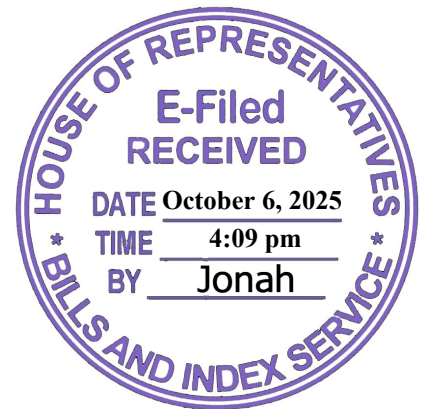




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session



HOUSE BILL NO. 5191

**Introduced by Representatives Ferdinand Martin G. Romualdez,
Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A.
Acidre**

**AN ACT
INSTITUTIONALIZING THE OPEN ELECTRONIC LEARNING
SCHOOL SYSTEM IN THE PHILIPPINES, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

This Bill seeks to deliver educational advancement to the Filipino studentry through the use of alternative means of instruction such as print, radio, television, and other multimedia learning and teaching technologies that allow students to study on their own without having to regularly attend class in the conventional classroom setup.

This alternative learning system adheres with the constitutional mandate of providing access to relevant quality education through the employment of an alternative learning system that would enable the youth including adults to overcome geographical, socioeconomic, and/or physical constraints to their completion of secondary and tertiary education including advanced studies.

The prevalence of computers or the so-called artificial intelligence, the rapidly changing society, and the demand for globally competitive cannot be ignored. It has to be addressed by keeping at par with the high-tech genre.

This legislation gives birth to ELearning as an alternative mode of learning. This Cyber Education Bill aims to institutionalize the Open ELearning School System, thereby defying hindrances in computer education's effective, systematic, and advanced means.

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



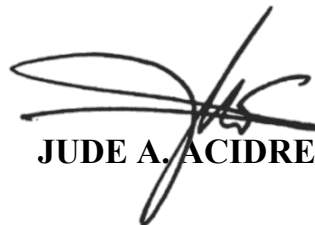
FERDINAND MARTIN G. ROMUALDEZ



YEDDA MARIE K. ROMUALDEZ



ANDREW JULIAN K. ROMUALDEZ



JUDE A. ACIDRE



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*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
ELearning School System Act."

SEC. 2. *Declaration of Policy.* – It is hereby declared that the policy of the State
to access relevant quality education through the employment of an alternative
learning system that would enable the youth including adults to overcome
geographical, socioeconomic, and/or physical constraints to their completion of
secondary education and tertiary education including advanced studies.

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

a. Open Electronic Learning School or ELearning - a system of delivering educational services to high school, college, and advanced studies students utilizing print, radio, television, and computer-based communications, satellite broadcasting, teleconferencing, and other multimedia learning and teaching technologies that allow students to study on their own without having to regularly attend class in conventional classrooms.

b. Distance Learning Program - an educational program whereby the teaching and learning processes are accomplished through self-instructional materials that allow independent study, multi-channel learning, and school-family-community partnership.

c. Cyber Ed / Cyber Education – a computer-based instructional system using active online modules and materials accessible through the internet.

d. Diploma / Non-diploma - certification of academic achievement acquired through ELearning.

e. Conduit Schools/universities and other Learning Institutions – partner schools locally or internationally located.

f. Accreditation Certificate – MOA between the Open System and the Conduit Schools/university and other Learning institutions.

g. ELearning Centers – Distance learning centers shall be established in pilot areas. The Center is a room or building where distance learners can conduct research or gather additional information on topics under study.

SECTION 4. *Institutionalization of the Open School System.* – To carry out the above- declared policy, the Open School hereinafter referred to as the system is hereby institutionalized in the Philippines by the provisions of the Act.

SECTION 5. *Coverage.* – This Act shall apply to public secondary and tertiary educational institutions with existing distance learning programs and all other such institutions that shall later be authorized as qualified to implement the system.

All existing programs and projects of the Department of Education regarding dropout intervention and poverty alleviation through education shall be part of the Open ELearning School System.

The System shall be open to all youth and adults who have finished elementary education and high school qualifiers of the Philippine Educational Placement Test (PEPT).

SECTION 6. *Administration and Supervision.* – The Department of Education (DepEd) shall administer and supervise the System. The DepEd shall create a program attached to the Office of the Secretary under the Office for the Cyber Ed Program with the following duties and functions:

1. Formulate the objectives and basic policies of the System;
2. Formulate, adopt and supplement programs that will make the System effective and productive;
3. Monitor and evaluate existing distance learning programs for integration with the system;
4. Develop and validate prototype instructional distance learning materials;

5. Shall modify the adopted curriculum, devise a rating system, instructional strategies, and materials;
6. Consult and collaborate with other DepEd divisions, local government units, non- government organizations (NGOs), and other private agencies for the effective operation of the system;
7. promulgate the necessary guidelines, rules, and regulations for the effective implementation of the System;
8. Recommend to the DepEd the annual budget of the System for inclusion in the General Appropriations Act for the year;
9. Linkage with conduit schools, universities, and other learning institutions; and
10. Perform other tasks that may be necessary to attain the System's objectives.

SECTION 7. *Collaboration Between the Department of Education (DepEd) and Private Learning Institutions Whether Local or Abroad.* – The DepEd shall sign a Memorandum of Agreement (MOA) defining the role of the government vis conduit schools, universities, or other learning institutions in the operation of the system to ensure maximum success.

SECTION 8. *Copyright Protection.* – The protection for artistic, literary, and derivative works which is used in the Open ELearning School System shall be protected during the lifetime of the author plus 50 years after the author's death. This term of protection also applies to posthumous works. In the case of joint authorship, the economic rights shall be protected during the lifetime of the last surviving author plus 50 years after such author's death.

SECTION 9. *Implementing Rules and Regulations.* – The Department of Education (DepEd), Commission on Higher Education (CHED), Department of Science and Technology (DOST), Philippine Information Agency (PIA), Department of Budget and Management (DBM), and other related agencies shall issue the necessary rules and regulations for the effective implementation of this Act within a period of ninety (90) days after its approval.

SECTION 10. *Oversight Committee.* – Upon prior consultation with the Committees on Education of the Senate and the House of Representatives, an Oversight Committee shall be formed and shall evaluate annual reports submitted by the Program.

SECTION 11. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriation of the Distance Learning Program of the DepEd. Thereafter, such as may be necessary for its continued implementation shall be included in the annual General Appropriation Act.

SECTION 12. *Separability Clause.* – – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 13. *Repealing Clause.* – All laws, executive orders or issuances or any part thereof, which are inconsistent herewith, are hereby repealed or amended accordingly.

SECTION 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation

Approved,