

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

13th Congress
First Regular Session



HOUSE BILL NO. 2276

Introduced by the **HON. MICHAEL JOHN "JACK" R. DUAVIT**

EXPLANATORY NOTE

The drive towards industrialization requires a high-level manpower of educated and trained workers. Recognizing this, the government's Medium Term Development Program focuses on education as the tool that will enable the country to meet the demands for basic middle-level and higher-level knowledge and skills.

The recognition that an educated and skilled labor force translates into national growth and development is now widely acknowledged.

A 1995 study on the strategies of High Performing Asian Economies (HPAEs)—specifically Japan, Korea, Taipei and Singapore—concluded that human resource development, specifically education, leads to economic growth.

The management expert Peter Drucker analyzed that in developed countries today, knowledge has become the true “capital” where “access to good jobs and career opportunities increasingly requires a university diploma”. He emphasized the need for continuous education at every stage of a person's life and the need for universities to provide easy and open access to the “knowledge workers” of the future.

Furthermore, global demands of the workers of today—for computer literacy and technological know-how, flexibility and the ability towards multi-tasking—have underlined the need for accessible and quality basic and higher education. The Task Force on Higher Education, organized in 1993 to study Philippine tertiary education, cited these global demands and the “predicted and present affluence of many countries as leading to an increased demand for services that would require education and training geared to meet the

manpower requirements of the service sector". It concluded that major reforms of the higher education system would have to be undertaken to gear up for the 21st century.

However, access to quality higher education and continuing education remains hindered. Statistics reveal that only about one-third of our high school graduates are able to enroll in public and private universities/colleges to pursue collegiate education. In school year 1991-1992, out of 4.033 million high school graduates, only 1.425 million or 35% proceeded to enroll in collegiate courses. In 1992-93, 1.440 million or 34% of 4.208 million who finished high school due to financial and other reasons, ended up as either unemployed members of the labor force, or were compelled to seek low-paying unskilled or semi-skilled jobs that do not hold much promise in terms of career development.

The report of the Congressional Commission on Education (EDCOM) addressed this problem of limited access by recommending that innovative ways be pursued by which people could avail of higher education. One of its proposals is for accredited open universities.

To effectively respond to the need for working people to acquire formal higher education and a better professional career and to cater to the demand for continuous education, the establishment of an Open Learning System is therefore proposed by this bill.

The idea of establishing an Open Learning System arose from a desire to democratize and expand higher educational opportunities for the people, in a more effective and economical manner. The Open Learning System will utilize the distance teaching/learning system, where students shall not be required to regularly attend conventional classrooms, thus allowing these students to study while working in offices, factories, farms or other preoccupations.

While several higher education institutions, e.g. University of the Philippines Open University, Polytechnic University of the Philippines, and Asian Institute for Distance Education are currently offering several courses using the distance education approach, it is submitted that there is an imperative need to identify a national open university which will lead in the development of model instructional materials and delivery systems for open learning in higher education. Such institution can also facilitate the collaborative development of distance learning programs. There is also a need to develop the required expertise and infrastructure to ensure quality in the practice of distance education and open learning nationwide.

The application of open and distance learning worldwide is one of the developments in education in the latter part of the twentieth century which has had the greatest impact in human resource development.

Many countries, including those in the Asia and the Pacific region, have recognized the potential of open learning and distance education as a means for human resource development. The conventional education system has been found to be inadequate in meeting the challenges of rapidly changing social and economic circumstances.

Thailand established the Sukhotai Thammathirat Open University (STOU) in 1978 with the objective of providing lifelong education and expanding the educational opportunities for secondary school graduates. Its total student enrollment is about 250,000. STOU employs integrated multiple media consisting of printed materials, face-to-face tutoring, audio/video cassettes and radio and television broadcasts.

Universitas Terbuka in Indonesia was established to make education more relevant to national development needs as well as improve the quality of education in the country. It provides equal opportunity for higher education for people who for various reasons are unable to attend conventional universities. In 1995, its students numbered more than 350,000.

These examples of success stories in open learning and distance education in Southeast Asia is an indication of how the institutionalization of the open learning system in the Philippines can dramatically improve our higher educational system.



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AN ACT
INSTITUTIONALIZING THE OPEN LEARNING SYSTEM IN THE PHILIPPINES
APPROPRIATING FUNDS THEREFOR 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 “Open Learning System Act of 2004”.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to expand and further democratize educational opportunities for our people in a more effective and economical manner through utilization of innovative educational technologies. In view thereof, the State recognizes the open learning system as a necessary mode to achieve equitable access to quality tertiary education even as it guarantees academic freedom of higher education institutions on what to teach and how to teach.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms are hereby defined:

(a) *Open Learning System.* An institutionalized system of delivery of educational services which allows for wider access to educational opportunities.

(b) *Distance Education.* A method of learning and teaching employing print, radio, television, computer-based communications, satellite broadcasting, teleconferencing or other educational technologies which allows students to study on their own without having to regularly attend classes in conventional classrooms.

SEC. 4. Institutionalization of the Open Learning System. – The open learning system, hereinafter referred to as the System, is hereby institutionalized in the Philippines in accordance with the provisions of this Act.

SEC.5. Coverage.-This Act shall apply to public and private higher education institutions with existing open learning programs and to other institutions which shall later be authorized as qualified implementors of the System.

SEC. 6. Role of the Commission on Higher Education (CHED). – The CHED shall plan, set standards, coordinate, monitor, authorize and allocate resources in support of the implementation of the System. Specifically, it shall:

- (a) promulgate the necessary rules and regulations for the effective implementation of the System;
- (b) monitor and evaluate existing open learning programs;
- (c) review and approve proposals for new open learning programs from educational institutions; and
- (d) recommend to the Department of Budget and Management (DBM) the budget for open learning programs of participating higher education institutions.

SEC. 7. Support to Distance Education Programs.- Higher education institutions with open learning programs shall be provided support based on the following criteria and others to be determined by the CHED:

- (a) qualified faculty with experience and/or training in distance education;
- (b) relevant curricular programs;
- (c) appropriate educational materials;
- (d) appropriate student support services and delivery system; and
- (f) linkage with other appropriate institutions as study centers.

SEC. 8. Role of the University of the Philippine Open University (UPOU). – The UP Open University shall be designated as the national open university. It shall set up model programs, undertake relevant research and development projects and assist other interested institutions in developing open learning programs.

SEC. 9. Role of Government Broadcast Stations and Telecommunications Network.

– Government broadcast stations and telecommunications networks shall provide the necessary assistance and cooperation in support of the System.

SEC. 10. Tax Incentives. – Private entities such as broadcast stations and telecommunications networks and others which shall provide appropriate materials, time and services to the System shall be given corresponding tax credits in accordance with existing rules and regulations.

SEC. 11. Appropriations. – For the initial implementation of this Act, an amount of One Hundred Million Pesos (P100,000,000.00) shall be charged against the current year's appropriation of the contingency fund. The CHED shall allocate this amount among the existing higher education institutions with open learning programs. Thereafter, such amount as may be necessary for its continued implementation shall be included in the annual budget of CHED and other public institutions concerned under the General Appropriations Act.

SEC. 12. Separability Clause. – If any provision of this Act is declared unconstitutional, the other provisions not so declared shall remain in force and effect.

SEC. 13. Repealing Clause. – all laws, decrees, orders and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 14. Effectivity. – This Act shall take effect immediately upon approval.

Approved,