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 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.  

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  

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

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

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

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

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

(a) Broadcast-based Learning refers to an open distance learning which uses broadcast media, such as television and radio, as delivery modalities, whether solely or in combination with other learning delivery modalities;  

(b) Distance Education or Learning refers to a mode of learning in which students and teachers are physically separated from each other. It is student-centered, guided independent study, making use of well-studied teaching and learning pedagogies to deliver well-designed learning materials in various media. It is also sometimes described as flexible learning and distributed learning;
(c) **Open Distance Learning** refers to the merger of two (2) concepts, that of open learning and distance education or learning. It is a system which combines the methodology of distance education with the concepts of open learning and flexible learning;

(d) **Open Learning** refers to a philosophy of learning that is based on flexibility of access for equity in education, an educational system accessible to every individual with minimal restrictions and emphasizing the flexibility of the system to eradicate problems caused by barriers like age, geographical location, time constraints and economic situation;

(e) **Radio Station** – refers to broadcast type radio network intended to reach a wide audience and can be linked to radio networks to broadcast a common radio format, either in broadcast syndication or simulcast or both; and

(f) **Television Network** – a telecommunications network for distribution of television program content, whereby a central operation provides programming to many television stations or pay television providers. It shall be referred to in this Act as “TV Network”.

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

**SEC. 5. Program and Curriculum Development.** – The Department of Education ("DepEd") shall:

I. In consultation and with the support of the Presidential Communications Operations Office ("PCOO"), Movie and Television Review and Classification Board ("MTRCB"),

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

II. Have recordings of all educational and instructional productions on the Program compiled and stored in media storage devices, which shall be made available for public distribution.
SEC. 6. Allocation of free air time. – In coordination with the DepEd, PCOO, MTRCB, and other concerned agencies, all government-owned broadcasting stations are mandated to provide free airtime for the Broadcast-based Learning Program, as follows:
   (a) Two (2) hours a day for six (6) days every week, from Monday to Saturday; and
   (b) One (1) hour per week for each grade level, from kindergarten to grade 12.

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

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

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

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

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

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

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

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

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

Approved,