

S. No. 3286
H. No. 6643

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[REPUBLIC ACT NO. 10533]

AN ACT ENHANCING THE PHILIPPINE BASIC EDUCATION SYSTEM BY STRENGTHENING ITS CURRICULUM AND INCREASING THE NUMBER OF YEARS FOR BASIC EDUCATION, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Enhanced Basic Education Act of 2013”.

SEC. 2. *Declaration of Policy.* – The State shall establish, maintain and support a complete, adequate, and integrated system of education relevant to the needs of the people, the country and society-at-large.

Likewise, it is hereby declared the policy of the State that every graduate of basic education shall be an empowered individual who has learned, through a program that is rooted on sound educational principles and geared towards excellence, the foundations for learning throughout life, the competence to engage in work and be productive, the ability to coexist in fruitful harmony with local and global communities, the capability to engage in autonomous, creative, and critical thinking, and the capacity and willingness to transform others and one's self.

For this purpose, the State shall create a functional basic education system that will develop productive and responsible citizens equipped with the essential competencies, skills and values for both life-long learning and employment. In order to achieve this, the State shall:

- (a) Give every student an opportunity to receive quality education that is globally competitive based on a pedagogically sound curriculum that is at par with international standards;
- (b) Broaden the goals of high school education for college preparation, vocational and technical career opportunities as well as creative arts, sports and entrepreneurial employment in a rapidly changing and increasingly globalized environment; and
- (c) Make education learner-oriented and responsive to the needs, cognitive and cultural capacity, the circumstances and diversity of learners, schools and communities through the appropriate languages of teaching and learning, including mother tongue as a learning resource.

SEC. 3. Basic Education. – Basic education is intended to meet basic learning needs which provides the foundation on which subsequent learning can be based. It encompasses kindergarten, elementary and secondary education as well as alternative learning systems for out-of-school learners and those with special needs.

SEC. 4. Enhanced Basic Education Program. – The enhanced basic education program encompasses at least one (1) year of kindergarten education, six (6) years of elementary education, and six (6) years of secondary education, in that sequence. Secondary education includes four (4) years of junior high school and two (2) years of senior high school education.

Kindergarten education shall mean one (1) year of preparatory education for children at least five (5) years old as a prerequisite for Grade I.

Elementary education refers to the second stage of compulsory basic education which is composed of six (6) years. The entrant age to this level is typically six (6) years old.

Secondary education refers to the third stage of compulsory basic education. It consists of four (4) years of junior high school education and two (2) years of senior high school education. The entrant age to the junior and senior high school levels are typically twelve (12) and sixteen (16) years old, respectively.

Basic education shall be delivered in languages understood by the learners as the language plays a strategic role in shaping the formative years of learners.

For kindergarten and the first three (3) years of elementary education, instruction, teaching materials and assessment shall be in the regional or native language of the learners. The Department of Education (DepED) shall formulate a mother language transition program from Grade 4 to Grade 6 so that Filipino and English shall be gradually introduced as languages of instruction until such time when these two (2) languages can become the primary languages of instruction at the secondary level.

For purposes of this Act, mother language or first Language (L1) refers to language or languages first learned by a child, which he/she identifies with, is identified as a native language user of by others, which he/she knows best, or uses most. This includes Filipino sign language used by individuals with pertinent disabilities. The regional or native language refers to the traditional speech variety or variety of Filipino sign language existing in a region, area or place.

SEC. 5. Curriculum Development. – The DepED shall formulate the design and details of the enhanced basic education curriculum. It shall work with the Commission on Higher Education (CHED) to craft harmonized basic and tertiary curricula for the global competitiveness of Filipino

graduates. To ensure college readiness and to avoid remedial and duplication of basic education subjects, the DepED shall coordinate with the CHED and the Technical Education and Skills Development Authority (TESDA).

To achieve an effective enhanced basic education curriculum, the DepED shall undertake consultations with other national government agencies and other stakeholders including, but not limited to, the Department of Labor and Employment (DOLE), the Professional Regulation Commission (PRC), the private and public schools associations, the national student organizations, the national teacher organizations, the parents-teachers associations and the chambers of commerce on matters affecting the concerned stakeholders.

The DepED shall adhere to the following standards and principles in developing the enhanced basic education curriculum:

- (a) The curriculum shall be learner-centered, inclusive and developmentally appropriate;
- (b) The curriculum shall be relevant, responsive and research-based;
- (c) The curriculum shall be culture-sensitive;
- (d) The curriculum shall be contextualized and global;
- (e) The curriculum shall use pedagogical approaches that are constructivist, inquiry-based, reflective, collaborative and integrative;
- (f) The curriculum shall adhere to the principles and framework of Mother Tongue-Based Multilingual Education (MTB-MLE) which starts from where the learners are and from what they already knew proceeding from the known to the unknown; instructional materials and capable teachers to implement the MTB-MLE curriculum shall be available;
- (g) The curriculum shall use the spiral progression approach to ensure mastery of knowledge and skills after each level; and

(h) The curriculum shall be flexible enough to enable and allow schools to localize, indigenize and enhance the same based on their respective educational and social contexts. The production and development of locally produced teaching materials shall be encouraged and approval of these materials shall devolve to the regional and division education units.

SEC. 6. Curriculum Consultative Committee. – There shall be created a curriculum consultative committee chaired by the DepED Secretary or his/her duly authorized representative and with members composed of, but not limited to, a representative each from the CHED, the TESDA, the DOLE, the PRC, the Department of Science and Technology (DOST), and a representative from the business chambers such as the Information Technology – Business Process Outsourcing (IT-BPO) industry association. The consultative committee shall oversee the review and evaluation on the implementation of the basic education curriculum and may recommend to the DepED the formulation of necessary refinements in the curriculum.

SEC. 7. Teacher Education and Training. – To ensure that the enhanced basic education program meets the demand for quality teachers and school leaders, the DepED and the CHED, in collaboration with relevant partners in government, academe, industry, and nongovernmental organizations, shall conduct teacher education and training programs, as specified:

(a) In-service Training on Content and Pedagogy. – Current DepED teachers shall be retrained to meet the content and performance standards of the new K to 12 curriculum.

The DepED shall ensure that private education institutions shall be given the opportunity to avail of such training.

(b) Training of New Teachers. – New graduates of the current Teacher Education curriculum shall undergo additional training, upon hiring, to upgrade their skills to the content standards of the new curriculum. Furthermore, the CHED, in coordination with the DepED and relevant stakeholders, shall ensure that the Teacher Education curriculum offered in these Teacher Education Institutes (TEIs) will meet the

necessary quality standards for new teachers. Duly recognized organizations acting as TEIs, in coordination with the DepED, the CHED, and other relevant stakeholders, shall ensure that the curriculum of these organizations meet the necessary quality standards for trained teachers.

(c) Training of School Leadership. – Superintendents, principals, subject area coordinators and other instructional school leaders shall likewise undergo workshops and training to enhance their skills on their role as academic, administrative and community leaders.

Henceforth, such professional development programs as those stated above shall be initiated and conducted regularly throughout the school year to ensure constant upgrading of teacher skills.

SEC. 8. Hiring of Graduates of Science, Mathematics, Statistics, Engineering and Other Specialists in Subjects With a Shortage of Qualified Applicants, Technical-Vocational Courses and Higher Education Institution Faculty. – Notwithstanding the provisions of Sections 26, 27 and 28 of Republic Act No. 7836, otherwise known as the “Philippine Teachers Professionalization Act of 1994”, the DepED and private education institutions shall hire, as may be relevant to the particular subject:

(a) Graduates of science, mathematics, statistics, engineering, music and other degree courses with shortages in qualified Licensure Examination for Teachers (LET) applicants to teach in their specialized subjects in the elementary and secondary education. Qualified LET applicants shall also include graduates admitted by foundations duly recognized for their expertise in the education sector and who satisfactorily complete the requirements set by these organizations: *Provided*, That they pass the LET within five (5) years after their date of hiring: *Provided, further*, That if such graduates are willing to teach on part-time basis, the provisions of LET shall no longer be required;

(b) Graduates of technical-vocational courses to teach in their specialized subjects in the secondary education: *Provided*, That these graduates possess the necessary certification issued by the TESDA: *Provided, further*, That they undergo

appropriate in-service training to be administered by the DepED or higher education institutions (HEIs) at the expense of the DepED;

(c) Faculty of HEIs be allowed to teach in their general education or subject specialties in the secondary education: *Provided*, That the faculty must be a holder of a relevant Bachelor’s degree, and must have satisfactorily served as a full-time HEI faculty;

(d) The DepED and private education institutions may hire practitioners, with expertise in the specialized learning areas offered by the Basic Education Curriculum, to teach in the secondary level: *Provided*, That they teach on part-time basis only. For this purpose, the DepED, in coordination with the appropriate government agencies, shall determine the necessary qualification standards in hiring these experts.

SEC. 9. Career Guidance and Counselling Advocacy. – To properly guide the students in choosing the career tracks that they intend to pursue, the DepED, in coordination with the DOLE, the TESDA and the CHED, shall regularly conduct career advocacy activities for secondary level students. Notwithstanding the provisions of Section 27 of Republic Act No. 9258, otherwise known as the “Guidance and Counselling Act of 2004”, career and employment guidance counsellors, who are not registered and licensed guidance counsellors, shall be allowed to conduct career advocacy activities to secondary level students of the school where they are currently employed: *Provided*, That they undergo a training program to be developed or accredited by the DepED.

SEC. 10. Expansion of E-GASTPE Beneficiaries. – The benefits accorded by Republic Act No. 8545, or the “Expanded Government Assistance to Students and Teachers in Private Education Act”, shall be extended to qualified students enrolled under the enhanced basic education.

The DepED shall engage the services of private education institutions and non-DepED schools offering senior high school through the programs under Republic Act No. 8545, and other financial arrangements formulated by the DepED and the Department of Budget and Management (DBM) based on the principles of public-private partnership.

SEC. 11. Appropriations. – The Secretary of Education shall include in the Department's program the operationalization of the enhanced basic education program, the initial funding of which shall be charged against the current appropriations of the DepED. Thereafter, the amount necessary for the continued implementation of the enhanced basic education program shall be included in the annual General Appropriations Act.

SEC. 12. Transitory Provisions. – The DepED, the CHED and the TESDA shall formulate the appropriate strategies and mechanisms needed to ensure smooth transition from the existing ten (10) years basic education cycle to the enhanced basic education (K to 12) cycle. The strategies may cover changes in physical infrastructure, manpower, organizational and structural concerns, bridging models linking grade 10 competencies and the entry requirements of new tertiary curricula, and partnerships between the government and other entities. Modeling for senior high school may be implemented in selected schools to simulate the transition process and provide concrete data for the transition plan.

To manage the initial implementation of the enhanced basic education program and mitigate the expected multi-year low enrolment turnout for HEIs and Technical Vocational Institutions (TVIs) starting School Year 2016-2017, the DepED shall engage in partnerships with HEIs and TVIs for the utilization of the latter's human and physical resources. Moreover, the DepED, the CHED, the TESDA, the TVIs and the HEIs shall coordinate closely with one another to implement strategies that ensure the academic, physical, financial, and human resource capabilities of HEIs and TVIs to provide educational and training services for graduates of the enhanced basic education program to ensure that they are not adversely affected. The faculty of HEIs and TVIs allowed to teach students of secondary education under Section 8 hereof, shall be given priority in hiring for the duration of the transition period. For this purpose, the transition period shall be provided for in the implementing rules and regulations (IRR).

SEC. 13. Joint Congressional Oversight Committee on the Enhanced Basic Educational Program (K to 12 Program). – There is hereby created a Joint Oversight Committee to oversee, monitor and evaluate the implementation of this Act.

The Oversight Committee shall be composed of five (5) members each from the Senate and from the House of Representatives, including Chairs of the Committees on Education, Arts and Culture, and Finance of both Houses. The membership of the Committee for every House shall have at least two (2) opposition or minority members.

SEC. 14. Mandatory Evaluation and Review. – By the end of School Year 2014-2015, the DepED shall conduct a mandatory review and submit a midterm report to Congress as to the status of implementation of the K to 12 program in terms of closing the following current shortages: (a) teachers; (b) classrooms; (c) textbooks; (d) seats; (e) toilets; and (f) other shortages that should be addressed.

The DepED shall include among others, in this midterm report, the following key metrics of access to and quality of basic education: (a) participation rate; (b) retention rate; (c) National Achievement Test results; (d) completion rate; (e) teachers' welfare and training profiles; (f) adequacy of funding requirements; and (g) other learning facilities including, but not limited to, computer and science laboratories, libraries and library hubs, and sports, music and arts.

SEC. 15. Commitment to International Benchmarks. – The DepED shall endeavor to increase the per capita spending on education towards the immediate attainment of international benchmarks.

SEC. 16. Implementing Rules and Regulations. – Within ninety (90) days after the effectivity of this Act, the DepED Secretary, the CHED Chairperson and the TESDA Director-General shall promulgate the rules and regulations needed for the implementation of this Act.

SEC. 17. Separability Clause. – If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 18. Repealing Clause. – Pertinent provisions of Batas Pambansa Blg. 232 or the "Education Act of 1982", Republic Act No. 9155 or the "Governance of Basic Education

Act of 2001", Republic Act No. 9258, Republic Act No. 7836, and all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 19. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

FELICIANO BELMONTE JR.

*Speaker of the House
of Representatives*

JUAN PONCE ENRILE

President of the Senate

This Act which is a consolidation of Senate Bill No. 3286 and House Bill No. 6643 was finally passed by the Senate and the House of Representatives on January 30, 2013.

MARILYN B. BARUA-YAP

*Secretary General
House of Representatives*

EDWIN B. BELEN

Acting Senate Secretary

Approved:

MAY 15 2013



BENIGNO S. AQUINO III

President of the Philippines



Office of the President of the Philippines



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