

July 9, 2015
No. 2277
H. No. 4085

Republic of the Philippines
Congress of the Philippines
Metro Manila
Sixteenth Congress
Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand fourteen.
[Republic Act No. **10665**]

AN ACT ESTABLISHING THE OPEN HIGH SCHOOL SYSTEM IN THE PHILIPPINES AND APPROPRIATING FUNDS THEREFOR

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 “Open High School System Act”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to broaden access to relevant quality education through the employment of an alternative secondary education program that will enable the youth to overcome personal, geographical, socioeconomic and physical constraints, to encourage them to complete secondary education. This is in line with the constitutional policy that mandates the State to “encourage non-formal, informal, and indigenous learning systems, as well as self-learning, independent, and out-of-school study programs particularly those that respond to community needs”, as stated in Article XIV, Section 2, paragraph 4 of the 1987 Constitution.

SEC. 3. *Definition of Terms.* – The terms used in this Act are hereby defined as follows:

(a) *Community Adviser or Tagapayong Pansamahan* refers to the adviser from within the community who helps the open learners harmonize their studies with community service and leisure;

(b) *Learning Center* refers to a room in the mother high school or other designated area where the open learners can conduct researches or gather additional information on topics under study. It can also serve as a multipurpose area which may contain a classroom setup, a library or a venue where the Source Person can conduct hands-on exercises/activities;

(c) *Mother High School or Inang Paaralan* refers to a regular secondary school which maintains full administrative management and instructional supervision and control Over one or more learning centers. It functions, among others, as:

(1) Headquarters of the open learners and Open High School Teachers;

(2) Center for enrolment, evaluation, direct or face-to-face instruction and promotion of open learning;

(3) Receiver of donations, instructional materials and reports relative to open learning; and

(4) Coordinator of the different learning centers in the community.

(d) *Open High School Teacher* refers to a regular secondary school teacher of the mother high school who is in charge of direct instruction, evaluation of the learners’ progress and keeping of the records of individual learners;

(e) *Open Learning* refers to the philosophy of learning that is learner-centered and flexible, enabling learners to learn at the time, place and pace which satisfies their circumstances and requirements;

(f) *Source Person or Gurong Kadluan* refers to a resource person with specialized skills in practical or industrial subjects such as farming, handicraft, auto-mechanics, tailoring and other skills; and

(g) *Teacher Adviser or Gurong Tagapatnubay* refers to a regular secondary school teacher of the mother high school who serves as guidance counselor to the open learners, coordinates with the

teachers in evaluating the learners' progress, and prepares and submits reports to the authorities concerned.

SEC. 4. *Establishment of the Open High School System (OHSS).* — The OHSS is hereby established as part of the Department of Education's (DepED) alternative secondary education program to provide access to secondary education through the open learning modality.

SEC. 5. *Coverage.* — This Act shall apply to public secondary educational institutions authorized to practice open learning through self-instructional materials, multi-channel learning and school-family-community partnership as well as other such institutions that shall be authorized as qualified implementers of the OHSS.

SEC. 6. *Learners of the OHSS.* — The OHSS shall be open to all youth and adults who have finished elementary education, as well as high school qualifiers of the Philippine Educational Placement Test (PEPT) and the Alternative Learning System (ALS) Accreditation and Equivalency (A&E) Test.

SEC. 7. *Administration and Function.* — The DepED shall administer the OHSS. An OHSS Unit shall be created to assist in performing the following functions:

- (a) Formulate the basic policies of the OHSS;
- (b) Formulate, adopt and supplement programs that ensure effectivity and productivity of the OHSS;
- (c) Monitor and evaluate existing open learning programs for integration with the OHSS;
- (d) Develop and validate prototype instructional materials for open learning;
- (e) Consult and collaborate with other DepED divisions, local government units (LGUs), civil society organizations and other private agencies for the effective operation of the OHSS;
- (f) Promulgate the necessary guidelines, rules and regulations for the effective implementation of the OHSS;
- (g) Recommend to the DepED the annual budget of the OHSS for inclusion in the annual General Appropriations Act; and
- (h) Perform such other tasks as may be necessary to attain the objectives of the OHSS.

SEC. 8. *Curriculum Content.* — The OHSS shall adopt the K to 12 Enhanced Basic Education Curriculum using the standards and learning competencies of different subject areas of the program.

SEC. 9. *Personnel Recruitment and Incentives.* — The Open High School Teachers and Teacher Advisers who shall render service under the OHSS shall be enlisted from those who are currently teaching in the mother high school that is implementing the program.

The Community Advisers and the Source Persons shall be hired by the LGU and shall receive honoraria, to be arranged with the local school board in accordance with the guidelines it shall issue in consultation with the DepED: *Provided*, That upon full implementation of the K to 12 Curriculum, particularly on Senior High School, the specific Division of the DepED which has authority over the mother high school, shall be responsible in hiring the Source Persons and in giving their compensation.

The DepED shall prioritize qualified locally-hired teachers who have been performing the functions of Open High School Teachers prior to this Act in the hiring of additional Open High School Teachers.

SEC. 10. *Training of Teaching Staff.* — The DepED shall be responsible for the training of the Open High School Teachers, Teacher Advisers, and Community Advisers. Training shall be done in coordination with the LGUs and the nongovernment organizations concerned.

Nonteaching stakeholders such as parents and LGU personnel, among others, who are needed to provide support to the OHSS, shall likewise be included in the training program.

SEC. 11. *Establishment of Learning Centers.* — Every division of the DepED shall establish learning centers in the authorized mother high schools located in their jurisdiction. LGUs may also

take the lead in the establishment of learning centers, which shall continue to be under the authority of the recognized mother high school and the division of the DepED.

The specific Division of the DepED which has authority over the mother high school, shall be responsible in hiring the Open High School Teacher who shall manage the day to day affairs of the learning center on a full-time basis. This Open High School Teacher shall be the coordinator of the learning center and shall facilitate the learning process of the open learners.

SEC. 12. *Private Sector Participation.* – Private educational institutions may establish their own privately-funded learning centers following the standards and criteria provided for in this Act for the OHSS, subject to the approval of the DepED.

SEC. 13. *Memorandum of Agreement.* – To ensure maximum cooperation towards the success of the OHSS, the DepED and the Department of the Interior and Local Government (DILG) are encouraged to adopt a Memorandum of Agreement defining their respective roles in the operation of the OHSS pursuant to this Act.

The DepED shall encourage and promote partnership with concerned civil society organizations and other service providers in order to sustain an enabling environment for participatory planning, budgeting, and implementation of the OHSS related programs and projects.

SEC. 14. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charge against the current year’s appropriations of the Open High School Program of the DepED. Thereafter, the amount necessary for the continued operation of the OHSS shall be included in the DepED’s budget in the annual General Appropriations Act.

SEC. 15. *Implementing Rules and Regulations.* — Within ninety (90) days after the effectivity of this Act, the DepED, in consultation with the DILG, shall promulgate the rules and regulations needed for the effective implementation of this Act.

SEC. 16. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SEC. 17. *Repealing Clause.* – All laws, decrees, orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 18. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

(Sgd.) **FELICIANO BELMONTE JR.**
Speaker of the House of Representative

(Sgd.) **FRANKLIN M. DRILON**
President of the Senate

This Act which is a consolidation of Senate Bill No. 2277 and House Bill No. 4085 was finally passed by the Senate and the blouse of Representatives on May 19, 2015 and May 20, 2015, respectively,

(Sgd.) **MARILYN B. BARUA-YAP**
Secretary General House of Representatives

(Sgd.) **OSCAR G. YABES**
Secretary of the Sentate

Approved: **JULY 9, 2015**

(Sgd.) **BENIGNO S. AQUINO III**
President of the Philippines