

Republic of the Philippines
HOUSE OF REPRESENTATIVES

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3834



Introduced by Representative Rex Gatchalian

AN ACT
MANDATING THE PROVISION OF ONE LAPTOP FOR EVERY LEARNER
ENROLLED UNDER THE K TO 12 PROGRAM OF THE DEPARTMENT OF
EDUCATION, ESCALATING THE PROVISION OF RELIABLE AND SECURE
INTERNET CONNECTION FOR THE USE OF SUCH LAPTOPS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The goal has always been the same – “Quality Education for All”. This is enshrined in the 1987 Constitution which 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.¹

In pursuit of this goal, the Philippine Congress passed thousands of laws to make quality education more accessible to all - from highest budget allocations to education in the General Appropriations Act, free college education, alternative learning system, and up to numerous bills establishing schools in rural areas.

In this age, technology has impacted almost every aspect of life, and education is no exception.² The goal is still the same, but new problems that cause educational inequalities must be addressed.

¹ Section 1, Article XIV, The 1987 Constitution of the Philippines

² Purdue University, How Has Technology Changed Education? See <https://online.purdue.edu/blog/education/how-has-technology-changed-education>.

In the Philippines, there were few universities that offered online classes even before the Coronavirus (COVID-19) pandemic. Best example is the University of the Philippines – Open System. The OPOU was established on 1995, it pioneered in online teaching and learning and continues to play a leading role in the study and practice of open learning and distance education in the country.³ However, the COVID-19 crisis now has forced education systems worldwide to find alternatives to face-to-face instruction. As a result, online teaching and learning have been used by teachers and students on an unprecedented scale.⁴ Online learning became the norm.

The unprecedented shift to online learning increased the educational inequalities in the country. This is primarily due to two reasons: (1) lack of access to online learning materials and instruction, and (2) lack of access to reliable and safe Internet connection.

A Social Weather Stations (SWS) survey showed that around 42% percent of school-age Filipinos do not have any distance learning device.⁵ Another SWS survey showed that 31% of Filipino families with members studying through online learning have weak internet connection, 21% percent have ‘somewhat’ weak internet connection, and another 9% percent have ‘very’ weak connection.⁶

The objectives of this bill are therefore straightforward. To enable all learners in the public schools, their homes, and other remote locations to receive quality digital and distance learning at all times and under all circumstances, the DepEd shall provide a laptop for every learner enrolled under the K to 12 Program in public schools, and the Department of Information and

³ OPOU, About UPOU. See <https://www.upou.edu.ph/home/>.

⁴ OECD, Strengthening online learning when schools are closed: The role of families and teachers in supporting students during the COVID-19 crisis. See <https://www.oecd.org/coronavirus/policy-responses/strengthening-online-learning-when-schools-are-closed-the-role-of-families-and-teachers-in-supporting-students-during-the-covid-19-crisis-c4ecba6c/>.

⁵ PhilStar, Four of 10 Filipino students lack distance learning tech. See <https://www.philstar.com/headlines/2021/03/03/2081545/four-10-filipino-students-lack-distance-learning-tech>.

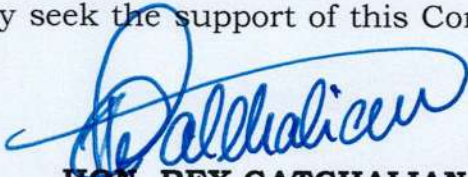
⁶ Inquirer.Net, SWS: 31% of families with distance learners have weak internet connection. See <https://newsinfo.inquirer.net/1403566/sws-31-of-families-with-distance-learners-have-weak-internet-connection>.

Communications Technology shall escalate the provision of a reliable and secure Internet access suitable to the needs of learners for digital and distance learning by:

- (1) accelerating the installation, deployment and activation of the free public wi-fi in all public basic education institutions as mandated under Republic Act No. 10929 or the “Free Internet Access in Public Places Act”, and
- (2) escalating the building of the national infrastructure for information and communications technology by mandating the National Telecommunications Commission to identify the locations for the construction of telecommunications tower sites, giving due priority to the missionary areas, and require Public Telecommunications Entities (PTEs) to complete the building of the targeted number of towers within two years from the effectivity of this Act.

PTEs are also mandated under this bill to provide free access to DepEd’s online educational platforms, digital libraries, and other online knowledge hubs and sites. No data charges shall be incurred in the download of data from these sites and applications. They shall also create systems and establish procedures to make available special sim cards, plans, and services for digital and distance education at minimal cost and with no data caps. For learners whose parents are listed as beneficiaries under the “Listahanan” of the Department of Social Welfare and Development, they shall be provided subsidized data plans by the DepEd for the use of the prescribed laptops.

In view of the foregoing, I earnestly seek the support of this Congress for the approval of this bill.



HON. REX GATCHALIAN
Representative
1st District, Valenzuela City

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INTERNET CONNECTION FOR THE USE OF SUCH LAPTOPS,
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 Section 1. *Short Title.* – This Act shall be known as the “*One Learner,*
2 *One Laptop Act*”.

3
4 Sec. 2. *Declaration of Principles.* – It is the policy of the State to promote
5 the right of all citizens to quality education at all levels, take appropriate
6 steps to make such education accessible to all, and assign the highest
7 budgetary priority to education. The State also recognizes the vital role of
8 communication and information in nation-building, and shall provide the
9 policy environment for the full development of Filipino capability and the
10 emergence of communication structures suitable to the needs and
11 aspirations of the nation – including the aspiration for the uninterrupted
12 delivery of quality basic education in locations both inside and outside the
13 physical premises of public schools. Towards this end, the State shall ensure
14 that learning will continue leaving no learner behind and with minimal or no
15 disruption by providing the resources and capability for digital and distance
16 learning.

1
2 Sec. 3. *Objectives.* – This Act aims to enable all learners in the public
3 schools, their homes, and other remote locations to receive quality digital and
4 distance learning at all times and under all circumstances by:

- 5 (a) providing a laptop for every learner enrolled under the K to 12 Program
6 in public schools under the Department of Education (DepEd); and
7 (b) escalating the provision of a reliable and secure Internet access suitable
8 to the needs of learners for digital and distance learning.
9

10 Sec. 4. *Provision of Laptops; Department of Education.* – The Secretary
11 of Education, through the Bureau of Learning Resources, shall formulate the
12 policies, standards, and guidelines for the implementation and management
13 of providing one laptop for every learner enrolled under the K to 12 Program
14 in public schools. It shall establish an efficient and sustainable system for the
15 provision of this learning resource to ensure equitable access to quality digital
16 learning resources online and offline.
17

18 Sec. 5. *Provision of Reliable and Secure Internet Connection; Escalation*
19 *of the Building of the National Information and Telecommunications Technology*
20 *Infrastructure.* – To ensure the availability of a reliable and secure Internet
21 connection suitable to the needs of learners for digital and distance learning,
22 the Department of Information and Communications Technology (DICT) shall
23 implement measures to accelerate the installation, deployment and activation
24 of the free public wi-fi in all public basic education institutions as mandated
25 under Republic Act No. 10929 or the “*Free Internet Access in Public Places*
26 *Act*”.

27 The DICT shall likewise escalate the building of the national
28 infrastructure for information and communications technology (ICT) by
29 mandating the National Telecommunications Commission (NTC) to identify
30 the locations for the construction of telecommunications tower sites, giving
31 due priority to the missionary areas which remain unconnected and unserved
32 or underserved by the Public Telecommunications Entities (PTEs), and require
33 the PTEs to complete the building of the targeted number of towers within two

1 years from the effectivity of this Act.

2 The government, through the DICT, shall formulate and implement a
3 system to provide financing or incentives to PTEs in the construction of
4 telecommunications towers in the missionary areas.

5 PTEs refer to entities that are duly authorized to offer voice, short
6 messaging system or text, mobile data, value added services, or any other
7 mobile telecommunications services to the public for a fee.

8 For purposes of this section and pursuant to Republic Act No. 11032
9 or the “Ease of Doing Business and Efficient Government Service Delivery Act
10 of 2018”, all relevant government agencies and local government units are
11 required to process, approve, and issue permits and clearances for the
12 construction of telecommunications towers within seven working days.

13
14 *Sec. 6. Free Access to DepEd’s Online Platforms; Special Services for*
15 *Learners.* – PTEs shall provide free access to the DepEd’s online educational
16 platforms, digital libraries, and other online knowledge hubs and sites
17 without any additional financial burden on all subscribers. No data charges
18 shall also be incurred in the download of data from these sites and
19 applications.

20 Further, the NTC and the PTEs, in consultation with the DepEd, are
21 hereby mandated to create systems and establish procedures in making
22 available special sim cards, plans, and services for digital and distance
23 education at minimal cost and with no data caps, including their expedited
24 sale and availment.

25 Learners whose parents are listed as beneficiaries under the National
26 Household Targeting System for Poverty Reduction, otherwise known as
27 “Listahanan”, under the Department of Social Welfare and Development
28 (DSWD), shall be provided subsidized data plans by the DepEd for the use of
29 the prescribed laptops under this Act.

30
31 *Sec. 7. Implementing Agencies.* – The DICT and the DSWD shall
32 coordinate with the DepEd and provide the necessary services, assistance,
33 and intervention in accordance with their respective mandates and functions

1 under existing laws, rules and regulations to develop and enhance the
2 capacity of the DepEd to implement the provisions of this Act and
3 continuously deliver quality digital basic education services.
4

5 Sec. 8. *Tax Incentives.* – Any donation, contribution, or grant, in cash
6 or in kind, made by individuals or organizations for the implementation of
7 this Act, public or private, local or foreign, shall be exempt from the donor's
8 tax and the cost of which shall be considered as an allowable deduction from
9 the gross income of the donor in accordance with the provisions of the
10 National Internal Revenue Code of 1997, as amended.
11

12 Sec. 9. *Mandatory Review and Impact Assessment.* – The DepEd, DICT,
13 and DSWD shall conduct a mandatory review of the implementation of this
14 Act, and submit an assessment report to Congress on its impact and
15 effectiveness, not later than two (2) years from its effectivity and every two (2)
16 years thereafter.
17

18 Sec. 10. *Joint Congressional Oversight Committee.* – There is hereby
19 created a Joint Congressional Oversight Committee to oversee, monitor and
20 evaluate the implementation of this Act. The Oversight Committee shall be
21 composed of five (5) members each from the Senate and from the House of
22 Representatives, including the Chairs of the Committees on Education and
23 Culture, and Finance of both Houses. The membership of the Committee for
24 every chamber shall have at least one (1) minority member.
25

26 Sec. 11. *Appropriations.* – The amount necessary for the implementation
27 of this Act shall be charged against those authorized in the current
28 appropriations of the DepEd. Thereafter, the amount necessary for its
29 continued implementation shall be included in the annual General
30 Appropriations Act.
31

32 Sec. 12. *Implementing Rules and Regulations.* – Within ninety (90) days
33 from the effectivity of this Act, the DepEd, in consultation with the other

1 implementing agencies, shall issue the rules and regulations implementing
2 its provisions. The Implementing Rules and Regulations (IRR) issued
3 pursuant to this section shall take effect thirty (30) days after its publication
4 in a newspaper of general circulation.

5
6 Sec. 13. *Separability Clause.* – If any provision of this Act is held invalid
7 or unconstitutional, the other provisions not so declared shall remain in force
8 and effect.

9
10 Sec. 14. *Repealing Clause.* – All laws, orders, and rules and regulations
11 contrary to or inconsistent with the provisions of this Act are hereby repealed
12 or amended accordingly.

13
14 Sec. 15. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this
15 Act shall take effect fifteen (15) days after its publication in the Official Gazette
16 or in a newspaper of general circulation.

Approved,