

THIRTEENTH CONGRESS OF THE )  
Republic of the Philippines )  
First Regular Session )

'04 JUN 30 P1:24

SENATE  
S.B. No. 126

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Introduced by SENATOR LUISA "LOI" P. EJERCITO ESTRADA

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EXPLANATORY NOTE

Education is the prime motive force for the development of a nation. This is recognized by the Constitution by making education the foremost concern of the State. Providing access for academic and technical development the responsibility of the government.

The bill aims to recognize and provide the mechanism for the establishment and propagating the open and distance learning educational mode in the Philippines. This bill entrusts the University of the Philippines Open University to be the vanguard for the development of this learning system. The University shall assist and provide the necessary expertise for schools wishing to create learning programs.

This learning mode will provide access to those who wish to enhance their academic and technical training without being bound by the logistical difficulties present in our educational landscape.

The passage of this bill is most earnestly urged.

  
LUISA "LOI" P. EJERCITO ESTRADA  
Senator

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AN ACT  
INSTITUTIONALIZING THE OPEN LEARNING AND DISTANCE EDUCATION  
SYSTEM IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFORE AND  
FOR OTHER PURPOSES

*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 Learning and  
Distance Education System Act."

SEC. 2. Declaration of Policy. - It is hereby declared a policy of the State to  
expand and further democratize educational opportunities for our people in a more  
effective and economical manner through utilization of innovative educational  
technologies. In view thereof, the State recognizes the open learning and distance  
education system as a necessary mode to achieve equitable access to quality tertiary  
education even as it guarantees the academic freedom of higher education institutions.

SEC. 3. Definition of Terms.- For the purposes of this Act the following terms  
shall mean:

- (a) Open Learning System - an institutionalized system of delivery of  
educational services that allows for wider access to educational  
opportunities by overcoming barriers resulting from geographical  
isolation, and personal or work commitments.
  
- (b) Distance Education - a method of learning and teaching employing print,  
radio, television, computer-based communications, satellite broadcasting,  
teleconferencing or other educational technologies, that allows students to  
study on their own without having to regularly attend classes in  
conventional classrooms.

SEC.4. Institutionalization of the Open Learning and Distance Education System - The open learning and distance education system, hereinafter referred to as the System, is hereby institutionalized in the Philippines in accordance with the provisions of tills Act.

SEC. 5. Coverage - The Act shall apply to public and private higher education institutions with existing open and distance learning programs, and to other institutions that shall later be authorized as qualified implementers of the System.

SEC. 6. Role of the Commission on Higher Education — The Commission on Higher Education, hereinafter referred to as the €HED, shall plan, set standards, coordinate, monitor and authorize the effective implementation of open learning and distance education in the country in accordance with the provisions of this Act. It shall:

- (a) Formulate, promulgate and implement the necessary rules and regulations to maintain the same quality of education and uniform standards of performance for both distance and residential students of participating higher education institutions;
- (b) Monitor, evaluate and effect the continuation or closure of programs in accordance with the provisions of the implementing rules and regulations;
- (c) Review and approve proposals from educational institutions for new open learning and distance education programs; and
- (d) Recommend to the Department of Budget and Management supplemental budget for open learning and distance education programs of participating higher education institutions;

SEC.7. Criteria for Commission on Higher Education's Approval of New Open and Distance Education Programs - Higher education institutions applying for CHED's approval to establish open and distance learning programs shall be evaluated based on the following criteria, among others, to be defined by the CHED:

- (a) Qualified faculty with experience and/or training in open and distance education;
- (b) Relevant curricular programs;

- (c) Appropriate instructional materials;
- (d) Appropriate student support services and delivery systems;
- (e) Linkages with other appropriate institutions as resource centers; and
- (d) Recognized research program on open and distance learning.

SEC. 8. Role of the University of the Philippines Open University - The University of the Philippines Open University, hereinafter referred to as the UPOU, shall be designated as the national open university. It shall set up the model programs, undertake relevant research and development projects, assist other interested higher education institutions in developing open learning and distance education programs, and provide technical assistance to the CHED in open and distance education matters.

The UPOU shall support start up programs for duly recognized higher education institutions and shall provide necessary support for the educational institution's pursuit of an educational system catering to and specific to the needs of the institution.

SEC.9. Role of Government Broadcast Stations and Telecommunications Network - Government broadcast stations and telecommunications networks shall provide the necessary assistance and coordination in support of the System.

SEC. 10. Appropriations - For the initial implementation of this Act, the amount of Fifty Million Pesos (P 50,000,000.00) from the President's organizational fund shall be divided equally between the CHED and UPOU. Thereafter, the amount necessary for the continuous implementation of this program by the CHED and UPOU shall be included in the General Appropriations Act.

SEC. 11. Separability Clause- If any provision of this Act shall be held to be unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 12. Repealing Clause- All laws, decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with the provisions of tills Act is hereby repealed or modified accordingly.

SEC. 13. Effectivity Clause- This Act shall take effect fifteen (15) days from its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*