Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1309

Introduced by Honorable Wes Gatchalian

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, FURTHER AMENDING REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCE OR ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AS AMENDED BY REPUBLIC ACT NO. 9163, OTHERWISE KNOWN AS THE "NATIONAL SERVICE TRAINING PROGRAM AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to establish a mandatory two (2) year Basic ROTC program for students enrolled in Grades 11 and 12 in all senior high schools in public and private educational institutions.

In its Declaration of Principles and State Policies, our Constitution has espoused that the government may call upon the people to defend the State and, in the fulfillment thereof, all citizens may be required, under conditions required by law, to render personal military or civil service. At the same time, the State recognizes the vital role of the youth in nation-building and seeks to promote and protect their physical, moral, spiritual, intellectual and social well-being. It also seeks to inculcate in the youth
patriotism and nationalism, and encourage their involvement in public and civic affairs.

Discipline is a foundational attribute necessary to succeed in any endeavor, and this is doubly true in nation-building. As it is the youth of today who will lead the nation in the near future, our ability to instill in them the importance of this skill will determine whether they as a generation will hit the ground running or tap on the snooze button every time the country is faced with challenges.

The revival of the mandatory basic ROTC program will inculcate this kind of discipline in our youth through the enhancement of the values of leadership, camaraderie, and sacrifice for common objectives. The program will also be designed around the ideals of patriotism and nationalism, all while emphasizing on respect for human rights and the strengthening of ethical and spiritual values.

Under this bill, the ROTC program will also put a premium on disaster preparedness and capacity-building for risk-related situations – skills that become increasingly necessary as the country bears the brunt of climate change, among other internal and external threats.

The standards of discipline, love for country, disaster preparedness and basic military training are valuable at any given time, but more so now. This generation of Filipino youth thus stand to benefit immensely from this endeavor.

In view of the foregoing, support for the passage and approval of this legislation is earnestly sought.

WES GATCHALIAN
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REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE “CITIZEN
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Be it enacted by the Senate and the House of Representatives of the
Philippines in Congress assembled:

1 SEC. 1. Short Title - This Act shall be known as the “Senior High
School Reserve Officers Training Corps (ROTC) Act”.

2 SEC. 2. Declaration of Policy. - It is the policy of the State 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. The
State recognizes the 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 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 reservists.

SEC. 3. Definition of Terms

a) Reserve Force – refers to the organization of trained reservists under the command of the Armed Forces of the Philippines who may be called for duty in the event of war, invasion or rebellion; to assist in relief and rescue during disaster or calamities; to assist in socioeconomic development; and to assist in the operation and maintenance of essential government or private utilities in the furtherance of overall mission.

b) Basic Reserve Officers’ Training Corps (ROTC) – refers to a mandatory two (2) year basic leadership and military training program for students enrolled in Grades 11 and Grades 12 in all senior high schools in public and private educational institutions.

c) Advance ROTC – refers to the optional and enhanced ROTC course that is offered in universities, colleges, vocational schools and other tertiary institutions.

d) Clustered ROTC Unit – refers to two or more educational institutions that are strategically grouped together for the purpose of holding ROTC classes in one location.

e) Grievance Committee – refers to an independent body that is tasked to investigate any complaint or allegation of abuse, violence or corruption in any clustered ROTC unit or any educational institution implementing the ROTC Program.

f) National Grievance Committee – refers to the appellate body that has jurisdiction to hear appeals on the findings and recommendations of any local grievance committee.
g) *Public Educational Institutions* – refer to educational institutions that are established and administered by the government.

h) *Private Educational Institutions* – refer to educational institutions maintained and administered by private individuals or groups.

i) *Registration* – the act of recording the name and/or other relevant information of the students who have completed the ROTC Program in Grades 11 and 12 on the official list of ROTC graduates. *Provided,* that the registration that is referred to under this Act shall not be construed as enlistment in the AFP Reserve or Regular Force.

**SEC. 4. **Coverage. - The conduct of basic military and leadership training under the ROTC shall apply to all students in Grades 11 and 12 in all senior high schools in public and private educational institutions.

**SEC. 5. Establishment of the ROTC Program in all Public and Private Educational Institutions.** –

a. There is hereby established a mandatory two (2) year Basic ROTC program for students enrolled in Grades 11 and 12 which shall form part of the basic curricula for the Senior High School Education in any public and private educational institutions in pursuance to the provisions of the National Defense Act, Revised Administrative Code of 1987, and the 1987 Constitution, with the objective of producing well-trained and prepared reservists 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.

b. The Basic ROTC, instituted as part of the curricula shall be administered in accordance with the following modules:

b.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 ethical and spiritual values, develop personal discipline and leadership and to encourage creative thinking for scientific and technological development;
b.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) years shall take a direct part in hostilities.

b.3. Civic training for students in order to be active participants and volunteers for the development and improvement of health, education, ecology and environmental protection, human and civil rights awareness and law enforcement.

b.4. Preparedness during actual disaster response operations on needs assessment, improved skills for search, rescue and relief operations, and early recovery activities. Integration of capacity-building activities revolving around risk-related situations in order for students to be proactive in lessening the socio-economic and environmental impacts of disasters including climate change. These capacity building activities will help build understanding and skills with the end in view of applying disaster risk reduction and management principles, concepts, and concrete action steps towards building their resilience.

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 ROTC by any student shall be a 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 Basic ROTC program in pursuance to this Act shall be subject to disciplinary and administrative sanctions as the Department of Education (DepEd) may impose.

d. Guided by the provisions of Section 5(b) hereof, the DND and the DepEd, 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 Grades 11 and 12.

**SEC. 6. Schools as Zones of Peace.** – Pursuant to Republic Act No. 11188 entitled *Special Protection of Children in Situations of Armed
Conflict*, every educational institution implementing the ROTC under this
Act shall comply with the declaration and guidelines that are provided for
under the said law to maintain the neutrality of the schools as zones of
peace.

SEC. 7. 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
   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 is enrolled.

b. Those who have undergone or are undergoing similar military
   training.

c. Those who were chosen by their school to serve as varsity
   players in sports competitions.

d. Those who may be exempted from training for valid reasons as
   approved by the DND, upon recommendation by any educational institution.

SEC. 8. Advance ROTC. – The basic ROTC established in Section 4,
paragraph 1 of RA 9163, also known as the “National Service Training
Program (NSTP) Act of 2001”, as a component of the NSTP which forms part
of the curricula for students of any baccalaureate degree course shall be
modified or reclassified as the Advance ROTC pursuant to Section 39 of RA
7077, or the “Citizen Armed Force or Armed Forces of the Philippines
Reservist Act.”

The Advance ROTC in the tertiary level shall continue as an optional
and voluntary component of the NSTP. Students who volunteer for the
Advance ROTC program in universities, colleges, vocational schools and
other tertiary institutions shall remain to be governed by RA 9163 insofar as
they are consistent with this Act.

The provisions of Section 42 and 43 of Republic Act No. 7077 in terms
of training, uniforms and supplies, and the scholarship incentive shall
remain effective and applicable for those accepted in the Advance ROTC
course. It shall be mandatory for all public and private universities, college
and similar learning institutions to offer and provide a training school for
the Advance ROTC program which shall have a duration in accordance with
the curriculum prescribed by the DND and the Commission on Higher
Education (CHED).

The Department of National Defense, in coordination with the CHED,
shall prescribe the curriculum for Advance ROTC and the program of
instruction in pursuance to the applicable provisions of Republic Act No.
7077.

SEC. 9 Organization, Operation and Maintenance of ROTC Units.
– The organization, operation and maintenance for the establishment of the
Basic ROTC shall be in accordance with Sections 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,
shall prescribe the organization and operational manual of ROTC units in
public and private educational institutions for Grades 11 and 12:
Provided, that such educational institutions shall be required to provide an
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.

SEC. 10. Registration in the Reserve Force. – Pursuant to Sec. 14
of Republic Act No. 7077, a student who has completed the Basic ROTC
program in senior high school shall be registered in the Reserve Force only
upon reaching the age of eighteen (18).

SEC. 11. Guidelines to safeguard students of the Basic ROTC
Program. - In order for the proper and effective implementation of the Basic
ROTC Program, the following policies shall be adopted to prevent the
occurrence of hazing, corruption and other forms of abuses:

a. The Basic ROTC Program prohibits hazing as defined under R.A.
8049, as amended by R.A. 11053, and as such, adopts the
penalties for any act committed under the provisions of the said law;
b. Cognizant of the provisions under R.A. 7610 or the “Special Protection
of Children Against Abuse, Exploitation and Discrimination Act”, any
physical, sexual or psychological abuse, emotional maltreatment, or
any act by deed which tends to degrade or demean the dignity of a
child/student is prohibited;
c. Consistent with DepEd Order No. 40, Series of 2012 on Child
Protection Policy, the Basic ROTC Program proscribes physical,
humiliating or degrading punishments or penalties by a teacher,
school administrator, an adult, or any other child who has been given
or has assumed authority or responsibility for punishment or
discipline for an alleged or actual offense for the purpose of discipline,
training or control except for mild to moderate physical exercises
such as push-ups, sit-ups and running within the medically
recommended limit for the concerned age group;
d. In case of the School Officials or employees of public or government
educational institutions, who shall accept any gift from any student,
or from any parent/guardian of the student, or who shall commit
other practices contemplated under R.A. 3019 on “Graft and
Corrupt Practices Act” and the Revised Penal Code on Bribery
and Corruption the maximum penalty shall be imposed;
e. The penalties provided under the Revised Penal Code for the
Crimes of Bribery and Corruption shall be imposed upon school
officials or employees of private educational institutions who shall
accept directly or indirectly, any gift, in cash or in kind, from any
student, or from any parent/guardian of the student in relation to or
pertinent with the conduct of the Basic ROTC training program.

SEC. 12. Establishment of Grievance Committees. –
a. A Grievance Committee shall be formed from a cluster of
educational institutions that shall receive complaints and/or motu
propio conduct investigations on any complaint or allegation of
abuse, violence or corruption in any educational institution
implementing the Basic ROTC Program;
b. Every Grievance Committee shall be composed of three members,
to be chosen by the Secretary of National Defense and the
Secretary of Education: one (1) District Commandant from the DND,
one (1) District Schools Supervisor from the DepEd, and one (1) Legal Officer from the DepEd;

c. The DepEd and the DND shall formulate the manner by which the educational institutions implementing the Basic ROTC shall be clustered for the efficient resolution of grievances;
d. The Grievance Committee shall function as an independent investigative 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 for which purpose, the Articles of War shall be employed. Whereas, for 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. 13. Powers and Duties of the Grievance Committee – In view of the laws providing protection for children, every Grievance Committee shall be pro-active in its duty to:

(1) Encourage the reporting of any incident of hazing, violence, abuse and corruption in every clustered ROTC unit;

(2) Motu proprio or upon a complaint filed by any person, investigate, any act of hazing, violence, abuse and corruption in the clustered ROTC unit;

(3) Issue preventive suspension orders against officers of the ROTC or any school employee involved in the training within three (3) days: (a) upon receipt of the complaint, or (b) after initiation of the motu proprio investigation, to preclude him from exerting undue influence over the complainant and impede the normal course of the investigation;
(4) Recommend the appropriate action for any offense committed in the clustered ROTC unit to the proper disciplinary authority which has jurisdiction over the respondent within fifteen (15) days (a) upon receipt of the complaint, or (b) after initiation of the motu proprio investigation;

(5) Monitor all complaints filed with the Committee and maintain an updated record of the status of each case;

(6) Provide the parties of the complaint its findings and recommendations within thirty (30) days upon receipt thereof.

(7) Promulgate rules and regulations necessary to carry out its objectives, functions and disciplinary procedures;

(8) Performs such other functions as may be provided by law.

SEC. 14. National Grievance Committee. — There is hereby established a National Grievance Committee (NGC) composed of the Secretary of National Defense 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 NGC shall receive appeals on petitions for review from the findings/recommendation of any of the Grievance Committees. It shall provide the parties of its decision within fifteen (15) days, counted from the time of receipt of the petition. Any resolution of the NGC shall be final.

SEC. 15. Incentives for Undergoing the ROTC Program. — a. Subject to other requirements that may be prescribed by rules and regulations, graduates of the Advance 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 the Basic ROTC and those accepted in the 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 the Advance ROTC shall be given access and privileges with any AFP Commissary. The Chief of Staff of the Armed Forces of the Philippines shall issue the necessary regulations for the implementation of this privilege.

SEC 16. Classification of ROTC Students. - Grades 11 and 12 students who are enrolled in the ROTC program shall be recognized as civilians in law.

SEC. 17. ROTC Instructors' Capacity Development and Enhancement Program. – There is hereby created and established a training program for ROTC instructors, to ensure that they meet the highest physical and moral standards to teach and carry out the ROTC program. The Instructors' Program shall be developed and administered under the guidance and tutelage of the DND and the DepEd.

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

SEC. 18. Budget Appropriation. – The funding requirement necessary to implement the establishment, maintenance and operations of the Basic ROTC Program shall be included in the budget of the implementing agencies/departments, which is the DND and the DepEd, in the annual General Appropriations Act in the year following its enactment.

SEC. 19. Implementing Rules. – The DND and DepEd shall have the joint responsibility for the adoption of the implementing rules of this Act within sixty (60) days from the approval of this Act.

SEC. 20. Transitory Provisions. – In order to manage the initial implementation of the ROTC Program in senior high school, the DND, and
the DepEd shall within six (6) months from the effectivity of this Act, design,
institute and implement a Pilot Program.

The DND and the DepEd shall jointly submit an annual review and
evaluation report to Congress on the implementation of the Pilot Program.
Upon review and approval by Congress, the framework utilized under the
Pilot ROTC shall become the standard for the full national implementation of
the Basic ROTC Program.

**SEC. 21. Joint Congressional Oversight Committee.** — A Joint
Congressional Oversight Committee is hereby created to oversee, monitor
and evaluate the implementation of this Act.

The Oversight Committee shall be composed of five (5) members each
from the Senate and from the House of Representatives, including the
Chairman of the Committee on Education, Arts and Culture of both Houses.
The membership of the Committee of every House shall have at least two (2)
opposition or minority members.

**SEC. 22. Mandatory Evaluation and Review** — The DND and the
DepED shall jointly conduct an annual review and submit a report to
Congress on the status of the implementation of the Basic ROTC Program
one year after its full implementation.

**SEC. 23. Penal Provisions.** — Offenses committed by persons involved
in or in relation to the implementation of this Act shall be subject to
penalties in accordance with the applicable laws, rules and regulations.
Grades 11 and 12 students undergoing the Basic ROTC Program must not
be subjected to military law.

**SEC. 24. Offenses Punishable Under Existing Laws.** — For acts
already penalized under existing laws such as corruption, graft, hazing,
sexual harassment, and other abuses committed by persons authorized to
administer the Basic ROTC and deployment of the Corps, the maximum
penalty imposable under existing laws shall be imposed.

**SEC. 25. 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.
SEC. 26. Amendatory Clause. – Section 38 and 39 of Republic Act No. 7077 and Section 4 of Republic Act 9163, are hereby deemed amended and modified accordingly.

SEC. 27. Repealing Clause. – All other laws, executive orders, presidential decrees, rules and regulations inconsistent with any provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 28. Effectivity. - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,