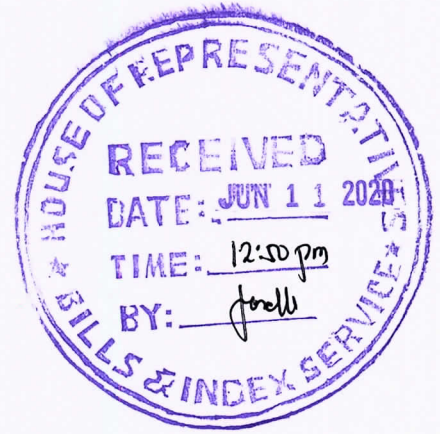


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 6994



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

Section XIV, Article 1 of the 1987 Constitution provides that:

"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."

In response to the coronavirus pandemic, the government has declared a State of Public Health Emergency throughout the country. The pandemic has crippled the whole nation, including the educational progress of the students. Face-to-face classes and other school activities were suspended. Educational institutions were also forced to end the school year earlier.

To continue with the scheduled start of the next school year, the Department of Education has pushed for the use of blended learning during the pandemic. The program uses a combination of online distant learning and personal delivery of printed materials to the homes of students. However, despite the efforts of the Department of Education to proceed with the program, many have expressed their doubts, including the President, on its implementation especially for the plight of the

marginalized sector.¹ Most families have no access to a fast and reliable internet connection and on tools such as computers and tablet, making this learning program only favorable to those who can afford it. Facilitating blended learning may also be difficult for parents who were not able to finish their education or to even go to school.

As we are witnessing now, the educational system can also be disrupted during an emergency or a calamity, such as the COVID-19 pandemic. There are hazards that need to be taken into consideration to ensure the safety of the students and faculty. Our policies should then be able to foresee such inevitable circumstances. However, we also need to make certain that academic progress for all students is not impeded.

As such, this bill seeks to mandate the Department of Education to provide qualifying examinations for acceleration for students who are affected by a declaration of state of emergency or state of calamity. This bill acknowledges the constraints that emergencies or calamities pose to the students, parents, and faculty. The wisdom of this measure is to guarantee every Filipino student to have equal access to education and ensure their academic progression even in trying times.

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



MANUEL DG. CABOCHAN III

Representative

Magdalo Para Sa Pilipino Party-List

¹ Hernando-Malipot, M. (June 8, 2020). DepEd disputes claims that it is not ready for blended learning. *Manila Bulletin*. Retrieved from <https://news.mb.com.ph/2020/06/08/depd-disputes-claims-that-it-is-not-ready-for-blended-learning/>.

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Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

AN ACT
MANDATING THE DEPARTMENT OF EDUCATION TO PROVIDE QUALIFYING
EXAMINATIONS FOR ACCELERATION IN THE EVENT OF A DECLARATION
OF STATE OF EMERGENCY OR STATE OF CALAMITY IN THE COUNTRY OR
PARTS THEREOF, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

1 SECTION 1. *Short Title.*— This Act shall be known as the "Qualifying
2 Examinations for Acceleration during Emergencies Act."

3
4 Sec. 2. *Declaration of Policy.*— It is hereby declared the policy of the State to
5 protect and promote the right of all citizens to quality education at all levels and
6 shall take appropriate steps to make such education accessible to all. Towards this
7 end, the State shall provide a mechanism for students affected by a declaration of
8 state of emergency or state of calamity to ensure their academic continuity and
9 progress through a qualifying examination for acceleration.

1 Sec. 3. *Definition of Terms.*— For the purpose of this Act:

2
3 (a) *Basic Education School* refers to an educational institution that is
4 legally authorized to offer the K to 12 Basic Education Program;

5
6 (b) *Higher Education Institution* refers to an educational institution that is
7 legally authorized to offer a program of education leading to the
8 conferment of a degree;

9
10 (c) *K to 12 Basic Education Program* refers to the implementation of
11 Republic Act 10533, otherwise known as the Enhanced Basic Education
12 Act of 2013 which covers Kindergarten and 12 years of basic education
13 including six years of primary education, four years of Junior High
14 School, and two years of Senior High School;

15
16 (d) *School Calendar* refers to Section 1 of Republic Act 7797 which
17 provides that the school calendar for each year shall have not more
18 than two hundred twenty (220) class days, inclusive of class days
19 which may be subsequently suspended due to natural or man-made
20 calamities;

21
22 (e) *State of Emergency/State of Calamity* refers to the condition involving
23 mass casualty and or major damages to the environment, property,
24 infrastructures, disruption of means of livelihoods and businesses, and
25 normal way of life of people in the affected areas as a result of the
26 occurrence of natural or human-induced hazard.

27
28 Sec. 4. *Coverage.*— This Act shall cover all students in basic education levels,
29 in both public or private academic institutions, including kindergarten, primary and
30 secondary levels enrolled in the K to 12 Basic Education Program.

1 Sec. 5. *Qualifying Examinations for Acceleration.*– The Department of
2 Education (DepEd) shall provide a qualifying examinations for acceleration for
3 students in the event of a state of emergency or state of calamity in the country or
4 parts thereof resulting to failure to enroll, inability to participate in alternative
5 learning modalities, or present health and safety risks.

6
7 The qualifying examination shall be a paper and pencil test designed and
8 administered by the DepEd to determine if a student is accredited to move on to the
9 next academic level.

10
11 Sec. 6. *Certification of Acceleration.*– Passers of the qualifying examinations
12 shall be given a certificate or diploma bearing the DepEd seal, and the signature of
13 the Secretary of Education, certifying their competencies to move on to the next
14 academic level. Basic education schools and higher education institutions (HEIs)
15 shall recognize the certification of acceleration and allow the passer to be enrolled in
16 the academic level indicated in the certificate or diploma.

17
18 Sec. 7. *Unlawful Acts.*– The following acts of any DepEd office, basic
19 education school or HEI shall be considered unlawful:

20
21 (a) Compelling payment of any fees as requisite to the conduct of qualifying
22 examinations for acceleration;

23
24 (b) Preventing a student from taking the qualifying examinations due to
25 unpaid financial obligations to the school; and

26
27 (c) Non-recognition of the DepEd-issued certification of acceleration in the
28 enrolment of students.

29
30 Sec. 8. *Penalties.* – Any official or employee of DepEd, basic education
31 schools or HEIs and other concerned individuals found guilty of violating the
32 provisions of this Act shall suffer the penalty of *prision correccional* or imprisonment

1 from six (6) months and one (1) day to six (6) years and a fine of Seven Hundred
2 Fifty Thousand Pesos (P750,000.00).

3
4 Sec. 9. *Implementing Rules and Regulations.*— The DepEd, in coordination
5 with the Commission on Higher Education (CHED), shall within ninety (90) days from
6 the effectivity of this Act, promulgate the rules and regulations to effectively
7 implement the provisions of this Act.

8
9 Sec. 10. *Appropriations.*— The amount needed for the initial implementation
10 of this Act shall be taken from the current year's appropriations of the Department of
11 Education. Thereafter, such sums as may be necessary for its continued
12 implementation shall be included in the annual General Appropriations Act.

13
14 Sec. 11. *Separability Clause.*— If any portion or provision of this Act is
15 declared unconstitutional, the remainder of this Act or any provisions not affected
16 thereby shall remain in force and effect.

17
18 Sec. 12. *Repealing Clause.*— Any law, presidential decree or issuance,
19 executive order, letter of instruction, rule or regulation inconsistent with the
20 provisions of this Act is hereby repealed or modified accordingly.

21
22 Sec. 13. *Effectivity.*— This Act shall take effect fifteen (15) days following its
23 complete publication in the Official Gazette or a newspaper of general circulation.

Approved,