

PHILIPPINE EDUCATION  
**UNDER CONSTRUCTION**

A Policy Study  
On the Government  
School Building Program

Ateneo School of Government  
Government Watch  
December 2011

## I. Introduction

Classroom shortage continues to be among the education sector's greatest challenges. In the opening of school year 2010-2011, the Alliance of Concerned Teachers<sup>1</sup> reported shortage of 61,343 classrooms while the Department of Education projects a deficiency of 108,977 classrooms in elementary, 43,592 in high school; a total of 152,569 classrooms nationwide come the following school year

The statistics have an adverse effect on the quality of education Filipino children receive. Overcrowded classroom is never conducive to teaching by mentors and learning by students<sup>2</sup>. This has been corroborated by reports on the academic performance of students. While there has been little consistent proof that the availability of materials and equipments in school has a strong effect on achievement, there is a substantial amount of evidence to show that physical environment of a school or classroom can affect the behaviour of people and their attitudes to school and learning<sup>3</sup>. As Glass put it large reductions in school class size promise learning benefits of a magnitude commonly believed not to be within the power of educators to achieve<sup>4</sup>.

Cognizant of these repercussions, the government established a mechanism to address classroom shortage. Among the steps undertaken by the government to address the growing population of students, in 2004, it has decided to increase the maximum number of students per classroom from 56 to 65. It mandated the enforcement of double shift class sessions in all public secondary schools. This however has been criticized for aggravating the crisis of quality afflicting public education.

Various school building programs were also enforced to address this problem. These include the Regular School Building Program implemented by the Department of Public Works and Highways, the Red and Black School Building Program by the Department of Education, initiatives by the Local Government Units and the Congressmen through the PDAF, Foreign-Assisted School Building Programs and those initiated by private entities. Some of the documented non-government initiatives include Classrooms Galing sa Mamamayang Pilipino Abroad, DTI-National Development Corporation Lending Project for Local Government Units, Adopt-a-School Program, FFCCI School Building Program.

These efforts to mitigate this problem are well recognized. However, figures show that albeit these measures, there remain to have schools experiencing acute classroom shortage across regions. This study shall elucidate to us that there are inherent constraints in the policy implementation of the Government School Building Program.

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<sup>1</sup> <http://www.abs-cbnnews.com/lifestyle/06/05/10/state-education-today>

<sup>2</sup> Public School Pupils' Poor Academic Performance traced to crowded classes. Manila Bulletin. February 20, 2003. P. 10

<sup>3</sup> Ainley, J. G. "Equipment and Materials" in the International Encyclopedia of Teaching and Teacher Education. Dunkin, M. (ed). Great Britain: Pergamon Press. 1987

<sup>4</sup> Glass, G. V. "Class Size" in the International Encyclopedia of Teaching and Teacher Education. Dunkin, M. (ed). Great Britain: Pergamon Press. 1987

## **II. The Policy Study**

This policy study is the second component of the Bayanihang Eskwela III Project which intends to review the government's response to acute classroom shortage through its SBPs.

### ***Objectives of the Study***

This policy study aims to identify key issues in the implementation of the government's school building program, focusing on the DepEd-led School Building Program for schools experiencing acute classroom shortage and the DPWH enforced Regular School Building Program which is in the ambit of Republic Act No. 7880 or more commonly known as the Roxas Law. In this regard, this study shall focus on the following specific points:

1. A survey of classroom shortage for the past seven years (2002-2009) distinguishing between shortage based on actual number of classrooms and the distribution of students in available structures.
2. The government framework on School Building Program particularly laws, policies, guidelines, responsible agencies and resources as gleaned in the DepEd-led School Building Program (Red and Black) and the DPWH Regular School Building Program (RSBP)
3. Results yielded by the Red and Black for SY 2006-2009 and RSBP for SY 2002-2009 demonstrated by schools/projects targeted and built.
4. Issues and policy gaps from the time of generation of information to evaluation and auditing
5. Policy factors enabling or hindering the government from addressing school building shortage in the country.

With these specific objectives, ultimately the study will also give recommendations in order that the government efforts shall be responsive to the country's problem on classroom shortage.

### ***Methodology***

In pursuant to this general objective, the study was conducted in four stages: (1) Review of Laws and Policies, (2) Interview of Key Respondents, (3) Data Gathering and Processing, (4) Workshop.

The team reviewed laws and policies relevant to the establishment and implementation of the school building program. For RSBP, the primary statute reviewed was the Roxas Law or RA 7880 and its implementing Rules and Regulations. In order to ascertain the intent of the law, its legislative history was also reviewed – we looked into both House and Senate Committee deliberations and the minutes of the meetings of the Technical Working Group. Orders from both the DepEd and the DPWH were also referred to. As for the Red and Black School Building Program solely implemented by the DepEd, since there is no statutory leg, the team was highly dependent on DepEd Orders. This study also made reference to our SBP review, specifically that of our experience and observations in Negros Occidental.

Key informants were also interviewed to clarify certain issues in the program, in the procedure and the practices therewith. The key informants include DPWH Assistant Secretary Manao, PFSED Director Engr. Oliver Hernandez, Engr. Erwin Igarta from the DepEd and Engr. Ric Mobo from the DPWH. To be able to glean through experiences on the ground, Division Project Engineers were also interviewed.

Pertinent records were also requested from the DepEd and the DPWH for review. The following data were necessary in juxtaposing the current situation of classroom shortage and the responsiveness of the School Building Program. As there was no available summaries for the data requested, the information was processed based on variables needed for the objectives of the study.

1. Total Population of Students, Number of Classrooms, Schools' Color Code as generated by the DepEd Basic Education Information System (BEIS) for the years 2002-2009.
2. DPWH Regular School Building Program Project Report for 2002-2009 aggregated per region
3. DPWH Regular School Building Program Report aggregated per district (with color coding) for years 2008-2009
4. DepEd-led Red and Black School Building Program Report for years 2006-2009

Workshops which include members of ASoG Government Watch were also conducted to discuss how the data gathered were to be interpreted and to thresh out further issues relative to the study's objectives. This was also used to collectively come up with the most viable recommendations to respond to the problems herein identified.

### ***Scope and Limitations***

As this is the first study reviewing the government's policy on school building program, the study shall cover only the Regular School Building Program and Red and Black School Building Program not other SBPs (private initiatives, LGUs, Congressional SBPs). The study will discuss the SBP implementation very briefly but for our purposes, it shall only focus on project identification. While it is recognized that the present reckoning of the ideal class size and classroom shortage may not encapsulate actual need, dealing with it shall be reserved in studies succeeding this. There has been no consideration for certain peculiarities such as classification of schools based on shifting.

In the treatment of data on classroom shortage and number of projects, the study focuses on numbers and allocation of classrooms not quality thereof; it does not take into consideration the building and aesthetic quality of the constructions. With this, the study is silent on compliance with building standards set by the DepEd and DPWH.

The case studies illustrate practices on the ground, only indicative, but not conclusive, of the general practice in all divisions/district.

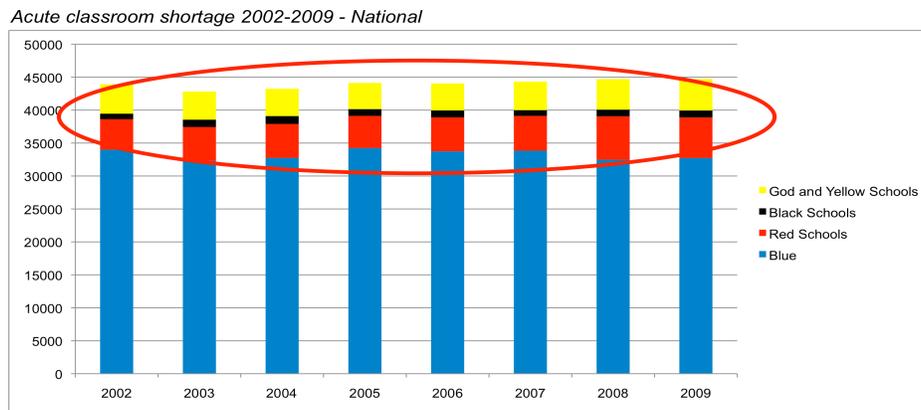
### **III. Classroom Shortage in the Philippines**

A nuanced look at the classroom shortage would lead us to the conclusion that while there are insufficient classrooms to cater to the needs of our students, what is more alarming is the problem of allocation of our miniscule resources.

To give us an overview of the state of classroom shortage in the country since 2002, we used data generated from the BEIS. The Basic Education Information System is a database containing information such as total enrolment per school in each district, number of instructional buildings, student-classroom ratio based on the reports conducted by school principals and superintendents. Schools are categorized according to the classroom-student ratio as follows:

Pupil:Room Ratio	Color Category	Remarks
Less than 46	Blue	Meet Republic Act 7880 with one shift
46.00–50.99	Yellow	Fails to meet RA 7880 with one shift
51.00–55.99	Gold	Does not meet RA 7880 even with double shifting
More than 56	Red	Does not meet RA 7880, schools with severe shortage of classrooms
No Classroom Available	Black	No existing instructional rooms

The figure below compares the total number of schools and those which experience classroom shortage. The second bar represents the latter; it is noticeable that from 2002-2009, schools experiencing classroom shortage comprise more than one fourth of the total number of schools in some years.



The problem of insufficient classrooms is undisputable. What makes this worse is the problem of distribution or allocation. In other words, there is insufficiency of resources for classrooms. Notwithstanding this, the insufficient resources are not allocated according to need.

**IV. RSBP and Red and Black SBP**

To further explain how the government is allocating school building projects, the study examines two school building projects – the DPWH-implemented Regular School Building Program or the RSBP and the DepEd-led Red and Black School Building Program or the R&B SBP.

***Regular School Building Program (RSBP) Framework***

RSBP is anchored in RA 7880, the Fair and Equitable Access to Education Act or more prominently known as the Roxas Law intended primarily to depoliticize and make more equitable the entire process of

allocating government funds for future educational development. This is in response to previous practice where budget allocation has no definite basis but solely depend on the lobbying of Congressmen during budget hearing and requests made by school principals and other stakeholders.

RA 7880 provides for the manner of allocation of the DepEd capital outlay following three tranches:

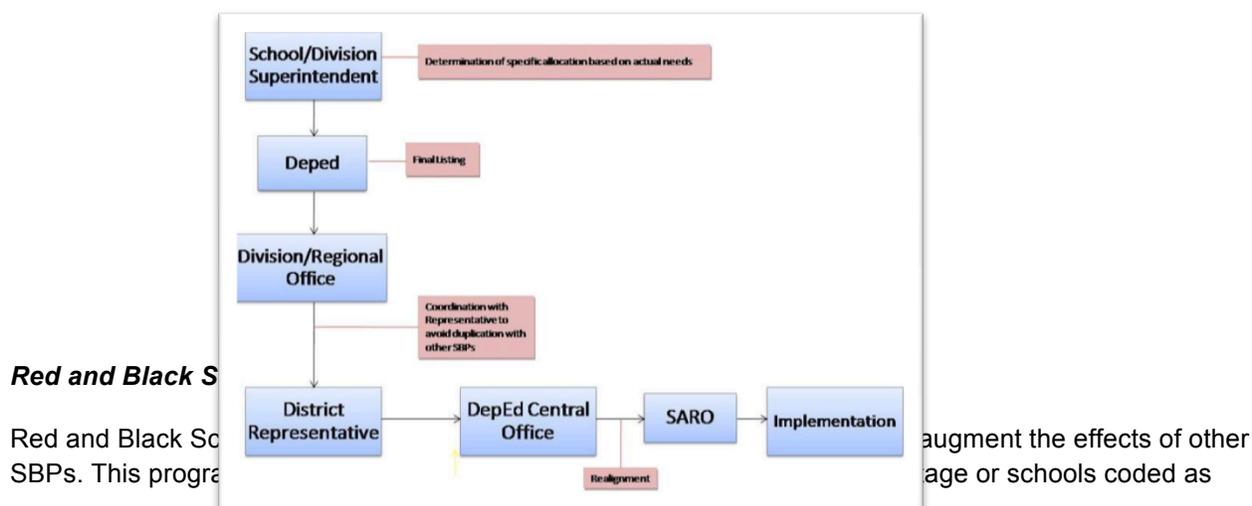
- 50% - pro-rated to each legislative district's student population in relation to the total student population in the country
- 40% - districts with classroom shortage
- 10% in accordance with the implementation of the policy as determined by the DepEd.

From a reading of the minutes of the deliberations of the Roxas Law, this configuration was intended to provide equitable distribution of the budget for classroom construction. The budget thereof is found as a special allocation in the General Appropriations Act which provides the following: From 2002-2005, 2007 to 2009, the Congress allocated P2 billion for the RSBP; it is only in 2006 where the budget was P1.76 billion.

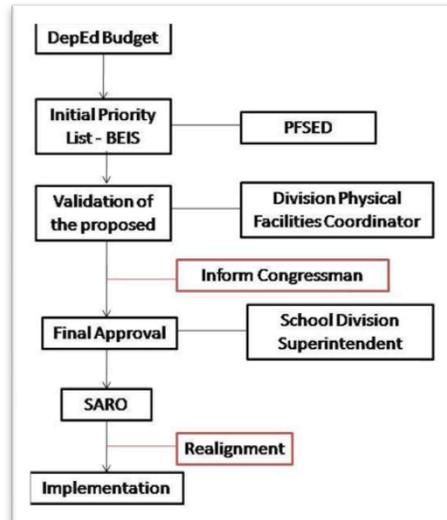
As per the manner of allocation, determination as to how the budget allocated for RSBP to each district shall be on the district level based on its distinct needs. DepEd Order No. 4 s. 2009 provides the criteria for prioritization. For new constructions, red and black schools shall be first priority followed by gold and yellow; blue schools shall only be served with proper justification. Replacement/reconstruction and rehabilitation may be done when the structure has been razed by fire, old and dilapidated or have been damaged by typhoons or covered by mudslides or flash floods.

Repair and completion shall be conducted if the structure is dangerous to lives, unfinished buildings used for academic instruction and those assessed by the Disaster Quick Response Program. The law is silent on whether prioritization should consider the order as it was discussed in the law. Further, it does not clarify whether the 50-40-10 configuration was supposed to be followed in the division level. Based on interviews, there are those which still consider it; but there are also those which base their allocation on classroom need.

The School/Division Superintendent submits a listing determining actual needs of their respective schools to the DepEd which makes a final listing. The final listing is given to the Division/Regional Office for validation and appraisal before it is consulted with the Congressmen for concurrence. The chart below depicts the process of identifying prioritization for projects.



Red and Black. While there is no statutory anchor, Red and Black SBP finds basis on DepEd orders and its history may be tracked alongside that of the establishment of the PFSED – the engineering arm of the DepEd, to strengthen SBP from budget control to setting standards and implementation. Red and Black SBP is part of the DepEd special fund. The table shows budget allocation for Red and Black SBP for 5 years.



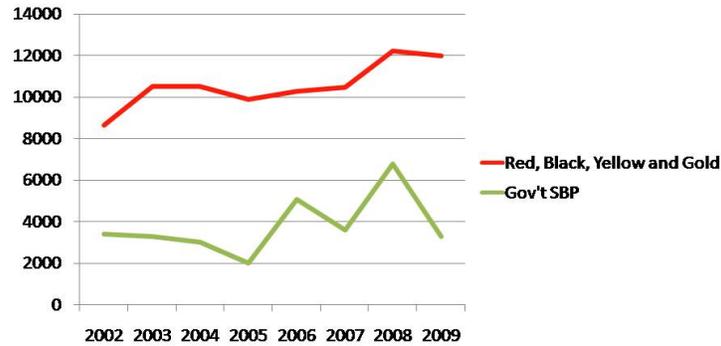
The figure above illustrates the procedure for identifying projects in the Red and Black SBP and it can be observed that it very is similar to RSBP. The striking difference however is that in consulting with the legislative district representative, mere notice or information would suffice to complete the requirement; further, the concurrence of the congressman is not controlling. It cannot be highlighted less that the priority for Red and Black SBP's are those experiencing acute classroom shortage.

## V. Discussion of Findings

**Combined RSBP and R&B SBP are insufficient to address classroom shortage.**

Even taking into consideration both RSBP and R&B SBP, the school building constructions still do not suffice classroom need. As can be gleaned from the table below, from 2002 to 2009, there has been a large gap between the number of red, black, yellow and gold schools and the government SBP nationwide. It shall be considered that it was only in 2006 when R&B SBP intended specifically for acute classroom shortage has been instituted; however even contemplating on this, government SBP still did not catch up with the need.

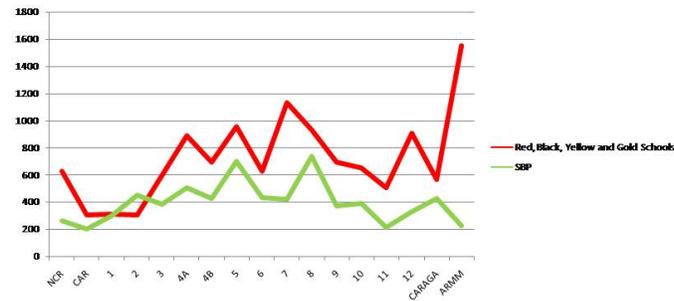
**Figure 1 Classroom Shortage v. Gov't SBP National (2002-2009)**



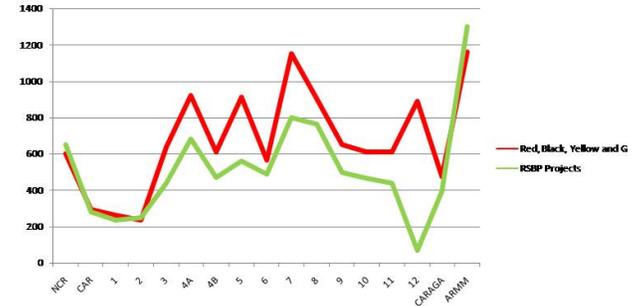
The same can be observed if the data is aggregated into regions. While there are regions where the projects overlap the need, the lacuna between the two are still very significant in majority of the regions. The tables below depict data from 2008 and 2009.

**Figures 2-3 Classroom Shortage v. Gov't SBP Regional**

**2008**



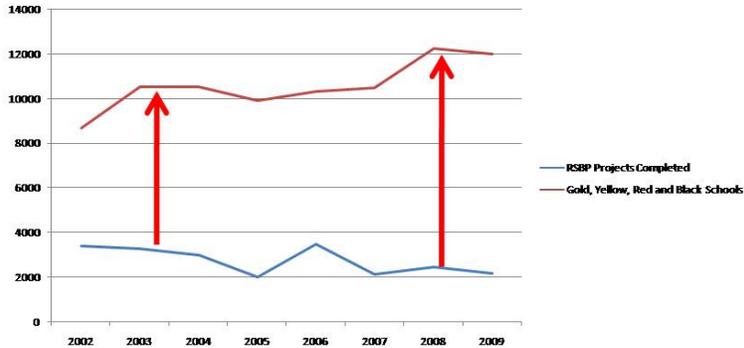
**2009**



**The allocation in the RSBP is not responsive to need geographically with growing differential in the gap between need and SBPs over the years.**

RSBP data from 2002-2009 reveals that besides being insufficient, it also has not been responsive to need. The graph below shows RSBP projects relative to classroom shortage. It can be observed that it fluctuates through time and does not necessarily establish a pattern.

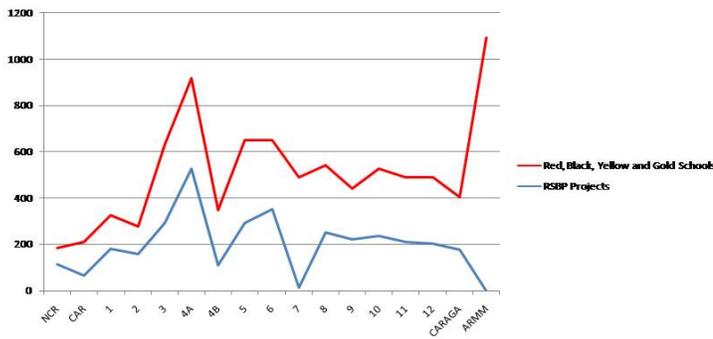
**Figure 4 Classroom Shortage and No. of RSBP Projects - National**



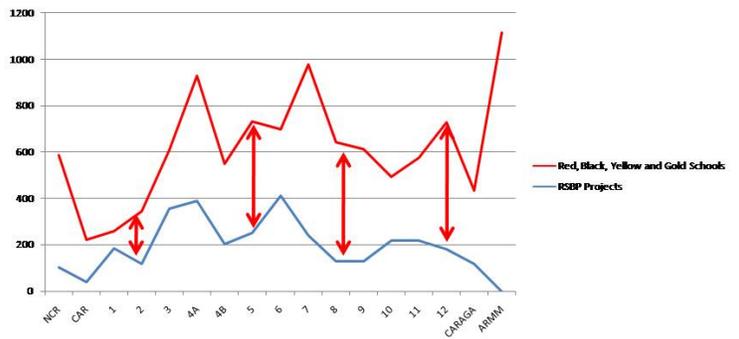
Gleaning across regions, the same could be said – RSBP has not been responsive. Furthermore, an erratic showing of diverging and converging points across regions show a growing differential in the gap between need and the number of projects for SBP across time.

**Figures 5-8 Classroom Shortage and No. of RSBP Projects –**

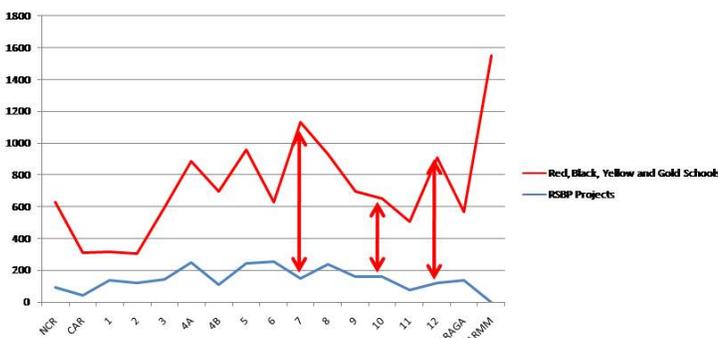
**2002**



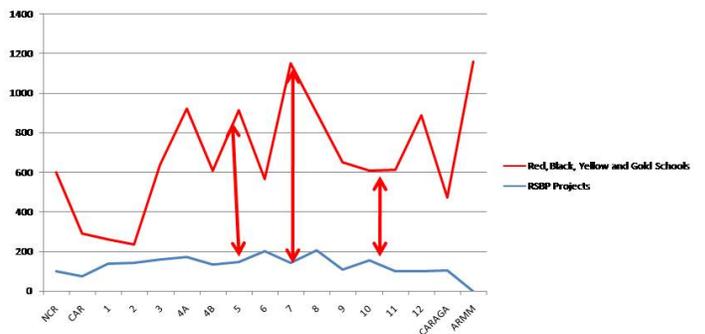
**2003**



**2008**



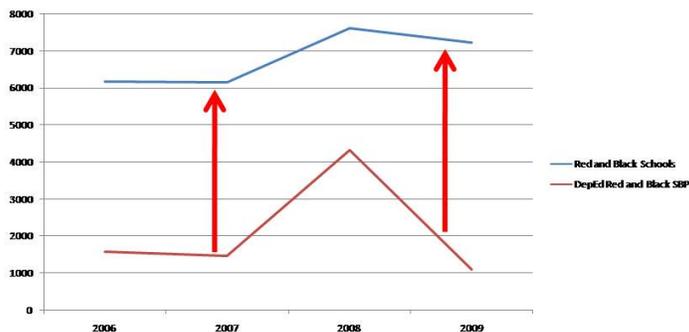
**2009**



**The R&B SBP is more responsive to need geographically, with only minimal differential in the gap between need and SBPs.**

Comparing the R&B SBP with the RSBP, it can be observed that R&B SBP is more responsive to the classroom need; Albeit it's insufficiency, the graph below shows that there has been an attempt to resemble actual need. It cannot be underscored further that R&B SBP addresses acute classroom shortage; thus the benchmark for classroom need for R&B SBP is the total number of red and black schools.

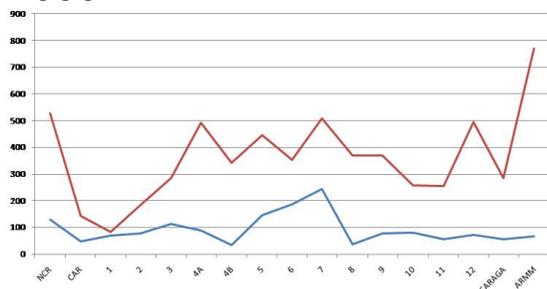
**Figure 9 Red and Black Schools and No. of Red and Black SBP Projects - National**



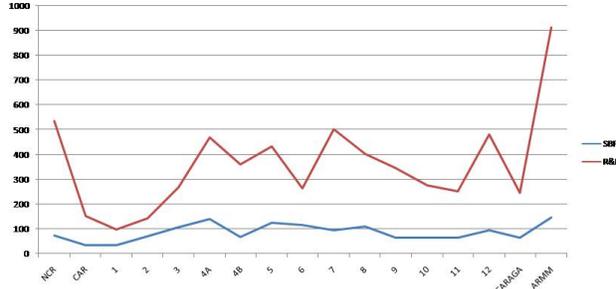
Furthermore, the same is reflected in regional data from 2006-2009. Although there are also differentials in the number of projects served across regions relative to their respective classroom needs, they are minimal as compared to that of RSBP.

**Figures 10-13 Red and Black Schools and No. of Red and Black SBP Projects - Regional**

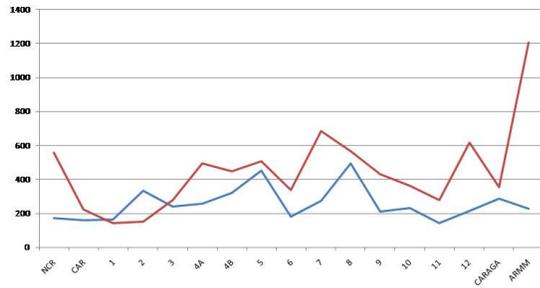
**2006**



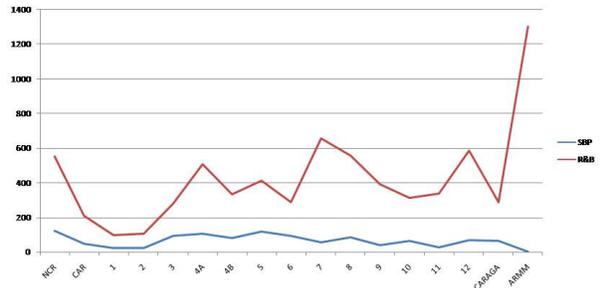
**2007**



**2008**



**2009**

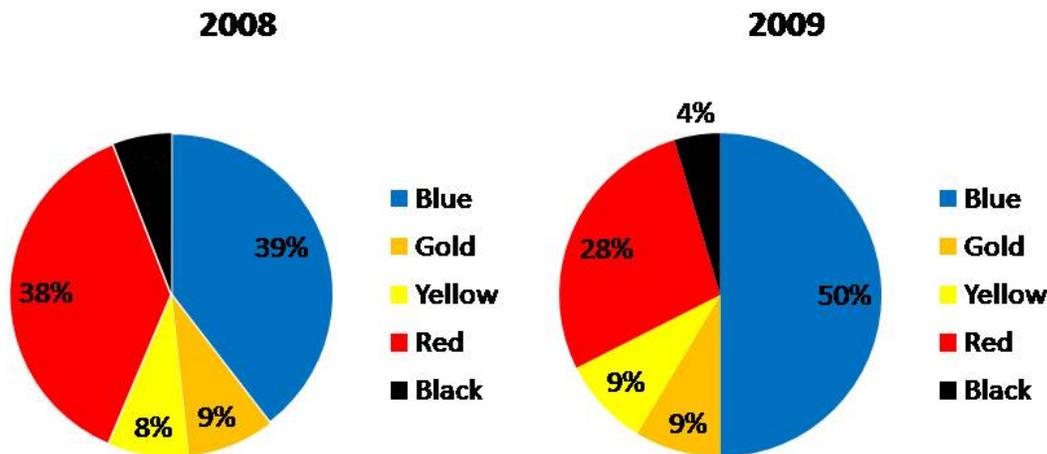


***RSBP has consistently allocated SBPs in schools with no classroom shortage.***

It can no longer be underscored that the projects served both by RSBP and R&B SBP are insufficient to meet classrooms demand. This is aggravated by the fact that despite this, government SBP still allocates resources in schools with no classroom shortage.

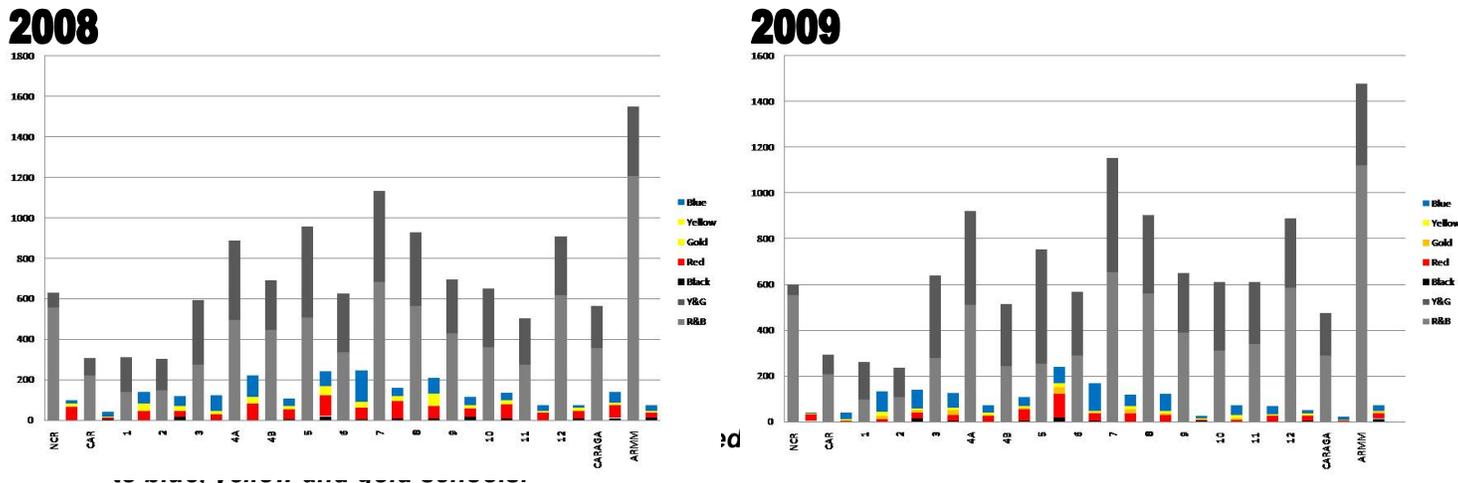
RSBP consistently has done so. Looking at 2008, almost half of the schools served were categorized by the BEIS as blue schools; and in 2009, half of the projects went to those which does not have classroom shortage.

Figures 14-15 Projects as Distributed to Schools in Color Codes



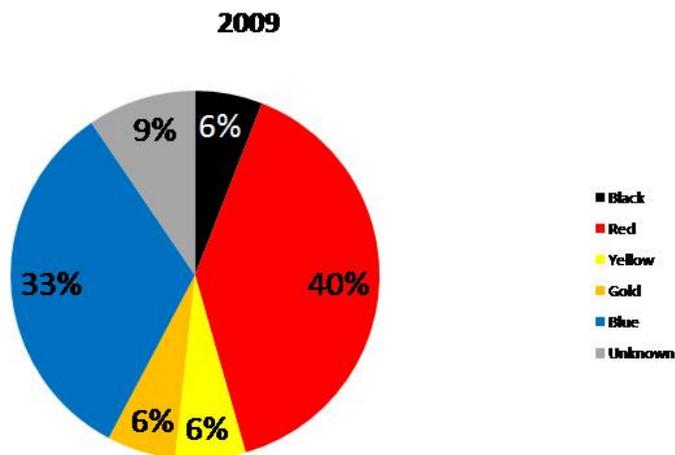
The tables below further elucidate. The gray bar depicts total cases of classroom shortage per region. The multi-colored bar represents RSBP projects and how it has been distributed among color categories. It can be observed that while there is a gap between the projects served and the number of red, black, yellow and gold schools, allocation of RSBP projects to blue schools makes it more unresponsive. In 2008 and 2009, there is a sizeable number of projects devoted to blue schools across regions.

Figures 16-17 Projects as Distributed to Schools in Color

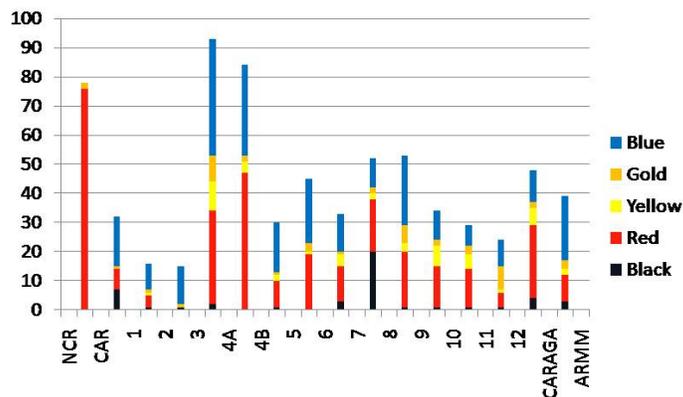
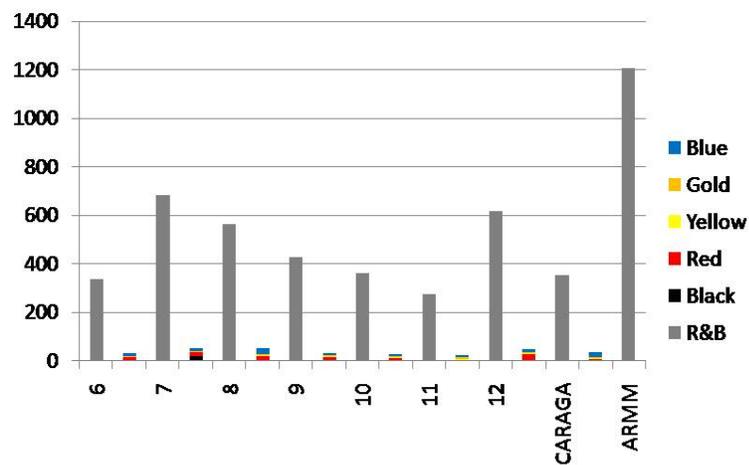
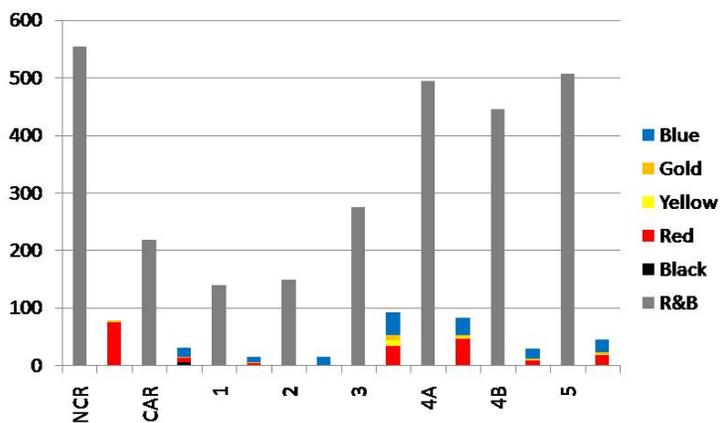


It is worth repeating that R&B SBP was designed to address needs of classrooms with acute shortage. Thus, it is logical to assume that the projects from this SBP should be devoted to red and black schools. However, as illustrated by the chart below, more than half of the total number of projects catered to non-red and black schools.

Figure 18 Projects as Distributed to Schools in Color Codes



Figures 19-21 Projects as Distributed to Schools in Color



VI. ANALYSIS

Among the factors that constrain the government from responding to classroom shortage, the biggest factor is budgetary constraints or insufficiency in resources. Considering the projected classroom deficit in 2011 and following the P600,000 estimated cost per instructional room, approximately P91 billion is needed to meet the need. Gleaning through the budget allocation both for RSBP and R&B SBP, less than P10 billion are allocated for school building – that is more than a 900% lack in budget allocation.

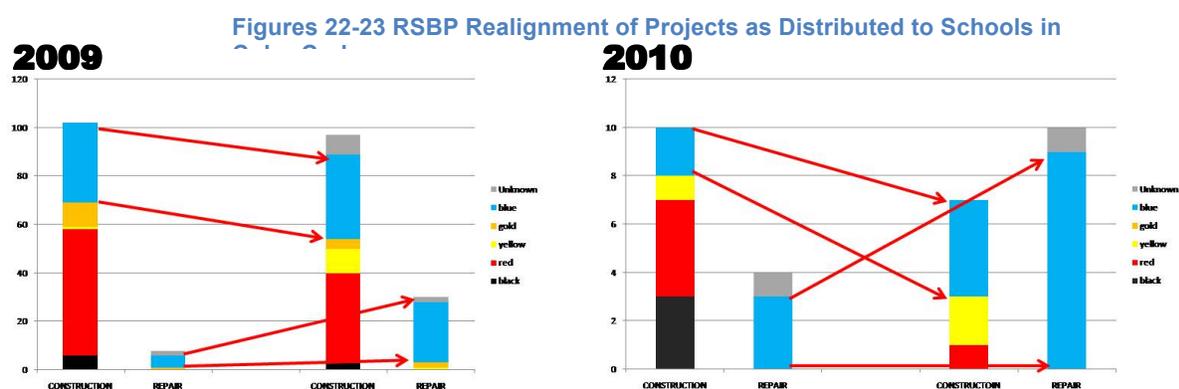
There is basis in the claim that funding is a major constraint in government SBP, however it is appalling to realize that despite this, SBP is allocated to schools which do not experience classroom shortage. This is so precisely because the existing law legitimizes it. As the budget is allocated according to the Roxas Law, we are allocating to areas which does not have classroom shortage resulting the variance in the RSBP allocation. There is distortion of allocation which is supposed to be based on need.

The Roxas Law ushers the allocation to schools without classroom shortage and is not responsive to need geographically. The statute is premised on fair and equitable allocation of resources given its formula. It means that it is primarily to ensure that all students in all legislative districts will have a share in the pie. Unfortunately equitable distribution does not necessarily take into consideration classroom need.

There are efforts to be responsive to classroom needs given DepEd rules, but there are procedural loopholes which allow allocation not based on need, particularly given the required concurrence of the Congressman to SBP allocation, which is highlighted in the process of realignment.

Considering our experience in the Negros Occidental case, there were 6 SBPs realigned to non-red and black schools. We saw the problem of unclear standards with regards to the “concurrence” of the congressman and the lack of consultation between stakeholders. Bases of allocation and realignment are also unclear and there remains no process to validate them at present. While the Roxas Law does not expressly provide that consultation shall be construed as concurrence, subsequent enactments show that the signature of the congressman is controlling whether or not the project shall push through. Guidelines established in the Department Orders for realignment are based on need; that there shall be no unbalanced allocation, duplication and overlapping. This criteria, however, is easily overruled by the district Representative. While regularity of performance of duties are presumed, lack of clear criteria as to the exercise of discretion by Representative makes the power to concur overbroad and *vulnerable*.

The process of realignment, in fact, led to more schools with no acute classroom shortage being catered to by the RSBP as shown in the succeeding graphs.



The other key finding is that though R&B SBP is more responsive to need geographically because of its strict mandate to cater to red and black schools, it is still also allocating to non- red and black schools. There are several possible acceptable explanations including inaccuracy in the BEIs, site availability,

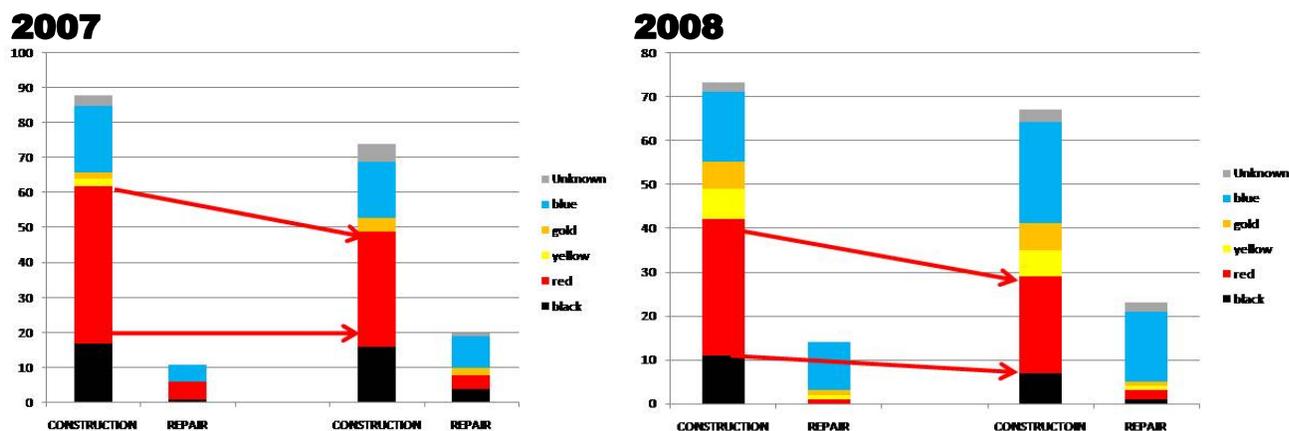
peace and order situation, distance and the need to prioritize repair. However, there could also be explanations that are not acceptable such as pressure from local politicians.

Compared to RSBP, Red and Black SBP does not require the concurrence of the Representative. However in practice, even without the mandate of the law, some district Representatives and LGU's compel the Division Planning Office to accommodate schools which are not in the list derived. They employ means to stall the performance of SBP if these do not conform to their areas of preference. In one of the respondent's words "binabraso sila" to compel them to prioritize the preferred school of the Congressman. While some of them yield, there are those which are steadfast in their own findings.

The problem that we see is there is no mechanism in exacting accountability from processes and decisions leading to construction in non red and black schools. The reasons are not properly documented and there is no clear process ensuring that construction in non red and black schools is above-board or due to acceptable reasons. We find this very critical since this program is specifically designed to address classroom shortage and there should be no reason for it to be constructing SBPs in schools with no classroom shortage.

Similar to RSBP, the process of realignment led to the increase in the number of non red and black schools being catered to by the R&B SBP, which points to the need to review the process of realignment in R&B SBP as well.

Figures 24-25 Red and Black SBP Projects Realignment



## VII. RECOMMENDATIONS

1. *Increase budget allocation and explore other sources of funding.* The minimum and the most basic, with paramount consideration to the issue on classroom shortage and its effects, more budget should be appropriated for school building program. Significant consideration should be made on legislations to increase allotment for SBP specifically House Bill No. 1196 which provides for an increase in annual budget allocation for school building<sup>5</sup>. Further, mechanisms to augment resources deficit may also be

<sup>5</sup> Sec. 6 INCREASE IN THE ANNUAL ALLOCATION – Comply with the targeted classroom-student ratio and to decrease classroom shortage in the country, the budget allocation provided for the capital outlay of the DepEd under this act shall be increased annually

considered such as the use of the build-operate-transfer, building-lease-transfer, rehabilitate-operate-transfer and other contractual arrangements to use private funds to finance SBP<sup>6</sup> and other means to make up for the lack of resources<sup>7</sup>. However we do recognize limitations on resources thus the need to explore ways on how to make the allocation of resources more efficient and responsive to need.

*2. Rationalize School Building Program.* While there have been efforts in the Fifteenth Congress to amend the Roxas Law in terms of shifting the allocation of the capital outlay from student population to classroom shortage<sup>8</sup>, it still does not encapsulate the constraint which the legislation imposes – allowing resources to be channelled to schools without classroom shortage which potentially distorts allocation thereof. There is indeed a need to rationalize school building program so that it will primarily respond to need. There should be a law that will cover RSBP, Red and black and other modes of implementation which will integrate common standards for all SBPs implemented through various modes. The law shall provide for consolidated report on the program accomplishments vis-a-vis classroom shortage.

*3. Institute clear and transparent accountability mechanism.* Incorporated in the comprehensive law on SBP is a clear and transparent accountability mechanism. To avoid undue political interference, we recommend a multi-stakeholder consultation should be made prerequisite to the allocation and implementation of the SBP with the Congresspersons as just one of the stakeholders of the process. There shall be imposed specific responsibilities and accountabilities or the actors and offices involved in the SBP. More importantly, realignment has to be clear with means of validation. Strict process of validation shall be imposed in cases where schools buildings will be constructed in areas where it is not needed.

*4. Improve accuracy of BEIS.* Ancillary to transparency and accountability, the BEIS as main source of information in allocation must be regularly updated and there should be assurance of accuracy. In line with this, standards should be communicated to those who report and they shall be equipped with technical capabilities in efficiently carrying on the responsibility. Participatory mechanisms in updating and incorporating feedback on accuracy of BEIS data should also be tapped to ensure that the BEIS reflects realities from the ground. Furthermore, the responsibilities of those who take part on the processes should be specified and clarified.

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by twenty percent (20%). HB 1196 "An Act Amending Republic Act No. 7880, Otherwise Known as The "Fair and Equitable Access To Education Act" Introduced by Hon. Marcelino Teodoro

<sup>6</sup> House Bill No. 615 "An Act Restructuring The Allocation of the Department of Education's Budget for capital Outlay, Amending for the Purpose Republic Act No. 7880, Otherwise Known As The "Fair and Equitable Access to Education Act" and For Other Purposes" Introduced by Hon. Juan Edgardo Angara

<sup>7</sup> House Bill No. 1978 "An Act Mandating That All Illegal Wood Products Confiscated By The Department of Environment and Natural Resources Be Donated To The Department of Education To Be Used For The Construction and Other School Facilities" Introduced by Rep. Rufus Rodriguez and Rep. Maximo Rodriguez

<sup>8</sup> House Bill No. 602 "An Act Restructuring the Allocation of the Department of Education's Budget for Capital Outlay, Amending For The Purpose Republic Act No. 7880, Otherwise Known As The "Fair and Equitable Access To Education Act" And For Other Purposes" Introduced by Hon. Rufus Rodriguez and Hon. Maximo Rodriguez