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REPUBLIC OF THE PHILIPPINES]
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SENATE

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P.S. Res. No. 59

Introduced by SENATOR WIN GATCHALIAN

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON BASIC EDUCATION, ARTS AND CULTURE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF THE IMPLEMENTATION OF REPUBLIC ACT NO. 10929 OR THE FREE INTERNET ACCESS IN PUBLIC PLACES ACT AND REPUBLIC ACT NO. 10650 OR THE OPEN DISTANCE LEARNING ACT, FOR THE PURPOSE OF IDENTIFYING AND ADDRESSING IMPLEMENTATION GAPS, ISSUES, AND CHALLENGES, DETERMINING THEIR EFFECTIVITY IN EDUCATION INSTITUTIONS AND LEARNING CENTERS, AND CRAFTING COMPLEMENTARY AND/OR AMENDATORY LEGISLATION TO ENSURE THE AVAILABILITY OF UNINTERRUPTED, FAST, AND RELIABLE INTERNET CONNECTIVITY AND CONTINUOUS LEARNING ESPECIALLY DURING PANDEMICS, ENDEMICS, OUTBREAKS, AND OTHER EMERGENCY OR CRISIS SITUATIONS

1 **WHEREAS**, as provided in the 1987 Philippine Constitution, it is the
2 policy of the State to give priority to science and technology to foster
3 patriotism and nationalism, accelerate social progress, and promote total
4 human liberation and development;¹

5 **WHEREAS**, in 2016, the General Assembly of the United Nations
6 passed a resolution emphasizing that access to information on the internet

¹ Section 17, 1987 Constitution: "The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development."

1 facilitates vast opportunities for affordable and inclusive education globally,
2 thereby being an important tool to facilitate the promotion of the right to
3 education, while underlining the need to address digital literacy and the
4 digital divide, as it affects the enjoyment of the right to education;²

5 **WHEREAS**, the Philippine government has adopted several measures
6 to provide internet access to education institutions and learning centers and
7 sustain online distance learning;

8 **WHEREAS**, Republic Act No. 10650 (RA 10650), otherwise known as
9 the Open Distance Learning Act, was signed into law in 2014 to
10 institutionalize an Open Distance Learning (ODL) which expands and further
11 democratizes access to quality tertiary education by using distance education
12 as an appropriate, efficient and effective system of delivering quality higher
13 and technical educational services in the country;

14 **WHEREAS**, on August 2, 2017, Republic Act No. 10929 (RA 10929) or
15 the Free Internet Access in Public Places Act was enacted to create a Free
16 Public Internet Access Program that will provide free access to internet service
17 in public places throughout the country, to promote knowledge-building
18 among citizens and enable them to participate and compete in the evolving
19 information and communication age;

20 **WHEREAS**, RA 10929 provides free Wi-Fi Internet access in public
21 basic education institutions and alternative learning systems centers, state
22 universities and colleges, and Technical Education and Skills Development
23 Authority technology institutions, among others;

24 **WHEREAS**, in 2018, the Department of Information and
25 Communications Technology and the Department of Education (DepEd)
26 issued Joint Memorandum Circular No. 1, Series of 2018 which contains the
27 obligations of the parties for the “Establishment of Free Internet Access in
28 Public Places Project in Basic Education Public Schools and Learning
29 Centers” wherein public basic education institution and Alternative Learning

² Resolution on “The promotion, protection and enjoyment of human rights on the Internet” by the UN General Assembly (2016). <https://digitallibrary.un.org/record/845728?ln=en>

1 Centers were enjoined to provide support and implement the project without
2 delay;

3 **WHEREAS**, in 2020, the DepEd established the DepEd Commons
4 which is an online education delivery platform designed as an alternative
5 mode for teaching-learning process during class suspensions and other
6 similar circumstances;³

7 **WHEREAS**, notwithstanding the initiatives of the government, there
8 remains to be a problem on the implementation of the Free Public Internet
9 Access Program and the ODL especially during the Coronavirus Disease 2019
10 (COVID-19) outbreak;

11 **WHEREAS**, in 2021, the United Nations Educational, Scientific and
12 Cultural Organization estimated that despite the government efforts
13 worldwide to provide alternative remote learning, at least 500 million children
14 and youth are currently excluded from public educational provision, partly
15 because of lack of connectivity;⁴

16 **WHEREAS**, based on the most recent data from the Free Public Wi-Fi
17 monitoring dashboard⁵, there are at least 945 public basic education schools
18 with free public Wi-Fi constituting only about 2% of all public schools in the
19 country;

20 **WHEREAS**, the findings of the 2019 National Information and
21 Communications Technology Household Survey⁶ show that only 14.7% of the
22 surveyed households use internet for education purposes;

23 **WHEREAS**, in terms of the implementation of the ODL Act, publicly
24 available data show⁷ that there are at least only 10 reputable higher education

³ Department of Education. (2022, April 20). *DepEd taps telco partners for free access to DepEd Commons*. <https://www.deped.gov.ph/2020/04/21/deped-taps-telco-partners-for-free-access-to-deped-commons/>

⁴ UNESCO. (2021, May 4). *Global Education Coalition facilitates free internet access for distance education in several countries*. <https://en.unesco.org/news/global-education-coalition-facilitates-free-internet-access-distance-education-several>

⁵ Latest data as of January 29, 2022 (see <https://freepublicwifi.gov.ph/livehotspots/>)

⁶ Albert, J.R., et.al. (2021). Expanded Data Analysis and Policy Research for National ICT Household Survey 2019. PIDS. (see <https://pidswebs.pids.gov.ph/CDN/PUBLICATIONS/pidsdps2120.pdf>)

⁷ Edukasyon.ph (see <https://www.edukasyon.ph/blog/what-open-universities-are-available-in-the-philippines>)

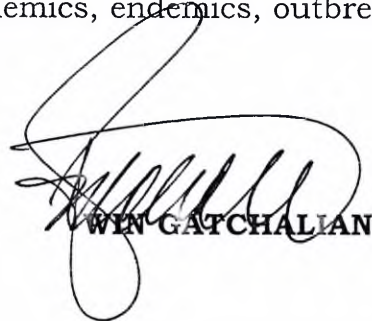
1 institutions (HEIs) offering distance education;

2 **WHEREAS**, to ensure the continuous learning of students in case of
3 sudden suspension or cancellation of classes caused by pandemics,
4 endemics, outbreaks, and other emergency or crisis situations, and to
5 mitigate their impact on the quality of education of the learners, it is
6 imperative that the ODL under RA 10650 is implemented by HEIs;

7 **WHEREAS**, considering the backlog of the government in establishing
8 free internet access sites in public places as mandated under RA 10929, there
9 is a need to identify and address the implementation gaps, issues, and
10 challenges that hampered the accomplishment of targets towards ensuring
11 the seamless, continuous, fast, reliable, and secured free internet connectivity
12 in public places across the country especially in public basic education
13 institutions and alternative learning systems centers, and state universities
14 and colleges;

15 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE**
16 **PHILIPPINES**, to direct the Senate Committee on Basic Education, Arts and
17 Culture to conduct an inquiry, in aid of legislation, on the status of the
18 implementation of RA 10929 or the Free Internet Access in Public Places Act
19 and RA 10650 or the Open Distance Learning Act, for the purpose of
20 identifying and addressing implementation gaps, issues, and challenges,
21 determining their effectivity in education institutions and learning centers,
22 and crafting complementary and/or amendatory legislation to ensure the
23 availability of uninterrupted, fast, and reliable internet connectivity and
24 continuous learning especially during pandemics, endemics, outbreaks, and
25 other emergency or crisis situations.

Adopted,



WIN GATCHALIAN