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SENATE

P.S. Res. No. 392

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Introduced by SEN. WIN GATCHALIAN

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON BASIC EDUCATION, ARTS AND CULTURE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF THE IMPLEMENTATION OF REPUBLIC ACT NO. 10929 OR THE FREE INTERNET ACCESS IN PUBLIC PLACES ACT FOR THE PURPOSE OF IDENTIFYING AND ADDRESSING IMPLEMENTATION GAPS, ISSUES, AND CHALLENGES, AND SPECIFICALLY TO DETERMINE ITS IMPLEMENTATION COVERAGE AND EFFECTIVITY IN THE ELEMENTARY AND SECONDARY PUBLIC SCHOOLS, ALTERNATIVE LEARNING SYSTEM CENTERS, AND OTHER LEARNING CENTERS IN THE COMMUNITY, AS WELL AS IN STATE UNIVERSITIES AND COLLEGES, FOR THE PURPOSE OF CRAFTING COMPLEMENTARY AND/OR AMENDATORY LEGISLATION, TO INCLUDE MECHANISMS FOR THE AVAILABILITY OF UNINTERRUPTED, FAST, AND RELIABLE INTERNET CONNECTIVITY DURING PANDEMICS, ENDEMICS, OUTBREAKS, AND OTHER EMERGENCY OR CRISIS SITUATIONS TO ENSURE THE CONTINUOUS E-LEARNING OF LEARNERS AMIDST SUCH SITUATIONS

1 **WHEREAS**, as provided in the 1987 Constitution, it is the policy of the
2 State to give priority to science and technology to foster patriotism and
3 nationalism, accelerate social progress, and promote total human liberation
4 and development¹;

¹ Section 17, 1987 Constitution of the Philippines: "The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development."

1 **WHEREAS**, Section 24 of the 1987 Constitution further states that
2 the “State recognizes the vital role of communication and information in
3 nation-building”;

4 **WHEREAS**, on May 23, 2016, Republic Act No. 10844 or the
5 “Department of Information and Communications Technology Act of 2015”
6 was enacted creating the Department of Information and Communications
7 Technology (DICT) which was mandated to plan, develop, and promote the
8 national Information and Communications Technology (ICT) development
9 agenda of the country;

10 **WHEREAS**, Section 6 thereof enumerated as among the functions of
11 the DICT the formulation of policies and initiatives in coordination with the
12 Department of Education (DepEd), the Commission on Higher Education
13 (CHED), and the Technical Education and Skills Development Authority
14 (TESDA), to develop and promote ICT in education consistent with the
15 national goals and objectives; and to establish a free Internet service that
16 can be accessed in government offices and public areas using the most cost-
17 effective telecommunications technology, through partnership with private
18 service providers as may be necessary;

19 **WHEREAS**, pursuant to its mandate, the DICT launched the *Free Wi-Fi*
20 *for All-Free Public Internet Access Program* which “aims to accelerate the
21 Philippine government’s efforts in enhancing Internet accessibility for
22 Filipinos so that economic, social, and educational opportunities will be
23 bolstered, and the growing digital divide can be bridged”²;

24 **WHEREAS**, despite the foregoing constitutional mandate and
25 legislation, the country still lagged behind other developing countries in
26 Internet affordability, reliability, and faster connection;

27 **WHEREAS**, on August 2, 2017, Republic Act No. 10929 or the Free
28 Internet Access in Public Places Act (hereinafter “FIAPPA”) was enacted
29 which recognized “the vital role of information and communications
30 technology in nation-building, and declares its policy to promote an
31 environment for the development of structures that would ensure the

² <https://dict.gov.ph/programs-projects/>

1 availability and accessibility to reliable and secure Internet access suitable
2 to the needs and aspirations of the nation”³;

3 **WHEREAS**, the FIAPPA declared that “the State shall establish a
4 program that will provide free access to Internet service in public places
5 throughout the country, to promote knowledge-building among citizens and
6 enable them to participate and compete in the evolving information and
7 communication age”⁴;

8 **WHEREAS**, as provided in Section 4 of the FIAPPA, the public places to
9 be covered shall include the following: (a) National and local government
10 offices; (b) Public basic education institutions; (c) State universities and
11 colleges, and Technical Education and Skills Development Authority
12 (TESDA) technology institutions; (d) Public hospitals, health centers, and
13 rural health units; (e) Public parks, plazas, libraries, and barangay reading
14 centers; (f) Public airports, and seaports; and (g) Public transport terminals;

15 **WHEREAS**, as the lead implementing agency that will oversee the
16 effective and efficient implementation of the FIAPPA, the DICT implemented
17 the *Pipol Konek* Project – the Free Wifi Internet Access For All in Public
18 Places;

19 **WHEREAS**, to accelerate its roll-out, a partnership between the DICT
20 and the United Nations Development Program (UNDP) was forged wherein
21 an additional 6,000 last mile hotspot sites located in the remotest, unserved
22 and disadvantaged communities were targeted to be established⁵;

23 **WHEREAS**, in 2018, the DICT and the DepEd issued Joint
24 Memorandum Circular No. 1, Series of 2018, which contains the obligations
25 of the parties for the “Establishment of Free Internet Access in Public Places
26 Project in Basic Education Public Schools and Learning Centers” wherein
27 public basic education institution and Alternative Learning Centers were
28 enjoined to provide support and implement the project without delay;

³ Section 2, Republic Act No. 10929 or the Free Internet Access in Public Places Act.

⁴ *Id.*

⁵<https://dict.gov.ph/dict-will-accelerate-the-free-wi-fi-rollout-through-undp-project-partnership/>

1 **WHEREAS**, prior to the FIAPPA, and pursuant to DepEd Order No. 50,
2 Series of 2009, the DepEd embarked on the implementation of the DepEd
3 Internet Connectivity Project, directed all public high schools to subscribe to
4 Internet connectivity services, and provided funds for the said project;

5 **WHEREAS**, in the national strategy for improving Internet access
6 formulated in 2011, the Philippine government identified education as a key
7 area that would benefit from ICT development and targeted that by 2016,
8 100% of secondary schools and 80% of elementary schools in the country
9 should have Internet access;⁶

10 **WHEREAS**, per Sustainable Development Goals (SDG) indicator on the
11 proportion of schools with access to the Internet for pedagogical purposes,
12 year 2016 Philippine statistics revealed that only 25.6% of public elementary
13 schools, and 33.2% of public secondary schools have such access⁷;

14 **WHEREAS**, lower figures were reported in a broadband policy brief
15 published on February 2016 by Arangkada Philippines, that “out of 38,683
16 public primary schools in the country, only 14% or 5,503 have Internet
17 access while 33,180 or 86% have no data connectivity. Also, only 55% or
18 4,360 of public secondary schools out of a total number of 7,915 have
19 Internet access while the remaining 3,555 schools or 45% are yet to gain
20 Internet access. In total, 79% of the country’s total number of public
21 primary and secondary schools are yet to have data connectivity”⁸;

22 **WHEREAS**, based on DICT data submitted to the Senate during the
23 hearings for the 2019 national budget, out of the country’s 112 SUCs, only
24 17 free Wi-Fi hotspots have been installed as of December 2018⁹;

25 **WHEREAS**, in a report submitted to Congress, the DICT stated that as
26 of April 1, 2019, password-free Wi-Fi hotspots in 2,330 sites covering 17

⁶<https://www.rappler.com/brandrap/tech-and-innovation/126587-education-internet-sustainable-ph>

⁷https://unstats.un.org/sdgs/files/meetings/sdg-inter-workshop-jan-2019/Session%2011.b.3_Philippines__Education%20Equality%20AssessmentFINAL4.pdf

⁸<https://www.globe.com.ph/about-us/newsroom/sustainability/providing-internet-public-education-makes-ph-youth-compe.html>

⁹<https://news.mb.com.ph/2019/07/02/prioritize-free-wi-fi-in-state-universities-colleges-angara-urges-honasan/>

1 regions across 73 provinces in over 640 municipalities and cities were
2 installed¹⁰;

3 **WHEREAS**, in the General Appropriations Act (GAA) for FY2018¹¹, the
4 DICT targeted to add “5,308 sites in 1,500 cities” (*sic*) in the country from
5 the baseline data of “24 municipalities and 24 cities with connectivity”; while
6 in the GAA for FY2019¹², the DICT targeted to add 5,302 sites in 1,368
7 localities with connectivity from the baseline data of 227 localities and 35
8 cities, but based on the FY2019 baseline data the DICT failed to accomplish
9 its FY 2018 target of adding 5,308 sites in localities;

10 **WHEREAS**, in the GAA for FY2020, the DICT targeted to add 74
11 provinces, 686 municipalities and cities with connectivity from the baseline
12 data of 227 localities and 35 cities,¹³ where the latter baseline data showed
13 that the DICT again failed to accomplish its FY2019 target of 5,302 sites in
14 1,368 localities with connectivity;

15 **WHEREAS**, as of April 13, 2020, based on the list provided in the DICT
16 website, there are a total of only 3,707 live sites for the Free Wi-Fi For All
17 Hotspots located across the country’s public places such as municipal
18 plazas, elementary and secondary schools, barangay halls, government
19 agencies offices, health centers, public libraries, and district hospitals¹⁴;

20 **WHEREAS**, due to the COVID-19 pandemic, more than 1.5 billion
21 students and youth worldwide have been affected by school and university
22 closures, causing the United Nations Education and Scientific Organization
23 (UNESCO) to launch the Global Education Coalition which seeks to facilitate
24 inclusive online learning opportunities for children and youth affected by the
25 sudden and unprecedented educational disruption¹⁵;

26 **WHEREAS**, in the Philippines, the DepEd launched DepEd Commons
27 which is an online educational platform supporting alternative learning

¹⁰ <http://newsbytes.ph/2019/09/dict-gets-another-p1-2b-for-free-public-wi-fi-hotspots/>

¹¹ General Appropriations Act, FY2018, Vol. 113, No. 1, p. 231.

¹² General Appropriations Act, FY2019, Vol. 115, No. 17, p. 215.

¹³ General Appropriations Act FY2020, Vol. 116, No. 1, p. 221.

¹⁴ <http://freepublicwifi.gov.ph/livehotspots/>

¹⁵ <https://en.unesco.org/covid19/educationresponse/globalcoalition>

1 modalities amid enhanced community quarantine (ECQ) period so that
2 education can still continue at the confines of the learners' homes¹⁶;

3 **WHEREAS**, to ensure the continuous learning of students in case of
4 sudden suspension or cancellation of classes caused by pandemics,
5 endemics, outbreaks, and other emergency or crisis situations, and to
6 mitigate their impact on the quality of education of the learners, an online
7 learning platform or distance education modules, designed to be adopted in
8 various emergency situations thereby providing unhampered learning and
9 continuity of education, should be made universally available to the
10 community of learners and their parents;

11 **WHEREAS**, during these crisis situations, the entire nation is affected
12 and majority of Filipinos, ranked by a study to be the heaviest Internet users
13 worldwide,¹⁷ need to rely on information and other resources from the
14 worldwide web, from the latest news and updates in the community to
15 distance learning, and to just simply connect with friends and family;

16 **WHEREAS**, despite the Constitutional guarantees, the number of
17 legislations mandating the availability of reliable Internet connection and
18 government partnerships, not to mention the Internet traffic caused by
19 Filipino users who "spend an average of 10:02 hours a day on the internet
20 — on any device"¹⁸, many areas in the country remain unconnected and
21 unserved or underserved by the telecommunications companies and hence,
22 not digitally equipped to ensure seamless online learning and e-commerce in
23 times of national emergencies or calamities due to poor Internet connectivity
24 or the lack of it;

25 **WHEREAS**, as reflected in the baseline data of the GAA from FY2018-
26 2020, the DICT has miserably failed to accomplish the targets in
27 establishing connectivity in public places across municipalities and cities in
28 the country as mandated under the FIAPPA;

¹⁶<https://www.deped.gov.ph/2020/04/09/deped-commons-now-available-for-private-school-learners/>

¹⁷<http://nine.cnnphilippines.com/lifestyle/2019/02/01/2019-digital-hootsuite-we-are-social-internet-philippines-facebook.html>

¹⁸ *Id.*

1 **WHEREAS**, considering the backlog of the government in establishing
2 the free Internet access sites in public places as mandated under the
3 FIAPPA, there is a need to identify and address implementation gaps, issues,
4 and challenges that hampered the accomplishment of targets towards
5 ensuring the seamless, continuous, fast, reliable, and secured free Internet
6 connectivity in public places across the country;

7 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE**
8 **PHILIPPINES**, to direct the Senate Committee on Basic Education, Arts and
9 Culture to conduct an inquiry, in aid of legislation, on the status of the
10 implementation of Republic Act No. 10929 or the Free Internet Access in
11 Public Places Act for the purpose of identifying and addressing
12 implementation gaps, issues, and challenges, and specifically to determine
13 its implementation coverage and effectivity in the elementary and secondary
14 public schools, alternative learning system centers, and other learning
15 centers in the community, as well as in state universities and colleges, for
16 the purpose of crafting complementary and/or amendatory legislation, to
17 include mechanisms for the availability of uninterrupted, fast, and reliable
18 Internet connectivity during pandemics, endemics, outbreaks, and other
19 emergency or crisis situations that would ensure the continuous e-learning
20 of learners amidst such situations.

Adopted,



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