

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

First Regular Session

3181
HOUSE BILL NO. _____



Introduced by Honorable ABRAHAM "BAMBOL" N. TOLENTINO

EXPLANATORY NOTE

Article II on the Declaration of the Principles and State Policies of the 1987 Constitution of the Philippines 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 fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military or civil service.

Sec 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civil affairs."

While Commonwealth Act No. 1, Sec. 2 (a) of the National Defense Act states that "*The preservation of the state is the obligation of every citizen.*" In addition, the Constitution also states in Article XIV, Section 3 (2):

"They are mandated to inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency."

This bill proposes to include in the senior high school curriculum subjects that will include basic military and police training and will increase their awareness to the country's need for human resources in times of war, calamities and disasters, and emergencies. This also supports the Government's law enforcement strategy against crime.

When the bill becomes law, the measure is seen to enhance the students' awareness of the ethics in service, patriotism, nationalism, respect for human rights, and develop personal discipline and leadership. Moreover, the students will be prepared for actual disaster response operations and needs, search and rescue situations, and early recovery activities.

With this proposed measure, the youth will rekindle in their hearts the love for country and fellow citizens, nationalism, and patriotism.

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

A handwritten signature in black ink, appearing to read "AMW".

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HOUSE BILL NO. 3181

Introduced by **Honorable ABRAHAM N. TOLENTINO**

**AN ACT PROVIDING FOR A MANDATORY BASIC MILITARY
AND POLICE TRAINING PROGRAM IN ALL SENIOR HIGH SCHOOL
LEVELS IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS**

*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 "Basic Military and
2 Police Training in Senior High School Act."

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to recognize the
4 role of the youth in nation-building and to promote and protect their physical,
5 intellectual and social well-being. It shall inculcate in the youth patriotism and
6 nationalism, develop their moral character and personal discipline, and encourage
7 their involvement in public and civil affairs.

8 Towards this end, the State shall include in the senior high school curriculum
9 subjects that will introduce the students to basic military and police training and will
10 increase their awareness to the country's need for human resources in times of war,
11 calamities and disasters, and national or local emergencies. This also supports the
12 Government's law enforcement strategy against crimes and other civic obligations.

13 Sec. 3. *Definition of Terms.*

14 a. *Appeals Board* – refers to the appellate body that has jurisdiction to hear
15 appeals on the findings and recommendations of any local investigating
16 body.

- b. *Basic Military Training Program* – refers to the training program under the command of the Armed Forces of the Philippines (AFP) which shall include, but not limited to, basic military science subject, basic training on relief and rescue operation during disaster or calamities; and basic training in the operation and maintenance of essential government or private utilities in the furtherance of overall mission.
 - c. *Basic Police Training Program* – refers to the training program under the command of the Philippine National Police (PNP) which shall include, but not limited to, basic trainings on law enforcement, disaster preparedness, traffic management, rule of law, and civil rights.
 - d. *Clustered Training Unit* – refers to two or more educational institutions that are strategically grouped together for the purpose of holding Basic Military and Police Training classes in one location.
 - e. *Investigative Body* – refers to an independent body that is tasked to investigate any complaint or allegation of abuse, violence or corruption in any clustered training unit or any educational institution implementing the Basic Military and Police Training.
 - f. *Private Educational Institutions* – refer to educational institutions maintained and administered by private individuals or groups.
 - g. *Public Educational Institutions* – refer to educational institutions that are established and administered by the government.

22 Sec. 4. *Coverage.* – The conduct of basic military and police training shall
23 apply to all students in Grades 11 and 12 in all senior high schools in public and
24 private educational institutions.

25 *Sec. 5. Establishment of the Basic Military and Police Training Program in all*
26 *Public and Private Educational Institutions.* – The Department of Education (DepEd),
27 in coordination with the Department of National Defense (DND) and the Department
28 of the Interior and Local Government (DILG), shall establish a mandatory two (2)-
29 year Basic Military and Police Training Program for students enrolled in Grades 11
30 and 12 which shall form part of the basic curriculum for the Senior High Education in
31 any public and private educational institutions. Students who fail to undergo the

1 mandatory Basic Military and Police Training Program in accordance with this Act
2 shall not be qualified for graduation.

3 Grades 11 and 12 students undergoing the Basic Military and Police Training
4 Program shall not be subject to military or PNP law and shall be recognized as
5 civilians in law.

6 *Sec. 6. Purposes and Objectives.* – The Basic Military and Police Training
7 Program instituted as part of the curricula shall be administered in accordance with
8 the following purposes and objectives:

- 9 a. To enhance the students' consciousness in the ethics of service, patriotism
10 and nationalism, respect for human rights, appreciation of the role of
11 national heroes in the historical development of the country, strengthen
12 ethical and spiritual values, develop personal discipline and leadership and
13 to encourage creative thinking for scientific and technological
14 development;
- 15 b. To motivate students to undergo further training in national defense
16 preparedness or civil-military operations;
- 17 c. To encourage students to be active participants and volunteers for the
18 development and improvement of health, education, ecology and
19 environmental protection, human and civil-rights awareness, and law
20 enforcement;
- 21 d. To prepare the students during actual disaster response operations on
22 needs assessment, improved skills for search, rescue and relief operations,
23 and early recovery activities; and
- 24 e. To integrate capacity-building activities revolving around risk-related
25 situations in order for students to be proactive in lessening the socio-
26 economic and environmental impacts of disasters including climate
27 change. These capacity building activities will help build understanding
28 and skills with the end of applying disaster risk reduction and
29 management principles, concepts, and concrete action steps towards
30 building their resilience.

31 *Sec. 7. Program of Instruction.* – Guided by the purposes and objectives of
32 this Act, the DepEd, DND and DILG, in consultation with other relevant government

1 agencies and private stakeholders as the Secretary of Education may determine,
2 shall design and formulate the Program of Instruction on the Basic Military and
3 Police Training Program in Grades 11 and 12.

4 *Sec. 8. Schools' Compliance as Zone of Peace.* – Pursuant to Republic Act No.
5 11188, otherwise known as the "Special Protection of Children in Situations of Armed
6 Conflict Act," every educational institution implementing the Basic Military and Police
7 Training Program under this Act shall comply with the declaration and guidelines
8 that are provided for under the said law to maintain the neutrality of the schools as
9 zones of peace.

10 *Sec. 9. Students Exempted from this Act.* – The following may be exempted
11 from the coverage of this Act:

- 12 a. Those who are physically or psychologically unfit, as certified by the AFP
13 or PNP medical officer, in pursuance to the recommendation of the
14 educational institutions where the concerned student is enrolled.
- 15 b. Those who were chosen by their school to serve as varsity players in
16 sports competitions.
- 17 c. Those who may be exempted from training for valid reasons as approved
18 by the DND or DILG, upon recommendation by any educational institution.

19 *Sec. 10. Organization, Operation and Maintenance of Basic Military and Police*
20 *Training Units.* – The Secretary of National Defense and the Secretary of the Interior
21 and Local Government, in consultation with the Secretary of Education, shall
22 prescribe the organization and operational manual of the training units in public and
23 private educational institutions for Grades 11 and 12. Such educational institutions
24 shall be required to provide an adequate office for the DND and DILG administrative
25 staff assigned thereat.

26 The AFP and the PNP shall create an office dedicated to the supervision and
27 administration of the Basic Military and Police Training program within the Reserve
28 Commands of the AFP and the PNP in coordination with the DepEd.

29 *Sec. 11. Acceptance for Advance Military Training* – Students who volunteer
30 for Advance Military Training program in universities, colleges, vocation schools and
31 other tertiary institutions shall be governed by Section 40 of Republic Act No. 7077
32 or the Citizen Armed Forces of the Philippines Reservist Act. The provisions of

1 Section 42 and 43 of R.A. No. 7077 in terms of training, uniforms and supplies, and
2 the scholarship incentive shall remain effective and applicable for those accepted in
3 the Advance Military Training course. It shall be mandatory for all public and private
4 universities, college and similar learning institutions to offer and provide a training
5 school for the Advance Military Training program which shall have a duration in
6 accordance with the curriculum prescribed by the DND and the Commission on
7 Higher Education (CHED).

8 The Secretary of National Defense, in coordination with CHED, shall prescribe
9 the curriculum for Advance Military Training and the program of instruction in
10 pursuance to the applicable provisions of R.A. No. 7077.

11 Graduates of Advance Military Training shall be eligible for enlistment in the
12 AFP or shall be given priority for lateral entry in other armed and law enforcement
13 services of the government.

14 *Sec. 12. Incentives for Undergoing Military and Police Training Program. –*

15 a. Subject to other requirements prescribed by the rules and regulations,
16 graduates of Basic Military Training shall be eligible for enlistment in the
17 AFP, PNP, Philippine Coast Guard (PCG), Bureau of Jail Management and
18 Penology (BJMP), and Bureau of Fire Protection (BFP) unless a waiver is
19 issued by the Department Secretaries of the aforementioned military and
20 civilian organizations.

21 b. Students undergoing Basic Military and Police Training and those accepted
22 in the Advance Military Training Course shall be provided free
23 hospitalization in any government hospital in case of accident or injury
24 during the training. Mandatory insurance for students undergoing Military
25 and Police Training shall be provided by the school where the students are
26 enrolled.

27 c. Students undergoing Basic Military and Police Training and Advance
28 Military Training shall be given access and privileges with any AFP
29 Commissary and PX Stores nationwide. The Chief of Staff, AFP shall issue
30 the necessary regulations for the implementation of this privilege.

31 d. Graduates of Basic Military and Police Training program who have
32 completed a four (4) year baccalaureate degree shall be considered as

1 First Level Civil Service Eligible, whereas graduate of Advance Military
2 Training Program, who have finished a four (4) baccalaureate degree shall
3 be considered a Second Level Civil Service Eligible in the Civil Service.

4 Sec. 13. *Prohibited Acts.* – The following acts shall be prohibited:

- 5 a. Hazing as defined and penalized under R.A. 8049, as amended by R.A.
6 11053;
- 7 b. Physical, sexual or psychological abuse, emotional maltreatment, or
8 any act by deed which tends to degrade or demean the dignity of a
9 child/student as provided under R.A. 7610, otherwise known as the
10 "Special Protection of Children Against Abuse, Exploitation and
11 Discrimination Act;"
- 12 c. Physical, humiliating or degrading punishments or penalties by a
13 teacher, school administrator, an adult, or any other child who has
14 been given or has assumed authority or responsibility for punishment
15 or discipline for an alleged or actual offense for the purpose of
16 discipline, training or control except for mild to moderate physical
17 exercise such as push-ups, sit-ups and running within the medically
18 recommended limit for the concerned age group as provided under
19 DepEd Order No. 40, Series of 2012 on Child Protection Policy;
- 20 d. Bribery as penalized under the Revised Penal Code, by directly or
21 indirectly accepting, any gift, in cash or in kind, from any student, or
22 from any parent/guardian of the student in relation to or pertinent with
23 the conduct of the Basic Military and Police Training Program;
- 24 e. Corruption of public officials as penalized under the Revised Penal
25 Code, by offering any gift in relation to or pertinent with the conduct of
26 the Basic Military and Police Training Program;
- 27 f. Graft and corrupt practices contemplated under R.A. 3019, otherwise
28 known as the "Graft and Corrupt Practices Act."

29 Sec. 14. *Establishment of Investigative Body.* –

- 30 a. An Investigative Body shall be organized from a cluster of educational
31 institutions that shall receive complaints and/or motu proprio conduct
32 investigations on any complaint or allegation of abuse, violence or

- corruption in any educational institution implementing the Basic Military and Police Training Program;
- b. Every Investigative Body shall be composed of three members, to be chosen by the Secretary of National Defense, the Secretary of the Interior and Local Government and the Secretary of Education: one (1) District Commandant from the DND, one (1) District Commandant from the DILG, and one (1) District Schools Supervisor from the DepEd;
- c. The DepEd, the DND, and the DILG shall formulate the manner by which the educational institutions implementing the Basic Military and Police Training Program shall be clustered for the efficient resolution of grievances;
- d. The Investigative Body shall function as an independent fact-finding body, which shall formulate the recommendation to the proper disciplinary authority that has jurisdiction over the respondent, depending on whether he/she belongs to the military or the police for which purpose, the Articles of War or the PNP Law, as the case may be, shall be employed. In case of school officials and/or employees of public and private educational institutions, the provisions of R.A. 6713 or the "Code of Conduct of Public Officers and Employees" and other relevant laws on the matter shall be applied. This is without prejudice to administrative cases that may be filed pursuant to the Civil service rules for public officers and employees involved in the complaint;
- e. Nothing herein shall prevent any person from filing directly with the regular courts any incident of violation of Republic Act 11053 or the Anti-hazing Act of 2018.

Sec. 15. Powers and Duties of the Investigative Body. – Every Investigative Body shall have the following powers and duties:

- a. Encourage the reporting of any incident of hazing, violence abuse and corruption in every clustered training unit;
- b. *Motu Proprio* or upon a complaint filed by any person, investigate, any act of hazing, violence, abuse and corruption in the clustered training unit;

- c. Issue preventive suspension orders against officers of the Basic Military and Police Training Program or any school employee involved in the training within three (3) days: (i) upon receipt of the complaint, or (ii) after initiation of the *motu proprio* investigation, to preclude him from exerting undue influence over the complaint and impede the normal course of the investigation;
- d. Recommend the appropriate action for any offense committed in the clustered training unit to the proper disciplinary authority which has jurisdiction over the respondent within fifteen (15) days (i) upon receipt of the complaint, or (ii) after initiation of the *motu proprio* investigation;
- e. Monitor all complaints filed with the Body and maintain an updated record of the status of each case;
- f. Provide the parties of the complaint its findings and recommendations within thirty (30) days upon receipt thereof;
- g. Promulgate rules and regulations necessary to carry out its objectives, functions and disciplinary procedures; and
- h. Performs such other functions as may be provided by law.

Sec. 16. *Appeals Board.* – There is hereby established an Appeal Board (AB) composed of the Secretary of National Defense or his permanent authorized representative, the Secretary of the Interior and Local Government or his permanent authorized representative, the Secretary of Education or his permanent authorized representative, and the Secretary of Justice or his permanent authorized representative.

The AB shall receive appeals on petitions for review from the findings/recommendation of any of the Investigative Bodies. It shall render its decision or resolution within fifteen (15) days from the time the petition was received. Any resolution of the AB shall be final.

Sec. 17. *Training Instructors' Capacity Development and Enhancement Program.* – There is hereby created and established a training program for training instructors, to ensure that they meet the highest physical and moral standards to teach and carry out the Basic Military and Police Training Program. The Instructors'

1 Program shall be developed and administered under the guidance and tutelage of
2 the DND, the DILG, and the DepEd.

3 A comprehensive training manual shall be developed for the conduct of these
4 trainings, incorporating among other things, gender-appropriate and child-sensitive
5 awareness, familiarity with relevant laws on the Special Protection of Children, other
6 domestic laws and international obligations necessary and appropriate to guaranty
7 the integrity and the highest standard of moral scruple for the implementers' of the
8 Basic Military and Police Training Program.

9 Sec. 18. *Initial Implementation of the Program.* – In order to manage the
10 initial implementation of the Basic Military and Police Training Program in the senior
11 high school, the DND, the DILG, and the DepEd shall, within six (6) months from the
12 effectivity of this Act, design, institute and implement a Pilot Program.

13 The DND, the DILG, and the DepEd shall jointly submit an annual review and
14 evaluation report to Congress on the Implementation of the Pilot Program. Upon
15 review and approval by Congress, the framework utilized under the Pilot Program
16 shall become the standard for the full national implementation of the Basic Military
17 and Police Training Program.

18 Sec. 19. *Mandatory Evaluation and Review.* – The DND, the DILG, and the
19 DepEd shall jointly conduct an annual review and submit a report to Congress on the
20 status of the implementation of the Basic Military and Police Training Program one
21 year after its full implementation.

22 Sec. 20. *Penal Provisions.* – Any person who shall violate any provision of this
23 Act shall be punished with imprisonment from one (1) to five (5) years. Any person
24 who shall commit any act already penalized under existing laws and particularly
25 described in Section 11 of this Act such as bribery, corruption of public officials,
26 graft, hazing, sexual harassment, and other abuses shall be prosecuted and subject
27 to penalties in accordance with the applicable laws.

28 In case that bribery, corruption of public officials, graft, hazing, sexual
29 harassment, and other abuses as particularly described in Section 11 of this Act is
30 committed by persons authorized to administer the Basic Military and Police Training
31 Program or by school officials or employees of public or government educational

1 institutions directly involved in the implementation of the program, the maximum
2 penalty provided under existing laws shall be imposed.

3 Sec. 21. *Funding*. – The funding requirement to implement the establishment,
4 maintenance and operations of the Military and Police Training Program shall be
5 included in the budget of the implementing agencies/departments in the annual
6 General Appropriations Act.

7 Sec. 22. *Internal Rules and Regulations*. – Within sixty (60) days from the
8 effectivity of this Act, the Department of Education shall promulgate rules and
9 regulations necessary to ensure the effective implementation of this Act. Such rules
10 and regulations shall take effect upon their publication in at least one (1) newspaper
11 of general circulation.

12 Sec. 23. *Separability Clause*. - If any provision of this Act is held invalid or
13 unconstitutional, the other provisions not so declared shall remain in force and
14 effect.

15 Sec. 24. *Repealing Clause*. – All other laws, executive orders, presidential
16 decrees, rules and regulations inconsistent with any provisions of this Act are hereby
17 repealed, amended or modified accordingly.

18 Sec. 25. *Effectivity*. – This Act shall take effect after fifteen (15) days
19 following its complete publication in the Official Gazette or in at least one (1)
20 newspaper of general circulation.

Approved,