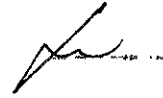


SENATE

S. B. No. 3432

RECEIVED



INTRODUCED BY SENATOR ALAN PETER "COMPAÑERO" S. CAYETANO

EXPLANATORY NOTE

The importance of education as the great equalizer, creating and equalizing opportunities for men and women, is beyond debate. Education is also a formidable tool towards enlightenment and greater national productivity. Despite this being common knowledge, it is disheartening to know that in a presentation made by the Department of Education (DepEd) itself in 2008, that for every 100 students that enter Grade I, only around 68 will finish Grade VI, only 48 will finish high school, and of the original 100, only 17 will finish college. Data from the National Statistics and Coordination Board (NSCB) show that 1 in 6 school-age children is being deprived of access to education – and the number is increasing.

Data from the Department of Education (DepEd), as cited by the Alternative Budget Initiative (ABI) group says that for school-year 2006-2007, the elementary achievement rate was only at 59.94 percent. High school achievement rate was lower at 46.64 percent. No doubt, these ratings fall short of the desirable level. The Philippines also ranked 101st of 125 countries in education quality using survival rate as proxy indicator. This means that at such level, we fared no better than the poorest countries in Asia and Africa such as Burkina Faso, Ethiopia and Myanmar -- an alarming wake up call on the state of education in our country.

It is with the foregoing context that this bill seeks to strengthen the literacy programs nationwide by enhancing the powers and functions, network, as well as staff and budgetary support of the Literacy Coordinating Council (LCC), and encouraging wider and stronger partnership between the Council and the local government units, non-governmental organizations, and other institutions that may significantly contribute in addressing literacy needs in the country.

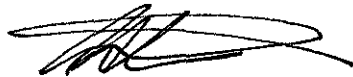
The LCC was established in November 1991 through the enactment of Republic Act No. 7165. The LCC is mandated as a policy-making and advisory inter-agency body composed of representations from the Department of Education (DepEd), Department of the Interior and Local Government (DILG), the National Economic and Development Authority (NEDA), Philippine Information Agency (PIA), Philippine Normal University (PNU), the Philippine Senate, House of Representatives and representatives from non-government organizations. The creation of the LCC was envisioned to advance the country's commitment toward the universalization of literacy. For its almost two decades of existence, the LCC has brought to the level of the local communities and the greater number of people's and non-government organizations the national government's aspiration to reduce illiteracy, consistent with the mandate of the Constitution, the

UNESCO Declaration on the elimination of illiteracy, and the Millennium Development Goals (MDGs) to increase the country's literacy rate by 50% by year 2015.

Like any law, however, Republic Act No. 7165 is not perfect and may be improved to respond to current needs and demands. The steadily increasing student population, the increasing number of unreached school-age population as well as the out-of-school youth, and even the need to respond to adult literacy concerns may be addressed through a coordinated and cooperative effort of the LCC through the leadership of the DepEd and DILG, in close partnership with local government units and various NGOs and peoples' organizations (POs). All these are meant to complement the efforts of the DepEd through the public elementary and secondary schools nationwide.

With a strengthened and well-coordinated literacy program nationwide, we pray that someday the promise of being emancipated from ignorance and poverty will be achieved in every corner of our country. That day will pave the way towards greater national productivity, and a sustained national development.

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



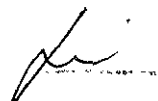
SENATOR ALAN PETER "COMPAÑERO" S. CAYETANO

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SENATE

S. B. No. 3432

RECEIVED



INTRODUCED BY SENATOR ALAN PETER "COMPAÑERO" S. CAYETANO

AN ACT
STRENGTHENING LITERACY PROGRAMS NATIONWIDE BY AMENDING
REPUBLIC ACT NO. 7165, OTHERWISE KNOWN AS 'AN ACT CREATING THE
LITERACY COORDINATING COUNCIL, DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES'

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

SECTION 1. Section 1 of R.A. No. 7165 is hereby amended to read as follows:

"SECTION 1. **DECLARATION OF POLICY.** – It [is] SHALL BE the policy of the
State to give the highest priority [for the total eradication of illiteracy.] TO THE
UNIVERSALIZATION OF LITERACY.

"TOWARD THIS END [For this purpose], it shall encourage and rationalize the
formulation of policies and the implementation of programs on [nonformal,
informal and] FORMAL AND ALTERNATIVE learning systems. [as well as
self-learning, independent, and out-of-school study programs particularly
those that respond to community needs.]"

THE STATE SHALL INSTITUTIONALIZE AN INTER-AGENCY
COORDINATING AND ADVISORY BODY TO SYNCHRONIZE AND
STRENGTHEN POLICIES AND EFFORTS TOWARD THE
UNIVERSALIZATION OF LITERACY.

SEC. 2. A new Section 3 is hereby inserted to read as follows:

SEC. 3. **DEFINITION OF TERMS.** – FOR PURPOSES OF THIS ACT, THE
FOLLOWING TERMS SHALL MEAN:

- A) **ALTERNATIVE LEARNING SYSTEM (ALS)** -- 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 OF KNOWLEDGE AND
SKILLS;
- B) **BASIC LITERACY** – IS THE ABILITY OF A PERSON TO READ AND WRITE
WITH UNDERSTANDING AND SIMPLE MESSAGE IN ANY LANGUAGE OR
DIALECT;

- C) **COUNCIL** – REFERS TO THE LITERACY COORDINATING COUNCIL CREATED UNDER REPUBLIC ACT NO. 7165;
- D) **FORMAL EDUCATION (FE)** – IS THE SYSTEMATIC AND DELIBERATE PROCESS OF HIERARCHICALLY STRUCTURED AND SEQUENTIAL LEARNING CORRESPONDING TO THE GENERAL CONCEPT OF ELEMENTARY AND SECONDARY LEVEL OF SCHOOLING. AT THE END OF EACH LEVEL, THE LEARNER NEEDS A CERTIFICATION IN ORDER TO ENTER OR ADVANCE TO THE NEXT LEVEL;
- E) **INFORMAL EDUCATION (IE)** – IS A LIFELONG PROCESS OF LEARNING BY WHICH EVERY PERSON ACQUIRES AND ACCUMULATES KNOWLEDGE, SKILLS, ATTITUDES AND INSIGHTS FROM DAILY EXPERIENCES AT HOME, AT WORK, AT PLAY AND FROM LIFE ITSELF;
- F) **NON-FORMAL EDUCATION (NFE)** – IS ANY ORGANIZED, SYSTEMATIC EDUCATIONAL ACTIVITY CARRIED OUTSIDE THE FRAMEWORK OF THE FORMAL EDUCATION SYSTEM TO PROVIDE SELECTED TYPES OF LEARNING TO A SEGMENT OF THE POPULATION; AND
- G) **UNIVERSALIZATION OF LITERACY** -- REFERS TO THE PROCESS OF MAKING A TARGET POPULATION LITERATE.

SEC. 3. Section 3 of R.A. No. 7165 is hereby amended to read as follows:

“SEC. [3] 4. COMPOSITION. – The Council shall be composed of THE FOLLOWING MEMBERS [eight (8) members as follows: the Undersecretary for Nonformal Education of the Department of Education, Culture and Sports; The Undersecretary of the Department of the Interior and Local Government in charge of Local Governments; the Director of the Philippine Information Agency; the President of the Philippine Normal College; a representative from the National Economic and Development Authority designated by the Director-General; a representative of the Committee on Education and Culture of the Senate to be designated by the President of the Senate; a representative of the Committee on Education and Culture of the House of Representatives to be designated by the Speaker, and the representative of non-government organizations involved in literacy education who shall be appointed by the President of the Philippines for a period of three (3) years.]:

- 1) THE SECRETARY OF THE DEPARTMENT OF EDUCATION (DEPED), AS THE CHAIRMAN WHO MAY DESIGNATE AN UNDERSECRETARY AS HIS PERMANENT REPRESENTATIVE;
- 2) THE SECRETARY OF THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) OR HIS DULY AUTHORIZED REPRESENTATIVE;
- 3) THE CHAIRMAN OF THE COMMISSION ON HIGHER EDUCATION (CHED), OR HIS DULY DESIGNATED REPRESENTATIVE;
- 4) THE DIRECTOR-GENERAL, TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA), OR HIS DULY DESIGNATED REPRESENTATIVE;
- 5) THE DIRECTOR-GENERAL OF THE PHILIPPINE INFORMATION AGENCY (PIA) OR HIS DULY DESIGNATED REPRESENTATIVE;

- 6) THE DIRECTOR-GENERAL OF THE NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA) OR HIS DULY DESIGNATED REPRESENTATIVE;
- 7) THE CHAIRMAN OF THE COMMITTEE ON EDUCATION, ARTS AND CULTURE OF THE SENATE OR HIS DULY DESIGNATED REPRESENTATIVE;
- 8) THE CHAIRMAN OF THE COMMITTEE ON BASIC EDUCATION AND CULTURE OF THE HOUSE OF REPRESENTATIVES OR HIS DULY DESIGNATED REPRESENTATIVE; AND
- 9) A REPRESENTATIVE FROM THE NETWORK OF NON-GOVERNMENT ORGANIZATIONS INVOLVED IN THE PROPAGATION OF LITERACY.

THE COUNCIL SHALL APPROVE AND CONFIRM THE APPOINTMENT OF REPRESENTATIVE FROM THE NGOs. FOR THIS PURPOSE, GUIDELINES FOR THE APPOINTMENT OF SUCH NGO REPRESENTATIVE SHALL BE PROMULGATED BY THE COUNCIL.

SAID REPRESENTATIVE SHALL SERVE FOR A PERIOD OF THREE (3) YEARS, SUBJECT TO A REAPPOINTMENT.

[The members of the Council shall annually elect a Chairman from among themselves except the two (2) representatives of Congress.]

"The Council shall meet regularly [once a month] and may hold special meetings to consider urgent matters upon the call of the Chairperson or any three Council members."

SEC. 4. A new section 5 is hereby inserted to read as follows:

SEC. 5. POWERS OF THE DULY DESIGNATED REPRESENTATIVES. – DULY DESIGNATED REPRESENTATIVES TO THE LITERACY COORDINATING COUNCIL SHALL BE AFFORDED EQUAL OPPORTUNITY TO VOTE AND PARTICIPATE IN ANY DELIBERATION DURING MEETINGS OF THE COUNCIL.

LIKEWISE, THEY SHALL BE AFFORDED, WHENEVER NECESSARY, REIMBURSEMENT OF ANY ACTUAL EXPENSES INCURRED DURING LCC-RELATED FUNCTIONS AND DUTIES, SUBJECT TO THE PROVISIONS OF EXISTING LAW AND/OR PERTINENT RULES AND REGULATIONS.

SEC. 5. Section 4 of R.A. No. 7165 is hereby amended to read as follows:

"**SEC.[4] 6. POWERS AND FUNCTIONS OF THE COUNCIL.** – The Council shall have the following **POWERS AND** functions:

1. [To help] Act as the overall advisory and coordinating body, providing policy and program directions for all **LITERACY** endeavors in the country;
2. **ENJOIN THE SERVICES, EXPERTISE AND RESOURCES, INCLUDING BUT NOT LIMITED TO, COOPERATION, ASSISTANCE AND SUPPORT OF APPROPRIATE GOVERNMENT AGENCIES OR NON-GOVERNMENTAL ORGANIZATIONS INVOLVED IN LITERACY;**

[2] 3. [To] Recommend strategies on the development of a mass movement for the **PROMOTION OF LIFE SKILLS AND EDUCATION TOWARDS THE** [total eradication of illiteracy in the country by the year 2000] **UNIVERSALIZATION OF LITERACY;**

[3] 4. [To] Formulate measures on **MONITORING AND EVALUATION OF THE LITERACY SITUATION IN THE COUNTRY, INCLUDING** the establishment and maintenance of a national data bank and information exchange and dissemination system to support literacy development efforts at the national and local levels;

[4] 5. [To] Assist in identifying successful management schemes of literacy programs, and adopt measures to boost research and development work in literacy, by government agencies, and non-governmental organizations, involve in literacy work;

6. [To recommend ways and means of raising funds in order to support the] **FORMULATE POLICIES TOWARDS MAXIMIZING PUBLIC AND PRIVATE SECTOR SUPPORT AND INVOLVEMENT ON** literacy programs, projects and activities;

7. [To recommend] **PROPOSE** measures on how to organize and strengthen support structures for literacy at the regional, **PROVINCIAL** and local levels; and,

8. THE COUNCIL SHALL HAVE THE AUTHORITY TO PROVIDE COUNTERPART FUNDING FOR LITERACY DEVELOPMENT PROGRAMS OF LOCAL GOVERNMENT UNITS SUBJECT TO GUIDELINES THAT MAY BE ISSUED BY THE COUNCIL FOR THE PURPOSE.

9. [To] Perform such other functions as may be necessary in furtherance of the purposes of this Act.”

SEC. 6. Section 5 of Republic Act No. 7165 is hereby amended to read as follows:

“[SEC. 5. The Administrative and research shall be detailed from the existing personnel of the Department of Education, Culture and Sports without prejudice to the designation by the Council of such additional staff members as it may deem for proper discharge of its functions and responsibilities.]”

“SEC.[5] 7. THE COUNCIL SECRETARIAT. – THE COUNCIL SHALL ORGANIZE A SECRETARIAT TO BE HEADED BY AN EXECUTIVE DIRECTOR AND SUCH OTHER SUPPORT STAFF AS MAY BE DETERMINED BY THE COUNCIL. THE COUNCIL SHALL DETERMINE THE SECRETARIAT’S STAFFING PATTERN, QUALIFICATIONS, DUTIES, RESPONSIBILITIES AND FUNCTIONS, AS WELL AS COMPENSATION AND CLASSIFICATION PLAN AND OTHER EXISTING CIVIL SERVICE RULES AND REGULATIONS.”

“The administrative and research staff shall be **INITIALLY** detailed from the existing personnel of the Department of Education [Culture and Sports] (DEPED) without prejudice to their [designation] **PERMANENT APPOINTMENT** [by] **TO** the Council. **THE EXISTING SECRETARIAT OF THE COUNCIL MAY ALSO BE MADE PERMANENT BY THE COUNCIL.** [such additional staff members as it may deem necessary for the proper discharge of its functions and responsibilities.]”

THE AMOUNT NECESSARY FOR THE PAYMENT OF EMPLOYEES' SALARIES, BENEFITS AND OTHER EMOLUMENTS SHALL BE TAKEN FROM THE ANNUAL APPROPRIATIONS AFFORDED ON THE COUNCIL; PROVIDED, THAT SUCH OBLIGATIONS SHALL NOT EXCEED FORTY PERCENTUM (40%) OF THE TOTAL ANNUAL APPROPRIATION OF THE LCC.

SEC. 7. Section 6 of Republic Act No. 7165 is hereby deleted.

SEC. 8. Section 7 of Republic Act No. 7165 is hereby deleted:

SEC. 9. A new section is hereby inserted to read as follows:

SEC. 8. AUTHORITY TO LOCAL GOVERNMENT UNITS. – Any law, executive order, department order, ordinance and the like, to the contrary notwithstanding, the Local Government Unit (LGU), through the local *sanggunian*, and/or the Local School Board as defined in the 1991 Local Government Code, are hereby authorized to provide funding for programs aimed at promoting and ensuring the universalization of literacy.

SEC. 10. A new section is hereby inserted to read as follows:

SEC. 9. ANNUAL REPORT. – THE COUNCIL SHALL SUBMIT TO BOTH HOUSES OF CONGRESS AN ANNUAL REPORT WHICH MAY INCLUDE AMONG OTHER THINGS, PROGRAMS AND PROJECTS UNDERTAKEN AND POLICY RECOMMENDATIONS WHICH WILL REQUIRE LEGISLATIVE ACTION TO PROMOTE AND ENSURE THE UNIVERSALIZATION OF LITERACY.

SEC. 11. A new section is further hereby inserted to read as follows:

SEC. 10. IMPLEMENTING RULES AND REGULATIONS. – THE COUNCIL, IN CONSULTATION WITH THE APPROPRIATE GOVERNMENT AGENCIES AND NON-GOVERNMENT ORGANIZATIONS, SHALL PROMULGATE WITHIN SIXTY (60) DAYS THE IMPLEMENTING RULES AND REGULATIONS THAT SHALL BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ACT.

SEC. 12. Appropriations – Over and above the present budget of the Council, an additional amount of FIFTY MILLION PESOS (PhP 50,000,000.00) is hereby initially appropriated for the to carry out the functions of the Council under this Act. Thereafter, the sum needed for the operation and maintenance of the Council shall be included in the annual Budget of the Department of Education.

Annually, the Council shall prepare programs and projects and activities to be funded through the General Appropriations Act.

SEC. 13. Separability clause. – If any part, Section or provision of this Act is declared invalid or unconstitutional, the other parts thereof not affected thereby shall remain valid.

SEC. 14. Repealing clause. – All laws, acts, presidential decrees, executive orders, administrative orders, rules and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified or repealed accordingly.

SEC. 15. Effectivity. – This Act shall take effect fifteen (15) days after completion of its publication in at least two (2) newspapers of general circulation.

Approved,