

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 2613



Introduced By: Hon. Jericho Jonas B. Nograles

EXPLANATORY NOTE

This bill seeks to institutionalize the administration of the basic Reserve Officers Training Corp. (ROTC) Program in Grade 11 and 12 in public and private educational institution.

Section 4, Article II of the 1987 Constitution provides:

"Sec. 4. The prime duty of the Government is to serve and Protect the people. The Government may call upon the people to defend the State and, in the fulfillment thereof, all citizens may be required under conditions provided by law, to render personal military or civil service."

The defense of the State is primarily the concern not only of the government but of the people as well. The aforesaid provision affirms the responsibility of the people to heed the Government's call for assistance in defending the State by rendering personal military or civil service. Pursuant to the above stated constitutional provision, Republic Act (RA) No. 7077, otherwise known as the "*Citizen Armed Forces of the Philippines Reservist Act*," was enacted on June 27, 1991 requiring mandatory military training for students enrolled in colleges, universities and similar institutions of learning. RA 7077 established and maintained the ROTC units for the purpose of producing enlisted and officer reservists.

On January 23, 2002, RA 9163, also known as the "*National Service Training Program (NSTP) Act of 2001*," was approved with the objective of inculcating in the youth patriotism, nationalism, and advancing their involvement in public and civic affairs. However, with the passage of RA

9163, certain provisions of RA 7077 were deemed amended and modified, and ROTC was made optional and voluntary.

This proposed measure seeks to provide for mandatory basic ROTC training for students in Grade 11 and 12 as part of the basic curricula for Senior High School Education in public and private educational institutions. This bill aims to enhance the capacity of the country to produce the needed manpower and to expand its human resources in times of war, calamities, and disaster, national or local emergencies. This proposed measures will likewise support the governments law enforcement strategy against crimes, by creating a pool of well-trained and prepared reservists. It is noteworthy that reservists have continuously made significant contribution in providing assistance in relief and rescue work and other civil assistance activities to meet national and local emergencies arising from calamities and disasters.

As a safeguard and mechanism to prevent hazing, corruption and abuse in the implementation of the mandatory basic ROTC Program, the measure constitute the ROTC Grievance Board, which is vested with the following powers: i.) investigate and resolve complaints involving, corruption and abuse in the ROTC Program, ii.) ensure that the ROTC Program be free from politicization and from being used to instill a particular ideology; and iii.) recommend policies and reforms to ensure adherence of the ROTC Program to the Constitution and laws.

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


JERICHO JONAS B. NOGRALES

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HOUSE BILL NO. 2613

Introduced By: Hon. **Jericho Jonas B. Nograles**

AN ACT
MANDATING THE INSTITUTIONALIZATION DEVELOPMENT
TRAINING, ORGANIZATION AND ADMINISTRATION OF BASIC
RESERVE OFFICERS TRAINING CORPS (ROTC) IN GRADES 11 AND
12 IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077,
OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCES OF THE
PHILIPPINES RESERVIST ACT" AND APPROPRIATING FUNDS
THEREFOR

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 "Reserve Officers Training Corps (ROTC) Act.

Section 2. **Declaration of Constitutional Policy.** – The prime duty of the Government is to serve and protect the people. The government may call upon the people to defend the State and in the fulfilment thereof, all citizens may be required under conditions provided by law, to render personal military or civil service. In the same manner, the State recognizes the vital role of the youth in nation building and shall promote civic consciousness among the youth and shall develop their physical, moral, spiritual, intellectual and social well-being. It shall inculcate in the youth patriotism, nationalism, and encourage involvement in public and civic affairs.

Towards this end, the State shall enhance the capacity of the nation to produce the needed manpower and to expand its human resources in times of war, calamities and disasters, national or local

emergencies and in support to the government's law enforcement strategy against crimes by creating a pool of trained reservist.

Section 3. Coverage. – The conduct of military training under the ROTC shall apply to all students in Grade 11 and 12 in all senior high schools in public and private educational institutions.

Section 4. Establishment of ROTC Programs in All Public and Private Educational Institution. –

(a) There is hereby established a mandatory two (2) year Basic ROTC program for students enrolled in Grade 11 and 12 which shall form part of the basic curricula for the Senior High School Education in public and private educational institutions in pursuance to the provisions National Defense Act and 1987 Constitution with the objective of producing well-trained and prepared reservist for military and civic service. The ROTC training is aimed to instill patriotism, love of country, moral and spiritual virtues, respect for human rights and adherence to the Constitution. In no way shall the ROTC be used for political aims, to teach and instill a particular ideology and as a mechanism for hazing and abuse.

(b) The ROTC shall include the following program of instruction:

(1) Enhancing the students consciousness in the ethics of service, patriotism and nationalism, respect for human rights, appreciation of the role of national heroes in the historical development of the country, strengthen ethics and spiritual values, develop personal discipline and leadership and to encourage creative thinking for scientific and technological development.

(2) Basic military training for students in order to motivate, train, organize and utilize for national defense preparedness or civil military operations. *Provided*, that no student below the age of eighteen (18) shall take a direct part in hostilities.

(3) Civic training for students in order to be active participant and volunteers for the development and improvement of health, education, ecology and environmental protection,

disaster risk reduction and management, human and civil awareness and lawful enforcement.

(c) Any student who fails to undergo the mandatory Basic ROTC in accordance with this Act shall not be qualified for graduation. In addition, thereto, the non-taking of Basic ROTC by any student shall be ground for Compulsory Military Training in pursuance to Section 14 of Republic Act No. 7077. Any educational institution that fails to institute and implement the ROTC Program in pursuance to this Act shall be subject to disciplinary and administrative sanctions as the Department of Education (DepEd), Commission on Higher Education (CHED) and Technical Education and Skills Development Authority (TESDA) may impose.

(d) Guided by the provision of Section 4(b) hereof, the Department of National Defense (DND), DepEd., and TESDA, in consultation with other relevant government agencies and private stakeholders as the Secretary of National Defense may determine, shall design and formulate the Program of Instruction (POI) on the Basic ROTC Program in Grade 11 and 12, within sixty (60) days from the approval of this Act and shall jointly issue the implementing rules and regulations for the effective implementation of the provision of this Act.

Section 5. Students Exempted from this Act. – The following may be exempted from the coverage of this Act:

- (a) Those who are physically or psychologically unfit as certified by the Armed Forces of the Philippines (AFP) Surgeon General or his authorized medical officer, in pursuance to the recommendation of the educational institutions where the concerned student enrolled;
- (b) Those who have undergone or are undergoing similar military training;
- (c) Those who were chosen by their school to serve as the school's varsity players in sports competitions; and
- (d) Those who may be exempted from training for valid reasons as approved by the DND, upon recommendation

by any educational institution where the concerned student is enrolled.

Section 6. Acceptance for Advance ROTC. – Students who volunteer for advance ROTC Program in Universities, Colleges, Vocational schools and tertiary institutions shall be governed by Section 40 of Republic Act No. 7077, or the Citizen Armed Forces of the Philippines Reservist Act. The provisions of Section 42 and 43 of Republic Act No. 7077 in terms of training, uniforms and supplies and the scholarship incentives shall remain effective and applicable for those accepted in the Advance ROTC course.

Section 7. Organization, Operation and Maintenance of ROTC Units. - The organization, operation and maintenance for the establishment of ROTC shall be in accordance with Section 41 and 42 of Republic Act No. 7077 which shall remain effective and operative unless inconsistent with this Act. The Secretary of National Defense, in consultation with the DepEd and TESDA shall prescribe the organizational and operational manual of ROTC units in public and private educational institution for Grade 11 and 12: *Provided;* That such educational institution shall be required to provide as adequate office for the ROTC administrative staff assigned thereat.

The AFP shall create an office dedicated to the supervision and administration of the ROTC Program within the Reserve Commands of the AFP in coordination with the DepEd and TESDA.

Section 8. Incentives for Undergoing ROTC Program. –

- (a) Subject to other requirement prescribed by rules and regulation, graduates of Basic ROTC shall be eligible for commissionship/lateral entry and enlistment in the AFP, Philippine National Police (PNP), Philippine Coast Guard (PCG), Bureau of Jail Management and Penology (BJMP), and Bureau of Fire Protection (BFP) unless a waiver is

issued by the Department Secretaries of the aforementioned military and civilian armed forces.

- (b) Students undergoing Basic ROTC and those accepted in ROTC Advance Course shall be provided with free hospitalization in any government hospital in case of accident or injury during the training. Mandatory insurance for students undergoing ROTC shall be provided by the school where the students are enrolled.
- (c) Students undergoing Basic and Advance ROTC shall be given access and privileges with any AFP Commissary and PX Stores nationwide. The Chief of Staff of the AFP shall issue the necessary regulations for the implementation of this privilege.

Section 9. The ROTC Grievance Board. – There shall be created a Reserve Officer's Training Corps (ROTC) Grievance Board composed of one (1) representative from the Department of National Defense and two (2) representatives from the Department of Education with the more senior representative from the Department of Education as chairperson. These representatives shall be appointed for their known integrity, probity, and independence.

The ROTC Grievance Board shall have the following powers:

- (a) Investigate and receive any and all complaints in any forms, involving corruption and abuse in any form in the ROTC Program;
- (b) Ensure that the ROTC Program be free from politicization and from being used to instill a particular ideology; and
- (c) Recommend policies and reforms to ensure adherence of the ROTC Program to the Constitution and all laws penalizing abuse in any form.

All decisions of the ROTC Grievance Board shall be appealable to the Office of the President.

Section 10. **Liability of the Educational Institution.** – The instructor or faculty in-charge of the ROTC shall be responsible for monitoring the activities involved in the ROTC. The instructor or the faculty in-charge must be duly recognized active member in good standing of the faculty at the school in which the ROTC course is being implemented.

The school or the university and its administrators shall exercise special parental authority and supervise the implementation of the ROTC.

In case of violation of any of the provisions of this Act and other related laws, the instructor or faculty in-charge and the school or university and its officials shall be responsible and liable for any damage or injury caused to a student.

Section 11. **Funding.** – The funding requirement to implement the establishment, maintenance, and operation of the ROTC Program shall be included in the budget of the implementing agencies/department in the annual General Appropriations Act.

Section 12. **Separability Clause.** – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

Section 13. **Repealing Clause.** – Pertinent provisions of Republic Act No. 7077, or the "Citizen Armed Forces of the Philippines Reservist Act". And all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

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

Approved.