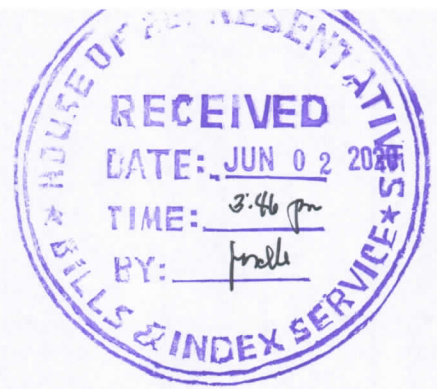


HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
EIGHTEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 6922



Introduced by **Representative Manuel Luis T. Lopez**

AN ACT
MANDATING ALL GOVERNMENT-OWNED BROADCASTING STATIONS TO SERVE AS OPEN DISTANCE LEARNING DELIVERY MODALITIES DURING THE COVID-19 PANDEMIC, INSTITUTING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

EXPLANATORY NOTE


In the midst of the COVID-19 pandemic, over 27 million students faced a major interruption in their learning. In order to finish school year 2019-2020, numerous educational institutions have turned to online delivery learning.

However, the pandemic has highlighted strains of inequities to the education system, particularly the lack of access to technology or stable internet and to household support to learning. For those students who do not have and cannot afford computers, laptops, smart phones, or stable internet, they are forced to go to crowded places such as computer shops to access wifi and sari-sari stores to get cellular data, endangering their health and safety.

Confronted with uncertainty in the timeframe for containment and cure of the COVID-19, suspension of face-to-face classes will not be enough. In the time of crisis, promoting and protecting the right to quality education entails exploring new approaches that will close equity gaps in the access to education while ensuring the health, safety, and welfare of all learners and teachers.

The proposed measure aims to assist the Department of Education (DepEd) in rolling out the Basic Education Learning Continuity Plan. It seeks to mandate the DepEd to include broadcast-based open delivery learning in its learning delivery modalities, and to mandate all government-owned broadcasting stations to provide adequate free airtime for educational and instruction materials for all grade levels. The franchises of these stations are after all privileges that may reasonably be burdened with the performance of some form of public service for the common good.¹

In view of the foregoing, the immediate approval of this bill is earnestly sought.


HON. MANUEL LUIS T. LOPEZ
Representative, 1st District, City of Manila

¹ ABS-CBN Broadcasting Corporation v. Philippine Multi-media System, Inc., et al., G.R. No. 175769-70, January 19, 2009.

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

1 **SECTION 1. Short Title.** – This Act shall be known as “Broadcast-based Learning Act of
2 2020”.

3
4 **SEC. 2. Declaration of Policy.** – Under the Constitution of the Republic of Philippines, it
5 is a declared policy of the State to protect and promote the right of all citizens to quality
6 education at all levels, and to take appropriate steps to make such education accessible
7 to all.

8
9 In light of the COVID-19 pandemic, it is hereby further declared the policy of the State to
10 ensure learning continuity and close equity gaps in the access to primary and secondary
11 education by providing free and public broadcast-based open distance learning, while
12 protecting the health, safety, and welfare of all learners, teachers, and personnel of the
13 Department of Education.

14
15 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms are defined as
16 follows:

- 17
18 (a) *Broadcast-based Learning* refers to an open distance learning which uses
19 broadcast media, such as television and radio, as delivery modalities,
20 whether solely or in combination with other learning delivery modalities;
21
22 (b) *Distance Education or Learning* refers to a mode of learning in which
23 students and teachers are physically separated from each other. It is
24 student-centered, guided independent study, making use of well-studied
25 teaching and learning pedagogies to deliver well-designed learning
26 materials in various media. It is also sometimes described as flexible
27 learning and distributed learning;
28

- 1 (c) *Open Distance Learning* refers to the merger of two (2) concepts, that of
2 open learning and distance education or learning. It is a system which
3 combines the methodology of distance education with the concepts of
4 open learning and flexible learning;
5
6 (d) *Open Learning* refers to a philosophy of learning that is based on
7 flexibility of access for equity in education, an educational system
8 accessible to every individual with minimal restrictions and emphasizing
9 the flexibility of the system to eradicate problems caused by barriers like
10 age, geographical location, time constraints and economic situation;
11
12 (e) *Radio Station* – refers to broadcast type radio network intended to reach a
13 wide audience and can be linked to radio networks to broadcast a
14 common radio format, either in broadcast syndication or simulcast or
15 both; and
16
17 (f) *Television Network* – a telecommunications network for distribution
18 of television program content, whereby a central operation provides
19 programming to many television stations or pay television providers. It
20 shall be referred to in this Act as “TV Network”.
21

22 **SEC. 4. Institutionalization of Broadcast-based Learning.** – In the duration of the
23 COVID-19 pandemic, Broadcast-based Learning is hereby institutionalized for primary
24 and secondary education in the Philippines in order to provide free, public, and
25 accessible learning delivery modalities for all learners; Provided that, primary and
26 secondary educational institutions are authorized to decide on the specific learning
27 delivery modalities deemed appropriate in their context and consistent with the COVID-
28 19 guidelines and regulations.
29

30 **SEC. 5. Program and Curriculum Development.** – The Department of Education
31 (“DepEd”) shall:
32

33 I. In consultation and with the support of the Presidential Communications
34 Operations Office (“PCOO”), Movie and Television Review and Classification Board
35 (“MTRCB”),

- 36 (a) Develop a Broadcast-based Learning Program (“Program”),
37 (b) Develop a curriculum based on the Program that shall ensure that the
38 learning outcomes are clearly articulated in terms of competencies, skills,
39 and behavioral attributes and conform to existing policies, standards, and
40 guidelines,
41 (c) Hire the services of a producer to assist in the creation and production of
42 the educational and instruction materials, and
43 (d) Designate at least one (1) master teacher per grade level to deliver the
44 educational and instruction materials in accordance with the Program.
45

46 II. Have recordings of all educational and instructional productions on the Program
47 compiled and stored in media storage devices, which shall be made available for public
48 distribution.
49

1 **SEC. 6. Allocation of free air time.** – In coordination with the DepEd, PCOO, MTRCB,
2 and other concerned agencies, all government-owned broadcasting stations are
3 mandated to provide free airtime for the Broadcast-based Learning Program, as follows:

- 4 (a) Two (2) hours a day for six (6) days every week, from Monday to
5 Saturday; and
6 (b) One (1) hour per week for each grade level, from kindergarten to grade
7 12.
8

9 **SEC. 7. Tax Incentive.** – Expenses incurred by government-owned broadcasting stations
10 in broadcasting open distance learning educational and instruction materials shall be
11 allowed an additional deduction from the gross income equivalent to fifty percent
12 (50%) of such expenses.
13

14 **SEC. 8. Report of Violations.** – Any natural or juridical person may report any violation
15 of this Act to the PCOO.
16

17 **SEC. 9. Penalty.** – Any person or entity violating any provision of this Act shall be fined
18 by an amount ranging from Fifty Thousand Pesos (Php 50,000.00) up to Five Hundred
19 Thousand Pesos (Php 500,000.00). The fine shall be separate to any administrative
20 penalties imposed, in case of individuals in the civil service.
21

22 **SEC. 10. Implementing Rules and Regulations.** - Within sixty (60) days from the
23 effectivity of this Act, the DepEd shall, in consultation with the PCOO and MTRCB,
24 promulgate the implementing rules and regulations of this Act.
25

26 **SEC. 11. Monitoring Agency and Reports.** – The DepEd shall supervise and monitor the
27 implementation of this Act, and report annually to the President and Congress on its
28 activities in carrying out the provisions of this Act.
29

30 **SEC. 12. Sunset Clause.** – This Act shall expire after a three-year period from the date of
31 its effectivity, or sooner upon official declaration of the President of the Philippines
32 issued upon recommendation of the Inter-Agency Task Force on Emerging and
33 Infectious Diseases that the prevailing guidelines of the World Health Organization and
34 the consensus of the international medical community conclusively show that a viable
35 vaccine has contained or eradicated COVID-19.
36

37 **SEC. 13. Amendatory and Repealing Clause.** – All laws, decrees, orders, rules and
38 regulations, ordinances, or any parts thereof, inconsistent herewith are hereby repealed
39 or modified accordingly.
40

41 **SEC. 14. Separability Clause.** – If any provision or part hereof is held invalid or
42 unconstitutional, the remainder of the law or the provision not otherwise affected shall
43 remain valid and subsisting.
44

45 **SEC. 15. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
46 publication in at least two (2) national newspapers of general circulation.
47

48 Approved,