

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress

First Regular Session

House Bill No. 3637

Introduced by Rep. Salvador H. Escudero III

EXPLANATORY NOTE

The 2008 Functional Literacy and Mass Media Survey, or FLEMMS, reports that at least 9 million Filipinos, between the ages of 10-64, are functionally illiterate because they never entered school or because they dropped out before completing grade school or high school.

In a more recent report, the National Census and Statistical Board (NCSB) said that as of July 2010, we had 6.5 million underemployed and 2.7 million unemployed Filipinos, with 25.8% of the underemployed not having completed either grade school or high school. Earlier data published in the Asian Development Outlook 2008 notes that 48% of all employed young people in the country have had less than a complete secondary education.

That the lack of education and the diminished opportunity for finding decent work faced by those who lack education are both causes and predictors of poverty is underscored by the 2008 Annual Poverty Indicators Survey (APIS) which revealed that 65% of the heads of families belonging to the bottom 30% income stratum had at most an elementary education. The negative impact on an individual's life chances is further highlighted by studies which indicate that more than a third of all inmates in our prisons system have had little or no education.

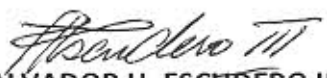
On a different level, studies have shown that education is one of the keys to managing population growth. The higher is the level of education of the heads of families, the lower the number of children that family is likely to have.

While government has begun to focus on improving basic education, it is not addressing the needs of those who have been left behind. Indeed, the Alternative Learning System – the Department of Education's program for reaching out to out-of-school youth and older adults – receives less than 1% of the education budget despite DepEd's own data that in school year 2007/2008 at least 5.6 million children were out of school, a number equal to 32% of all children in the public school system.

We need to reduce this bubble of so many out-of-school and functionally illiterate Filipinos and ensure that their numbers do not grow. The current discussion on the proposed increase in the basic education cycle to 12 years which has brought to the surface fears of a further rise in the number of young people dropping out of school makes it imperative that we act today to create an alternative stream for those who may be unable to cope with more years of formal schooling.

We also need to act now to prevent today's generation of young people simply taking the place of their parents on the welfare rolls. If the country is to lift itself out of poverty, we need to raise the productive capacity of all our young people and their ability to take care of the generation that comes after them.

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


Rep. SALVADOR H. ESCUDERO III
1st District, Sorsogon

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AN ACT

INSTITUTIONALIZING THE BUREAU OF ALTERNATIVE LEARNING SYSTEMS (BALS) AND
INSTITUTING A FRAMEWORK FOR ADDRESSING THE NEEDS OF OUT-OF-SCHOOL CHILDREN
AND YOUTH (OSCY)

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

SECTION 1. Short Title. – This Act shall be known as the “Out-of-School Children and
Youth Act of 2010”.

SEC. 2. Declaration of Policy. – In conformity with the mandate of the Constitution, it is
the declared policy of the State to promote a just and dynamic social order that ensures the
prosperity and independence of the nation and frees the people from poverty. The State shall
also give priority to education to foster patriotism and nationalism, accelerate social progress,
and promote total human liberation and development.

To achieve this, the State recognizes that education must be accessible in its various
modalities to all Filipino citizens. The State further recognizes the important role of civil
society, in particular, the invaluable contribution of non-governmental, community-based, or
sectoral organizations, in promoting the welfare of the nation.

In accordance with the above, and to promote national unity and cohesiveness in
society, the State shall provide the mechanisms to effectively and pro-actively reach out to out-
of-school children and youth, especially those coming from the poorest families in the country,
in partnership with civil society organizations, recognizing that education is a basic human right
which the State is committed to uphold.

SEC. 3. Purposes and Objectives. – This Act shall have the following purposes and
objectives:

(a) To institutionalize the Bureau of Alternative Learning System as an adjunct bureau of the Department of Education;

(b) To provide a framework for public-private partnerships in: (i) the research, development, delivery and assessment of alternative learning modalities and (ii) the conduct of activities and programs designed to attract and re-engage out-of-school children and youth in the learning process and assist the older children and youth make the transition to work or business entrepreneurship;

(c) To spur the establishment of learning centers where out-of-school children and youth are provided alternative learning programs as envisioned in R.A. No. 9155 dated August 11, 2001, the "Governance of Basic Education Act of 2001";

(d) To ensure that learning centers and continuing research and development to improve the alternative learning system receive the kind of focused attention they deserve and that educational programs, projects and services take into account the particular needs and interests of out-of-school children and youth;

(e) To provide a program of assistance for learners, instructional managers, and mentors of non-government learning centers;

(f) To encourage local initiatives for the improvement of learning centers as well as the training and development of volunteer mentors and tutors as well as other types of volunteers from the community; and

(g) To mainstream the grade school and high school equivalency certification process.

SEC. 4. Definition of Terms. – Whenever used in this Act, the term:

(a) "Out-of-school children and youth (OSCY)" shall refer to persons aged 12 to 30 who (i) have never gone to school, or (ii) have not completed grade school or high school and have not been attending school for at least 2 years;

(b) "Alternative learning system (ALS)" shall refer to a parallel learning system which provides a viable alternative to the existing formal education instruction. It encompasses both the non-formal and informal sources of knowledge and skills (R.A. No. 9155);

(c) "Distance Education" shall refer to any formal or non-formal education process wherein the teaching method is outside the traditional means of education service delivery but instead makes use of other methods of communication, such as, via mail, video, radio correspondence or other such means of communication;

(d) "Learner" shall refer to any individual seeking basic literacy skills and functional life skills or support services for the improvement of the quality of his/her life (R.A. No. 9155);

(e) "Learning Center" shall refer to a physical space to house learning resources and facilities of a learning program for out-of-school children and youth. It is a venue for face-to-face learning, activities and other learning opportunities for self-improvement, the development of entrepreneurship and community development (R.A. No. 9155);

(f) "Instructional Manager (IM)" shall refer to the key learning support person who is responsible for supervising and facilitating the learning process and the activities of the learner;

(g) "Mentor" shall refer to the key person who is responsible for providing and organizing psycho-social and other support services to attract out-of-school children and youth into an alternative learning program and keep them engaged in the program;

(h) "Peer Mentor" shall refer to a person roughly the same age as the Learner and provides the same assistance as a Mentor;

(i) "Civil Society Organizations (CSOs)" shall refer to organizations, such as, non-government organizations, community groups, people's organizations, children and youth associations, faith-based organizations, professional and business associations, that provide or will be providing education, welfare and development services to out-of-school children and youth; and

(j) "Education, welfare and development services" shall refer to the provision of one or more of the following services to OSCYs: (a) the delivery of the Alternative Learning System in its various form, (b) the extension of tutorial, psychosocial, mentoring and other support services to help keep Learners on track to acquiring their grade school or high school accreditation certificate, (c) the delivery of values formation and life skills classes, and (d) the implementation of apprenticeship and work skills programs.

SEC. 5. *Principles of Public-Private Partnership in Alternative Education.* – The State acknowledges that it has the primary responsibility for providing its citizens universal access to education; however, it also recognizes that in the case of out-of-school children and youth reaching out to these young people is more effective when a community-based and more personalized approach is utilized at which non-government organizations, peoples' organizations and other CSOs have certain advantages.

To add momentum to the country's achieving the millennium development goal of education for all and in line with the basic objective of increasing interaction between government, civil society and the children and youth themselves, giving flesh to the participation rights of children embodied in the United Nations Convention on the Rights of Children of which the Philippines is a signatory, the Department of Education shall:

(a) Prioritize projects and programs to address the situation of out-of-school children and youth;

(b) Create the appropriate internal structure to institutionalize regular meetings, dialogues and other activities with CSOs, including children and youth associations, involved with, or extending education-related and other services to, out-of-school children and youth in order to sustain and promote an enabling environment for participatory planning and budgeting;

(c) Include in its annual budget a provision for: (i) the tuition of ALS Learners and the cost of their learning materials, (ii) a subsidy to CSOs delivering the ALS to Learners, such as, indigenous groups, street and other children in need of special protection who are not in institutions, who would otherwise not be reached by government and (iii) the establishment of Learning Centers;

(d) Include the training of Instructional Managers and mentors in its in-service training program and its college faculty development fund for teachers in formal education; and

(e) Act affirmatively to promote the mainstreaming of ALS Learners by supporting their participation in contests, sports fests and other activities organized by the DepEd on its own or in partnership with various sponsors.

SEC. 6. Governance. – The Bureau of Alternative Learning Systems (BALS) shall be made a permanent adjunct bureau of the Department of Education (DepEd). It shall:

(a) Formulate the objectives and basic policies of the alternative learning system (ALS) and monitor the achievement and effectivity of those objectives and policies based on clear and, to the fullest extent possible, measureable terms;

(b) Develop the curricula for ALS and ensure its proper implementation by ALS providers;

(c) Exert efforts to increase the frequency of accreditation and equivalency examinations and the early publication of examination results;

(d) Adopt the appropriate internal structure to institutionalize regular consultations with CSO providers of ALS, the business sector and the Learners themselves on: (i) the formulation and adoption of supplementary schemes and systems to ensure and maintain the effectiveness, productivity and popular acceptance of the ALS, (ii) the development, implementation and assessment of other training and activities to facilitate the older Learners' transition to work or business entrepreneurship or facilitate a Learner's transfer to the formal education system or the Learner's entry into college or a vocational and technical institution, (iii) the monitoring of the progress of efforts to increase the number of ALS Learners and

reduce the number of out-of-school children and youth, and (iv) the sharing and publication of "best practices".

(e) Develop and administer the policies, guidelines and criteria for implementing the grant of assistance described in Section 5 above and for accrediting and evaluating establishments and CSOs receiving such assistance;

(f) Institute the creation and regular update of area maps to identify the location of out-of-school children and youth; and

(g) Administer, supervise, monitor and coordinate all programs and activities under Distance Education.

SEC. 7. Administration of Distance Education. – The administration of all Distance Education programs and projects is hereby transferred to BALS.

SEC. 8. Appropriation. – The sum of Thirty Million Pesos (P30,000,000.00) is hereby authorized to be appropriated out of the funds in the National Treasury not otherwise appropriated, to carry out the provisions of this Act with regard the institutionalization of the public-private partnership in alternative education, the upgrading of the skills of Institutional Managers and mentors, and the provision of learning materials to as many Learners as can be accommodated within by this amount. Thereafter, adequate sums as may be necessary to integrate into DepEd operations the principles, policies and programs mandated in this Act shall be included in the budget of the Department of Education in the General Appropriations Act.

SEC. 9. Implementing Rules and Regulations. – The Department of Education, upon prior consultation with the appropriate government agencies and CSOs, shall issue the necessary rules and regulations for the effective implementation of this Act within a period of ninety (90) days after its approval.

SEC. 10. Repealing Clause. – All laws, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 11. Separability Clause. – If any provision of this Act is subsequently declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SEC. 12. Effectivity Clause. – This Act shall take effect fifteen days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,