

S. No. 1604
H. No. 8210

Republic of the Philippines
Congress of the Philippines
Metro Manila
Nineteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second day of July, two thousand twenty-four.

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[REPUBLIC ACT NO. 12028]

AN ACT ESTABLISHING AN ACADEMIC RECOVERY
AND ACCESSIBLE LEARNING (ARAL) PROGRAM
AND APPROPRIATING FUNDS THEREFOR

*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 “Academic Recovery and Accessible Learning (ARAL) Program Act”.

SEC. 2. *Declaration of Policy and Objectives.* – It is the declared policy of the State to 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.

Towards this end, the State shall endeavor to support learners by establishing a free and effective national learning

intervention program to ensure that all learners who are struggling in their lessons, especially in reading, mathematics, and science, will be able to attain the competencies set by the Department of Education (DepEd) in their respective levels.

SEC. 3. *Coverage.* – This Act shall apply to the following learners from Kindergarten to Grade 10 under the public basic education institutions of the DepEd:

(a) Those who have returned or are returning to school after a furlough;

(b) Those who are below the minimum proficiency levels required in reading, mathematics, and science; or

(c) Those who are failing in examinations and tests as assessed and evaluated by the teachers during the course of the school year.

Learners who meet the minimum proficiency levels may be allowed to enroll in supplemental classes under the ARAL Program during the summer break: *Provided*, That priority shall be given to the learners as enumerated in the previous paragraph.

Similarly situated learners who are enrolled in qualified private basic education institutions shall be provided the same interventions under this Act upon request: *Provided*, That in case of limited slots for enrollment, preference shall be given to beneficiaries of the Educational Service Contracting Scheme. The DepEd shall determine which private basic education institutions qualify for these interventions, taking into account factors such as size, type of incorporation, and other relevant criteria.

SEC. 4. *Establishment of the ARAL Program.* – The ARAL Program is hereby established to provide a national learning intervention program which shall be grounded on the following premises:

(a) Well-systematized tutorial sessions which demonstrate higher achievement gains;

(b) Well-designed intervention plans and learning resources developed in consultation with curriculum and reading specialists, following a learner-centered approach that is supportive and empathetic of the learner's needs, motivation and behavior, including but not limited to one-on-one or group tutorials;

(c) Effective and accessible delivery modes for tutors and learners;

(d) Careful determination and assessment of learners;

(e) Well-chosen and trained tutors and learning facilitators; and

(f) Alignment with existing DepEd policies for the development and provision of nutritional, social and emotional, and mental health programs to support and ensure the holistic well-being of learners, and for them to prosper academically, build resilience against adversity, and be equipped with skills and confidence to seek help for early intervention during their educational journey.

The ARAL Program shall further ensure mastery of essential competencies and make up for learning loss of learners.

SEC. 5. Essential Learning Competencies in Reading, Mathematics, and Science. – The ARAL Program shall cover the essential learning competencies under the K to 12 Basic Education Curriculum covering reading and mathematics for Grades 1 to 10, and science for Grades 3 to 10. Essential learning competencies are competencies needed by the learners and are considered indispensable in the teaching-learning process in building skills and equipping learners for subsequent grade levels.

Reading and mathematics shall be prioritized in the ARAL Program to develop the critical and analytical thinking skills of learners.

For Kindergarten learners, the ARAL Program shall focus on building foundational skills aimed at strengthening their literacy and numeracy competencies.

SEC. 6. *Determination and Assessment of Learners Under the ARAL Program.* – The Learner Information System (LIS) of the DepEd shall be used to determine those who have returned or are returning to school after a furlough for purposes of Section 3(a) of this Act.

The DepEd shall determine the learners to be covered under Section 3(b) based on the results of the assessment to be administered prior to the start of the ARAL Program.

Classroom-based assessments, such as examinations and tests, shall be used by teachers to determine the learners to be covered under Section 3(c).

To assess the progress of learners, appropriate assessments shall be regularly administered.

Priority shall be given to learners from Kindergarten to Grade 6.

SEC. 7. *Tutors Under the ARAL Program.* – The following may be tutors under the ARAL Program:

(a) Teachers and para-teachers: *Provided*, That teachers shall not be tutors of their own learners; and

(b) Pre-service teachers as defined under Republic Act No. 11713 or the “Excellence in Teacher Education Act”.

For purposes of this Act, teachers refer to all persons engaged in teaching at the elementary and secondary levels, whether on full-time or part-time basis. Para-teachers are those who have taken the Licensure Examination for Teachers but were unable to qualify, and have been issued by the Board for Professional Teachers a special permit indicating their area of assignment. Pre-service teachers refer to students enrolled in a teacher education degree program offered by Teacher Education Institutions. Except for teachers under paragraph (a) of this section, the tutors under the ARAL Program shall not be considered practicing the profession of teaching under Republic Act No. 7836 or the “Philippine Teachers Professionalization Act of 1994”.

The DepEd may engage as tutors other individuals deemed qualified, competent, and of good character based on conditions stated under the implementing rules and regulations (IRR) of this Act.

SEC. 8. *Capability Building of Tutors.* – To successfully achieve the objectives of the ARAL Program, the DepEd shall ensure that the tutors receive sufficient training, as needed, focusing on effective pedagogies, interpersonal skills, social-emotional learning, and cultural competency, among others.

SEC. 9. *Campaigns for Learners to Return to School.* – The ARAL Program shall create mass awareness campaigns through media and community engagement to encourage learners to re-enroll and return to school through strategies developed by the DepEd.

SEC. 10. *Updated LIS.* – The DepEd shall update its LIS which shall contain the following additional information:

- (a) Name and academic background of tutors;
- (b) Name, grade level, and school of learners and their corresponding pre- and post- assessment scores in standardized measures of program effectiveness and grades in the subjects taken under the ARAL Program; and
- (c) Assessment of learner performance on tasks and activities administered during the tutorial sessions.

SEC. 11. *Free Access to All of DepEd's Learning Management Systems Applications; Subsidized Data Plans for Learners and Tutors In Need.* – Public Telecommunications Entities (PTEs) shall provide free access to all of DepEd-exclusively hosted learning management systems applications with a static and public internet protocol (IP) address. The learning management systems applications shall include web-based applications, online educational platforms, digital libraries, and other online knowledge hubs exclusively hosted by DepEd. No data charges shall also be incurred in downloading from, or uploading to, these applications.

The DepEd shall determine the learners and tutors in financial need and ensure that they are provided subsidized data plans for the use of these applications.

As used in this Act, (1) PTEs shall refer to entities duly authorized by the National Telecommunications Commission to provide users or other entities with data connection allowing access to the internet; and (2) free access shall refer to the use of all learning management systems applications without incurring any corresponding data charges.

SEC. 12. Allotment of Air Time for Supplemental Tutorial Video Materials. – Pursuant to Republic Act No. 8370 or the “Children’s Television Act of 1997”, a portion of the mandated allotment in the daily total air time of each broadcasting network shall be utilized for supplemental tutorial video materials within the regular programming of all networks granted franchises or as a condition of renewal of their broadcast licenses hereinafter, to be included as part of the responsibility of the network in serving the public.

The materials shall cover the essential learning competencies under the K to 12 Basic Education Curriculum, covering reading, mathematics, and science.

The applicable provisions of the legislative franchises of the broadcasting networks shall be used as the basis to require them to provide additional air time for the tutorial videos under the ARAL Program.

SEC. 13. Remuneration of Teachers and Para-teachers Who Serve as Tutors. – Teachers who serve as tutors shall be compensated, subject to the pertinent provisions of Republic Act No. 4670 or the “Magna Carta for Public School Teachers” and the existing rules and regulations of the DepEd and the Department of Budget and Management (DBM). Said compensation for teachers shall be granted: *Provided*, That they have already rendered the prescribed six (6) hours of actual classroom teaching, and the amount paid for the purpose shall not exceed the compensation for two (2) hours based on the Prime Hourly Teaching Rate consistent with DBM guidelines.

Para-teachers who serve as tutors under this Act shall be compensated from the budget of the DepEd or the Special Education Fund (SEF) of the Local School Board of the local government unit (LGU) where the schools of the learners are located.

SEC. 14. *Incentives for Pre-service Teachers.* – Services rendered by pre-service teachers who serve as tutors shall be considered relevant teaching experience when applying for a plantilla position in the DepEd, subject to relevant rules and regulations of the Civil Service Commission and the Merit Selection Plan and hiring guidelines of the DepEd.

SEC. 15. *Delivery Modes for Tutorial Sessions.* – Tutorial sessions shall be conducted using any of the following delivery modes to ensure that the sessions are effective and accessible to or within the reach of learners:

(a) Face-to-face tutorials where tutors and learners are physically present in the same place;

(b) Online tutorials where tutors facilitate the tutorial sessions and engage the learners' active participation by using various technologies so that learning can be accessed anytime while they are geographically remote from each other; and

(c) Blended learning where a specified number of tutorial sessions include online and face-to-face tutorials.

In determining the venue for the tutorial sessions, the DepEd shall consider accessibility, cost-effectiveness, and health safety risk. As far as practicable, the tutorial sessions shall be conducted in the public schools where the learners are or were previously enrolled, where the DepEd shall ensure the security and safety of all learners, tutors, and other parties involved pursuant to Republic Act No. 11313 or the "Safe Spaces Act".

SEC. 16. *Local Government Support.* – The DepEd shall collaborate with the LGU concerned to provide a safe learning environment for face-to-face tutorials. They may also collaborate on other matters for the implementation of the ARAL Program, such as the promotion of the program to potential tutors in higher education institutions, identification, and referral of potential tutors to DepEd, and encouragement of parents and parent-substitutes to include their children in the ARAL Program.

The initiatives of an LGU in implementing learning recovery strategies may be added as one of the performance indicators under the criterion on Programs for Sustainable Education under Section 7(e) of Republic Act No. 11292 or “The Seal of Good Local Governance Act of 2019”.

SEC. 17. *Parental Involvement.* – Schools and tutors shall develop linkages and maintain regular communication with the parents of the learners, as well as their parent-substitutes as defined under Republic Act No. 11908 or “The Parent Effectiveness Service Program Act”. The parents and parent-substitutes, being a primary resource and essential support in the education of their children, shall enhance their parental roles by assisting their children through home learning activities and making significant contributions in their educational development at home.

SEC. 18. *Implementing Agencies.* – The DepEd shall coordinate with the Commission on Higher Education (CHED), Department of Information and Communications Technology (DICT), Department of the Interior and Local Government (DILG), and other stakeholders in the implementation of the provisions of this Act.

SEC. 19. *Tax Incentives.* – Any donation, contribution, or grant, in cash or in kind, made by individuals or organizations, public or private, local or foreign, to the ARAL Program through the DepEd, shall be exempt from donor’s tax and considered an allowable deduction from the gross income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended, and the Bureau of Internal Revenue rules and regulations.

SEC. 20. *Mandatory Review and Impact Evaluation.* – An annual evaluation shall be designed to collect comparable data for the purpose of determining the impact of the program.

The impact evaluation report shall be submitted to Congress not later than six (6) months after the end of every school year of implementation.

SEC. 21. Appropriations. – The amount necessary for the implementation of this Act shall be charged against those authorized in the current appropriations of the DepEd. Thereafter, the amount necessary for its continuous implementation shall be included in the annual General Appropriations Act.

The LGUs concerned may provide the necessary funds for the purpose charged against the SEF.

SEC. 22. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the DepEd, in consultation with the CHED, DICT, DILG, and other relevant government agencies and private stakeholders, shall issue the necessary rules and regulations for its effective implementation. The rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in a newspaper of general circulation.

SEC. 23. Separability Clause. – If any provision or part of this Act is declared invalid or unconstitutional, the remaining provisions or parts not affected shall remain in full force and effect.

SEC. 24. Repealing Clause. – All other laws, executive orders, presidential decrees, administrative orders, rules and regulations, issuances, or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or amended accordingly.


SEC. 25. Effectivity. – Notwithstanding the non-issuance of the IRR, this Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.


Approved,


FERDINAND MARTIN G. ROMUALDEZ
Speaker of the House
of Representatives

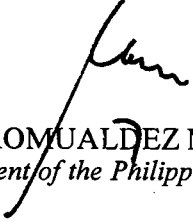

FRANCIS "CHIZ" G. ESCUDERO
President of the Senate

This Act, which is a consolidation of Senate Bill No. 1604 and House Bill No. 8210, was passed by the Senate of the Philippines and the House of Representatives on August 13, 2024.


REGINALD S. VELASCO
Secretary General
House of Representatives


RENATO N. BANTUG JR.
Secretary of the Senate

Approved: **OCT 16 2024**


FERDINAND ROMUALDEZ MARCOS JR.
President of the Philippines



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