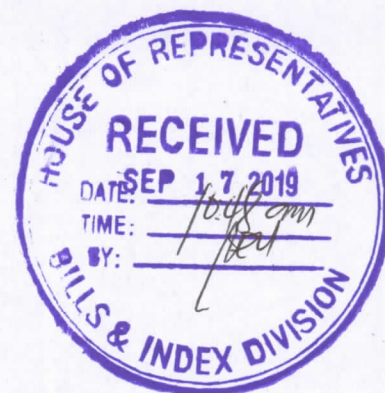




HOUSE OF REPRESENTATIVES

House Bill No. 4629

Introduced by Hon. Abdullah D. Dimaporo and Hon. Mohamad Khalid Q. Dimaporo

**AN ACT
PROMOTING INCLUSIVE EDUCATION THROUGH INNOVATION AND
RESPONSIVE 21st CENTURY EDUCATION PROGRAM
FOR ALL FILIPINO LEARNERS**

EXPLANATORY NOTE

The Constitution provides that it is the primary responsibility of the State to “protect and promote the rights 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 of the 1987 Constitution).

After the passage of Republic Act 10533 in 2013 (Enhanced Basic Education Act of 2013, or the K to 12 law) and the significant increase in investments annually for basic education, net enrolment rates have improved markedly, at 95.9 percent net enrolment rate for elementary education and at 74.2 percent for secondary education, based on the 2017 year-end report of the Philippine Statistics Authority. A recent World Bank study¹ has confirmed that the share of adults who did not complete basic education has been reduced significantly, from 53 percent in 1988 to 35 percent in 2018.

With participation in basic education reaching its all-time high, it remains critical, if not more urgent, for the Philippine government to close remaining gaps to ensure that all Filipinos have access to education, regardless of where they are and their capacity to pay. Notwithstanding all the gains in basic education, the Philippine government remains constrained to reach the last mile learners who are hardest to reach, especially those at-risk and vulnerable, and those who have not been catered to by the mainstream system², who need and could most benefit from support:

¹ World Bank Group, May 2018. “A Second Chance to Develop the Human Capital of Out-of-School

Youth and Adults: The Philippines Alternative Learning System”

² The same World Bank report highlights that there are about 24 million Filipinos who have not completed basic education and are prospective beneficiaries of the ALS Program.

- Students belonging to highly congested and far-flung communities affected by the 18,000-classroom shortage³, despite annual allocations from the national government, due to, among other factors, the lack of buildable space⁴.
- The 6.6 million youth identified by the World Bank in the same report as potential enrollees under the Alternative Learning System (ALS) Program, of which only 10% are reached and are enrolled, and only 20% eventually pass the ALS Accreditation and Equivalency exam.

Following this aspiration for access is the equally important aspiration for quality, to ensure that the education Filipino learners receive is of quality, is globally competitive, and is responsive to the demands of the 21st century.

Despite the demands of the global economy and our greater connectedness to the ASEAN community, Philippine education remains challenged in leveraging the advances provided by education technologies, in leapfrogging to attain quality comparable to most of our neighbors, and in translating efforts towards improvements in student learning and achievement.

To support these aspirations for access and quality, this measure seeks to provide structural remedies to ongoing hurdles faced by government and the private sector in ensuring access, to mobilize non-government entities with a strong track record and commitment to education, and to leverage these combined resources of public and private entities, finally provide access to basic education to last mile learners. Alongside this, the bill also seeks to put in place safeguards for transparency and accountability to ensure education quality.

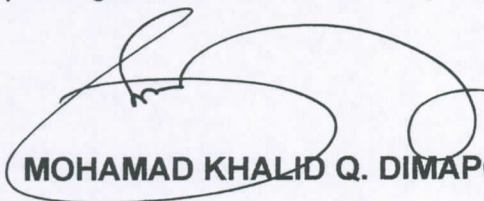
To accelerate gains in quality, the bill likewise seeks to encourage and support the use of innovative models of basic education delivery, as well as of internet technologies and online resources, to enable Filipino schools, teachers, and learners to keep abreast with advancements in education technologies, and to benefit from the growing community of teachers and learners around the world.

To reach the Target 4 of the Sustainable Development Goals (SDGs) to “ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes” by 2030, it is imperative for the Philippine government to involve as many partners in the attainment of these collective aspirations.

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



ABDULLAH D. DIMAPORO



MOHAMAD KHALID Q. DIMAPORO

³ <https://news.mb.com.ph/2018/06/03/depeds-underspending-blamed-for-lack-of-classrooms-teachers-books-and-other-educational-supplies/>

⁴ <http://www.gmanetwork.com/news/news/nation/655599/deped-addressing-classroom-shortage-says-briones/story/>

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AN ACT
PROMOTING INCLUSIVE EDUCATION THROUGH INNOVATION AND
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FOR ALL FILIPINO LEARNERS

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

1 **Section 1. *Title*** - This Act shall be known as the “**Innovation for Inclusive**
2 **Education Act**”

3
4 **Section 2. *Declaration of Policy*** - It is the policy of the State to protect and
5 promote the right of all citizens to quality education and to take appropriate steps to
6 make education accessible to all. Towards this end, it shall enable and encourage
7 innovation in education, and expand efforts towards inclusion of all Filipino
8 learners. The State shall establish a policy environment that is pro-innovation and
9 that leverage public and private partnerships in efforts to improve access and
10 quality, to ensure that all Filipinos receive a globally competitive 21st century
11 education and to promote lifelong learning.

12
13 **Section 3. *Statement of Purpose*** - Following the bridging of supply gaps and
14 the initial implementation of Republic Act No. 10533 (The Enhanced Basic

Education Act of 2013 or the K to 12 Law), this Act seeks to attain the following objectives:

- a) To accelerate efforts to innovate in Philippine education in the areas of service delivery, teacher training and pedagogy, use of technology, among others, alongside the establishment of relevant safeguards for transparency, to improve learning quality;
- b) To encourage greater participation of non-government entities to expand access to education and to improve quality, especially for those unreached by the mainstream system.

Section 4. Definition of Terms – The terms used in this Act are defined as follows:

- a. **“Alternative Learning System”** – as defined and adopted from Republic Act No. 9155, otherwise known as the Governance of Basic Education Act of 2001, is a parallel learning system to provide a viable alternative to the existing formal education instruction. It encompasses both the non-formal and informal sources knowledge and skills;
- b. **“Alternative Delivery Modes”** –refers to alternative modalities of delivering education which allow schools to deliver quality education to marginalized students and those at risk of dropping out in order to help them overcome personal, social and economic constraints in their schooling. It shall include, without limitation, the following:

- 1 a. Enhanced Instructional Management Parents, Communities and
2 Teachers (E-IMPACT);
3 b. Modified In-School Off-School Approach (MISOSA); and
4 c. Open High School Program (OHSP)
- 5 c. **Mobile Laboratories**– refer to equipment (laptops, tablets, and other
6 similar equipment/resources used for science experiments) that are
7 assembled in moveable carts, trolleys, or vehicles, to enable easier
8 movement and storage across classes.
9
- 10 d. **“Non-Government Entities”** – refers to private individuals, partnerships,
11 associations, corporations, or other groups of individuals organized to
12 engage in the delivery of basic education or other education-related
13 activities such as teacher training or resource development.
- 14 e. **“Open Educational Resources”** - refers to any type
15 of educational materials that are in the public domain or introduced with
16 an open license. The nature of these open materials means that anyone
17 can legally and freely copy, use, adapt and re-share them.
- 18 f. **“School Branches”** – refers to separate school sites established by
19 educational institutions that provide educational programs that are offered
20 in the main school. All the school branches, regardless of their location in
21 the country, shall be considered as forming one school, subject to standard
22 admission requirements, curriculum, educational programs, and school
23 policies, and to be recognized as such for purposes of grant of authority to
24 operate and other DepEd requirements, to ensure consistency with
25 national educational policies, plans and standards.

1 g. ***“Special Education (SPED)”*** – refers to the customized instructional
2 program or service designed to meet the unique needs of individual
3 learners, which may necessitate use of supplementary aids and services
4 and teaching strategies in classroom and non-academic settings. It
5 addresses significant physical, sensory, neuropsychological, cognitive or
6 behavioral characteristics that may necessitate the use of such specialized
7 approaches and resources.

8 h. ***“Turnaround Schools”*** – refers to low performing schools, as to be
9 determined by the Department of Education (DepEd) in the IRR of this Act,
10 receiving comprehensive intervention to result in significant gains in
11 student achievement and to improve the overall quality of the school and
12 the learning environment;

13
14 i. ***“Vulnerable and At-Risk Learners”*** - Refer to learners that are most
15 vulnerable or at risk of disparities in access and outcomes, due to various
16 circumstances, including but not limited to extreme poverty, conflict, among
17 others, thus requiring special intervention to succeed academically.

18
19 **Section 5. Implementing Agency** – The Department of Education, hereinafter
20 referred to as the “Department”, shall be the implementing agency of this Act. The
21 Secretary of Education shall be responsible for ensuring the implementation of the
22 provisions covered and programs described herein.

23
24 **Section 6. Innovation for Inclusion in Philippine Education** – To promote a
25 truly inclusive education for all through interventions to improve learning quality,

1 and enable innovations in delivery, pedagogy and provision in basic education, in
2 line with the demands of the 21st Century, while ensuring that innovations are
3 balanced with clear and regular measures of accountability, the Department shall:

4 (1) Institutionalize its Alternative Learning System (ALS) Program to further
5 expand the coverage of existing efforts, especially those aged 15 to 29.

6 (2) [Support the] use [of] internet technologies and online resources (e.g., e-
7 *libraries and Integrated Resource Centers*) as well as Open Educational
8 Resources for learning, as substitute to, or in combination with, hard
9 copies of books, journals, among others, through enabling policies, seed
10 funding/grants, teacher training, and other similar initiatives;

11 (3) [Support the] adopt[ion of] innovative models of basic education delivery,
12 including, but not limited to the use of flipped classrooms, mobile
13 laboratories, such as roving laptop and tablet carts, "Science Lab in a
14 Box", "Kariton Classrooms", as substitute to, or in combination with,
15 traditional models of teaching currently employed in the classroom;

16 (4) Develop pathways to enable and encourage public-private partnerships
17 (PPPs) in education in the form of service delivery, provision of teacher
18 training, and development of resources, including but not limited to the
19 following forms:

20 a. To serve vulnerable and at-risk learners not yet reached by the
21 current system, such as those in far-flung areas, and those
22 belonging to isolated communities (indigenous peoples, conflict
23 areas);

24 b. To complement the capacity of government in providing access to
25 education in highly urbanized cities, especially in congested areas,

1 in areas with scarce resources, and those with existing and
2 pending legal hurdles (e.g., schools in military bases);

3 c. To provide interventions in schools whose average performance in
4 the National Achievement Test (NAT) is lower than 25%, through
5 the co-management of said public schools with non-government
6 entities with a track record or experience in education delivery, or
7 based on proposals to be submitted, vetted and approved by the
8 Department;

9 d. To provide teacher training, particularly in specialized and/or
10 emerging areas, or in priority areas of concern (e.g., ALS, SPED,
11 early childhood care and development, and career guidance);

12 e. To develop contextually sensitive and innovative learning
13 resources, to serve the marginalized, especially those
14 underserved by the current system;

15 f. To develop guidelines in hiring teachers without discrimination as
16 regards their age. Provided, they are certified fit to work by a
17 government hospital.

18 In view of these aims, the Department shall formulate and establish
19 guidelines for public-private partnership with non-government entities
20 with a track record in education, or as vetted and approved by the
21 Department, to participate in the delivery of said services to support
22 the expansion of access to quality basic education, while leveraging
23 public funds and private sector resources, to attain increased speed and
24 efficiency in delivery.

1 (5) Establish implementing guidelines to allow non-government entities to
2 tailor fit the delivery of services and the design of resources and training
3 according to the specific needs of students, including but not limited to:

4 a. **Education Content** - offering new/modified subjects/curriculum
5 and programs based on multi-disciplinal platforms that foster 21st
6 century competencies, allowing also to better respond to the
7 needs of vulnerable and at-risk learners;

8 b. **Learning resources** – accelerating the use of e-libraries, mobile
9 computer laboratories, and mobile science laboratories, in lieu of,
10 or in addition to reference materials and textbooks, to facilitate
11 both independent and collaborative learning. The same shall also
12 be allowed in public schools, especially those with limited space or
13 access to resources, or those under alternative modes of delivery;

14 c. **School sites** – allowing lease and usufruct agreements, among
15 others in the granting of school recognition, *Provided*, that
16 students are assured completion of education in elementary, junior
17 high school and/or senior high school in the same school site or in
18 a site near their residence, without prejudice to preference. The
19 same shall also be allowed in the case of public schools,
20 especially in congested areas with lack of buildable space for
21 DepEd to procure land, and military bases and other areas where
22 DepEd cannot procure land;

23 d. **School infrastructure** – allowing flexibility in the ownership of
24 laboratories, gyms, and other required facilities, *Provided*, that
25 other comparable alternatives are made available. These include,

but are not limited to, the use of mobile computer or science laboratories, the lease/rental of gyms and other facilities from third party partners, among others.

e. **Capacity-building of teachers** – adoption of various models for teacher development program to enable to respond to the changing needs of Filipino learners and international standards;

f. **School Accessibility** – in line with the Constitutional mandate for the State to take appropriate steps to make quality education accessible to all, facilitate the establishment of school branches all over the country. To ensure compliance with DepEd standards, an educational institution shall secure approval from the appropriate DepEd Regional Office to operate a main school branch, the approval of which shall extend to all other school branches to be established within the same region.

Section 7. Monitoring of Public-Private Partnership Models. To balance innovation and flexibility with accountability, the Department shall likewise establish mechanisms to regularly track performance of students participating in the above public-private partnership models, thus enabling the State to monitor and ensure student learning. Therefore, in support of this aim, the Department shall:

- (1) Ensure that standardized assessments are conducted at appropriate stages of learning and implemented annually in such institutions as identified above. *Provided*, that continued poor performance or non-improvement of student achievement in said PPP institutions, as to be determined by the Department after a period of time, shall result in the

dissolution of said public-private partnership/s or the disqualification from eligibility;

(2) Ensure that data on vulnerable learners (e.g., those belonging to indigenous communities, urban and rural poor, and those in conflict areas, etc.) are disaggregated and submitted to Congress annually, highlighting information on geographic concentration, student profile, student achievement, and efforts undertaken by the Department to support them;

(3) Publicly publish performance of the poorest performing schools annually (*those scoring an average of 25% and below in the National Achievement Tests*), in major broadsheets, provided that said publication and other information shall abide by Republic Act 10173 (Data Privacy Act of 2012). These schools shall be prioritized for public-private partnerships in education, including but not limited to private sector co-management as *Turnaround Schools* and, as provided under Section 6.4 of this Act.

Section 8. Implementing Rules and Regulations. - Within ninety (90) days after the effectivity of this Act, the Department of Education (DepEd) shall, in consultation with relevant stakeholders such as but not limited to the Coordinating Council of Private Educational Associations (COCOPEA), the Federation of Associations of Private Schools & Administrators (FAPSA), and the Philippine Business for Education (PBED), promulgate the rules and regulations needed for the implementation of this Act.

Section 9. Appropriations. - The amount of Three Billion Pesos (P3,000,000,000.00) is hereby allocated for the initial implementation of this Act.

1 Such amounts as may be necessary for the continued implementation of this Act
2 shall be included in the annual budget of the Department of Education under the
3 General Appropriations Act, and may be augmented by grants, donations and
4 endowments from domestic and foreign sources, pursuant to existing laws and
5 regulations.

6
7 **Section 10. Separability Clause.** – If any provision of this Act is held invalid
8 or unconstitutional, the same shall not affect the validity and effectivity of the other
9 provisions hereof.

10
11 **Section 11. Repealing Clause.** – All other laws, decrees, executive orders
12 and rules and regulations contrary to or inconsistent with the provisions of this Act
13 are hereby repealed or modified accordingly.

14
15 **Section 12. Effectivity Clause.** – This Act shall take effect fifteen (15)
16 days after its publication in at least two (2) newspapers of general circulation.

17
18 Approved,