

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1286



Introduced by Hon. Christopher V.P. de Venecia

**AN ACT AMENDING SECTIONS 100 AND 272 OF REPUBLIC ACT NO. 7160,
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, TO
EXPAND THE PURPOSE AND APPLICATION OF THE SPECIAL EDUCATION
FUND**

EXPLANATORY NOTE

The Special Education Fund (SEF), which was originally established under Republic Act No. 5447, and was then adopted in Republic Act No. 7160 or the Local Government Code, was created to supplement the needs of the education sector, specifically in the operation and maintenance of public schools.

However, the coverage of the SEF under both R.A. No. 5447 and R.A. No. 7160 has been very limited and does not necessarily address the current needs and priorities of our public school system. Moreover, the gravity and variety of concerns faced by our public schools have vastly expanded since the passage of the same laws. Thus, expanding the coverage of the SEF into a more current listing would be able to afford the flexibility of our public schools to address their pressing concerns that would not be immediately answered by the national appropriations.

Thus, the support for the passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'Christopher V.P. de Venecia', written in a cursive style.

HON. CHRISTOPHER V.P. DE VENECIA
Fourth District, Pangasinan

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

SECTION 1. Short Title. This Act shall be called the “Expanded Special Education Fund Act”.

SEC. 2. Section 100 of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991” is hereby amended to read as follows:

SECTION 100. Meetings and Quorum; Budget. – (a) The local school board shall meet at least once a month or as often as may be necessary.

(b) Any of the co-chairmen may call a meeting. A majority of all its members shall constitute a quorum. However, when both co-chairmen are present in a meeting, the local chief executive concerned, as a matter of protocol, shall be given preference to preside over the meeting. The division superintendent, city superintendent or district supervisor, as the case may be, shall prepare the budget of the school board concerned. Such budget shall be supported by programs, projects, and activities of the school board for the ensuring fiscal year. The affirmative vote of the majority of all the members shall be necessary to approve the budget.

(c) The annual school board budget shall give priority to the following:

(1) Construction, repair, and maintenance of school buildings, **ADMINISTRATION OFFICES, ASSEMBLY HALLS, LABORATORIES,**

CREATIVE LEARNING SPACES, LIBRARIES and other facilities **AND IMPROVEMENTS** of public elementary and secondary schools;

(2) OPERATION AND MAINTENANCE OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS;

(3) [(2)] Establishment and maintenance of extension classes where necessary; [and]

(4) [(3)] Sports **AND ARTS** activities at the division, district, municipal, and barangay levels; **and**

(5) FUNDING FOR THE EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM.”

SEC. 3. Section 272 of the same Code is hereby amended to read as follows:

SECTION 272. Application of Proceeds of the Additional One Percent SEF Tax. – The proceeds from the additional one percent (1%) tax on real property accruing to the Special Education Fund (SEF) shall be automatically released to the local school boards: Provided, That, in case of provinces, the proceeds shall be divided equally between the provincial and municipal school boards: Provided, however, That the proceeds shall be allocated for the **FOLLOWING:** [operation and maintenance of public schools, construction and repair of school buildings, facilities and equipment, educational research, purchase of books and periodicals, and sports development as determined and approved by the local school board.]

(1) CONSTRUCTION, REPAIR, AND MAINTENANCE OF SCHOOL BUILDINGS, ADMINISTRATION OFFICES, ASSEMBLY HALLS, LABORATORIES, CREATIVE LEARNING SPACES, LIBRARIES, AND OTHER FACILITIES AND IMPROVEMENTS OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

(2) OPERATION AND MAINTENANCE OF PUBLIC SCHOOLS, INCLUDING PAYMENT OF COMPENSATION, SALARIES, WAGES, ALLOWANCES, AND OTHER BENEFITS OF TEACHING AND NON-TEACHING PERSONNEL; PROVIDED, THAT ALLOWANCES AND BENEFITS AUTHORIZED BY LAW FOR THE TEACHING AND NON-TEACHING PERSONNEL BUT NOT ADEQUATELY AND SUFFICIENTLY PROVIDED FOR BY

THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF BUDGET AND MANAGEMENT MAY BE PAID FROM THE SEF SUBJECT TO AVAILABILITY OF FUNDS;

- (3) ESTABLISHMENT AND MAINTENANCE OF EXTENSION CLASSES WHERE NECESSARY;**
- (4) ACQUISITION AND TITLING OF LAND FOR SCHOOL SITES;**
- (5) PURCHASE AND MAINTENANCE OF TRANSPORT VEHICLES, EQUIPMENT, AND APPARATUSES EXCLUSIVELY FOR SCHOOL USE;**
- (6) ACQUISITION AND/OR SUBSCRIPTION OF BOOKS, PERIODICALS, TEACHING AIDS, AND INSTRUCTIONAL MATERIALS, WHETHER PHYSICAL OR DIGITAL;**
- (7) EDUCATIONAL RESEARCHES, TRAININGS, WORKSHOPS OR CONFERENCES UNDERTAKEN OR ATTENDED TO BY TEACHERS OR STUDENTS;**
- (8) SPORTS DEVELOPMENT AS MAY BE DETERMINED AND APPROVED BY THE LOCAL SCHOOL BOARD;**
- (9) ARTS DEVELOPMENT AS MAY BE DETERMINED AND APPROVED BY THE LOCAL SCHOOL BOARD;**
- (10) FUNDING FOR THE EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM; AND**
- (11) SUCH OTHER EXPENSES NECESSARY OR INCIDENT TO THE OPERATION AND MAINTENANCE OF PUBLIC SCHOOLS WHICH ARE NOT SUFFICIENTLY PROVIDED FOR IN THE REGULAR APPROPRIATION OF THE DEPARTMENT OF EDUCATION.**

SEC. 4. All laws, decrees, executive orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 5. This Act shall take fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,