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S.B. No. 1604

(In substitution of S.B. No. 150)

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Prepared by the Committee on Basic Education joint with the Committees on Ways and Means; and Finance, with Senators Gatchalian and Angara as authors thereof.

AN ACT
ESTABLISHING AN ACADEMIC RECOVERY AND ACCESSIBLE LEARNING (ARAL) PROGRAM, APPROPRIATING FUNDS THEREFOR, 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 "ARAL Program Act".

2

3 Sec. 2. *Coverage.* – This Act shall apply to the following learners under the
4 public basic education institutions of the Department of Education (DepEd): (a) those
5 who did not enroll starting School Year (SY) 2020 to 2021; or (b) those who are below
6 the minimum proficiency levels required in Language, Mathematics, and Science.

7 Similarly situated learners who are enrolled in private basic education
8 institutions shall be provided the same interventions under this Act upon request.

9

10 Sec. 3. *Declaration of Policy and Objectives.* – It is the declared policy of the
11 State to protect and promote the right of all citizens to quality education at all levels
12 and shall take appropriate steps to make such education accessible to all.

13 Towards this end, the State shall endeavor to support learners by establishing
14 a free and effective national intervention program to provide learners who experienced
15 learning loss as a result of the pandemic school closures, as well as other instances of
16 loss of knowledge and skills due to gaps or discontinuities in a learner's education,

1 with supplemental lessons to close learning gaps and enable them to catch up to the
2 standards required in their respective grade levels.

3
4 *Sec 4. Establishment of the ARAL Program.* – The ARAL Program is hereby
5 established to provide a national learning intervention program which shall be
6 grounded on the following premises:

- 7 a) Well-systematized tutorial sessions which demonstrate higher achievement
8 gains;
- 9 b) Well-designed intervention plans and learning resources, following a
10 learner-centered approach that is supportive and empathetic of the learner's
11 needs, motivation and behavior;
- 12 c) Effective and accessible delivery modes for tutors and learners;
- 13 d) Careful determination and assessment of learners;
- 14 e) Involvement of curriculum and reading specialists and other stakeholders;
- 15 f) Well-chosen and trained tutors and learning facilitators; and
- 16 g) Adequate development and provision of nutritional, social, emotional, and
17 mental health programs to support and ensure the holistic well-being of
18 learners, and for them to prosper academically, build resilience against
19 adversity, and be equipped with skills and confidence to seek help for early
20 intervention during their educational journey.

21 The program shall further ensure that learners are provided optimal
22 instructional time to ensure mastery of essential competencies and make up for
23 learning loss.

24
25 *Sec. 5. Essential Learning Competencies in Language, Mathematics, and*
26 *Science.* – The ARAL Program shall cover the essential learning competencies under
27 the K to 12 Basic Education Curriculum covering the subjects of Language and
28 Mathematics for Grades 1 to 10, and Science for Grades 3 to 10. Essential learning
29 competencies are competencies needed by the learners and are considered
30 indispensable in the teaching-learning process in building skills and equipping learners
31 for subsequent grade levels.

32 Reading and numeracy shall be prioritized in the ARAL Program.

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

3
4 *Sec. 6. Determination and Assessment of Learners under the ARAL Program. –*

5 The Learner Information System (LIS) of the DepEd shall be used to determine those
6 who did not enroll starting SY 2020-2021 for purposes of Section 2 (a) of this Act.

7 The DepEd shall determine the learners to be covered under Section 2 (b)
8 based on the results of the assessment to be administered prior to the start of the
9 ARAL Program.

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

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

13
14 *Sec. 7. Tutors under the ARAL Program. –* Teachers and para-teachers shall be
15 responsible for tutoring learners under the ARAL Program: *Provided*, That teachers
16 shall not be the tutors of their own learners.

17 Tertiary level students may volunteer as tutors provided that they are at or
18 above the 75th percentile of their respective school cohorts in the subject that they
19 will be teaching and have passed a mock tutoring session to be administered by the
20 DepEd: *Provided*, That pre-service teachers as defined under Republic Act (R.A.) No.
21 11713 or the "Excellence in Teacher Education Act" shall automatically qualify as tutors
22 under this program.

23 The DepEd may likewise engage the services of pre-service teachers and other
24 tutors whom it deems qualified in accordance with its qualifications and conditions to
25 be stated under the Implementing Rules and Regulations (IRR) of this Act.

26 For purposes of this Act, teachers refer to all persons engaged in teaching at
27 the elementary and secondary levels, whether on full-time or part-time basis, including
28 but not limited to technical-vocational teachers and trainers, and all other persons
29 performing supervisory or administrative functions, or both, in all schools in the
30 aforesaid levels and qualified to practice teaching under existing laws. Para-teachers
31 are those who have taken the Licensure Examination for Teachers but were unable to
32 qualify, and have been issued by the Board for Professional Teachers a special permit

1 indicating their area of assignment. Pre-service teachers refer to students enrolled in
2 a teacher education degree program offered by Teacher Education Institutions.

3
4 *Sec. 8. Capacity Building of Tutors.* – To successfully improve learning
5 outcomes as envisioned by the ARAL Program, tutors shall receive adequate training
6 focusing on effective pedagogies, interpersonal skills, social-emotional learning, and
7 cultural competency, among others, as may be deemed necessary.

8
9 *Sec. 9. Campaigns for Learners to Return to School.* – The ARAL Program shall
10 create mass awareness campaigns on media and through community engagement to
11 encourage learners under Section 2 (a) to re-enroll and return to school.

12
13 *Sec. 10. Updated Learner Information System (LIS).* – The DepEd shall update
14 its LIS which shall contain the following additional information:

- 15 a) Name and academic background of tutors;
16 b) Name, grade level, and school of learners and their corresponding pre- and
17 post- assessment scores in standardized measures of program effectiveness
18 and grades in the subjects where they are doing remediation; and
19 c) Assessment of learner performance on tasks and activities administered
20 during the tutorial sessions.

21
22 *Sec. 11. Free Access to All of DepEd's Learning Management Systems*
23 *Applications; Subsidized Data Plans for Learners and Tutors.* – Public
24 Telecommunications Entities (PTEs) shall provide free access to all of DepEd-
25 exclusively hosted learning management systems applications with a static and public
26 internet protocol (IP) address. The learning management systems applications shall
27 include web-based applications, online educational platforms, digital libraries, and
28 other online knowledge hubs exclusively hosted by DepEd. No data charges shall also
29 be incurred in the data downloaded from, or uploaded to, these applications.

30 Learners and tutors shall also be provided subsidized data plans by the DepEd
31 for the use of these applications.

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

6
7 *Sec. 12. Allotment of Air Time for Supplemental Tutorial Video Materials. –*
8 Pursuant to R.A. No. 8370 or the “Children’s Television Act of 1997”, a portion of the
9 daily total air time of each broadcasting network shall be allotted for supplemental
10 tutorial video materials within the regular programming of all networks granted
11 franchises or as a condition of renewal of their broadcast licenses hereinafter, to be
12 included as part of the responsibility of the network in serving the public.

13 The materials shall cover the essential learning competencies under the K to
14 12 Basic Education Curriculum covering the subjects of Language, Mathematics, and
15 Science.

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

19
20 *Sec. 13. Remuneration of Teachers and Para-teachers Who Serve as Tutors. –*
21 Teachers who serve as tutors shall be compensated subject to the pertinent provisions
22 of R.A. No. 4670 or the “Magna Carta for Public School Teachers” and the existing
23 rules and regulations of the DepEd and the Department of Budget and Management
24 (DBM). Said compensation for teachers shall be granted, provided that they have
25 already rendered the prescribed six (6) hours of actual classroom teaching, and the
26 amount paid for the purpose shall not exceed the compensation for two (2) hours
27 based on the Prime Hourly Teaching Rate consistent with DBM guidelines.

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

31

1 Sec. 14. *Equivalent Literacy Training Service Credits for Tertiary Level Students*
2 *Who Serve as Tutors.* – Tertiary level students who serve as tutors under the ARAL
3 Program for a period of two (2) semesters shall be given credits equivalent to their
4 Literacy Training Service under the National Service Training Program, in accordance
5 with R.A. No. 9163 or the “National Service Training Program (NSTP) Act of 2001”.

6 Under R.A. No. 9163, the Literacy Training Service is a program designed to
7 train students to become teachers of literacy and numeracy skills to school children,
8 out-of-school youth, and other segments of society in need of their service.

9
10 Sec. 15. *Incentives for Pre-service Teachers.* – Services rendered by pre-service
11 teachers who serve as tutors shall be considered relevant teaching experience when
12 applying for plantilla position in the DepEd, subject to relevant rules and regulations
13 of the Civil Service Commission and the Merit Selection Plan and hiring guidelines of
14 the DepEd.

15
16 Sec. 16. *Local Government Support.* – The DepEd, in collaboration with the LGU
17 concerned, shall provide a safe learning environment for face-to-face tutorials giving
18 due consideration to accessibility, cost-effectiveness and health-safety risk. They may
19 also collaborate on other matters for the implementation of the ARAL Program, such
20 as the promotion of the program to potential tutors in higher education institutions,
21 identification and referral of potential tutors to DepEd, and encouragement of parents
22 and parent-substitutes to include their children in the ARAL Program.

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

27
28 Sec. 17. *Parental Involvement.* – Schools shall develop linkages and maintain
29 regular communication with the parents of the learners, as well as their parent-
30 substitutes as defined under R.A. No. 11908 or “The Parent Effectiveness Service
31 Program Act”. The parents and parent-substitutes, being a primary resource and
32 essential support in the education of their children, shall enhance their parental roles

1 by assisting their children through home learning activities and making significant
2 contributions in their educational development at home.

3
4 Sec. 18. *Implementing Agencies.* – The DepEd shall coordinate with the
5 Commission on Higher Education (CHED), Technical Education and Skills Development
6 Authority (TESDA), Department of Information and Communications Technology
7 (DICT), Department of the Interior and Local Government (DILG), and other
8 stakeholders in the implementation of the provisions of this Act.

9
10 Sec. 19. *Tax Incentives.* – Any donation, contribution, or grant, in cash or in
11 kind, made by individuals or organizations, public or private, local or foreign, to the
12 ARAL Program through the DepEd, shall be exempt from the donor’s tax and the cost
13 of which shall be considered as an allowable deduction from the gross income of the
14 donor in accordance with the provisions of the National Internal Revenue Code of
15 1997, as amended, and Bureau of Internal Revenue Rules and Regulations.

16
17 Sec. 20. *Mandatory Review and Impact Evaluation.* – An annual evaluation shall
18 be designed to collect comparable data for the purpose of determining the impact of
19 the program.

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

22
23 Sec. 21. *Joint Congressional Oversight Committee.* – There is hereby created a
24 Joint Congressional Oversight Committee to oversee, monitor and evaluate the
25 implementation of this Act. The Oversight Committee shall be composed of five (5)
26 members each from the Senate and from the House of Representatives, including the
27 Chairpersons of the Committees on Basic Education and Finance of the Senate, and
28 the Chairpersons of the Committees on Basic Education and Culture and
29 Appropriations of the House of Representatives. The membership of the Oversight
30 Committee for every chamber shall have at least one (1) minority member. The other
31 two (2) members each from the Senate and the House of Representatives shall be

1 designated by the Senate President and the Speaker of the House of Representatives,
2 respectively.

3

4 *Sec. 22. Appropriations.* – The amount necessary for the implementation of this
5 Act shall be charged against those authorized in the current appropriations of the
6 DepEd. Thereafter, the amount necessary for its continuous implementation shall be
7 included in the annual General Appropriations Act.

8

9 *Sec. 23. IRR.* – Within sixty (60) days from the effectivity of this Act, the DepEd,
10 in consultation with the CHED, TESDA, DICT, DILG, and other relevant government
11 agencies and private stakeholders, shall issue the necessary rules and regulations for
12 its effective implementation. The rules and regulations issued pursuant to this section
13 shall take effect thirty (30) days after its publication in a newspaper of general
14 circulation.

15

16 *Sec. 24. Separability Clause.* – If any provision or part of this Act is declared
17 invalid or unconstitutional, the remaining provisions or parts not affected shall remain
18 in full force and effect.

19

20 *Sec. 25. Repealing Clause.* – All other laws, executive orders, presidential
21 decrees, administrative orders, rules and regulations, issuances, or parts thereof
22 inconsistent with or contrary to the provisions of this Act are hereby repealed or
23 amended accordingly.

24

25 *Sec. 26. Effectivity.* – Notwithstanding the non-issuance of the IRR, this Act
26 shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a
27 newspaper of general circulation.

Approved,