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SENATE

P.S. Res. No. **302**

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Introduced by SEN. WIN GATCHALIAN

**RESOLUTION**  
**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN**  
**INQUIRY, IN AID OF LEGISLATION, ON STRENGTHENING THE**  
**COMPLEMENTARY ROLES OF PUBLIC AND PRIVATE INSTITUTIONS IN**  
**THE PHILIPPINE EDUCATIONAL SYSTEM AND FORMULATING A**  
**FRAMEWORK TO OPERATIONALIZE THE PRINCIPLE OF**  
**COMPLEMENTARITY TO ACHIEVE OUR**  
**NATIONAL OBJECTIVES AND SUSTAINABLE DEVELOPMENT GOALS**  
**IN EDUCATION**

1       **WHEREAS**, one of the current concerns in the Philippine educational  
2 system is what is perceived as the growing role or dominance of public  
3 educational institutions vis-à-vis private educational institutions<sup>1</sup>, as  
4 emphasized by Department of Education (DepEd) Secretary Leonor Magtolis  
5 Briones in her keynote address in a global forum on education;

6       **WHEREAS**, in the past years, groups of private institutions have  
7 continually raised the following related issues, viz: (a) migration of teachers  
8 to the public sector due to the widening gap between the salaries of the public  
9 and the private school teachers;<sup>2</sup> (b) lack of legislative measures to  
10 operationalize the principle of complementarity;<sup>3</sup> (c) imposition of heavy  
11 regulatory fees upon private schools by the local governments pursuant to

<sup>1</sup> <https://www.deped.gov.ph/2018/07/27/briones-underscores-complementarity-between-public-private-education-in-global-forum/>

<sup>2</sup> <https://www.philstar.com/other-sections/education-and-home/2018/08/23/1844947/pay-salary-private-school-teachers-govt-urged>

<sup>3</sup> <https://www.manilatimes.net/2017/08/04/opinion/analysis/legal-challenges-private-education-philippines/342331/>

1 Section 455 of the Local Government Code;<sup>4</sup> and (d) reduced government  
2 subsidy to private schools;<sup>5</sup>

3 **WHEREAS**, while the public sector remains an important player in  
4 providing education services, the private sector plays an equally important  
5 role in making quality education accessible to and for all;

6 **WHEREAS**, private sector participation in education in the country has  
7 increased over the past decade – serving all types of communities from high-  
8 to low-income families and delivering a sizable share of education. A policy  
9 study, for instance, indicates that the extent of congestion in public junior  
10 high schools declined “from over 100% of potential capacity to 23% between  
11 2007 and 2016” because of the substantial number of students and  
12 participating private schools supported by the Educational Service  
13 Contracting (ESC) program;<sup>6</sup>

14 **WHEREAS**, despite such and other successful collaborations, absent  
15 any clear framework and direction on complementarity, it is perceived by  
16 some groups that the government is “merely tolerating the existence of private  
17 educational institutions on matters it cannot assume, and then be  
18 confiscatory of private initiatives when it thinks government resources are  
19 sufficient”;<sup>7</sup>

20 **WHEREAS**, based on recent statistics, the role of private education  
21 through the provision of schools is focused on solely providing Senior High  
22 Schools. It is likewise significant to note that less than 20% of the number of  
23 Elementary up to Junior High Schools belong to the private sector;<sup>8</sup>

24 **WHEREAS**, under Article XIV, Section 4(1) of the 1987 Constitution,  
25 the State recognizes the complementary roles of public and private  
26 institutions in the educational system and shall exercise reasonable  
27 supervision and regulation of all educational institutions;

28 **WHEREAS**, it has been a long-time policy of the State to encourage and  
29 stimulate private support to education through, among others, fiscal and  
30 other assistance measures,<sup>9</sup> and provide an incentive program to encourage

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<sup>4</sup> COCOPEA, Private Education Issues in Brief, 2019.

<sup>5</sup> <https://manilastandard.net/opinion/columns/the-fifth-gospel-by-jude-acidre/310288/private-education.html>

<sup>6</sup> ADB: Secondary Education, Challenges and Opportunities, 2019.

<sup>7</sup> *Ibid.*

<sup>8</sup> Office of Senator Gatchalian Statistics based on DepEd Data, SY 2018-2019.

<sup>9</sup> Batas Pambansa Blg. 232, otherwise known as the “Education Act of 1982”, Section 33.



1 the participation of the community in the development of the education  
2 sector;<sup>10</sup>

3 **WHEREAS**, while the State recognizes the complementary roles of both  
4 public and private schools, there is a need to develop a clear vision of the  
5 direction and framework wherein the government and private educational  
6 institutions can operationalize the principle of complementarity, as  
7 envisioned under the Constitution, to achieve our national objectives and  
8 Sustainable Development Goals in education;

9 **WHEREAS**, this vision, direction and framework must be based on a  
10 research agenda that would produce empirically-based analytical tools for  
11 vetting the effects of government policies and programs as seen from the  
12 perspective of the “whole of education system performance”, crafted through  
13 the collaborative efforts of the DepEd, private educational institutions and  
14 organizations, other concerned agencies, and policy-makers;

15 **NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY**  
16 **RESOLVED**, to direct the appropriate Senate Committee to conduct an  
17 inquiry, in aid of legislation, on strengthening the complementary roles of  
18 public and private institutions in the Philippine educational system and  
19 formulating a framework to operationalize the principle of complementarity to  
20 achieve our national objectives and Sustainable Development Goals in  
21 education.

Adopted,



**WIN GATCHALIAN**

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<sup>10</sup> *Id.* at Section 45.