

[REPUBLIC ACT NO. 10650, December 09, 2014]

AN ACT EXPANDING ACCESS TO EDUCATIONAL SERVICES BY INSTITUTIONALIZING OPEN DISTANCE LEARNING IN LEVELS OF TERTIARY EDUCATION 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 Distance Learning Act”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to expand and further democratize access to quality tertiary education through the promotion and application of open learning as a philosophy of access to educational services, and the use of distance education as an appropriate, efficient and effective system of delivering quality higher and technical educational services in the country.

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Distance education* 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;

(b) *Higher education* refers to the higher learning level after high school offering baccalaureate, graduate or post-graduate programs;

(c) *Higher education degree programs* refer to specific courses of study in the higher level of the education system leading to a bachelor’s, master’s or doctoral degree;

(d) *Higher education institution (HEI)* refers to an institution of higher learning which primarily offers degree-granting programs duly recognized by the Commission on Higher Education (CHED) and leading to the conferment of a diploma;

(e) *Open Distance Learning (ODL)* refers to the merger of two (2) concepts, that of open learning and distance education. It is a system which combines the methodology of distance education with the concepts of open learning and flexible learning;

(f) *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;

(g) *Open university/college/institution* refers to a degree-granting HEI recognized by the CHED which has at least a Level III accreditation in the programs offered in the conventional classroom or traditional mode and which employs operational procedures and strategies of an open learning institution;

(h) *Post-secondary school* refers to an institution that offers nondegree technical-vocational programs accredited by the Technical Education and Skills Development Authority (TESDA);

(i) *Technical-vocational programs* refer to post-secondary certificate courses, officially recognized as nondegree programs aimed at preparing technicians, paraprofessionals and other categories of middle-level workers by providing them with a broad range of general education, theoretical, scientific and technological studies, and related job skills training; and

(j) *Tertiary education* refers to higher education degree programs, as well as post-secondary technical-vocational programs.

SEC. 4. *Coverage.* – This Act shall apply to public and private higher education institutions (HEIs) and post-secondary schools in the Philippines which have existing ODL programs, and to other HEIs and post-secondary schools which shall later be authorized as qualified implementers of ODL programs.

SEC. 5. *Institutionalization of Open Distance Learning.* – ODL is hereby institutionalized in accordance with the provisions of this Act. The ODL programs shall conform to the guidelines set by the CHED and the TESDA for both the conventional classroom or traditional mode and the nonconventional mode.

SEC. 6. *Guiding Principles for ODL Courses or Subjects.* – All courses or subjects offered in the ODL mode shall adhere to the following principles:

(a) *Learner Centeredness* – ODL programs shall focus on the needs of the learner and the goal of facilitating independent learning;

(b) *Quality and Relevant Programs* – ODL programs shall be equivalent in challenges and depth to conventional classroom or traditional programs in nonconventional delivery;

(c) *Transparency to Guide Informed Choice* – ODL implementers shall make information about their programs, particularly on the curriculum and delivery system, instructional materials development, delivery mode/strategies, student support services, and other relevant information available to accrediting bodies, academic peers, regulators and students. Updated information shall be made accessible through such media as the internet;

(d) *Peer Review* – A review by experts in ODL to determine the acceptability of the course or subject shall be institutionalized following the criteria set by the CHED and/or the TESDA, as applicable;

(e) *Public Responsibility and Accountability* – Implementers shall heed the public impact of ODL programs and shall always exercise due diligence in avoiding harm to program stakeholders, especially students. Consumer protection, in particular, shall be a priority because of the high value that Filipinos put on education; and

(f) Quality and Continuous Improvement – An HEI or post-secondary school shall embed in its program framework the proactive needs assessment of students and stakeholders in terms of the ODL program planning, implementation and evaluation. The interaction of students’ needs, interests and perceptions, faculty interests and skills/technology available and Filipino culture should be carefully examined, explored and monitored to continuously improve all aspects of development and delivery.

SEC. 7. Admission and Other Academic Policies and Requirements. – Admission and other academic policies and requirements in all HEIs and post-secondary schools offering ODL programs shall conform to the minimum policies, standards and requirements set by the CHED and/or the TESDA, as applicable.

SEC. 8. Program, Curriculum and Course Development Offerings and Requirements. – The curricular offerings using ODL mode shall ensure that the learning outcomes are clearly articulated in terms of competencies, skills and behavioral attributes and conform to the respective policies, standards and guidelines for ODL set by the CHED and/or the TESDA, as applicable.

There shall be a defined set of courses or subjects and/or examinations, and/or special projects and activities, the completion of which shall be required for graduation from the higher education degree program or technical-vocational program, and which shall be equivalent to those under the conventional mode of instruction. The following shall also be considered:

(a) The place, pace, and mode of study of the student shall be at the option and convenience of the student within the time frame as may be prescribed by the learning institution: *Provided*, That the content, context and conduct of examination shall be determined by the HEIs or post-secondary schools offering the ODL program;

(b) The concerned HEIs or post-secondary schools shall formulate and implement a mechanism to monitor the academic progress of the students;

(c) The curricular offerings using ODL shall conform to respective policies, standards and guidelines for ODL of the CHED and/or the TESDA, as applicable;

(d) Practicum or on-the-job trainings shall be observed for courses that require the same;

(e) Completion of all the requirements for the academic program shall be evidenced by the award of the appropriate academic degree or certificate; and

(f) For the practice of the profession for which one has acquired the necessary academic credentials through ODL, the existing requirement of the Professional Regulation Commission or other relevant government agencies of passing a licensure examination for programs offered in the conventional classroom or traditional mode, or technical-vocational programs shall also apply to graduates of ODL programs.

SEC. 9. Mode of Delivery. – The ODL programs may be delivered using information and communications technology and other approaches, such as the following:

(a) Print – textbooks, study guides, workbooks, course syllabi, correspondence feedback and other print formats;