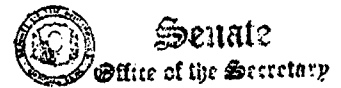


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. No. 1459

20 MAY -4 A9:26

Introduced by Senator Francis "Tol" N. Tolentino

**AN ACT
ESTABLISHING THE TERTIARY ONLINE LEARNING AND DISTANCE
EDUCATION OFFICE UNDER THE COMMISSION ON HIGHER EDUCATION,
AMENDING REPUBLIC ACT NO. 10650 OTHERWISE KNOWN AS "OPEN
DISTANCE LEARNING ACT" AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The continuing rise in infected cases of the novel Corona Virus or COVID-19 has placed education systems around the globe in jeopardy with school cancellations forcing 1.5 billion students to stay at home.¹ The Northwest Evaluation Association has recently released projections that current school closures could result in substantially lower achievement levels for students and could widen equity gaps for marginalized learners in the long run,² which raises concern on alternative methods for learning delivery.

In response to strict social distancing protocols, different countries have embraced online learning tools for student engagement. In Argentina, the Ministry of Education has provided an educational portal with curated digital resources for teachers, administrators, students, and families.³ For students without access to

¹ Haridy, R., COVID-19 school closures: How long can they last, and what comes next?, April 07, 2020, retrieved at <https://newatlas.com/health-wellbeing/coronavirus-school-closures-how-long-when-reopen/>

² Tarasawa, B., COVID-19 school closures could have a devastating impact on student achievement, April 9, 2020, retrieved at <https://www.nwea.org/blog/2020/covid-19-school-closures-could-have-devastating-impact-student-achievement/>

³ World Bank, How countries are using edtech (including online learning, radio, television, texting) to support access to remote learning during the COVID-19 pandemic, retrieved at

technology or connectivity, a television and radio programming is available, supplemented by 'notebooks' packed with learning resources delivered to homes of students.⁴ Many countries in Europe and the United States ramped up support and development of e-learning platforms to continue to provide a space for educators and learners.

In the Philippines, educational institutions have also offered virtual classes, primarily through online/internet methods, however, this has yielded little success as many students still lack access to technology and connectivity tools. Moreover, the lack of a comprehensive curriculum and quality standards for distance education and online learning by many schools have both proven to be major impediments in extensive implementation of virtual alternatives.

It must be noted that the Philippines has passed Republic Act No. 10650, or the "Open Distance Learning Act" last December 2014. The Act has outlined guidelines for the open provision of educational resources, enabled by information and communication technologies, for consultation, use and adaptation. Yet despite this revolutionary piece of legislation for education, distance learning in the country remains to be grossly limited in scope and application. As it stands, most public and private educational institutions are not remote learning ready. Moreover, a standardized curriculum taking into account the nature of the current health crisis remains to be seen. The COVID-19 pandemic has only served to highlight the mounting connectivity issues and cyber poverty in the country.

In order to give effect to the Constitutional mandate that the State shall "encourage self-learning, independent, and out-of-school study programs particularly those that respond to community needs", and to address the changing health and mobility landscape, this bill aims to provide the creation of a Tertiary Online Education and Distance Learning Office which shall:

- a) Serve as the lead agency for open distance learning;

<https://www.worldbank.org/en/topic/edutech/brief/how-countries-are-using-edtech-to-support-remote-learning-during-the-covid-19-pandemic>

⁴ *Id.*

- b) Prescribe the minimum curriculum requirements for online and distance learning; and
- c) Develop the necessary policy guidelines and quality standards for the extensive implementation of online and distance learning, especially in times of national emergencies, calamities and/or health crises.

Considering the foregoing, the immediate enactment of this bill is respectfully requested.



FRANCIS "TOL" N. TOLENTINO

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

20 MAY -4 9:26

SENATE
S. No. 1459

RECEIVED BY: _____

Introduced by Senator Francis "Tol" N. Tolentino

**AN ACT
ESTABLISHING THE TERTIARY ONLINE LEARNING AND DISTANCE
EDUCATION OFFICE UNDER THE COMMISSION ON HIGHER EDUCATION,
AMENDING REPUBLIC ACT NO. 10650 OTHERWISE KNOWN AS "OPEN
DISTANCE LEARNING ACT" AND FOR OTHER PURPOSES**

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

1 Section 1. Short Title. This Act shall be known as the "Tertiary Online
2 Learning and Distance Education Act of 2020."
3

4 Sec. 2. A new section designated as Section 8 of Republic Act No. 10650
5 otherwise known as the "Open Distance Learning Act" is inserted and shall read as
6 follows:
7

8 **"SEC. 8. TERTIARY ONLINE LEARNING AND DISTANCE EDUCATION**
9 **OFFICE. THE COMMISSION ON HIGHER EDUCATION SHALL ESTABLISH A**
10 **TERTIARY ONLINE LEARNING AND DISTANCE EDUCATION OFFICE**
11 **(OFFICE), WHICH SHALL SERVE AS THE LEAD AGENCY FOR OPEN**
12 **DISTANCE LEARNING AND SHALL PRESCRIBE THE MINIMUM**
13 **CURRICULUM REQUIREMENTS FOR ONLINE AND DISTANCE LEARNING.**
14

15 **THE OFFICE SHALL DEVELOP THE NECESSARY POLICY GUIDELINES**
16 **AND QUALITY TECHNOLOGICAL STANDARDS FOR THE EXTENSIVE**
17 **IMPLEMENTATION OF ONLINE AND DISTANCE LEARNING, ESPECIALLY IN**
18 **TIMES OF NATIONAL EMERGENCIES, CALAMITIES AND/OR HEALTH**

1 **CRISES, IN COORDINATION WITH THE DEPARTMENT OF INFORMATION**
2 **AND COMMUNICATIONS TECHNOLOGY (DICT) AND THE DEPARTMENT OF**
3 **SCIENCE AND TECHNOLOGY (DOST).**
4

5 All succeeding sections of the same Act are hereby renumbered accordingly.
6

7 *Sec. 3. Implementing Rules and Regulations.* - The Secretary shall issue the
8 rules and regulations to effectively implement the provisions of and carry put the
9 policy set forth in this Act within sixty (60) days from the effectivity of this Act.
10

11 *Sec. 4. Separability Clause.* - If any provision of this Act shall be held
12 unconstitutional or invalid, the other provisions not otherwise affected shall remain
13 in full force and effect.
14

15 *Sec. 5. Repealing Clause.* - All laws, decrees, executive orders, proclamations
16 and other executive issuances which are inconsistent with or contrary to the
17 provisions of this Act are hereby amended or repealed accordingly.
18

19 *Sec. 6. Effectivity Clause.* - This Act shall take effect fifteen (15) days
20 following its complete publication in the Official Gazette or in two (2) national
21 newspapers of general circulation.

Approved,