning outcomes;

d) *Informal Education* - is a lifelong process of learning by which every person acquires and accumulates knowledge, skills, attitudes and insights from daily experiences at home, at work, at play and from life itself;

e) *Integrated Schools* - is a school that offers a complete basic education in one school site. It has instructional programs (integrated curriculum for elementary/high school);

f) *Learner* - is any individual seeking basic literacy skills and functional life skills or support services for the improvement of the quality of his/her life;

g) *Learning Center* - is a physical space to house learning resources and facilities of a learning program for out-of-school youth and adults. It is a venue for face-to-face learning activities and other learning opportunities for community development and improvement of the people's quality of life;

h) *Learning Facilitator* - is the key learning support person who is responsible for supervising/facilitating the learning process and activities of the learner;

i) *Non-formal Education* - is any organized, systematic educational activity carried outside the framework of the formal system to provide selected types of learning to a segment of the population;

j) *School* - is an educational institution, private and public, undertaking educational operation with a specific age-group of pupils or students pursuing defined studies at defined levels, receiving instruction from teachers, usually located in a building or a group of buildings in a particular site; and

k) *School Head* - is a person responsible for the administrative and instructional supervision of the school or cluster of schools.

CHAPTER I GOVERNANCE OF BASIC EDUCATION

SEC. 5. *Governance.* - The Department of Education, Culture and Sports, which shall henceforth be called the Department of Education, shall be vested with authority, accountability and responsibility for ensuring access, promoting equity, and improving the quality of basic education. The respective roles and responsibilities of the central office and field offices shall be clearly established.

SEC. 6. *Powers, Duties and Functions.* - The Secretary of the Department of Education shall exercise overall authority and supervision over the operations of the Department.

A. National Level

The Secretary of Education shall have authority, accountability and responsibility for the following:

1. Formulating national educational policies;
2. Formulating a national basic educational plan;
3. Promulgating national educational standards;
4. Monitoring and assessing national learning outcomes;
5. Undertaking national educational research and studies; and
6. Enhancing the employment status, professional competence, welfare and working conditions of all personnel of the Department.

The Secretary of Education shall be assisted by not more than four (4) undersecretaries and not more than four (4) assistant secretaries whose assignments, duties and responsibilities the Secretary shall determine in the best interest of the service. There shall be at least one undersecretary and one assistant secretary who shall be career executive service officers chosen from among the staff of the Department.

Within six (6) months after the approval of this Act, the Secretary of Education may propose, for approval by the President of the Philippines, pursuant to the Revised Administrative Code of 1987, such changes in the internal structure of the Central Office, including the staff bureaus, centers and services, as may be appropriate to support and facilitate the

reforms envisioned in this Act.

B. Regional Level

There shall be as many regional offices as may be provided by law. Each regional office shall have a director, an assistant director and an office staff for program promotion and support, planning, administrative and fiscal services.

1. Duties and Responsibilities of the Regional Director

The regional director shall have authority, accountability and responsibility for the following:

- a. Defining a regional educational policy framework which reflect the values, needs and expectations of the communities they serve;
- b. Developing a regional basic education plan;
- c. Developing regional standards with a view towards benchmarking for international competitiveness;
- d. Monitoring, evaluating and assessing regional learning outcomes;
- e. Undertaking research projects and developing and managing regionwide projects which may be funded through official development assistance and/or other funding agencies;
- f. Ensuring strict compliance of prescribed national criteria for the recruitment, selection and training of all staff in the region and divisions;
- g. Formulating, in coordination with the regional development council, the budget to support the regional educational plan which shall take into account the educational plans of the divisions and districts;
- h. Determining the organization component of the divisions and districts and approving the proposed staffing pattern of all employees in the divisions and districts;
- i. Hiring, placing and evaluating all employees in the regional office, except for the position of assistant director;

- j. Hiring, placing and evaluating all division supervisors, school district supervisors and all school heads in the region;
- k. Planning and managing the effective and efficient use of all personnel, physical and fiscal resources of the regional office, including professional staff development;
- l. Managing the database and management information system of the region;
- m. Approving the establishment of public and private elementary and high schools and learning centers; and
- n. Performing such other functions as may be assigned by proper authorities.

2. Career Path for Regional Directors

The career path for regional directors and assistant regional directors shall be as determined by the Career Executive Service Board (CESB).

C. Division Level

A division shall consist of a province or a city which shall have a schools division superintendent, at least one assistant schools division superintendent and an office staff for programs promotion, planning, administrative, fiscal, legal, ancillary and other support services.

1. Duties and responsibilities of Schools Division Superintendents

The school's division superintendent shall have authority, accountability and responsibility for the following:

- a) Developing and implementing division education development plans;
- b) Planning and managing the effective and efficient use of all personnel, physical and fiscal resources of the division, including professional staff development;
- c) Hiring, placing and evaluating all employees in the division, both teaching and non-teaching, except for the positions of the assistant division

superintendent, division supervisors, schools district supervisors and school heads;

- d) Monitoring the utilization of funds provided by the national government and the local government units to the schools and learning centers;
- e) Ensuring compliance of quality standards for basic education programs and for this purpose strengthening the role of division supervisors as subject area specialists;
- f) Promoting awareness of and adherence by all schools and learning centers to accreditation standards prescribed by the Secretary of Education;
- g) Supervising the operations of all public and private elementary, secondary and integrated schools, and learning centers; and
- h) Performing such other functions as may be assigned by proper authorities.

2. Career Path for Division Superintendents and Assistant Division Superintendents

The career path for Division Superintendents and Assistant Division Superintendents shall be determined by the Career Executive Service Board.

D. Schools District Level

Upon the recommendation of the schools division superintendents, the regional director may establish additional schools district within a schools division and/or additional schools district supervisors to be assigned at large to clusters of schools within a schools division. Schools districts already existing at the time of the passage of this law shall continue to be maintained. A schools district shall have a schools district supervisor and an office staff for program promotion.

1. Duties and responsibilities of Schools District Supervisors

The schools district supervisor shall be responsible for:

- a) Providing professional and instructional support to the school heads and teachers/facilitators of

schools and learning centers in the district or cluster thereof; and

- b) Performing such other functions as may be assigned by proper authorities.

2. Career path of Schools District Supervisors

The Secretary of Education shall develop, promote and implement a career path for schools district supervisors.

E. School Level

The school shall be the heart of the formal education system. It is where children learn. Schools shall have a single aim of providing the best possible basic education for all learners.

1. School Heads

There shall be a school head for all public elementary schools and public high schools or a cluster thereof. The establishment of integrated schools from existing public elementary and public high schools shall be encouraged.

The school head, who may be assisted by an assistant school head, shall be both an instructional leader and administrative manager. The school head shall form a team with the school teachers/learning facilitators for delivery of quality educational programs, projects and services. A core of non-teaching staff shall handle the school's administrative, fiscal and auxiliary services.

2. Duties and responsibilities of school heads

The school heads shall have authority, accountability and responsibility for the following:

- a) Setting the mission, vision, goals and objectives of the school;
- b) Creating an environment within the school that is conducive to teaching and learning;
- c) Implementing the school curriculum and being accountable for higher learning outcomes;
- d) Developing the school education program and school improvement plan;

- e) Offering educational programs, projects and services which provide equitable opportunities for all learners in the community;

- f) Establishing school and community networks;

- g) Administering and managing all personnel, physical and fiscal resources of the school;

- h) Generating, soliciting and accepting contributions and donations from parents, the community, alumni and other benefactors for the purpose of upgrading teachers'/learning facilitators' competencies, improving and expanding school facilities and providing instructional materials and equipment and being accountable for the proper recording, reporting and utilization thereof; and

- i) Performing such other functions as may be assigned by proper authorities.

3. Career path for school heads

The Secretary of Education shall develop, promote and implement a career path for school heads where promotion shall be based more on merit and performance than on the number of teachers/learning facilitators and learners in the schools. The career path, salary grade, status of employment and welfare and benefits of school heads shall be the same for public elementary, secondary and integrated schools.

CHAPTER 2

TRANSFER OF CULTURAL AGENCIES

SEC. 7. *Cultural Agencies.* - The Komisyon ng Wikang Pilipino, National Historical Institute, Records Management and Archives Office and the National Library shall now be administratively attached to the National Commission for Culture and the Arts (NCCA) and no longer with the Department of Education, Culture and Sports now the Department of Education. The program for school arts and culture shall remain part of the school curriculum.

CHAPTER 3

TRANSFER OF BUREAU OF PHYSICAL EDUCATION AND SCHOOL SPORTS

SEC. 8. The Bureau of Physical Education and School Sports shall be absorbed by the Philippine Sports Commission. The program for school sports

and physical fitness shall remain part of the school curriculum.

CHAPTER 4 SUPPORT AND ASSISTANCE OF OTHER GOVERNMENT AGENCIES

SEC. 9. The Department of Education shall determine the administrative and support systems required to implement a new paradigm that will enhance the delivery of quality basic education. For this purpose, the Secretary of Education and the Secretary of Budget and Management shall, within ninety (90) days from the approval of this Act, jointly promulgate the guidelines to implement fully the principle of shared governance promulgated herein, particularly the allocation, distribution and utilization of resources provided by the national government for the field offices.

Henceforth, the Secretary of the Department of Education shall ensure that: (1) resources appropriated for the field offices are adequate; (2) that resources for school personnel, school desks and textbooks and other instructional materials allocated to the proper field offices are not contained in any lump sum appropriations in the budget of the central office; and (3) that such resources are transferred directly by the Department of Budget and Management to the proper field offices.

SEC. 10. The Department of Education shall collaborate with the Civil Service Commission for the issuance of appropriate personnel policy rules and regulations that will best meet the requirements of the teaching profession taking into consideration the uniqueness of the working conditions of the teaching service.

Henceforth, the Secretary of the Department of Education shall ensure that personnel policies, rules and regulations issued and implemented by the Civil Service Commission are relevant, responsive and supportive of the teaching service.

SEC. 11. The Department of Education shall collaborate with the Commission on Audit for the issuance of appropriate audit rules and regulations that will guide the utilization of all resources as well as the liquidation, recording and reporting thereof taking into account the different characteristics and distinct features of the agency's field offices, its

organizational set-up as well as the nature of the operations of schools and learning centers.

CHAPTER 5 FINANCE

SEC. 12. *School Innovation and Improvement Fund.* - For the effective implementation of this Act, there is hereby established a School Innovation and Improvement Fund (SIIF) for which the sum of Ten Billion Pesos (P10,000,000,000.00) is hereby appropriated. Such amount shall be in addition to whatever appropriation shall be provided to the Department of Education for the fiscal year following the approval of this Act.

The SIIF shall enable the schools to improve the teaching-learning process by making available to teachers/learning facilitators and learners a wide range of audio-visual and/or multi-media facilities, tools and equipment, including computers and access to Internet, and other appropriate educational technologies that will aid instruction and enhance learning.

The SIIF shall be utilized in accordance with the guidelines to be promulgated by the Secretary of Education; *Provided*, That the SIIF to be allocated to each public school shall not be less than Two Hundred Thousand Pesos (P200,000.00); *Provided, further*, That such allocated SIIF shall be in addition to the regular allotment for maintenance and other operating expenses (MOOE) of the schools provided in the General Appropriations Act in subsequent years following the approval of this Act.

CHAPTER 6 FINAL PROVISIONS

SEC. 13. The Regional Education Secretary for the Autonomous Region in Muslim Mindanao (ARMM) shall exercise similar governance authority over the divisions, districts, schools and learning centers in the region as may be provided in the Organic Act.

SEC. 14. *Rules and Regulations.* - The Secretary of Education shall promulgate the implementing rules and regulations within ninety (90) days after the approval of this Act; *Provided*, That the Secretary of Education shall fully implement the principle of shared governance within two (2) years after the approval of this Act.

SEC. 15. *Mandatory Review.* - Congress shall undertake a mandatory review of this Act after seven (7) years from the date of approval of this Act.

SEC. 16. *Separability Clause.* - If for any reason, any portion or provisions of this Act shall be declared unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 17. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations, or part or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 18. *Effectivity Clause.* - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,

Senator Tatad. Mr. President, for the sponsorship, I ask that the distinguished chairperson of the Committee on Education, Arts and Culture, Sen. Teresa Aquino-Oreta, be recognized.

The President. Sen. Teresa Aquino-Oreta is recognized to sponsor Senate Bill No. 2191.

SPONSORSHIP SPEECH OF SENATOR AQUINO-ORETA

Senator Aquino-Oreta. Thank you, Mr. President.

Mr. President, my esteemed colleagues:

I rise on behalf of the Filipino children, out-of-school youth and adult learners and sponsor for them the "Governance of Basic Education Act of 2000" which is "An Act Establishing Authority and Accountability for Basic Education in the Department of Education; Instituting a Framework for Governance; Defining the Roles and Responsibilities for Building and Constantly Improving an Education System that Enables the Filipino Children, Out-of-School Youth and Adult Learners to Become Caring, Self-Reliant, Productive and Nationalistic Citizens, Appropriating Funds Therefor, and For Other Purposes."

But before I do so, please allow me to speak briefly on the history of the system of Philippine education.

On January 21, 1901, the Philippine Commission, working under the administration of the military governor, passed Act

No. 74 which established a Department of Public Instruction headed by a chief officer called the General Superintendent of Public Instruction who was appointed by the Commission.

On July 4, 1901, the administrative authority to supervise the General Superintendent was transferred from the Military Governor to the Civil Governor upon the appointment of the Hon. William H. Taft, President of the Philippine Commission as Civil Governor of the Philippine Islands.

Later, on September 6, 1901, the Philippine Commission enacted Public Act No. 222 which provided for the organization of four executive departments, one of which was the Department of Public Instruction - a name the education agency used until July 1, 1947 when the Department was renamed Department of Education.

The system of education then was administered and supervised by the head of the education agency in its central office in Manila. Circulars, bulletins and memoranda were issued to provide the general and specific guidelines by which schools were to deliver educational programs, projects and services.

Mr. President, my esteemed colleagues, it is worth noting that a hundred years ago in 1901 the records showed that schools took orders from the superintendent of public instruction. Schools did not take part in any decision-making.

The history of Philippine education went through several periods which are referred to as the period of organization and orientation, the period of the Commonwealth, the period of the Japanese regime, the period of the Republic, the period of reorganization, and lately the period of the EdCom reforms.

The Chair and my esteemed colleagues in the Senate will recall when the landmark legislations initiated by a Congressional Commission on Education or EdCom restructured the Department of Education, Culture and Sports (DECS) by establishing two new education agencies—the Commission on Higher Education or CHED and the Technical Education and Skills Development Authority or TESDA which are now tasked with responsibilities over higher education and technical education and skills development, respectively.

Today, the DECS is tasked with the singular responsibility of improving access, promoting equity and ensuring quality basic education. Thanks to EdCom, DECS no longer attends to the concerns of students in higher education nor in technical and vocational education. Still the statistics as of school year 1999-2000 reveal gigantic figures especially when compared with data for school year 1900-1901.

One hundred years ago there were only 1,838 public schools, all of which were elementary schools. Today there are 42,885 public elementary and secondary schools.

One hundred years ago, there were only 5,158 public school teachers, 763 of whom were Americans. Today, there are 438,518 public school teachers.

One hundred years ago, there were only about 150,000 pupils in the public schools. Today, there are 15,690,699 pupils.

Mr. President, my esteemed colleagues, it is not my intention to burden this Body with an account—though briefly—of the history of Philippine education, nor is it my desire to exhaust my colleagues with some of the significant statistics of the period. I do so only for the purpose of painting a backdrop from which I would like to pose the following question: Can a 20th century bureaucracy meet the challenges of a 21st century learning revolution?

For indeed the bureaucracy that is the DECS today betrays the culture and style of administration and supervision of a colonial past! Sadly, what was said of the culture and style of the administration and supervision of our Philippine education system in the early 1900s can still be said today; which is that the education agency as it was a hundred years ago being still highly centralized and seemingly a bureaucracy governing the governed with little care or concern; rigorously dogmatic to the point of being difficult; and strangely indifferent as to be detached and disinterested with the predicament of the learning communities we call schools.

The system of education continues to be administered and supervised by the secretary of Education from his central headquarters now at Pasig City. Circulars, bulletins and memoranda are issued by the secretary of Education as they were one hundred years ago by the Superintendent of Public Instruction and are still the orders which prescribe the day-to-day conduct of educational programs, projects and services conducted in all our elementary and secondary schools nationwide.

Yes, Mr. President and my dear esteemed colleagues, our schools today continue to take orders from the secretary of Education. As it was a hundred years ago our schools today still do not take part in any decision-making.

At this point, allow me to digress a bit to inform our colleagues in this august Chamber that one of the many findings of the Project on Teachers Advancement for Optimum Well-being or Project TAO, is that the school heads in fact do

not really make decisions for their schools. They would like to do so, but the present system will not allow them.

Copies of the two-volume report of Project TAO which includes (1) a statistical profile report, and (2) a division profile report which are both in CD format are on the desks of my colleagues for their reference.

Many of our neighboring countries, Mr. President, my esteemed colleagues, in Southeast Asia have long recognized the fact that the only way for a country's system of education to flourish, to become relevant to the challenges of the new millennium, to become responsive to the community needs and to be able to provide all learners the opportunity to develop their skills, talents and all potentials to the fullest is for the country to establish "independent schools."

Singapore calls these independent schools "Thinking Schools." Malaysia calls them "Smart Schools." Other countries in the Asia-Pacific region refer to their own brand of independent schools as "Schools of the Future" or "Schools of Tomorrow."

Mr. President, my esteemed colleagues: We do not want our schools to be called "Schools of the Past" or "Schools of Yesterday or Schools of Yesteryears." Our children, their teachers and school heads deserve no less than schools that think, schools that are smart, are of the future and of tomorrow as other schools in the region are.

I am certain that the leadership of the DECS and the entire hierarchy of its bureaucracy wish no less for our schoolchildren. The purpose then of Senate Bill No. 2191 is to provide the education bureaucracy with the legal basis by which to truly empower our schools and learning centers so that they may be able to make decisions on what is best for the learners they serve.

Mr. President, my esteemed colleagues: On behalf of the Filipino children, the out-of-school youth and the adult learners who have the right under the Constitution and our laws to receive quality basic education, I ask for the Chamber's full support in making into law this Senate Bill No. 2191.

Let it not be said of us that when this august Body had the chance to truly empower schools and learning centers, we hesitated to do so. Rather let it be said that by approving into law this Senate Bill No. 2191, we are making sure that henceforth, our schools will not just take orders, but our schools will take part in decision-making.

One hundred years from today, let our acts be remembered as enabling every Filipino learner to acquire knowledge, to be equipped with skills and imbibe the core values he/she needs to develop his/her potentials to the fullest according to his/her talents and abilities and to grow into a responsible and committed Filipino citizen.

This Senate Bill No. 2191 is premised on a principle of shared governance where there is established a clear delineation of respective roles and responsibilities of the national office and the field offices, namely the regions, school divisions and schools and learning centers. Authority, accountability and responsibility for higher pupil learning outcomes are defined clearly and categorically.

There is now a learning revolution which many say has not been seen since Gutenberg ran the first Bible off a printing press more than 500 years ago. They say that the main element of the revolution is that of linking the modern marvels of the brain research with the power of instantly available information and knowledge.

For the first time, we now know how to store almost all the world's most important information and make it available instantly, in almost any form, to almost anyone on earth—and to link everyone together in a global network learning web. The scope of these changes forces us all to completely rethink everything we have understood about learning, education and schooling. Our schools need to rethink the role of teaching and learning. But our schools cannot improve unless the system to which it belongs also improves.

Let us then begin by reorienting the education system towards a new paradigm where the school shall be at the heart of the education system - where the schoolteacher shall become a learning facilitator who plays a central role in the teaching and learning process and together with the school head be accountable for achieving higher learning outcomes.

Mr. President, my esteemed colleagues: When all of these shall have come to pass with the Chamber's approval of Senate Bill No. 2191, then we can proudly proclaim that the Department of Education, Culture and Sports (DECS), which is now on its 21st century bureaucracy, will now be able to meet the challenges of a 21st century learning revolution.

I earnestly seek the Chamber's approval of Senate Bill No. 2191.

Thank you, Mr. President.

Senator Tatad, Mr. President.

The President. The Majority Leader is recognized.

Senator Tatad. We wish to thank the sponsor for that inspired sponsorship speech.

SUSPENSION OF CONSIDERATION OF S. NO. 2191

To allow the members of the Chamber to prepare for the interpellation, I move that we suspend consideration of Senate Bill No. 2191.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

BILL ON SECOND READING

S. No. 2129--Strengthening the ARMM Organic Act (Continuation)

Senator Tatad. Mr. President, I move that we resume consideration of Senate Bill No. 2129 as reported out under Committee Report No. 393.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 2129 is now in order.

Senator Tatad. Mr. President, we are still in the period of interpellations. For the final interpellation, I ask that, first of all, the sponsor, Sen. Aquilino Q. Pimentel Jr., be recognized; and for the final interpellation, Sen. Juan M. Flavier.

The President. Sen. Aquilino Q. Pimentel Jr. is recognized. To avail himself of the period of interpellations, Sen. Juan M. Flavier is recognized.

Senator Flavier. Mr. President, will my guru in Local Government 101 allow me to ask a few clarificatory questions for my education?

Senator Pimentel. Mr. President, I have no choice, otherwise, I will lose my quorum-provider in the meetings that we are having in the committee.

Senator Flavier. Mr. President, I raise these questions reluctantly because I was present in 15 out of the 16 hearings held. However, these are new provisions that were not thoroughly discussed so I hope that my guru will allow me to raise them.

Senator Pimentel. Yes.

Senator Flavier. The first one is in Section 6(3) of Article VII and Section 3 of Article VIII on the proposed measure