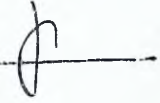


NINETEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]

'22 JUL -7 P3:52

SENATE
S.B. No. 150

RECEIVED BY: _____



Introduced by SENATOR WIN GATCHALIAN

AN ACT
ESTABLISHING AN ACADEMIC RECOVERY AND ACCESSIBLE
LEARNING PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES

EXPLANATORY NOTE

As the Chairperson of the Senate Committee on Basic Education, Arts and Culture during the 18th Congress, I have personally witnessed the struggle of our learners to achieve quality education under the basic education system. Unfortunately, the Coronavirus Disease 2019 (COVID-19) pandemic worsened this struggle due to the prolonged school closures which resulted in huge learning loss and missed learning opportunities.

To address the problem, I filed this bill in the 18th Congress to seize the opportunity to formulate a transformational policy that would immediately accelerate learning recovery. Now that face-to-face classes are expected to be fully implemented in the following school year, I am refiling this bill backed with more relevant studies and recent data.

According to the World Bank, the revised estimate of pre-pandemic learning poverty in the Philippines is 90.5%.¹ This suggests that nine (9) in every ten (10) Filipino learners aged 10 are unable to read and understand a simple text.² The upward revision to the initial 69.5%-estimate accounted for more recent data, specifically the results of the Southeast Asia Primary Learning Metrics 2019 (SEA-PLM 2019).

This learning poverty was affirmed by the performance of our learners in the following international student assessments: (a) the 2018 Programme for International Student Assessment where our learners ranked last in Reading and second to the last in Mathematics and Science among the other learners in 79 countries; (b) the SEA-PLM 2019 where majority of our learners have difficulty in English and arithmetic problems; and (c) the 2019 Trends in International Mathematics and Science Study where out of the assessment of 58 countries globally, the Philippines came in last, both in Science and Mathematics.

Due to the COVID-19 pandemic, the World Bank projected that the learning poverty is expected to arise substantially due to pandemic-induced school closures.³ A World Bank simulation analysis for the Philippines estimated that Learning-Adjusted Years of Schooling will decrease by 1.4 to 1.7 years; that is, from 7.5 years to 5.7 to 6.1 years. Applying this analysis to 12 years of basic education, the quality of learning – post-pandemic – would now equal to only 5.7 to 6.1 years-worth of schooling.⁴ School closure is also expected to negatively

¹ Azevedo, Joao Pedro. 2020. Learning Poverty: Measures and Simulations. Policy Research Working Paper; No. 9446. World Bank. <https://openknowledge.worldbank.org/handle/10986/34654>

² The World Bank. (2021). What is Learning Poverty?. <https://www.worldbank.org/en/topic/education/brief/what-is-learning-poverty#:~:text=To%20spotlight%20this%20crisis%2C%20we,simple%20text%20by%20age%2010.>

³ The World Bank and Australian Aid. (2021). Philippine Basic Education System: Strengthening Effective Learning During the COVID-19 Pandemic and beyond. [https://openknowledge.worldbank.org/bitstream/handle/10986/35649/Philippines-COVID-19-Monitoring-Survey-Policy-Notes.pdf?sequence=1&isAllowed=y.](https://openknowledge.worldbank.org/bitstream/handle/10986/35649/Philippines-COVID-19-Monitoring-Survey-Policy-Notes.pdf?sequence=1&isAllowed=y)

⁴ *Ibid.*

impact the skills learners can acquire which will affect their employment opportunities and earning potential when they join the labor force.⁵

New research further consistently finds evidence that the pandemic and initial school closures increased inequality in educational outcomes across racial and socioeconomic lines, creating an urgency to identify programs and policies – such as high-dosage tutoring – to mitigate COVID-19 learning loss.⁶ High dosage tutoring has been found to produce substantial increases in test scores while other evidence shows that the most successful tutoring programs happen when students remain with the same tutor throughout the year.⁷

Tutoring can substantially increase student achievement, especially among low-achieving students⁸ and can provide motivation, personal individual attention, direct instruction, and error correction to increase students' academic skills. This type of academic support will have a positive impact on the vital decision of students to remain in school.⁹

This bill establishes the ARAL Program which shall ensure that learners who did not enroll in School Year 2020 to 2021, are lagging academically, and are at and marginally above the minimum level of mastery required in Language, Mathematics, and Science, are provided optimal instructional time to ensure mastery of essential competencies to make up for such learning loss. Reading, which is included in the most essential learning competencies in Language, shall

⁵ Spencer, C., Chakravarthy, S., Sindhu B., et.al. (2022). Potential Economic Impact of COVID-19-Related School Closures. Asian Development Bank. <https://dx.doi.org/10.22617/WPS220197-2>

⁶ Robinson, C., Kraft, M., Loeb, S., & Schueler, B. (2021, February). Accelerating Student Learning with High-Dosage Tutoring. EdResearch for Recovery, Annenberg Brown University, Results for America, and University of Virginia. https://annenberg.brown.edu/sites/default/files/EdResearch_for_Recovery_Design_Principles_1.pdf.

⁷ World Bank (2021). Accelerating Learning Recovery. <https://thedocs.worldbank.org/en/doc/75bdb5f2c03f19f0642db1c941193f8d-0140042021/related/Recovery-updated-09-27-2021.pdf>

⁸ *Ibid.*

⁹ Fluke, S., O'Connor, A., Hoff, N., & Peterson, R. L. (2014, September). Academic Support, Strategy Brief. Lincoln, NE: Student Engagement Project, University of Nebraska-Lincoln and the Nebraska Department of Education. <http://k12engagement.unl.edu/academic-supports>.

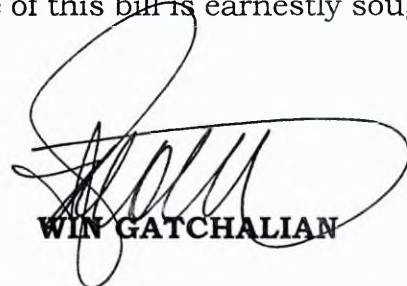
be prioritized to develop the critical and analytical thinking skills of learners. For Kindergarten learners, the program shall focus on building foundational skills aimed at strengthening their literacy and numeracy competencies.

The tutors under the ARAL Program are teachers and para-teachers who shall be provided with proper remuneration for their services. Tertiary level students are encouraged to volunteer as tutors whose services shall be deemed as completion of the Literacy Training Service under the National Service Training Program, in accordance with the provisions of Republic Act No. 9163, otherwise known as the “National Service Training Program (NSTP) Act of 2001”.

This program is accessible as it widens the reach of tutorial sessions through the implementation of different delivery modes such as face-to-face, online, or blended learning. This measure promotes the use of high-quality instructional materials that are aligned with core classroom content or grade level standards to enable tutors to reinforce and support teachers’ classroom instruction, provides capacity building to tutors, and assesses the ARAL Program and its tutors and learners to make a positive impact on the improvement of learning outcomes.

Given the grimmer outlook on the effects of the pandemic school closures, as evidenced by the latest data available, the ARAL Program remains to be my proposed national core strategy at this opportune time to allow learners to catch up with the rest of the world despite their learning loss. This program strengthens the protection and promotion of the right of our citizens to quality education as enshrined in the 1987 Philippine Constitution.

In view of the foregoing, the urgent passage of this bill is earnestly sought.



WIN GATCHALIAN



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Introduced by SENATOR WIN GATCHALIAN

**AN ACT
ESTABLISHING AN ACADEMIC RECOVERY AND ACCESSIBLE
LEARNING 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 “*Academic*
2 *Recovery and Accessible Learning (ARAL) Program Act.*”

3
4 Sec. 2. *Coverage.* – This Act shall apply to the following learners under
5 the Department of Education (DepEd): (a) those who did not enroll in School
6 Year 2020 to 2021; (b) those who are lagging academically; and (c) those who
7 are at and marginally above the minimum level of mastery required in
8 Language, Mathematics, and Science.

9
10 Sec. 3. *Declaration of Policy and Objectives.* – It is the declared policy of
11 the State to protect and promote the right of all citizens to quality education

1 at all levels and shall take appropriate steps to make such education
2 accessible to all.

3 Towards this end, the State shall endeavor to support learners by
4 establishing a free and effective national remedial program to provide learners
5 who experienced learning loss as a result of the pandemic school closures,
6 with supplemental lessons to close learning gaps and enable them to catch
7 up to their cohorts.

8

9 Sec 4. *Establishment of the ARAL Program.* – The ARAL Program is
10 hereby established to provide a national learning intervention program which
11 shall be grounded on the following areas:

- 12 a) Well-systematized tutorial sessions which demonstrate higher
13 achievement gains;
- 14 b) Well-designed remediation plans tailored fit to the learning needs of
15 learners;
- 16 c) Careful assessment and evaluation of the progress of learners;
- 17 d) Well-chosen and trained remedial instruction facilitators; and
- 18 e) Adequate provision of nutritional, social, emotional, and mental
19 health support to ensure the holistic well-being of learners, and for
20 them to prosper academically, build resilience against adversity, and
21 be equipped with skills and confidence to seek help for early
22 intervention during their educational journey.

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

26

27 Sec. 5. *Most Essential Learning Competencies in Language,*
28 *Mathematics, and Science.* – The ARAL Program shall cover the most essential
29 learning competencies under the K to 12 Basic Education Curriculum
30 covering the subjects of Language and Mathematics for Grades 1 to 10, and
31 Science for Grades 3 to 10.

1 Reading, which is included in the most essential learning competencies
2 in Language, shall be prioritized to develop the critical and analytical thinking
3 skills of learners.

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

7
8 *Sec. 6. Determination of Learners under the ARAL Program.* – The DepEd
9 shall determine the learners to be covered by this program using its Learner
10 Information System (LIS) and other relevant databases.

11 The DepEd may likewise use the learners’ academic performance in
12 school years prior to School Year 2020-2021 to determine those who are at
13 and marginally above the minimum mastery requirements of the subjects
14 covered by this Act.

15 Priority shall be given to younger learners.

16
17 *Sec. 7. Tutors under the ARAL Program.* – Teachers and para-teachers
18 shall be responsible for tutoring learners under the ARAL Program. Tertiary
19 level students may volunteer as tutors provided that they are at or above the
20 75th percentile of their respective school cohorts in the subject that they will
21 be teaching and have passed a mock tutoring session to be administered by
22 the DepEd.

23 The tutors shall employ a step-based approach which provides
24 corrective feedback on each question or problem faced by learners. They shall
25 be supportive and empathetic of their needs, motivation, and behavior. To
26 facilitate positive tutor-learner relationships, a stronger understanding of the
27 learners’ learning needs, and greater academic, social, and motivational
28 outcomes, the ARAL Program shall strive to pair a learner or learners with the
29 same tutor for the entire duration of the program.

30 For purposes of this Act, teachers refer all persons engaged in teaching
31 at the elementary and secondary levels, whether on full-time or part-time

1 basis, including technical-vocational teachers and all other persons
2 performing supervisory or administrative functions, or both, in all schools in
3 the aforesaid levels and qualified to practice teaching under existing laws.
4 Para-teachers are those who have taken the Licensure Examination for
5 Teachers but were unable to qualify, and have been issued by the Board for
6 Professional Teachers a special permit indicating their area of assignment.

7
8 *Sec. 8. Conduct of Tutorial Sessions; Group Size of Learners.* – Tutorial
9 sessions may be held on weekends during the school year or semestral
10 breaks, as may be deemed necessary. Learners may be grouped according to
11 their assessed learning needs. One-on-one tutorial may also be provided to
12 learners taking into consideration their particular learning needs.

13
14 *Sec. 9. Instructional Materials.* – The ARAL Program shall use high-
15 quality instructional materials that are aligned with core classroom content
16 or grade level standards to enable tutors to reinforce and support teachers'
17 classroom instruction. The instructional materials shall address concepts and
18 build foundational skills which are most critical to the improvement of
19 learning outcomes.

20
21 *Sec. 10. Delivery Modes for Tutorial Sessions.* – Tutorial sessions shall
22 be conducted using any of the following delivery modes to ensure that the
23 sessions are accessible to or within the reach of learners:

- 24 a) Face-to-face tutorials where tutors and learners are physically
25 present in the same place;
- 26 b) Online tutorials where tutors facilitate the tutorial sessions and
27 engage the learners' active participation by using various
28 technologies so that learning can be accessed anytime while they are
29 geographically remote from each other; and
- 30 c) Blended learning where a specified number of tutorial sessions
31 include online and face-to-face tutorials.

1 In determining the venue for the tutorial sessions, the DepEd shall
2 consider accessibility, cost-effectiveness and health-safety risk. The DepEd,
3 in collaboration with the local government unit, shall provide a safe learning
4 environment for face-to-face tutorials by investing in hygiene facilities and
5 supplies and establishing safety health protocols therein.

6
7 *Sec. 11. Assessment of the ARAL Program and its Learners.* – To ensure
8 the effectiveness and success of the ARAL Program, the determination of the
9 learning status and progress of learners, the establishment of appropriate
10 tutoring strategies and interventions, and the evaluation of teaching
11 effectiveness shall be grounded on evidence-based practices.

12 In addition to pre- and post- assessments, tutors shall conduct
13 formative assessments of their learners to allow them to provide timely
14 feedback on each learner and effectively tailor their instruction based on the
15 learners' individual learning needs.

16
17 *Sec. 12. Capacity Building and Assessment of Tutors.* – To successfully
18 improve learning outcomes as envisioned by the ARAL Program, tutors shall
19 receive adequate training, focusing on innovative instructional techniques,
20 interpersonal skills, social-emotional learning, and cultural competency,
21 among others, as may be deemed necessary.

22 To engage learners effectively during online tutorials, the ARAL Program
23 shall further support and develop tutors to incorporate online tools into their
24 tutoring practices and methods and help learners overcome their online
25 learning difficulties.

26
27 *Sec. 13. Campaigns for Learners to Return to School.* – The ARAL
28 Program shall create mass awareness campaigns on media and through
29 community engagement to encourage learners to re-enroll and return to
30 school through the following strategies:

- 31 a) Flexible enrollment dates;

- 1 b) Accessible physical or digital enrollment forms. Digital enrollment
2 forms shall be available on the website of the DepEd, while physical
3 enrollment forms shall be made available at accessible locations to
4 be established in schools and barangay halls;
5 c) Extension of deadlines for submission of required enrollment
6 documents;
7 d) Presence of health and sanitation facilities;
8 e) Establishment of public health and safety protocols upon
9 resumption of face-to-face classes; and
10 f) Continuous implementation of school feeding programs.

11
12 Sec. 14. *Updated Learner Information System (LIS)*. – The DepEd shall
13 update its LIS which shall contain the following additional information:

- 14 a) Name and academic background of tutors;
15 b) Name, grade level, and school of learners and their corresponding
16 scores and grades in their remedial subjects;
17 c) Performance of learners on tasks and activities administered during
18 the tutorial sessions;
19 d) Assessment of learners; and
20 e) Tutorial materials, lectures, or modules used.

21
22 Sec. 15. *Free Access to All of DepEd’s Learning Platforms; Special*
23 *Services for Learners and Tutors*. – Public Telecommunications Entities (PTEs)
24 shall provide free access to all of DepEd’s learning platforms, including online
25 educational platforms, digital libraries, and other online knowledge hubs
26 without any additional financial burden on all learners and tutors. No data
27 charges shall also be incurred in the download of data from these sites and
28 applications. Learners and tutors shall also be provided subsidized data plans
29 by the DepEd for the use of these learning platforms.

30

1 Sec. 16. *Allotment of Air Time for Educational Tutorial Programs.* –
2 Pursuant to Republic Act No. 8370, otherwise known as “Children’s Television
3 Act of 1997”, a portion of the daily total air time of each broadcasting network
4 shall be allotted for educational tutorial sessions within the regular
5 programming of all networks granted franchises or as a condition of renewal
6 of broadcast licenses hereinafter, to be included as part of the responsibility
7 of the network in serving the public.

8 In addition to the most essential learning competencies under the K to
9 12 Basic Education Curriculum covering the subjects of Language,
10 Mathematics, and Science, the programs may include Storytelling, Wellness,
11 Mother Tongue-Based Multilingual Education, Edukasyon sa Pagpapakatao,
12 and Health for a comprehensive learning experience for all learners.

13
14 Sec. 17. *Remuneration of Teachers and Para-teachers Who Serve as*
15 *Tutors.* – Teachers who serve as tutors shall be compensated subject to the
16 existing rules and regulations of the DepEd and the Department of Budget
17 and Management.

18 Para-teachers who serve as tutors under this Act shall be compensated
19 from the budget of the DepEd and the Special Education Fund of the Local
20 School Board of the local government unit where the schools of the learners
21 are located.

22
23 Sec. 18. *Incentives for Tertiary Level Students Who Serve as Tutors.* –
24 Tertiary level students who serve as tutors under the ARAL Program for a
25 period of two (2) semesters shall be deemed to have completed the Literacy
26 Training Service under the National Service Training Program, in accordance
27 with Republic Act (RA) No. 9163, otherwise known as the “National Service
28 Training Program (NSTP) Act of 2001”.

29 Under RA No. 9163, the Literacy Training Service is a program designed
30 to train students to become teachers of literacy and numeracy skills to school

1 children, out-of-school youth, and other segments of society in need of their
2 service.

3
4 Sec. 19. *Parental Involvement.* – Tutors shall develop linkages and
5 maintain regular communication with the parents of the learners. The
6 parents, being a primary resource and essential support in the education of
7 their children, shall enhance their parental roles by assisting their children
8 through home learning activities and making significant contributions in their
9 educational development at home.

10
11 Sec. 20. *Implementing Agencies.* – The DepEd shall coordinate with the
12 Department of Information and Communications Technology (DICT) in the
13 implementation of the provisions of this Act and the continuous delivery of
14 quality online tutorial sessions.

15
16 Sec. 21. *Tax Incentives.* – Any donation, contribution, or grant, in cash
17 or in kind, made by individuals or organizations, public or private, local or
18 foreign, shall be exempt from the donor's tax and the cost of which shall be
19 considered as an allowable deduction from the gross income of the donor in
20 accordance with the provisions of the National Internal Revenue Code of 1997,
21 as amended.

22
23 Sec. 22. *Mandatory Review and Impact Assessment.* – The DepEd shall
24 conduct a mandatory review of the implementation of this Act, and submit an
25 assessment report to Congress on its impact and effectiveness, not later than
26 one (1) year from the effectivity of this Act.

27
28 Sec. 23. *Joint Congressional Oversight Committee.* – There is hereby
29 created a Joint Congressional Oversight Committee to oversee, monitor and
30 evaluate the implementation of this Act. The Oversight Committee shall be
31 composed of five (5) members each from the Senate and from the House of

1 Representatives, including the Chairmen of the Committees on Education,
2 Arts and Culture, and Finance of both Houses. The membership of the
3 Committee for every chamber shall have at least one (1) minority member.
4

5 Sec. 24. *Appropriations.* – The amount of Twenty Billion Pesos (PhP 20B)
6 for the implementation of this Act shall be charged against those authorized
7 in the current appropriations of the DepEd.
8

9 Sec. 25. *Implementing Rules and Regulations.* – Within sixty (60) days
10 from the effectivity of this Act, the DepEd, in consultation with the DICT and
11 other relevant government agencies and private stakeholders, shall issue the
12 necessary rules and regulations for its effective implementation. The rules and
13 regulations issued pursuant to this section shall take effect thirty (30) days
14 after its publication in a newspaper of general circulation.
15

16 Sec. 26. *Separability Clause.* – If any provision or part of this Act is
17 declared invalid or unconstitutional, the remaining provisions or parts not
18 affected shall remain in full force and effect.
19

20 Sec. 27. *Repealing Clause.* – All other laws, executive orders,
21 presidential decrees, administrative orders, rules and regulations, issuances,
22 or parts thereof inconsistent with or contrary to the provisions of this Act are
23 hereby repealed or amended accordingly.
24

25 Sec. 28. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this
26 Act shall take effect fifteen (15) days after its publication in the Official Gazette
27 or in a newspaper of general circulation.

Approved,