

COMMENTS ON SENATE BILL NO. 121 OR “AN ACT ESTABLISHING THE CLASSROOM-BUILDING ACCELERATION PROGRAM (CAP), AUTHORIZING LOCAL GOVERNMENT UNITS AND PRIVATE SECTOR ENTITIES TO UNDERTAKE CLASSROOM CONSTRUCTION PROJECTS, AND APPROPRIATING FUNDS THEREFOR”, AND ON SENATE BILL NO. 122 OR “AN ACT REQUIRING THE FREE DIGITAL PROVISION OF TEXTBOOKS USED IN BASIC EDUCATION, ENCOURAGING OPEN EDUCATIONAL RESOURCES, AND FOR OTHER PURPOSES”

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Senate Bill 121, or the proposed “Classroom-Building Acceleration Program (CAP) Act”, seeks to address the country’s classroom backlog, estimated at over 165,000, by empowering local government units (LGUs) and private sector partners to construct classrooms in public schools, with funding support from the Department of Education (DepEd), national government allocations, and public-private partnerships. It emphasizes decentralization, technical support, and accountability to complement national efforts in improving access to safe and adequate learning spaces. Meanwhile, Senate Bill 122, or the proposed “*E-Textbook Para sa Lahat Act*”, mandates that all DepEd-approved textbooks be provided in free digital format, ensuring equitable access to essential learning resources, thereby addressing limitations in the availability of traditional print formats. It also promotes the development and adoption of Open Educational Resources (OER), reducing costs for families, encouraging innovation, and aligning educational materials with 21st-century digital realities.

Taken together, both Senate Bills share a common strength in tackling foundational barriers to quality education: one by improving physical access to classrooms, the other by expanding digital access to learning materials. They complement each other by addressing both infrastructure and resource gaps, advancing equity, inclusivity, and innovation, and embodying a whole-of-nation approach to education reform.

Drawing from several recent studies conducted by researchers at the Philippine Institute for Development Studies, we highlight several key recommendations that the Office of Senator Paolo Benigno “Bam” Aquino and other policymakers may wish to consider to further enhance the effectiveness of these proposed measures.

On Senate Bill 121, “Classroom-Building Acceleration Program (CAP) Act”

- 1. Equity-Focused Allocation Framework.** The bill may benefit from providing explicit targeting mechanisms to ensure that areas with the highest current and projected classroom shortages, e.g. as urbanized regions like NCR and CALABARZON or

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underserved provinces, receive proportionate attention. A geography-sensitive allocation formula that incorporates backlog severity, socioeconomic disadvantage, and projected classroom demand could help ensure that CAP resources reach the most underserved communities. This may be informed by a centralized masterplan.

2. **Integrated Basic Infrastructure Package.** The bill currently focuses on classroom construction, which, in theory, includes accompanying facilities (e.g., WASH, power, ICT). However, it may be beneficial to have this clarified in succeeding iterations to underscore the importance of such facilities in the overall learning experience of children. The CAP may elect to mandate a minimum package of essential complementary amenities and link disbursements to the delivery of these packages to ensure learning environments are fully functional and safe.
3. **Enhanced Governance and Technical Oversight.** Documented challenges in education infrastructure rollout point to the need for stronger guidance in the early phases of the classroom construction project cycle. CAP could benefit from institutionalized technical assistance protocols, including standardized site validation, hazard assessments, and a capacity-building component for LGU planning teams, among others, embedded in the implementing rules and regulations, if not in the proposed law itself, thereby strengthening the proposed measure in Section 9 of the bill.
4. **Public-Private Partnership Safeguards.** While PPPs can expand delivery capacity, past experiences such as the PSIP revealed contractual weaknesses and limited private sector interest due to delays and high risks. To encourage stronger private sector participation, the CAP should adopt a framework that ensures private sector profitability with public accountability. This may be achieved by (a) requiring financial viability assessments for proposed PPP classroom projects, (b) offering flexible cost-recovery models such as staggered payments, viability gap funding, or targeted tax incentives, and (c) establishing clear revenue-risk frameworks that define cost-sharing, penalties, and performance bonds. In doing so, the CAP can draw from best practices in infrastructure contracting, including early site appraisal, flexible contract design, and dedicated PPP units to oversee project preparation. Such measures could incentivize sustainable private participation while safeguarding transparency, efficiency, and equity in classroom construction delivery.
5. **Durability and Disaster Resilience.** The persistence of structurally compromised school buildings underscores the need for resilient design. It may be beneficial if CAP could stipulate that all new classrooms conform to climate-resilient and disaster-proof standards, include fuel-efficient or renewable energy integration where feasible, and embed a monitoring framework for post-completion maintenance and durability tracking. Such plans could benefit from an overall masterplan that traces not just classroom backlogs and future demand through enrollment, but also site specificities, such as projected climatic conditions and physical terrain, among others.
6. **Monitoring and Evaluation Beyond Construction.** While the bill already provides for reporting requirements, these appear narrowly focused on project completion and fund utilization. It may be useful to expand this into a broader monitoring and evaluation framework that also tracks outcomes such as reductions in class sizes, elimination of multiple shifts, and improvements in learning environments. Embedding such

performance indicators would help ensure that classroom construction translates into measurable gains for students.

7. **Alignment with Demographic and Enrollment Projections.** Classroom shortages are not static and will evolve with population dynamics, internal migration, enrollment shifts, and natural wear and tear of school infrastructure. The CAP could explicitly require that project proposals be aligned with demographic and enrollment projections to avoid mismatches, such as overbuilding in areas of declining demand or underbuilding in fast-growing localities. Coordination with PSA and DepEd in preparing these forecasts may strengthen long-term planning.
8. **Maintenance and Lifecycle Funding.** The bill's current emphasis on construction may risk repeating past cycles of deterioration where buildings quickly fell into disrepair. It may be worth considering a provision that earmarks resources for preventive maintenance and requires LGUs and private partners to prepare lifecycle cost plans as part of their proposals. This would help ensure classrooms remain safe, functional, and cost-efficient throughout their intended lifespan.

On Senate Bill 122, “*E-Textbook Para sa Lahat Act*”

1. **Equity in Digital Access.** The bill mandates free digital provision of textbooks, which could be an important game changer in addressing supply issues related to printed learning and teaching resources. However, gaps in digital access remain, especially in rural and low-income communities. It may be beneficial to include provisions for targeted support, such as device subsidies, offline access options, or partnerships with LGUs for community digital hubs, etc., to ensure that learners without reliable internet or electronic devices are not left behind.
2. **Capacity Building for Teachers.** The shift to e-textbooks and Open Educational Resources (OER) assumes digital literacy among teachers, which could vary widely. It may be worth strengthening the bill by mandating teacher training and support systems for effective use of digital resources. This could be institutionalized through continuous professional development programs under DepEd.
3. **Incentives for Content Development and OER.** While the bill mandates free digital versions of DepEd-approved textbooks, it may further encourage innovation by establishing incentives for publishers, schools, and teachers to create and adapt OER. Incentives could take the form of recognition, grants, or co-funding schemes to promote collaboration and continuous updating of resources.
4. **Safeguards on Intellectual Property and Data Privacy.** Making textbooks freely available in digital format raises issues of copyright compliance, duplication control, and data privacy in digital distribution platforms. The bill may benefit from clearer provisions on copyright safeguards, licensing arrangements, and privacy protocols to balance accessibility with protection of intellectual property and user rights.
5. **Monitoring and Evaluation of Learning Outcomes.** While the bill focuses on improving access, it may also require a mechanism to monitor its impact on learning outcomes, usage rates, and equity of access. Embedding such metrics would allow

policymakers to assess whether digital provision of textbooks translates into tangible educational improvements.

6. **Infrastructure and Power Reliability.** Access to e-textbooks presupposes stable electricity and ICT infrastructure, which remain uneven across regions. It may be useful to add language in the bill that encourages coordination with national ICT and energy programs to ensure the enabling environment for digital learning is in place.

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