

20 FEB 18 P4:37

SENATE

S.B. No. 1365

(In Substitution of S.B. No. 740)

RECEIVED BY:

J

Prepared by the Committee on Basic Education, Arts and Culture joint with the Committees on Youth, Ways and Means, and Finance, with Senators Gatchalian and Binay as authors thereof.

AN ACT

**INSTITUTIONALIZING THE ALTERNATIVE LEARNING SYSTEM IN BASIC EDUCATION FOR OUT-OF-SCHOOL YOUTH, ADULTS, AND CHILDREN IN SPECIAL EXTREME CASES AND APPROPRIATING FUNDS THEREFOR**

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

1       **Section 1. Short Title.** – This Act shall be known as the "Alternative Learning  
2 System Act".  
3

4       **Sec. 2. Declaration of Policy.** – It is the policy of the State to promote the  
5 right of all citizens to quality education at all levels and shall take appropriate steps  
6 to make such education accessible to all. The State shall likewise give the highest  
7 priority to the enactment of measures that promote human development and the  
8 acceleration of social progress, thereby reducing social, economic, and political  
9 inequalities.

10       Towards this end, the State shall provide the out-of-school youth, adults, and  
11 children in special extreme cases with opportunities to improve their knowledge,  
12 values, other life skills, and readiness for higher education, work or self-employment  
13 through a system of non-formal, informal, and/or indigenous education which are  
14 tailored to respond to their learning needs and life circumstances. The State shall also  
15 ensure the close partnership and collaboration between the government and the

1 private sector in achieving this goal.

2

3       **Sec. 3. Objectives.** – This Act aims to achieve the following objectives:

4           a) Provide adequate, timely and quality attention and support to the basic

5 learning needs of out-of-school youth, adults, and children in special extreme cases;

6           b) Guarantee equitable opportunity for all learners, including those who reside

7 in the unreached, underserved, conflict-affected communities, and communities in

8 emergencies to avail of systematic and appropriate alternative basic education

9 programs outside of the formal school system;

10          c) Promote lifelong learning anchored on the Alternative Learning System (ALS)

11 K to 12 Basic Education Curriculum (BEC) that takes a holistic, integrated and inter-

12 sectoral approach, and provide pathways across modes of learning that will ensure

13 that learners will become caring, self-reliant, independent, productive, and patriotic

14 citizens, by allowing such learners to pursue further education or seek employment

15 after participating in the ALS program and passing the accreditation and equivalency

16 assessment;

17          d) Hire, capacitate, and deploy ALS teachers to implement a range of ALS

18 programs especially in far-flung, unserved, underserved, conflict-affected

19 communities, and communities in emergencies;

20          e) Design specialized programs for persons with disabilities, taking into

21 consideration their different levels of learning needs and other functional difficulties

22 in the development of instructional materials and learning modules in accessible

23 format;

24          f) Develop, integrate, and utilize informal education approaches and strategies

25 in the delivery of the ALS program and the assessment of learning outcomes and

26 competencies of ALS learners by providing flexibility in the duration of learning

27 programs, learning contents, and delivery strategies, among others;

28          g) Improve access to education and other learning opportunities and raise the

29 level of literacy to contribute to an individual's sustainable future; and

30          h) Strengthen non-formal basic education programs but ensure support to the

31 policy of the Department of Education (DepEd) that school age children and youth

32 should be enrolled in formal education, and that they should be able to return to the

1 formal education system in the event that they drop out.

2

3 **Sec. 4. Definition of Terms.** – For purposes of this Act:

4 a) *Accreditation and Equivalency Assessment and Certification* or *A&E*  
5 *Assessment and Certification* is a process in ALS that comprises an exam and  
6 other assessments deemed appropriate and anchored on the competencies of  
7 the ALS K to 12 BEC.

8 b) *Accreditation and Equivalency Program* is a program aimed at providing an  
9 alternative pathway of learning for out-of-school youth, adults, and children in  
10 special extreme cases who are literate and have not completed basic  
11 education. Through this program, school dropouts are able to complete  
12 elementary and secondary education outside the formal school system.

13 c) *Adult* refers to a person at least eighteen (18) years of age and above.

14 d) *ALS K to 12 Basic Education Curriculum* or *ALS K to 12 BEC* refers to the  
15 architectural blueprint indicating the competency, content, key stages, and  
16 standards for the ALS program under this Act. The ALS K to 12 BEC is  
17 benchmarked on the DepEd K to 12 formal school curriculum and focuses on  
18 the 21st Century Skills: Information, Media and Technology Skills, Learning and  
19 Innovation Skills, Communication Skills, and Life and Career Skills.

20 e) *Basic Education* refers to education intended to meet the basic learning  
21 needs which provide the foundation on which subsequent learning can be  
22 based. It encompasses early childhood, kindergarten, elementary and  
23 secondary education as well as alternative learning systems for out-of-school  
24 learners and those with special needs.

25 f) *Basic Literacy Program* refers to the program component of ALS that is aimed  
26 at eradicating illiteracy among out-of-school youth and adults by developing  
27 basic literacy skills of reading, writing, and numeracy.

28 g) *Children* refer to persons under eighteen (18) years of age.

29 h) *Children in Special Extreme Cases* refer to those under the age of eighteen  
30 (18) and who have been deprived of access to formal basic education due to  
31 economic, geographic, political, cultural, and social barriers, such as persons  
32 with disabilities, indigenous peoples, children in conflict with the law, learners

in emergencies, and other marginalized sectors of society.

i) *Indigenous Peoples* refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, tradition and other distinctive cultural traits or who have, through resistance to political, social and cultural inroads of colonization became historically-differentiated from the majority of the Filipinos.

j) *Indigenous Peoples Education* refers to the program that supports education initiatives undertaken through formal, non-formal, and informal modalities with emphasis on any of, but not limited to, the key areas of indigenous knowledge systems and practices and community history, indigenous languages, indigenous learning system (ILS) and community life cycle-based curriculum and assessment, educational goals, aspirations and competencies specific to the indigenous cultural community (ICC), engagement of elders and other community members in the teaching-learning process, assessment, and management of the initiative, recognition and continuing practice of the community's ILS, and the rights and responsibilities of ICCs.

k) *Informal Education* refers to diverse forms of learning that are intentional or deliberate but are not institutionalized. Informal education is less organized and structured than either formal or non-formal education. It is a lifelong process of learning by which every person acquires and accumulates knowledge, skills, attitudes and insights from daily experiences at home, at work, at play and from life itself.

l) *Lifelong Learning* refers to all learning activities undertaken throughout life for the development of competencies and qualifications. Adult learning and education, technical-vocational education or training, and literacy are all significant components of the lifelong learning process. It is rooted in the integration of learning and living. It covers learning activities for people of all ages in all life-wide contexts, such as family, school, community, and workplace, and through a variety of modalities, whether formal, non-formal,

1 and informal, which together meet a wide range of learning needs and  
2 demands.

3 m) *Microcertification*, also known as micro-credentialing, is a process where  
4 learners can gain credits when they satisfy a cluster of pre-determined tasks,  
5 activities, competencies or requirements, leading towards achieving the credit  
6 requirements for A&E certification.

7 n) *Non-Formal Education* or *NFE* refers to any organized and systematic  
8 educational activity carried outside the framework of the formal education  
9 system to provide selected types of learning to a segment of the population.

10 o) *Out-of-School Youth* or *OSY*, for purposes of this Act, shall refer to persons  
11 aged fifteen (15) to thirty (30) years old who did not finish basic education and  
12 are not enrolled in school.

13 p) *Persons with Disabilities* refer to those who have long-term physical, mental,  
14 intellectual or sensory impairments which in interaction with various barriers  
15 may hinder their full and effective participation in society on an equal basis  
16 with others.

17 q) *Private Sector* includes non-governmental organizations or associations, civil  
18 society organizations, or individuals.

19 r) *Recognition of ALS Providers* is the process by which the DepEd  
20 acknowledges and validates potential partners from the private sector in the  
21 delivery of ALS programs. The process lays out a set of standards of service  
22 delivery, as well as a system of rewards and incentives, to ensure quality  
23 delivery of ALS programs.

24  
25 **Sec. 5. *The Alternative Learning System.*** – The Alternative Learning  
26 System is a parallel learning system that provides a viable alternative to the existing  
27 formal education instruction. It encompasses both non-formal and informal sources of  
28 knowledge and skills.

29 The ALS is hereby institutionalized to strengthen and expand the ALS program  
30 under Republic Act No. 10533 or the "Enhanced Basic Education Act of 2013" and  
31 provide increased opportunities for out-of-school youth, adults, and children in special  
32 extreme cases to develop basic and functional literacy, life skills, and pursue an

1 equivalent pathway to complete basic education. It covers those who have been  
2 deprived of access to formal basic education due to economic, geographic, political,  
3 cultural, and social barriers, including persons with disabilities, indigenous peoples,  
4 children in conflict with the law, learners in emergencies, persons deprived of liberty,  
5 migrant workers, and other marginalized sectors of society.

6

7       **Sec. 6. Bureau of Alternative Education (BAE).** – The Bureau of  
8 Alternative Education (BAE) shall be created to serve as the focal office for the  
9 implementation of the ALS programs of the DepEd. It shall be headed by a Director  
10 IV who shall be under the supervision of the Secretary of Education.

11

12       **Sec. 7. Powers and Functions of the BAE.** – The BAE shall have the  
13 following powers and functions:

- 14       a) Establish minimum quality standards in the development of the ALS  
15 curriculum and learning materials, program planning, implementation,  
16 monitoring, evaluation, and management, including recognition of service  
17 providers, competency standards for ALS personnel, and requirements for  
18 ALS learning environments, among others, to help promote assurance of  
19 the program;
- 20       b) Promote and ensure the certification and accreditation of learners through  
21 alternative learning programs, both non-formal and informal in nature, as  
22 anchored on the competencies of the ALS K to 12 BEC;
- 23       c) In partnership with other government agencies, local government units  
24 (LGUs), and the private sector, ensure access to educational opportunities  
25 for learners of different interests, learning needs, capabilities, demographic  
26 characteristics, and socioeconomic status, who have been unable to  
27 complete formal basic education;
- 28       d) Coordinate with various agencies and industries for skills development to  
29 promote the learners' employability, efficiency, productivity, and  
30 competitiveness in the labor market, as well as assist the learners to  
31 become entrepreneurs;
- 32       e) Coordinate, encourage close partnerships, and establish linkages with LGUs

- 1 and the private sector on matters pertaining to the sustainable  
2 implementation of ALS programs, post-program support activities and  
3 community mapping, and manage nationwide database for out-of-school  
4 youth, adults, and children in special extreme cases; and  
5 f) Such other powers and functions as may be necessary for the effective and  
6 efficient implementation of ALS programs, projects, and activities.

7

8       **Sec. 8. *ALS Programs.*** – The DepEd shall strengthen the implementation of  
9 a range of priority non-formal education (NFE) programs including but not limited to  
10 the following:

- 11       a) Basic Literacy Program for nonliterate, neo-literate, and post-literate;  
12       b) A&E programs for elementary and secondary education dropouts;  
13       c) Indigenous peoples education program for members of ICCs; and  
14       d) Supplemental lifelong learning and academic bridging programs for ALS  
15 completers.

16       To effectively deliver the NFE programs, the DepEd may utilize appropriate,  
17 relevant and responsive learning modalities, such as:

- 18       a) modular instruction;  
19       b) online, digital or mobile learning;  
20       c) face-to-face learning sessions and tutorials;  
21       d) radio or television-based instruction;  
22       e) blended learning or a combination of various modalities;  
23       f) workshops, simulations, and internship to inculcate life skills, work  
24              readiness and livelihood training, entrepreneurship, post-literacy, personal  
25              interest, and community development skills; and  
26       g) provision of inclusive and safe learning environments.

27

28       **Sec. 9. *Accreditation and Equivalency Assessment and Certification***

29       **for ALS Learners.** – The DepEd shall regularly conduct ALS A&E Assessments and  
30 Certifications as a means to measure and certify competencies of ALS program  
31 completers and other learners who opt to secure elementary and secondary level  
32 certifications. It shall also conduct microcertification of sub-sets of competencies

1 drawn from the ALS K to 12 BEC. Such assessments and certifications can be done  
2 both at the national and local levels.

3 Elementary level A&E passers are qualified to enroll in junior high school. Junior  
4 high school level A&E passers are qualified to enroll in technical and vocational  
5 education and training (TVET) programs accredited by the Technical Education and  
6 Skills Development Authority (TESDA), or find gainful employment or self-  
7 employment. Senior high school level A&E passers are qualified to enroll for higher  
8 education or more advanced TVET programs that require a senior high school  
9 diploma.

10 Measures shall be undertaken in order for the general public, especially  
11 educational and training institutions, government agencies, and employers to  
12 recognize the nature and value of certifications provided to ALS learners.

13

14 **Sec. 10. Expansion of the ALS Teacher Program.** – To reach more out-  
15 of-school youth, adults, and children in special extreme cases, and to accommodate  
16 learners with disabilities, the ALS teacher program shall be strengthened. The ALS  
17 teachers shall deliver quality community-based ALS programs for out-of-school youth,  
18 adults, and children in special extreme cases who are willing to develop basic and  
19 functional literacy and life skills, and pursue an equivalent pathway to complete basic  
20 education.

21 To promote the professional growth of ALS teachers, the Department of Budget  
22 and Management, in consultation with the DepEd and the Civil Service Commission,  
23 shall create teaching positions and allocate the corresponding salary grades.

24 The DepEd shall also hire ALS literacy volunteers and instructional managers  
25 to be ALS teachers through a contracting scheme to augment the needed human  
26 resource requirements for the implementation of ALS programs.

27

28 **Sec. 11. ALS Teacher Education and Training.** – In coordination with the  
29 Commission on Higher Education (CHED) and other relevant partners in the  
30 government, the academe, and the private sector, the DepEd shall develop and  
31 conduct training programs and workshops for ALS teachers to ensure that they have  
32 the necessary knowledge and capacity to carry out the programs under the ALS

1 curriculum, as well as enhance their skills on their roles as academic, administrative,  
2 and community leaders.

3 The CHED shall likewise develop a standardized and formalized ALS curriculum  
4 for a specialized degree in ALS teaching.

5

6 ***Sec. 12. Establishment of the ALS Community Learning Centers. –***

7 There shall be established at least one (1) ALS Community Learning Center (CLC) in  
8 every municipality and city throughout the country to serve as a learning environment  
9 to facilitate the full implementation of the ALS K to 12 BEC and other ALS programs.  
10 Priority should be given to areas where there is limited or no access to formal basic  
11 education or high concentration of out-of-school youth, adults, and children in special  
12 extreme cases.

13 Each ALS CLC shall be constructed in accordance with the specifications,  
14 criteria, and other details as provided and approved by the DepEd, in consultation  
15 with the municipal or city mayor or a duly authorized representative, to ensure the  
16 orderly implementation of ALS programs.

17 To augment the number of ALS CLCs, the facilities of all DepEd schools  
18 throughout the country shall likewise be used as learning centers during no class days  
19 and after regular class hours during class days.

20 Further, to ensure that every learner has equitable access to ALS programs,  
21 every CLC shall be open and operational seven (7) days a week and be provided with  
22 adequate facilities including a space for childcare for parents attending ALS classes.

23

24 ***Sec. 13. Recognition of ALS Providers, Standards of ALS Service***

25 ***Delivery, and System of Rewards and Incentives. –*** In recognition of the  
26 distinct competence and commitment of the private sector in the delivery of ALS  
27 services, the DepEd, in consultation with such sector, shall formulate and adopt a set  
28 of standards of service delivery, including teacher qualification, teacher deployment,  
29 teacher training, remuneration, and system of rewards and incentives which are  
30 responsive to the needs and distinct situations of the particular areas where the  
31 providers serve. The DepEd shall include in the Implementing Rules and Regulations  
32 of this Act the minimum requirements and conditions for such set of standards to

1 ensure quality delivery of ALS programs.  
2

3       **Sec. 14. Partnership with Government Agencies.** – To effectively deliver  
4 quality ALS programs, the DepEd shall partner with the following government  
5 agencies in the implementation of this Act:

- 6       a) Commission on Higher Education (CHED) – The CHED shall assist the DepEd  
7           in promoting among higher education institutions (HEIs) the admission of ALS  
8           A&E passers. The CHED shall support the DepEd in the development of college  
9           readiness supplemental programs and provide access to scholarships.
- 10      b) Technical Education and Skills Development Authority (TESDA) – The TESDA  
11       shall assist the DepEd in equipping the ALS learners with technical-vocational  
12       skills and provide access to national certification, as applicable, to improve  
13       their work readiness. The TESDA shall support the DepEd in implementing  
14       post-program support activities including providing access to scholarships.
- 15      c) Department of Labor and Employment (DOLE) – The DOLE shall promote  
16       gainful employment, on-the-job training, and apprenticeship opportunities for  
17       ALS learners.
- 18      d) Department of Trade and Industry (DTI) – The DTI, in partnership with the  
19       DepEd, shall promote opportunities for entrepreneurship, including access to  
20       micro-financing and seed capital to ALS learners.
- 21      e) Department of Agriculture (DA) – The DA, in partnership with the DepEd, shall  
22       develop a training program for ALS learners and promote opportunities for  
23       agricultural entrepreneurship, including easy access to credit.
- 24      f) Department of Social Welfare and Development (DSWD) – The DSWD shall  
25       support the DepEd ALS programs by sharing its community mapping data,  
26       referring prospective learners, and providing access to other social services to  
27       ALS learners.
- 28      g) Department of the Interior and Local Government (DILG) – The DILG shall  
29       help enlist the support of the LGUs as DepEd partners in the implementation  
30       of the ALS program. The DepEd shall coordinate with the DILG on matters  
31       requiring LGU participation including but not limited to the generation and  
32       mapping of data related to education as a dimension of poverty under Republic

- 1                   Act No. 11315 or the "Community-Based Monitoring System Act."
- 2       h) Department of Justice (DOJ) – The DOJ shall collaborate with the DepEd to  
3                   facilitate, expand, and strengthen the implementation of ALS programs for  
4                   persons deprived of liberty.
- 5       i) National Commission on Indigenous Peoples (NCIP) – The NCIP shall assist the  
6                   DepEd to develop a culturally responsive curriculum that respects and takes  
7                   into account the indigenous knowledge system and practices and indigenous  
8                   learning systems. Such curriculum shall be integrated with the prescribed ALS  
9                   curriculum.
- 10      j) Department of Information and Communications Technology (DICT) – The  
11                  DICT shall help the DepEd in the ALS implementation by providing digital  
12                  resources to the various ALS CLCs and guidance for the digital literacy  
13                  component of the ALS K to 12 BEC and the ALS non-formal education programs.
- 14      k) Department of Health (DOH) – The DOH shall assist ALS teachers in the delivery  
15                  of health education and other services that promote the health and wellbeing  
16                  of ALS learners, especially female childbearing youth and adult learners. It shall  
17                  partner with the DepEd in providing ALS programs for the qualified patients of  
18                  its various Drug Treatment and Rehabilitation Centers.
- 19      l) Such other relevant government agencies whose mandated functions and  
20                  mechanisms are necessary to effectively and sustainably implement ALS  
21                  programs.

22

23                  **Sec. 15. Partnership with LGUs.** – LGUs shall partner and coordinate with  
24                  the DepEd in the delivery of ALS programs to their constituents. In partnership with  
25                  other government agencies and stakeholders, LGUs shall identify and mobilize  
26                  prospective ALS learners, provide access to conducive learning environments,  
27                  contribute available resources to ALS programs, promote post-program activities, and  
28                  introduce local innovations, as necessary.

29

30                  **Sec. 16. Local School Board.** – The Local School Board, established  
31                  pursuant to Section 98 of Republic Act No. 7160 or the "Local Government Code of  
32                  1991," shall perform the following additional functions in the delivery of ALS

1 programs:

- 2       a) Coordinate ALS implementation with the DepEd at the city or municipal  
3           level, including the identification of priority ALS programs, establishment,  
4           operation and maintenance of ALS CLCs, provision of technical assistance  
5           to ALS teachers, program monitoring and evaluation including parallel  
6           assessments, and coordination with partners in the government and the  
7           private sector for post-program support activities;
- 8       b) Allow the use of a portion of the Special Education Fund under Sections 235  
9           and 272 of Republic Act No. 7160 for the operation and maintenance of  
10          ALS programs within the city or municipality and the supplementary local  
11          cost of meeting such needs, including but not limited to the hiring of  
12          additional ALS teachers within the LGU's area of jurisdiction; and
- 13      c) Such other functions to ensure the effective and sustainable  
14          implementation of ALS programs.

15       Notwithstanding the provisions of Section 98 of Republic Act No. 7160, the  
16          composition of the Local School Boards shall also include as members the division  
17          ALS program supervisors in provinces and cities, and the district ALS coordinators in  
18          municipalities.

19

20       **Sec. 17. Mandatory Annual Review and Impact Assessment of the ALS**

21       **Program.** – The DepEd, in partnership with the private sector, shall conduct a  
22          mandatory annual review of the ALS program, and submit such annual report to  
23          Congress to measure its effectiveness and ensure its proper implementation.

24       An evaluation system shall be established to assess the impact of the ALS  
25          program and the progress of the learners who have completed the program.

26

27       **Sec. 18. Prohibition from Collection of Fees.** – All DepEd ALS programs

28          are free of charge and collection of all kinds of fees, costs or charges is prohibited.

29

30       **Sec. 19. Tax Incentives.** – Any donation, contribution, bequest or grant, in

31          cash or services, whether local or foreign, which may be made by individuals and  
32          organizations, including private entities which shall provide the appropriate services,

1 materials, and delivery support services for the promotion of the ALS program, shall  
2 be exempt from the donor's tax and the cost of which shall be considered as an  
3 allowable deduction from the gross income in the computation of the income tax of  
4 the donor in accordance with the provisions of the National Internal Revenue Code of  
5 1997, as amended.

6

7 ***Sec. 20. Transportation and Teaching Aid Allowance of ALS Teachers***

8 ***and Facilitators.*** – Notwithstanding the receipt of a special hardship allowance, ALS  
9 teachers and facilitators shall be entitled to their corresponding transportation and  
10 teaching aid allowances subject to guidelines that may be issued by the DepEd.

11

12 ***Sec. 21. Appropriations.*** – The amount necessary for the implementation of  
13 this Act shall be charged against those authorized in the current and subsequent  
14 General Appropriations Act.

15

16 ***Sec. 22. Implementing Rules and Regulations.*** – Within ninety (90) days  
17 from the approval of this Act, the Secretary of Education, in consultation with  
18 concerned government agencies and other education stakeholders, shall formulate  
19 the rules and regulations implementing the provisions of this Act. The Implementing  
20 Rules and Regulations (IRR) issued pursuant to this section shall take effect thirty  
21 (30) days after its publication in a newspaper of general circulation.

22

23 ***Sec. 23. Transitory Provision.*** – All existing ALS programs, including ALS  
24 centers or facilities, established pursuant to the provisions of Republic Act No. 10533  
25 shall continue to operate pursuant to, and be regulated by, the provisions of this Act  
26 and its IRR.

27

28 ***Sec. 24. Separability Clause.*** – If any part, section or provision of this Act  
29 is declared invalid or unconstitutional, the other parts thereof not affected thereby  
30 shall remain in full force and effect.

31

32 ***Sec. 25. Repealing Clause.*** – All laws, acts, presidential decrees, executive

1 orders, administrative orders, rules and regulations, or parts thereof, inconsistent with  
2 or contrary to the provisions of this Act are hereby amended, modified or repealed  
3 accordingly.

4

5       **Sec. 26. Effectivity.** – This Act shall take effect fifteen (15) days after its  
6 publication in the Official Gazette or in a newspaper of general circulation.

Approved,

