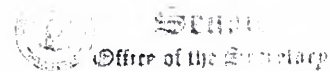


NINETEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]



'22 JUL 12 A11 :57

SENATE

RECEIVED BY

S.B. No. 382

Introduced by SENATOR WIN GATCHALIAN

AN ACT
INSTITUTIONALIZING AND STRENGTHENING
THE ARABIC LANGUAGE AND ISLAMIC VALUES EDUCATION PROGRAM
IN ALL PUBLIC AND PRIVATE BASIC EDUCATION SCHOOLS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This bill seeks to institutionalize and strengthen the Arabic Language and Islamic Values Education (ALIVE) Program in all public and private basic education schools outside the BARMM and make it a vital component of the national education system. It shall uphold the right of Muslim Filipinos to quality education as enshrined in the "Education for All" provision of the 1987 Philippine Constitution within the context of their cultures, customs, traditions, interests, and beliefs. The proposed law shall likewise be an instrument for their maximum participation in national development and nation-building, involvement in achieving national unity in diversity among Muslim and non-Muslim Filipino learners, and contribution to national goals and aspirations.¹

¹ Section 2, Republic Act No. 9997, otherwise known as the "National Commission on Muslim Filipinos Act of 2009".

To provide Muslim Filipino learners the appropriate and relevant educational opportunities, this bill further mandates the provision of facilities, school furniture, and equipment, relevant textbooks and instructional materials, and recruitment and training or capacity-building of asatidz to include training of trainers, supervisors, and administrators, and technical and financial educational assistance to DepEd-accredited or recognized private madaris.

It likewise mandates the crafting of a multi-year roadmap for the ALIVE Program which shall serve as a guide to government agencies and private stakeholders for the optimal realization of the objectives of this proposed measure. Further, this bill creates the ALIVE Advisory Council to ensure the attainment of the objectives of the proposed law. This bill further mandates the Bureau of Learning Delivery of the Department of Education (DepEd) to implement the provisions of this bill by coordinating with other national government agencies and offices as partner implementing agencies,

Prior to the filing of this bill, the DepEd has provided initiatives to promote the ALIVE Program, as follows: (1) issuance of a standard curriculum for elementary public schools and private madaris²; (2) implementation of the Basic Education Madrasah Programs for Muslim Out-of-School Youth and Adults as a response to the call for global commitment for the Education for All Program³; and (3) implementation of Madrasah Education Program (MEP) in the K to 12 Basic Education Program.⁴ The MEP aims to provide Muslim learners with appropriate and relevant educational opportunities while recognizing their cultural context and unique purposes for participating in

² DepEd Order No. 51, Series of 2004, August 28, 2004.

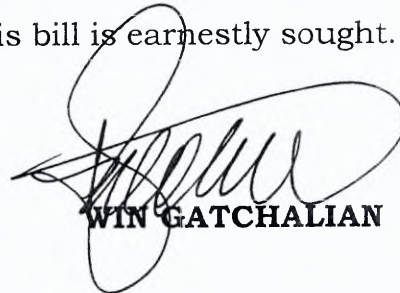
³ DepEd Order No. 57, Series of 2010, May 17, 2010.

⁴ DepEd Order No. 41, Series of 2017, August 11, 2017.

the program offerings, and to integrate content and competencies which are relevant and of interest to Muslim learners.⁵

This proposed measure seeks to resolve the number of challenges in the implementation of the ALIVE Program, despite its institutionalization in the DepEd, in terms of Islamic knowledge⁶, curriculum implementation or contextualization, teachers' training, availability of instructional materials and school facilities, and low and delayed allowance or salary⁷, among others. Moreover, learners who finished basic education in traditional madaris which do not implement the DepEd-prescribed basic education curriculum, are not possessed with the expected competencies of basic education graduates as they were not trained with, and prepared for, the skills needed for employment and entrepreneurship. Furthermore, the country has no existing universities and colleges where madaris graduates proficient in Arabic could enroll for higher education.

With our country's aspiration of educating every child and sustaining national unity, the immediate passage of this bill is earnestly sought.



WIN GATCHALIAN

⁵ *Id.*

⁶ Lamla, M. (2018). Issues and Concerns on Madrasah Education in Basilan, Philippines: The Asaatiz Perspectives. *International Journal of Novel Research in Education and Learning*, 5(4), 1-4. <https://www.noveltyjournals.com/upload/paper/ISSUES%20AND%20CONCERNS-1419.pdf>

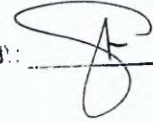
⁷ Marasigan, A. (2019). *UP CIDS Discussion Paper Series 2019-09: Teacher Shortage and Quality of Madrasah Education in the Philippines: An Analysis of Madaris Teachers' Support System and Qualifications (No. 2019-09)*. University of the Philippines Center for Integrative and Development Studies. <https://cids.up.edu.ph/download/up-cids-discussion-paper-series-2019-09-teacher-shortage-and-quality-of-madrasah-education-in-the-philippines-an-analysis-of-madaris-teachers-support-system-and-qualifications/>

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S.B. No. 382

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**AN ACT
INSTITUTIONALIZING AND STRENGTHENING
THE ARABIC LANGUAGE AND ISLAMIC VALUES EDUCATION PROGRAM
IN ALL PUBLIC AND PRIVATE BASIC EDUCATION SCHOOLS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

*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 “*Arabic Language*
2 *and Islamic Values Education Act*”.

3

4 Sec. 2. *Declaration of Principles and Policy.* – The State recognizes the
5 vital role of the youth in nation-building and shall promote and protect their
6 physical, moral, spiritual, intellectual, and social well-being. Towards this
7 end, it shall be the duty of the State to protect and promote the right of all
8 citizens to quality education at all levels, and shall take appropriate steps to
9 make such education accessible to all.

10 The State likewise recognizes the complementary roles of public and
11 private institutions in the educational system and shall exercise reasonable
12 supervision and regulation of all educational institutions.

1 It likewise recognizes the natural and primary right and duty of parents
2 in rearing the youth for civic efficiency and the development of moral
3 character, which shall receive government support.

4 To further this State policy, educational institutions shall promote the
5 inclusion of all learners, especially Muslim Filipinos, in programs that
6 preserve their unique culture which includes the teaching of Arabic Language
7 and Islamic Values. Such programs shall serve as instruments for their
8 maximum participation in national development and ensuring their
9 involvement in achieving national unity in diversity among Muslim and non-
10 Filipino learners and the country as a whole.

11
12 *Sec. 3. Objectives.* – This Act aims to achieve the following objectives:

13 a. Institutionalize an effective and efficient program in the basic
14 education system of the country that promotes, strengthens, respects and
15 preserves the Muslim Filipinos’ distinct historical identity, culture, customs,
16 and traditions;

17 b. Strengthen the existing Arabic Language and Islamic Values
18 Education Program and make it a vital component of the national education
19 system;

20 c. Ensure the contribution of Muslim Filipinos to national goals and
21 aspirations aimed at making them partners in nation-building;

22 d. Recognize Muslim Filipinos whose values and competencies enable
23 them to realize their full potential and contribute meaningfully to building the
24 nation; and

25 e. Qualify and capacitate competent teachers of Arabic Language and
26 Islamic Values Education.

27
28 *Sec. 4. Definition of Terms.* – As used in this Act:

29 a. *Arabic Language* is the language of the Arabs as formally and
30 grammatically taught under the Arabic Language and Islamic Values
31 Education Program.

1 b. *Arabic Language and Islamic Values Education* refers to programs
2 implemented in public and private schools that aim to provide additional
3 subjects on Arabic Language and Islamic Values in the regular basic
4 education curriculum.

5 c. *Asatidz* is the general Arabic term for teachers historically or
6 traditionally used in most Muslim Filipino communities. It is the plural form
7 of the Arabic word “ustadz”, a term that refers to a male teacher, and
8 “ustadzah”, a term that refers to a female teacher. It includes *Ulama*
9 (*singular, Ālim*) and *Alimat* (*singular, Ālimah*), male and female Muslim
10 professionals, respectively, who specialized in Islamic Studies and obtained
11 their education locally or abroad through Arabic Language.

12 d. *Accelerated Teacher Education Program* refers to a customized course
13 approved by the Commission on Higher Education (CHED) and Professional
14 Regulation Commission (PRC) to be delivered by Higher Education Institution
15 partners. Through this program, the ALIVE *asatidz* deployed in public and
16 private schools may earn a teaching degree and take the Licensure
17 Examination for Teachers.

18 e. *Cultural and Religious Learning Institutions (CRLI)* are the oldest forms
19 of learning in the Philippines which teach Muslim Filipinos their culture,
20 customs, beliefs, and practices. The CRLI is the technical term denoting these
21 indigenous alternative systems of education.

22 f. *Islamic Values* refer to moral and ethical values or virtues that are
23 based on the teachings of the Glorious Qur’an and exemplified by the practice
24 of the Holy Prophet.

25 g. *Madrasah* (plural, *madaris*) is an Arabic term for school which is
26 operationally defined as an educational institution that is community-based
27 and operated privately wherein the medium of instruction is the Arabic
28 Language. Islamic studies and Arabic literacy are its core emphasis.

29 h. *Private madaris* refer to private schools or providers of *madrasah*
30 education. These can be categorized as: (1) traditional *madrasah* that
31 conducts Arabic Language and Islamic Values Education and Islamic studies,

1 and (2) private madrasah that conducts regular K to 12 classes and
2 implements a madrasah curriculum recognized by the Department of
3 Education (DepEd). For purposes of this Act, these shall include other types
4 of relevant and similar learning institutions that teach Indigenous Knowledge
5 Skills and Processes which are part of Muslim culture and belief, key cultural
6 and artisan skills of Muslim cultures, and Islamic Studies.

7
8 Sec. 5. *Scope of Application.* – This Act shall be implemented in all
9 public schools and private madaris in the country located outside the
10 Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). It shall also
11 apply to learners enrolled in the Alternative Learning System created
12 pursuant to Republic Act No. 11510 or the “*Alternative Learning System Act*”.

13
14 Sec. 6. *The Arabic Language and Islamic Values Education (ALIVE)*
15 *Program.* – The ALIVE Program is hereby institutionalized to provide Muslim
16 Filipino learners the appropriate and relevant educational opportunities while
17 recognizing their cultural contexts and unique purposes for participating in
18 the Program. It shall include, but not be limited to:

- 19 a. provision of facilities, school furniture, and equipment;
- 20 b. provision of relevant textbooks and instructional materials;
- 21 c. training or capacity-building of asatidz to include training of
22 trainers, supervisors, and administrators;
- 23 d. provision of technical and financial educational assistance to
24 DepEd-accredited or recognized private madaris;
- 25 e. monitoring and evaluation system of the ALIVE Program and its
26 implementation;
- 27 f. accreditation or recognition criteria and system for private madaris;
- 28 and
- 29 g. forging of inter-agency or inter-governmental agreements on
30 curriculum and standards.

31

1 Sec. 7. *Teaching of ALIVE.* – At the option expressed in writing by the
2 parents or guardians of the learners, the subjects of Arabic Language or
3 Islamic Values Education, or both, shall be taught to Muslim Filipino learners
4 as well as to non-Muslim Filipino learners as an integral part of the ALIVE
5 Program.

6 The teaching of Arabic language aims to develop the learners’ functional
7 literacy in Arabic, while the teaching of Islamic values aims to help learners
8 acquire the desired Islamic values that would guide them to *be makatao,*
9 *makaDiyos, makakalikasan, at makabayan.* The teaching of Islamic values
10 must also emphasize the values of interfaith dialogue, multiculturalism, and
11 respect for differences in belief.

12 Subject to the consent, in writing, by the parents or guardians of the
13 learners, Islam shall be allowed to be taught to their children or wards within
14 the regular class hours without additional cost to the government.

15
16 Sec. 8. *The ALIVE Program Multi-Year Roadmap.* – Within sixty (60) days
17 from the effectivity of this Act, the DepEd shall initiate the crafting of an ALIVE
18 multi-year roadmap covering a minimum period of five (5) years. The multi-
19 year roadmap shall serve as a guide to government agencies and private
20 stakeholders for the optimal realization of the objectives of this Act. It shall
21 set the overall direction of the ALIVE Program and shall contain the current
22 policy, practices, gaps, and challenges affecting its integration and
23 implementation in the basic education of Muslim Filipinos as well as of non-
24 Muslim Filipinos. It shall likewise set detailed targets and outcomes for a
25 minimum period of five (5) years and provide the public and private
26 stakeholders’ specific actions or interventions to include implementation and
27 monitoring strategies, and annual budgetary requirements. It shall be subject
28 to a periodic review and updating to determine its implementation status and

1 ensure that the institutionalization and strengthening of the ALIVE Program
2 envisioned in this Act is realized and sustained.

3 The roadmap shall be completed within one (1) year from the effectivity
4 of this Act and crafted in consultation with the ALIVE Advisory Council
5 created hereafter, the NCMF, the CHED, the TESDA, the NCIP, the NCCA, the
6 University of the Philippines Institute of Islamic Studies (UP-IIS), the King
7 Faisal Center for Islamic, Arabic and Asian Studies (KFCIAAS) of the
8 Mindanao State University (MSU), other concerned government agencies,
9 and other relevant organizations and education stakeholders. The roadmap
10 shall be periodically reviewed and updated not later than every five (5) years
11 from its implementation until the ALIVE Program is fully institutionalized and
12 integrated into the Philippine Education System.

13
14 *Sec. 9. The Bureau of Learning Delivery as Implementing Bureau.* – The
15 Bureau of Learning Delivery (BLD) of the DepEd shall implement the
16 provisions of this Act. It shall:

17 a. Coordinate with other national government agencies and offices as
18 partner implementing agencies;

19 b. Promote and strengthen the ALIVE Program;

20 c. Initiate the preparation and regular updating of an ALIVE Program
21 multi-year roadmap, supported by annual work and financial plans, for the
22 effective implementation of this Act;

23 d. Subject to the approval of the Secretary of Education (Secretary), set
24 the standards, approve, and ensure the availability of textbooks and other
25 learning resources for use in the ALIVE Program. The BLD shall ensure that
26 these textbooks and learning resources passed the standard screening and
27 evaluation process prior to their publication, procurement and distribution;

28 e. Ensure the training and capacity building of asatidz and the
29 training of trainers, administrators, and supervisors;

30 f. Implement policies and standards for the use of learning delivery
31 modalities, including the training of asatidz on distance education;

1 g. Subject to the approval of the Secretary, formulate standards and
2 criteria in the establishment, accreditation or recognition of private madaris
3 and CRLIs;

4 h. Supervise, monitor, evaluate, and assess the compliance,
5 operations and performance of public and private madaris and their personnel
6 pursuant to this Act, and regularly submit reports to the Secretary; and

7 i. Perform such other necessary functions for the effective and efficient
8 implementation of this Act.

9 The head of the ALIVE Program in the DepEd and its regional and
10 division offices shall be a Muslim Filipino who shall be qualified based on
11 existing Philippine Qualification Standards.

12
13 Sec. 10. *Hiring of Asatidz.* – The DepEd, through the BLD, and in
14 consultation with the CSC and the Department of Budget and Management
15 (DBM), shall hire a sufficient number of asatidz and create plantilla positions
16 for the asatidz. It shall also establish a merit and classification system taking
17 into consideration the position classification, salaries, career progression, and
18 their duties and responsibilities.

19
20 Sec. 11. *ALIVE Teacher Education and Training.* – The DepEd shall
21 develop and conduct regular training programs and workshops for in-service
22 asatidz, including the training of trainers, to ensure that they have the
23 necessary knowledge and competence to teach ALIVE, as well as enhance
24 their skills on their roles as asatidz taking into consideration the Muslim
25 Filipinos' culture and values.

26 The CHED, under its established Technical Committee for Islamic
27 Studies, shall likewise develop policies, standards, and guidelines for a
28 standardized and formalized madrasah education curriculum with tracks
29 that include a specialized degree in Madrasah Teaching.

30 The DepEd shall likewise strengthen the Accelerated Teacher Education
31 Program to ensure that there is a sufficient number of asatidz for the teaching

1 of Arabic Language or Islamic Values Education, or both.

2

3 Sec. 12. *Special Eligibility; Qualifying Examination.* – For the purpose of
4 meeting the eligibility requirement for the position of asatidz, the PRC shall
5 develop and administer special qualifying examinations for permanent
6 appointment of asatidz positions in the DepEd. This shall include ulama,
7 alimat, and other madrasah education teaching graduates and holders of
8 degrees or sufficient units, or credentials earned from institutions of higher
9 learning within or outside the country, or both, for them to become asatidz.

10 The PRC, in coordination with the CSC, shall grant special license for
11 those enumerated in the preceding paragraph who passed the special
12 qualifying examinations: *Provided*, That the eligibility herein granted may
13 only qualify the grantee to permanent appointment as asatidz and shall not
14 be considered as a substitute to second level eligibility unless authorized by
15 the CSC.

16 Graduates with Latin honors, *i.e.*, *summa cum laude*, *magna cum laude*
17 *and cum laude*, from a recognized university or institution of higher learning
18 in Arabic or Islamic Studies, whether local or international, may be exempted
19 from the special qualifying examinations and shall be deemed to have met
20 the eligibility requirement for permanent appointment to asatidz positions
21 subject to applicable Civil Service rules on granting honor graduate eligibility.

22

23 Sec. 13. *Data on ALIVE.* – Through its Information and Communications
24 Technology Service, the DepEd shall gather relevant data on the
25 implementation of the ALIVE Program. It shall include, but not limited to, data
26 on learners in the ALIVE Program, asatidz, list of existing private madaris and
27 CLRIs, list of private partners, and other relevant data and information that
28 the DepEd may identify.

29 For statistics purposes, the Learner Information System of the DepEd
30 shall state if a learner is a Muslim Filipino.

31

1 Sec. 14. *The ALIVE Program Advisory Council.* – The ALIVE Program
2 Advisory Council (“Council”) is hereby created to ensure the attainment of the
3 objectives of this Act. The Council, which shall directly coordinate and
4 collaborate with the Secretary, shall have the following powers and functions:

5 a. Represent Muslim Filipino learners, asatidz, private madaris, and
6 their respective organizations, and participate in consultative meetings of the
7 DepEd and other organizations in the formulation of policies, plans and
8 strategies, educational programs, rules and regulations, guidelines, or
9 regulatory changes;

10 b. Conduct research and policy studies on the ALIVE Program;

11 c. Participate in crafting, amending, or updating the roadmap referred
12 to in this Act, and monitor and evaluate its implementation;

13 d. Monitor and assess the implementation of the ALIVE Program as
14 provided in this Act;

15 e. Review existing and recommend new legislation to promote the
16 educational welfare of Muslim Filipino learners; and

17 f. Perform other similar functions as may be necessary.

18 Subject to prior consultation with Muslim Filipino professionals from
19 the academe, organizations of asatidz in public and private madaris,
20 organization of private madaris, and other relevant Muslim-Filipino
21 stakeholders regarding the composition of the Council and the qualifications
22 and terms of office of its members, the DepEd, within sixty (60) days from the
23 effectivity of this Act, shall issue the necessary orders on the creation and
24 composition of the Council, and direct the Department, bureaus, and its
25 attached agencies to extend the required assistance and cooperation to the
26 Council in the performance of its functions. The Implementing Rules and
27 Regulations (IRR) of this Act shall state the composition of the Council and
28 the qualifications and terms of office of its members.

29 The Council shall be independent from the DepEd, and its members
30 shall not be entitled to any compensation in the performance of their

1 functions but shall be entitled to reimbursement or honoraria in the
2 performance of their functions.

3
4 Sec. 15. *Learning Continuity; Equivalency.* – The DepEd, in collaboration
5 with the NCMF, the CHED, and the TESDA, shall establish programs to
6 ensure the integration of the teaching of Islamic Studies and Arabic Language
7 with the higher and technical-vocational education system towards continuity
8 of learning and creation of opportunity for basic education graduates in the
9 country to harness their potential, pursue higher education, or seek
10 employment.

11 The CHED, the PRC, and other relevant government agencies shall
12 likewise develop and implement a system of recognition, certification,
13 accreditation or equivalency for the degrees and programs earned by Muslim
14 Filipino graduates from institutions of higher learning outside the Philippines.

15
16 Sec. 16. *Authority to Receive Donations or Grants.* – The DepEd may
17 accept any donation, or grant, in cash or in kind, whether local or foreign,
18 which may be made by individuals and organizations, public or private,
19 which shall provide the appropriate services, facilities, materials, and other
20 support services for the implementation of the ALIVE Program and the
21 promotion and preservation of Muslim Filipino culture as provided in this
22 Act.

23
24 Sec. 17. *Private Sector Participation; Tax Incentives.* – Partnership
25 between the government and the private sector in support of the ALIVE
26 Program shall be encouraged. Any donation, contribution or grant, in cash or
27 in kind, whether local or foreign, which may be made by individuals and
28 organizations, including private entities, which shall provide the appropriate
29 services, facilities, materials, and delivery support services for the promotion
30 and development of the ALIVE Program, shall be exempt from the donor's tax
31 and the cost of which shall be considered as an allowable deduction from the

1 gross income in the computation of the income tax of the donor in accordance
2 with the provisions of the National Internal Revenue Code of 1997, as
3 amended.

4
5 Sec. 18. *Operation of Private Madaris.* – The DepEd shall adopt an
6 accreditation mechanism for all private madaris and CRLIs in the country,
7 regardless of their kind, as part of its external quality assurance process for
8 every madrasah to ensure the continuous improvement of the madaris and
9 for purposes of public accountability. They shall be subject to the reasonable
10 supervision and regulations of the DepEd and the relevant provisions of this
11 Act.

12
13 Sec. 19. *Mandatory Review and Impact Assessment; Submission of*
14 *Annual Report to Congress.* – In partnership with the other concerned
15 government agencies, the DepEd shall conduct a mandatory review of the
16 implementation of this Act five (5) years from its effectivity to determine its
17 impact, measure its effectiveness, and ensure its proper implementation.

18 An annual report of the implementation of this Act shall be submitted
19 to the Committees on Basic Education of both houses of Congress.

20
21 Sec. 20. *Interpretation.* – The provisions of this Act shall be applied in
22 harmony with any law on education implemented in the BARMM and shall be
23 interpreted towards the attainment of the goals of “Education for All”.

24
25 Sec. 21. *Appropriations.* – The amount necessary for the implementation
26 of this Act shall be charged against those authorized in the current
27 appropriations of the DepEd. Thereafter, the amount necessary for its
28 continued implementation shall be included in the budget of the DepEd as a
29 separate line item in the annual General Appropriations Act.

30

1 Sec. 22. *IRR.* – Within sixty (60) days after the effectivity of this Act, the
2 Secretary of Education, in consultation with the Council, the NCMF, other
3 concerned government agencies, and other education stakeholders, shall
4 issue the rules and regulations for its effective implementation. The IRR
5 issued pursuant to this section shall take effect fifteen (15) days after its
6 publication in a newspaper of general circulation.

7

8 Sec. 23 *Transitory Provision.* – All existing madaris in the country,
9 whether established or operating pursuant to the provisions of Republic Act
10 No. 10533 or the “Enhanced Basic Education Act of 2013”, DepEd issuances,
11 rules and regulations, and other laws shall continue to operate pursuant to,
12 and shall be regulated by, the provisions of this Act and its IRR and other
13 applicable laws.

14

15 Sec. 24. *Separability Clause.* – If any provision of this Act is held invalid
16 or unconstitutional, the other provisions not so declared shall remain in force
17 and effect.

18

19 Sec. 25. *Repealing Clause.* – All other laws, executive orders,
20 presidential decrees, administrative orders, rules and regulations, issuances,
21 or parts thereof contrary to or inconsistent with the provisions of this Act are
22 hereby repealed or amended accordingly.

23

24 Sec. 26. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this
25 Act shall take effect fifteen (15) days after its publication in the Official Gazette
26 or in a newspaper of general circulation.

Approved,