

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3685



Introduced by **HON. LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR.,
HON. MIGUEL LUIS R. VILLAFUERTE, HON. TSUYOSHI ANTHONY G.
HORIBATA AND HON. NICOLAS ENCISO VIII**

EXPLANATORY NOTE

The State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all.

- Article XIV, Section 1, 1987 Constitution

The Constitutional guarantee of quality and accessible education is taking a new meaning that transcends the typical challenges involving social inequality and poverty.

The World Bank reports that the COVID-19 pandemic is causing more than 1.6 billion children and youth to be out of school in 161 countries or around 80% of the world's students. The Philippines is among the many countries experiencing a learning crisis due to the COVID-19 pandemic.

Most adjustments involve the use of the internet such as in a typical work-from-home set-up. Schools and universities began shifting to online classes to protect the health of the students, teachers, administrators, and staff.

One of the major steps taken by the DepEd is the DepEd Commons program which was launched last March 17, 2020. The program gave access to online review materials and Open Educational Resources (OERs) during class suspensions and other similar circumstances. It reportedly reached more than 4 million users.

In ideal circumstances, online learning can be relied on for the delivery of education on a national scale. However, the challenges are simply beyond having Internet connectivity and possession of a laptop, tablet, or smartphone for both teachers and learners. The reality in this country shows that there are fluctuations of electricity even in urban areas, Internet connections are unstable, the requisite digital infrastructure is lacking, and teachers are not trained and equipped in Learning Management Systems (LMS).

It is based on the foregoing that this bill takes an “appropriate step to make such education accessible to all” as mandated by the Constitution. Keeping our students engaged requires going beyond exclusive reliance on online strategies.

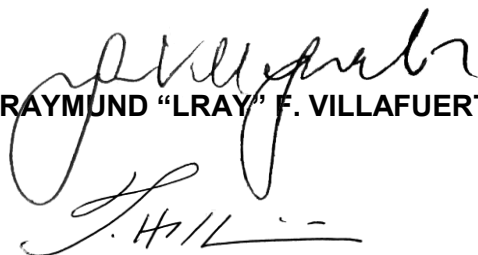

This proposal recognizes the need to develop our basic education curriculum in order to fully integrate outside class learning such as distance learning and alternative modes of education. This strategy addresses any stoppage in traditional classroom instruction, be it a health emergency, natural calamity, civil unrest, or other related circumstances.


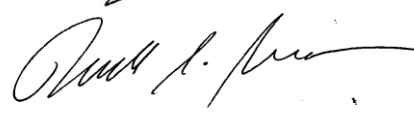
It likewise paves the way for flexibility in the use of learning strategies and available tools. It acknowledges the availability of resources by mandating periodic resources mapping, and additionally provides for a digital technology roadmap as key preparation for the transformation and adjustment of education for the future.

The best practices around the world demonstrate the use of different strategies for the delivery of education. It may be surprising to find out that countries like Malaysia and South Korea with better internet infrastructure than our country still rely on television and radio for distance learning. Accordingly, there is a specific provision on the proposal adopting this practice of using television and radio frequencies as a major tool for distance learning.

In addition to the proposed adjustments and key preparations for the transformation of education in the future, this bill also highlights the integration of health and safety training for our teachers and learners. This is in recognition of the need for support in times when difficult circumstances create an adverse emotional and psychological impact on human beings. It likewise emphasizes the critical role of parents and guardians in the rearing and education of our children.

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


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

TSUYOSHI ANTHONY G. HORIBATA


MIGUEL LUIS R. VILLAFUERTE

NICOLAS ENCISO VIII

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AN ACT INSTITUTING FLEXIBLE LEARNING IN THE BASIC EDUCATION CURRICULUM BY FULLY INTEGRATING OUTSIDE CLASS LEARNING, ESTABLISHING A DIGITAL TRANSFORMATION OF EDUCATION ROADMAP FOR THE EFFECTIVE DELIVERY OF EDUCATION THROUGH INFORMATION AND COMMUNICATIONS TECHNOLOGY, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. *Short Title.* – This Act shall be known as the “*Outside Class Learning and Digital Education Act*”.

Section 2. *Declaration of Policy.* – It is the policy of the State to promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.

Toward this end, the State shall ensure that even in times of public health emergencies, such as the COVID-19 pandemic, calamities, civil unrests and other emergencies or crises, the citizens’ right to education is maintained and complemented with the protection and promotion of their right to health, safety, and well-being and instilling health consciousness among them.

Section 3. *Objectives.* – This act seeks to attain the following objectives:

- a.) To provide continuity of learning to all students, in order to prevent disruption in the learners' education, when traditional face to face classroom lecture is impossible, impracticable or otherwise difficult;
- b.) To provide adequate attention to the learning needs of basic education students especially when traditional face to face classroom lectures are unavailable;
- c.) To provide effective access to flexible modules and other alternative modes of education to all learners;
- d.) To adopt and implement innovative alternative modes of education by maximizing available resources;
- e.) To fully equip schools and teachers in the delivery of alternative modes of education;
- f.) To support learners in their adjustment to the use alternative modes of education; and
- g.) To integrate health education in all subjects and to make available mental and psychological support for learners even outside of the school.

SECTION 4. *Definition of Terms.* — As used in this Act, the following terms are defined as follows:

- (a) "Information and Communications Technology" or "ICT" shall mean the totality of electronic means to collect, store, process and present information to end-users in support of their activities and services. It includes, but is not limited to, computer systems, office systems and consumer electronics, as well as networked information infrastructure, the components of which include telephone, cable, wireless and satellite systems, the Internet, fax machines and computers;
- (b) "Digital technology" shall mean electronic technology that generates, stores, and processes data in such a manner that content may be created, viewed, distributed, modified, and preserved on digital electronic devices;
- (c) "DepEd" shall mean the Department of Education;
- (d) "DICT" shall mean the Department of Information and Communications Technology;
- (e) "DOST" shall mean the Department of Science and Technology;
- (f) "CHED" shall mean the Commission on Higher Education;

- (g) "Blended Learning" shall mean education program in which a student learns at least in part through delivery of content and instruction via digital and online media with some element of student control over time, place, path, or pace;
- (h) "Learner" shall mean a person who is still learning such as a pupils and students;
- (i) "Flexible learning" shall mean the adaptability of the delivery of education, considering the combination of traditional classroom learning, distance learning, alternative education and other similar modes of delivery;
- (j) "Outside class learning" shall mean any other mode of delivery of education other than traditional face to face learning;
- (k) "Distance learning" shall mean a method of studying in which lectures are broadcast or classes are conducted by correspondence or over the Internet, television or radio without the student's needing to attend a school or college; and
- (l) "DepEd Commons" shall refer to the online learning platform developed by the education department for students who are forced to stay at home.

Section 5. Curriculum Development - The DepEd shall enhance the basic education curriculum by taking the necessary and immediate steps to fully integrate distance education and alternative modes of education initiatives. The development of a national education policy framework should not only ensure college readiness but also the continuity of learning despite the presence of calamities, pandemics and other similar interruptions to traditional modes of instruction. The following shall be considered in designing and formulating the enhanced basic education curriculum:

- (a) System to ensure continuity of learning;
- (b) Production and delivery of content;
- (c) Development of flexible modules;
- (d) Internet readiness;
- (e) Integration of health education in the daily lessons and activities;
- (f) Applicable and relevant protocols to be observed when schools reopen to include policy on the conduct of school activities;
- (g) Emergency response plan should there be recurrence or occurrence of a public emergency;
- (h) Mental health and psychosocial support services and life skills classes; and

- (i) Provision of necessary support for learners with disabilities and other marginalized learners.

To achieve an effective basic education curriculum, the DepEd shall undertake consultations with other national government agencies and other stakeholders including, but not limited to, the Department of Information and Communications Technology (DICT), the Department of Science and Technology (DOST), the private and public schools associations, the national student organizations, the national teacher organizations, the parents-teachers associations and the chambers of commerce on matters affecting the concerned stakeholders.

DepEd shall take the necessary steps to ensure the continuity of learning regardless of natural or political circumstances by enabling homes and other remote locations to provide quality distance learning by effectively utilizing all effective forms of learning tools, whether digital or traditional.

Section 6. *Flexible Learning.* – To ensure continuity of learning, schools and teachers shall be trained, when the need arises, to modify the conduct of onsite classes, adopt restructured class hours, and continuously develop flexible learning strategies in the delivery of education.

Flexibility in the delivery of education shall consider both onsite and distance learning, instruction, and evaluation. For this purpose, any or a combination of the following tools may be adopted based on the results of the distance learning tools mapping:

- (a) Limited face-to-face onsite learning, subject to protocols;
- (b) Blended learning;
- (c) Homeschooling;
- (d) Internet;
- (e) Television (TV), including Cable Antenna Television (CATV);
- (f) Radio;
- (g) Printed modules, kits and other materials; and
- (h) Other alternative delivery modes as recommended by the DepEd.

To further prepare the entire school community for flexible learning and sustain its utilization in times of calamities, emergencies or crisis situations, the DepEd shall embark on materials development, teacher training, and evaluation processes, among others. The Alternative Learning System under RA No. 10533 or the “Enhanced Basic Education Act” shall continue to be implemented in complementarity with the provisions of this Act.

Section 7. *Utilization of TV and Radio for Distance Learning.* – To enhance learning from home through the use of TV or CATV, the DepEd shall forge partnerships with TV networks, CATV operators and radio stations to utilize free airtime for its virtual classes as warranted under their respective legislative franchises and RA No. 8370 or the “Children’s Television Act of 28 1997”. It shall also tap radio stations to allocate time for the free broadcast of educational programs. This will be complemented by utilizing a variety of assessment options such as online chats and phone calls.

Section 8. *Learning Tools Mapping.* – The DepEd shall establish a mapping system to regularly determine among its learners and teachers their access to learning tools such as information and communications technology (ICT) devices, connectivity, capability, and geographical location, among others. The mapping system shall also consider the specific needs of learners with disabilities and other marginalized learners. The mapping results shall determine the mode of learning to be adopted, alignment of learning materials, and curriculum adjustments.

Section 9. *Digital Transformation of Education and Creation of A Digital Technology Road Map for Schools.* – For the DepEd to develop and enhance its capability to continuously deliver quality education through DepEd Commons, it shall enhance its ICT capacity and digitally streamline and integrate its workflows and processes.

The DepEd shall, in consultation and in coordination with DICT, DOST and CHED, formulate a road map for the use of digital technology in education within one year from the effectivity of this Act. The road map shall serve as basis for planning, research

and development, and monitoring of activities, which shall include the following objectives:

- (a) Broadening and maximizing the use of digital technology to aid learning in a rapidly changing and increasingly globalized environment;
- (b) Taking measures to set-up electronic and online systems that will make the means of exchanging data and information between and among its offices, learners and parents secure, efficient and seamless;
- (c) Building-up of technology capabilities, including the establishment of data centers, data repositories, basic messaging and electronic mail facilities, encryption systems, and cyber-security facilities;
- (d) Providing sufficient training and support for teachers and students in the use of digital technology in public education;
- (e) Developing organizational capability and staff competencies that are well-suited to support a department-wide digital transformation; and
- (f) Providing the professional development to enable educators to use digital technology more effectively inside and outside the classroom.

The road map shall be reviewed every five (5) years, or as may be deemed necessary. The DICT shall likewise implement measures to ensure the availability and accessibility of reliable and secure Internet access suitable to the needs of learners and teachers. It shall accelerate the provision of free public wi-fi as mandated under RA No. 10929 or the “Free Internet Access in Public Places Act” to strengthen teaching and learning, especially where school closures remain in effect.

Section 10. *Role of Parents.* – Parents or guardians shall exert their best efforts in providing the best education for learners, in accordance with P.D. 603 or The Child and Youth Welfare Code, by coordinating with the school and teachers with respect to the delivery of education and assessment.

Section 11. *Implementing Rules and Regulations.* – The Secretary shall issue the rules and regulations to effectively implement the provisions of and carry put the policy set forth in this Act within sixty (60) days from the effectivity of this Act.

Section 12. *Separability Clause.* – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

Section 13. *Repealing Clause.* – All laws, decrees, executive orders, proclamations and other executive issuances which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

Section 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days following its complete publication in the *Official Gazette* or in two (2) national newspapers of general circulation.

Approved,