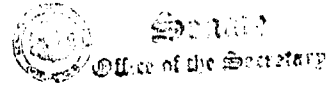


**EIGHTEENTH CONGRESS OF THE
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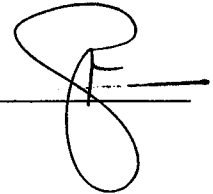
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SENATE

20 MAY 12 P1:28

S.B. No. 1526



Introduced by SEN. WIN GATCHALIAN

**AN ACT
CREATING THE NATIONAL EDUCATION COUNCIL,
DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

A study and its recommendations on the management of the Philippine education system was conducted by the 1991 Congressional Commission on Education (EDCOM). The EDCOM's recommendation to split the huge education bureaucracy into three separate agencies led to the restructuring and tri-focalization of the management of the country's educational system. This was intended for the agencies to focus on their basic mandates to deliver and produce the outcomes expected of them.¹

The Tri-focalization of Education System in 1994 was thus enacted into law, creating the Commission on Higher Education to handle higher education; the Technical Education Skills and Development Authority to handle technical and vocational education; and then Department of Education, Culture and Sports to focus on basic education covering

¹ <http://apcj.alcob.org/journal/article.php?code=21276&ckattempt=1>

elementary and secondary levels.²

While tri-focalization has led to greater focus and depth in the planning and implementation of development programs of the three co-equal education sub-sectors, the Presidential Commission on Educational Reform (PCER) – created in 1998 to continue and build on the work of the EDCOM to further strengthen the role of education in accelerating national development and global competitiveness – pointed out that “the salutary effects of trifocalization of education notwithstanding, there are perceived concerns and issues arising from possible overlaps and gaps as well as inconsistencies in and non-alignment of policies, plans and programs.”³ To ensure effective coordination, planning and allocation of scarce resources among the three sub-sectors of education and training, PCER reiterated and adopted the EDCOM’s recommendation to put in place a National Coordinating Council for Education (NCCE), which led to the creation of the NCCE under Executive Order (EO) No. 273, s. 2000 under then President Joseph Ejercito Estrada.

In 2007, then President Gloria Macapagal-Arroyo issued EO No. 632, s. 2007⁴, which amended EO No. 273 by abolishing the NCCE, and mandating a Presidential Assistant to exercise its functions of assessing, planning and monitoring the entire educational system. In the same year, President Arroyo created the Presidential Task Force to Assess, Plan and Monitor the Entire Educational System under EO No. 652, s. 2007,⁵ in the discharge of the functions and responsibilities of the NCCE, as exercised by the Office of the PA for Education, to commission highly qualified experts/specialists and/or education consultancy groups to provide specific

² *Ibid.*

³ Executive Order No. 273, s. 2000, Institutionalizing the System of National Coordination, Assessment, Planning and Monitoring of the Entire Educational System.

⁴ Executive Order No. 632, s. 2007, Amending Executive Order No. 273 (Series of 2000) and Mandating a Presidential Assistant to Assess, Plan and Monitor the Entire Educational System.

⁵ Executive Order No. 652, s. 2007, Creating the Presidential Task Force to Assess, Plan and Monitor the Entire Educational System

services.⁶

While these past issuances and efforts attempted to effectively coordinate the operations of the three sub-sectors of education and training, the Philippine education system has not fully delivered the outcomes it sought to achieve under tri-focalization, thus raising the urgent need for further reforms, including the recent pivot from access to quality to improve the Philippine education system. This was expressed in Senate Joint Resolution No. 6, filed on September 22, 2010 under the 15th Congress, which stated that “among the major recommendations [of the EDCOM] that were not acted upon was the creation or institutionalization of a permanent National Coordinating Council for Education (NCCE) that would coordinate and harmonize the policies and programs of the three education agencies and dovetail them to national development plans.”

This bill is a bold attempt to place education at the center of the country’s development policies and creates a National Education Council to develop a national education agenda, set its goals, priorities, and long-term national strategy, and institutionalize a system of national coordination, planning, monitoring, evaluation, and management among the three sub-sectors. It seeks to promote a culture of long-term, strategic and collaborative planning among these sub-sectors – compelling the adoption of a long-term vision and focused priorities and investments in education. It seeks to improve education governance in the country and ensure effective coordination to eliminate fragmentation of education policies and programs by strengthening the integration and collaboration of the three sub-sectors to improve education outcomes and achieve the goals set under the national education agenda.

This measure recognizes the indispensable role of a national council on education, as recommended by the EDCOM, to develop an effective and efficient education ecosystem that will enable the three sub-sectors to

⁶ *Ibid.*

implement policies and programs coherently, while engaging other government agencies, local government units, the business sector, the academe, and other public and private stakeholders who play a crucial role in the education sector.

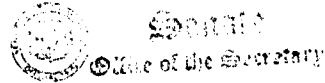
In view of the foregoing, immediate consideration and passage of this bill is earnestly sought.



WIN GATCHALIAN

**EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
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SENATE

S.B. No. 1526

20 MAY 12 P1 :28

Introduced by SEN. WIN GATCHALIAN

**AN ACT
CREATING THE NATIONAL EDUCATION COUNCIL,
DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1 Section 1. *Short Title.* – This Act shall be known as the “National
2 Education Council Act.”

3
4 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the
5 State to make education as a critical component of human capital
6 development, socio-economic equality, inclusive growth, and sustainable
7 development. Pursuant to Article XIV of the Constitution which mandates
8 the State to protect and promote the right of all citizens to quality education
9 at all levels, take appropriate steps to make such education accessible to all,
10 and establish, maintain, and support a complete, adequate, and integrated
11 system of education relevant to the needs of the people and society, the
12 State hereby adopts the following policies:

- 1 a. The State shall place education at the center of its development
2 policies, guided by a clear and long-term set of goals in the form of a
3 national education agenda that is a product of a long-term planning
4 and strategic investments in education;
- 5 b. The three sub-sectors of education, namely the Department of
6 Education, the Commission on Higher Education, and the Technical
7 Education and Skills Development Authority, shall strategically
8 implement the policies and programs under this national education
9 agenda in a coordinated and harmonized education ecosystem so
10 that investments in education will lead to the achievement of the goal
11 of developing the country's human capital as an essential factor to
12 national development; and
- 13 c. The State recognizes that to develop such an effective and efficient
14 education ecosystem, the role of a national council on education is
15 indispensable in enabling the three sub-sectors to implement policies
16 and programs coherently, while engaging other government agencies,
17 local government units (LGUs), the business sector, the academe,
18 and other public and private stakeholders who play a crucial role in
19 the education sector.

20
21 **Sec. 3. Objectives.** – The objectives of this Act are as follows:

- 22 a. Promote a culture of long-term, strategic, and collaborative planning
23 among the three sub-sectors through the formulation and
24 implementation of a national education agenda that will compel the
25 adoption of a long-term vision and focused priorities for the education
26 sector;
- 27 b. Improve education governance in the country and ensure effective
28 coordination and eliminate fragmentation of education policies and
29 programs among the three sub-sectors; and
- 30 c. Establish an efficient institution through the creation of the National
31 Education Council with the necessary authority to mandate the

1 integration of education policies and programs, and strengthen the
2 collaboration of the three sub-sectors to improve education outcomes
3 and achieve the goals set under the national education agenda.
4

5 Sec. 4. *The National Education Council.* – The National Education
6 Council, hereinafter referred to as the NEDCO, is hereby created and
7 attached to the Office of the President, to develop the country’s national
8 education agenda, goals, priorities, and long-term national strategy, and
9 institutionalize a system of national coordination, planning, monitoring,
10 evaluation, and management among the three sub-sectors.

11 The NEDCO shall be composed of the following:

- 12 a. President of the Philippines – Chairperson;
- 13 b. Secretary of the Department of Education – Co-Vice Chairperson;
- 14 c. Chairperson of the Commission on Higher Education – Co-Vice
15 Chairperson;
- 16 d. Director General of the Technical Education and Skills Development
17 Authority – Co-Vice Chairperson;
- 18 e. President of the Senate – Member;
- 19 f. Speaker of the House of Representatives – Member;
- 20 g. Director General of the National Economic and Development
21 Authority – Member;
- 22 h. Secretary of the Department of Science and Technology – Member;
- 23 i. Secretary of the Department of Trade and Industry – Member;
- 24 j. Secretary of the Department of Information and Communications
25 Technology – Member;
- 26 k. Secretary of the Department of Budget and Management – Member;
- 27 l. Secretary of the Department of Interior and Local Government –
28 Member;
- 29 m. Secretary of the Department of Labor and Employment – Member;
- 30 n. Chairperson of the Civil Service Commission – Member;

- 1 o. National Statistician and Civil Registrar General of the Philippine
2 Statistics Authority – Member;
- 3 p. Chairperson of the Professional Regulation Commission – Member;
4 and
- 5 q. Four (4) Members to be appointed by the President from each of the
6 following stakeholders: education sector, business sector, academe,
7 and other sectors, whether public or private, with a direct stake in
8 education to ensure broad-based consultation and planning.

9 The NEDCO shall meet at least twice a year. The President may
10 designate the Executive Secretary to attend on his behalf and preside
11 over the meetings of the NEDCO. The other members may not designate
12 alternate representatives other than their respective undersecretaries, or
13 the officers next-in-rank to such members, to the meetings.

14 Majority of the members shall constitute a quorum.

15

16 Sec. 5. *The National Education Council; Powers and Functions.* – The
17 NEDCO shall have the following powers and functions:

- 18 a. Develop the country’s strategic vision for education as anchored on
19 national development plans, long-term and medium-term goals, plans
20 and priorities, strategies for a coordinated and coherent
21 implementation, and recommendations on the corresponding
22 investments and appropriations in the form of a national education
23 agenda;
- 24 b. Institutionalize a system of national coordination in the planning,
25 monitoring, evaluation, implementation, and management of the
26 national education agenda to ensure coherent strategic direction by
27 the three sub-sectors and avoid possible overlaps, gaps, and
28 inconsistencies that may result from non-alignment of policies, plans
29 and programs;

- 1 c. Serve as a regular forum for inter-sub-sectoral consultations and
2 proposals for intervention to address cross-cutting policies and
3 programs of the three sub-sectors;
- 4 d. Ensure effective, harmonized, and coordinated planning among the
5 three sub-sectors on issues critical to the education sector including
6 but not limited to the following: a teacher education program that will
7 equip teachers with the required skills, trainings, and competencies
8 and is suitable and responsive to the needs of the three sub-sectors,
9 taking into account the real demand of the labor market and needs of
10 the industry; an integrated curriculum that will deliver the desired
11 education goals, priorities, and outcomes under the national
12 education agenda; and a K to 12 graduates employment plan that
13 ensures a job-skills match between senior high school graduates vis-
14 à-vis the qualifications and needs of the government and the private
15 sector;
- 16 e. Coordinate with government agencies, LGUs, and other relevant
17 sectors to promote policy and program coherence;
- 18 f. Regularly monitor, evaluate, review, and update the education
19 programs under the national education agenda, as well as existing
20 programs, for tighter inter-sub-sector coordination;
- 21 g. Communicate, whenever it deems necessary, the country's national
22 education agenda, policies, priorities, and programs to both local and
23 international communities, including the public reporting of the State
24 of Philippine Education Address;
- 25 h. Implement an action agenda for the development of the country's
26 capacity for, and success in, education as measured by the National
27 Achievement Test, Programme for International Student Assessment,
28 Education Index, Education for All Development Index, and other
29 indices and measures that it may deem appropriate in measuring the
30 growth and development of the education sector in the country, or
31 among countries;

- 1 i. Submit annual reports to the Philippine Congress on the progress of
2 implementation of this Act; and
3 j. Perform other functions as may be necessary for its implementation.
4

5 Sec. 6. *The National Education Agenda.* – The national education
6 agenda shall be anchored on national development plans and establish the
7 country’s strategic vision for education, long-term and medium-term goals,
8 plans and priorities, strategies for a coordinated and coherent
9 implementation, and recommendations on the corresponding investments
10 and appropriations in the form of a national education agenda. It shall
11 provide a road map for improving education governance through clear-cut
12 delineation and complementation of education polices and programs across
13 the three sub-sectors and other stakeholders. It shall also identify areas and
14 strategies to stimulate the role of other government agencies and LGUs in
15 the attainment of its vision.

16 The national education agenda shall have a minimum of five (5)-year
17 horizon, to be updated annually and reviewed periodically by the NEDCO.
18 The three sub-sectors, concerned government agencies, and concerned
19 stakeholders shall strictly comply with the national education agenda and
20 shall incorporate its pertinent policies in their respective programs.

21 The national education agenda shall be developed by the NEDCO, in
22 consultation with other relevant government agencies, LGUs, and other
23 stakeholders. It shall be completed within six (6) months from the effectivity
24 of this Act.
25

26 Sec. 7. *The NEDCO Secretariat.* – To provide support to the NEDCO, a
27 Secretariat shall be established within the Office of the President and shall
28 be under its control and supervision. It shall be headed by an Executive
29 Director who shall be nominated by the NEDCO and appointed by the
30 President of the Philippines. The Executive Director shall have at least ten
31 (10) years of experience and practice in the field of education to qualify for

1 nomination and appointment.

2 The NEDCO shall determine its organizational structure, staffing
3 pattern, and compensation schedule as it may deem necessary, and shall
4 appoint officers and employees in accordance with Civil Service law, rules
5 and regulations.

6 The initial staffing structure and complement of the Secretariat shall
7 be submitted by the NEDCO to the Department of Budget and Management
8 for funding. Pending the creation of the appropriate plantilla positions, the
9 NEDCO shall constitute an interim Secretariat within one (1) month from
10 the effectivity of this Act, through the temporary detail of competent
11 personnel from the three sub-sectors.

12 The NEDCO shall define the duties and responsibilities of the
13 Secretariat which shall, in turn, formulate and adopt its own internal
14 operating rules and procedures.

15

16 *Sec. 8. Educational Mapping and Statistics for the National Education*
17 *Agenda.* – To ensure an evidenced-based formulation and crafting of the
18 national education agenda, the Philippine Statistics Authority is hereby
19 mandated to:

- 20 a. strengthen its core unit that is dedicated to the generation, analysis,
21 utilization, and dissemination of all education and literacy statistics
22 and information, including the mapping of data related to education
23 as a dimension of poverty under Republic Act No. 11315 or the
24 “Community-Based Monitoring System Act”;
- 25 b. develop and manage a nationwide database of such statistics and
26 information;
- 27 c. systematize its administrative and operational linkages with the
28 statistical or mapping units of the three sub-sectors; and
- 29 d. coordinate with other government agencies whose mandate requires
30 the conduct of community mapping programs that are relevant to the
31 education sector such as the Department of Interior and Local

1 Government and the Department of Social Welfare and Development.

2
3 Sec. 9. *Annual Report.* – The NEDCO shall submit an annual report to
4 the President and both houses of Congress on or before the last day of May
5 to provide an assessment of the NEDCO’s implementation of the national
6 education agenda and present strategies to remedy implementation gaps.
7 The report shall also be made available to the public through the respective
8 portals of the three sub-sectors.

9
10 Sec. 10. *Appropriations.* – The amount necessary for the initial
11 implementation of this Act shall be sourced from the current appropriations
12 of the Office of the President. Thereafter, the amount necessary for the
13 continuous implementation of this Act shall be included in the annual
14 General Appropriations Act.

15
16 Sec. 11. *Implementing Rules and Regulations.* – Within ninety (90) days
17 after the effectivity of this Act, the Office of the President and the three sub-
18 sectors, in consultation with relevant stakeholders, shall formulate and
19 promulgate the necessary rules and regulations for its effective
20 implementation.

21
22 Sec. 12. *Separability Clause.* – If any part or provision of this Act shall
23 be held invalid or unconstitutional, the other parts or provisions hereof
24 which are not affected shall remain in full force and effect

25
26 Sec. 13. *Repealing Clause.* – All laws, decrees, rules, executive orders,
27 and other administrative issuances and parts thereof which are inconsistent
28 with this Act are hereby repealed, superseded or modified accordingly.

29
30 Sec. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its
31 publication in the Official Gazette or in a newspaper of general circulation.

Approved,