

**TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
First Regular Session

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25 JUL 15 P1:39

SENATE

RECEIVED BY

S.B. No. 625

Introduced by SENATOR WIN GATCHALIAN

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

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 1991 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 education 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 elementary and secondary levels.²

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

² *Ibid.*

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 1991 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 1991 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 (PA) to exercise its functions of assessing, planning, and monitoring the entire education 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 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

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

⁶ *Ibid.*

tri-focalization, thus raising the urgent need for further reforms, including the 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 1991 EDCOM, to develop an effective and efficient education ecosystem that will enable the three sub-sectors to 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

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Be it enacted by the Senate and 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 the
8 State to protect and promote the right of all citizens to quality education at all
9 levels, take appropriate steps to make such education accessible to all, and
10 establish, maintain, and support a complete, adequate, and integrated system
11 of education relevant to the needs of the people and society, the State hereby
12 adopts the following policies:

- 13 a. The State shall place education at the center of its development
14 policies, guided by a clear and long-term set of goals in the form of a

1 national education agenda that is a product of a long-term planning
2 and strategic investments in education;

3 b. The three sub-sectors of education, namely the Department of
4 Education, the Commission on Higher Education, and the Technical
5 Education and Skills Development Authority, shall strategically
6 implement the policies and programs under this national education
7 agenda in a coordinated and harmonized education ecosystem so that
8 investments in education will lead to the achievement of the goal of
9 developing the country's human capital as an essential factor to
10 national development; and

11 c. The State recognizes that to develop such an effective and efficient
12 education ecosystem, the role of a national council on education is
13 indispensable in enabling the three sub-sectors to implement policies
14 and programs coherently, while engaging other government agencies,
15 local government units (LGUs), the business sector, the academe, and
16 other public and private stakeholders who play a crucial role in the
17 education sector.

18
19 Sec. 3. *Objectives.* – The objectives of this Act are as follows:

20 a. Promote a culture of long-term, strategic, and collaborative planning
21 among the three sub-sectors through the formulation and
22 implementation of a national education agenda that will compel the
23 adoption of a long-term vision and focused priorities for the education
24 sector;

25 b. Improve education governance in the country and ensure effective
26 coordination and eliminate fragmentation of education policies and
27 programs among the three sub-sectors; and

28 c. Establish an efficient institution through the creation of the National
29 Education Council with the necessary authority to mandate the
30 integration of education policies and programs, and strengthen the

1 collaboration of the three sub-sectors to improve education outcomes
2 and achieve the goals set under the national education agenda.
3

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

10 The NEDCO shall be composed of the following:

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

1 p. Chairperson of the Professional Regulation Commission – Member;
2 and

3 q. Four (4) Members to be appointed by the President from each of the
4 following stakeholders: education sector, business sector, academe,
5 and other sectors, whether public or private, with a direct stake in
6 education to ensure broad-based consultation and planning.

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

12 Majority of the members shall constitute a quorum.
13

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

16 a. Develop the country's strategic vision for education as anchored on
17 national development plans, long-term and medium-term goals, plans
18 and priorities, strategies for a coordinated and coherent
19 implementation, and recommendations on the corresponding
20 investments and appropriations in the form of a national education
21 agenda;

22 b. Institutionalize a system of national coordination in the planning,
23 monitoring, evaluation, implementation, and management of the
24 national education agenda to ensure coherent strategic direction by the
25 three sub-sectors and avoid possible overlaps, gaps, and
26 inconsistencies that may result from non-alignment of policies, plans
27 and programs;

28 c. Serve as a regular forum for inter-sub-sectoral consultations and
29 proposals for intervention to address cross-cutting policies and
30 programs of the three sub-sectors;

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

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

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

17 The national education agenda shall be developed by the NEDCO, in
18 consultation with other relevant government agencies, LGUs, and other
19 stakeholders. It shall be completed within six (6) months from the effectivity
20 of this Act.

21
22 *Sec. 7. The NEDCO Secretariat.* – To provide support to the NEDCO, a
23 Secretariat shall be established within the Office of the President and shall be
24 under its control and supervision. It shall be headed by an Executive Director
25 who shall be nominated by the NEDCO and appointed by the President of the
26 Philippines. The Executive Director shall have at least ten (10) years of
27 experience and practice in the field of education to qualify for nomination and
28 appointment.

29 The NEDCO shall determine its organizational structure, staffing
30 pattern, and compensation schedule as it may deem necessary, and shall
31 appoint officers and employees in accordance with Civil Service laws, rules

1 and regulations.

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

8 The NEDCO shall define the duties and responsibilities of the
9 Secretariat which shall, in turn, formulate and adopt its own internal
10 operating rules and procedures.

11
12 *Sec. 8. Educational Mapping and Statistics for the National Education*
13 *Agenda.* – To ensure an evidenced-based formulation and crafting of the
14 national education agenda, the Philippine Statistics Authority is hereby
15 mandated to:

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

29
30 *Sec. 9. Annual Report.* – The NEDCO shall submit an annual report to
31 the President and both houses of Congress on or before the last day of May to

1 provide an assessment of the NEDCO's implementation of the national
2 education agenda and present strategies to remedy implementation gaps. The
3 report shall also be made available to the public through the respective portals
4 of the three sub-sectors.

5
6 Sec. 10. *Appropriations.* – The amount necessary for the initial
7 implementation of this Act shall be sourced from the current appropriations
8 of the Office of the President. Thereafter, the amount necessary for the
9 continuous implementation of this Act shall be included in the annual
10 General Appropriations Act.

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

17
18 Sec. 12. *Separability Clause.* – If any part or provision of this Act shall
19 be held invalid or unconstitutional, the other parts or provisions hereof which
20 are not affected shall remain in full force and effect.

21
22 Sec. 13. *Repealing Clause.* – All other laws, executive orders,
23 presidential decrees, administrative orders, rules and regulations, issuances,
24 or parts thereof contrary to or inconsistent with the provisions of this Act are
25 hereby repealed or amended accordingly.

26
27 Sec. 14. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this
28 Act shall take effect fifteen (15) days after its publication in the Official Gazette
29 or in a newspaper of general circulation.

Approved,