



Republic of the Philippines
Department of Education

24 SEP 2013

DepEd O R D E R
No. 43, s. 2013

**IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. 10533
OTHERWISE KNOWN AS THE ENHANCED BASIC EDUCATION ACT OF 2013**

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
School Division/City Superintendents
Heads, Public Elementary and Secondary Schools
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of the Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 10533, entitled *An Act Enhancing the Philippine Basic Education System by Strengthening its Curriculum and Increasing the Number of Years for Basic Education, Approaching Funds Therefor and for Other Purposes*.
2. Pursuant to Section 41 of this IRR, this Order shall take effect 15 days after its publication in the Official Gazette or in two newspapers of general circulation. As such, the IRR will take effect on September 24, 2013 since it was published on September 9, 2013 in newspapers, The Manila Times and Business Mirror.
3. All Orders, Memoranda, and other related issuances inconsistent with the contents of this DepEd Order are deemed amended accordingly upon its effectivity.
4. Immediate dissemination of and strict compliance with this Order is directed.

BR. ARMIN A. LUISTRO FSC
Secretary

Encl.: As stated
Reference: DepEd Memorandum: No. 99, s. 2013
To be indicated in the Perpetual Index
under the following subjects:

BASIC EDUCATION
CURRICULUM
LEGISLATION

POLICY
RULES & REGULATIONS

**IMPLEMENTING RULES AND REGULATIONS
OF THE ENHANCED BASIC EDUCATION ACT OF 2013
(REPUBLIC ACT NO. 10533)**

Pursuant to Section 16 of Republic Act No. 10533, entitled "An Act Enhancing the Philippine Basic Education System by Strengthening Its Curriculum and Increasing the Number of Years for Basic Education, Appropriating Funds Therefor and for Other Purposes," otherwise known as the "Enhanced Basic Education Act of 2013," approved on May 15, 2013, and which took effect on June 8, 2013, the Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA), hereby issue the following rules and regulations to implement the provisions of the Act.

RULE I. GENERAL PROVISIONS

Section 1. Title. These rules and regulations shall be referred to as the *Implementing Rules and Regulations (IRR) of the "Enhanced Basic Education Act of 2013" (Republic Act No. 10533)*.

Section 2. Scope and Application. The provisions of this IRR shall primarily apply to all public and private basic educational institutions and learning centers. This IRR shall also apply to Higher Education Institutions (HEIs), Technical-Vocational Institutions (TVIs), duly recognized organizations acting as Teacher Education Institutions (TEIs), and foundations.

Section 3. Declaration of Policy. This IRR shall be interpreted in light of the Declaration of Policy found in Section 2 of the Act.

Section 4. Definition of Terms. For purposes of this IRR, the following terms shall mean or be understood as follows:

- (a) **Act** refers to Republic Act No. 10533, entitled "An Act Enhancing the Philippine Basic Education System by Strengthening Its Curriculum and Increasing the Number of Years for Basic Education, Appropriating Funds Therefor and for Other Purposes," otherwise known as the "Enhanced Basic Education Act of 2013."
- (b) **Learning Center** refers to a physical space to house learning resources and facilities of a learning program for out-of-school youth and adults. It is a venue for face-to-face learning activities and other learning opportunities for community development and improvement of the people's quality of life. This may also be referred to as "Community Learning Center" authorized or recognized by the DepEd.
- (c) **Learner** refers to a pupil or student, or to a learner in the alternative learning system.
- (d) **Mother Language or First Language (L1)** refers to the language or languages first learned by a child, which he/she identifies with, is identified as a native language user of by others, which he/she knows best, or uses most. This includes Filipino sign language used by individuals with pertinent disabilities. The regional or native language refers to the traditional speech variety or variety of Filipino sign language existing in a region, area or place.
- (e) **Non-DepEd Public School** refers to a public school offering basic education operated by an agency of the national government other than the DepEd, or by a local government unit.

Section 5. Basic Education. Pursuant to Section 3 of the Act, basic education is intended to meet basic learning needs which provides the foundation on which subsequent learning can be based. It encompasses kindergarten, elementary, and secondary education as well as alternative learning systems for out-of-school learners and those with special needs under Section 8 of this IRR.

Section 6. Enhanced Basic Education Program. For purposes of this IRR and pursuant to Section 4 of the Act, the enhanced basic education program encompasses at least one (1) year of kindergarten education, six (6) years of elementary education, and six (6) years of secondary education, in that sequence. Secondary education includes four (4) years of junior high school and two (2) years of senior high school education. The enhanced basic education program may likewise be delivered through the alternative learning system.

Kindergarten Education is the first stage of compulsory and mandatory formal education which consists of one (1) year of preparatory education for children at least five (5) years old as a prerequisite for Grade 1.

Elementary Education refers to the second stage of compulsory basic education which is composed of six (6) years. The entrant age to this level is typically six (6) years old.

Secondary Education refers to the third stage of compulsory basic education. It consists of four (4) years of junior high school education and two (2) years of senior high school education. The entrant age to the junior and senior high school levels are typically twelve (12) and sixteen (16) years old, respectively.

The DepEd may allow private educational institutions flexibility in adopting the program provided that they comply with the DepEd-prescribed minimum standards consistent with the Act.

Section 7. Compulsory Basic Education. It shall be compulsory for every parent or guardian or other persons having custody of a child to enroll such child in basic education, irrespective of learning delivery modes and systems, until its completion, as provided for by existing laws, rules and regulations.

Section 8. Inclusiveness of Enhanced Basic Education. In furtherance of Section 3 of the Act, inclusiveness of enhanced basic education shall mean the implementation of programs designed to address the physical, intellectual, psychosocial, and cultural needs of learners, which shall include, but shall not be limited to, the following:

8.1. Programs for the Gifted and Talented. These shall refer to comprehensive programs for the gifted and talented learners in all levels of basic education.

8.2. Programs for Learners with Disabilities. These shall refer to the comprehensive programs designed for learners with disabilities which may be home-, school-, center- or community-based.

8.3. Madrasah Program. This shall refer to the comprehensive program using the Madrasah curriculum prescribed by the DepEd, in coordination with the Commission on Muslim Filipinos, for Muslim learners in public and private schools.

8.4. Indigenous Peoples (IP) Education Program. This shall refer to the program that supports education initiatives undertaken through formal, non-formal, and informal modalities with emphasis on any of, but not limited to, the key areas of: Indigenous Knowledge Systems and Practices and community history; indigenous languages; Indigenous Learning System (ILS) and community life cycle-based

curriculum and assessment; educational goals, aspirations, and competencies specific to the Indigenous Cultural Community (ICC); engagement of elders and other community members in the teaching-learning process, assessment, and management of the initiative, recognition and continuing practice of the community's ILS; and the rights and responsibilities of ICCs.

8.5. Programs for Learners under Difficult Circumstances. This shall refer to the timely and responsive programs for learners under difficult circumstances, such as, but not limited to: geographic isolation; chronic illness; displacement due to armed conflict, urban resettlement, or disasters; child abuse and child labor practices.

Section 9. Acceleration. Acceleration of learners in public and private basic educational institutions shall be allowed, consistent with DepEd rules and regulations.

RULE II. CURRICULUM

Section 10. Basic Education Curriculum Development. In the development of the Basic Education Curriculum, the DepEd shall be guided by the following:

10.1. Formulation and Design. Pursuant to Section 5 of the Act, the DepEd shall formulate the design and details of the enhanced basic education curriculum. The DepEd shall work with the CHED and TESDA to craft harmonized basic, tertiary, and technical-vocational education curricula for Filipino graduates to be locally and globally competitive.

10.2. Standards and Principles. The DepEd shall adhere to the following standards and principles, when appropriate, in developing the enhanced basic education curriculum:

- (a) The curriculum shall be learner-centered, inclusive and developmentally appropriate;
- (b) The curriculum shall be relevant, responsive and research-based;
- (c) The curriculum shall be gender- and culture-sensitive;
- (d) The curriculum shall be contextualized and global;
- (e) The curriculum shall use pedagogical approaches that are constructivist, inquiry-based, reflective, collaborative and integrative;
- (f) The curriculum shall adhere to the principles and framework of Mother Tongue-Based Multilingual Education (MTB-MLE) which starts from where the learners are and from what they already know proceeding from the known to the unknown; instructional materials and capable teachers to implement the MTB-MLE curriculum shall be available. For this purpose, MTB-MLE refers to formal or non-formal education in which the learner's mother tongue and additional languages are used in the classroom;
- (g) The curriculum shall use the spiral progression approach to ensure mastery of knowledge and skills after each level; and
- (h) The curriculum shall be flexible enough to enable and allow schools to localize, indigenize and enhance the same based on their respective educational and social contexts.

10.3. Production and Development of Materials. The production and development of locally produced teaching and learning materials shall be encouraged. The approval of these materials shall be devolved to the regional and division education unit in accordance with national policies and standards.

10.4. Medium of Teaching and Learning. Pursuant to Sections 4 and 5 of the Act, basic education shall be delivered in languages understood by the learners as language plays a strategic role in shaping the formative years of learners.

The curriculum shall develop proficiency in Filipino and English, provided that the first and dominant language of the learners shall serve as the fundamental language of education. For Kindergarten and the first three years of elementary education, instruction, teaching materials, and assessment shall be in the regional or native language of the learners. The DepEd shall formulate a mother language transition program from the mother/first language to the subsequent languages of the curriculum that is appropriate to the language capacity and needs of learners from Grade 4 to Grade 6. Filipino and English shall be gradually introduced as languages of instruction until such time when these two (2) languages can become the primary languages of instruction at the secondary level.

10.5. Stakeholder Participation. To achieve an enhanced and responsive basic education curriculum, the DepEd shall undertake consultations with other national government agencies and other stakeholders including, but not limited to, the Department of Labor and Employment (DOLE), the Professional Regulation Commission (PRC), private and public schools associations, national student organizations, national teacher organizations, parents-teachers associations, chambers of commerce and other industry associations, on matters affecting the concerned stakeholders.

Section 11. Curriculum Consultative Committee. Pursuant to Section 6 of the Act, a Curriculum Consultative Committee shall be created, to be chaired by the DepEd Secretary or his/her duly authorized representative, and with members composed of, but not limited to, a representative each from the CHED, TESDA, DOLE, PRC, the Department of Science and Technology (DOST), and a representative from business chambers such as the Information Technology – Business Process Outsourcing (IT-BPO) industry association. The Consultative Committee shall oversee the review and evaluation of the implementation of the enhanced basic education curriculum and may recommend to the DepEd the formulation of necessary refinements in the curriculum.

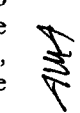
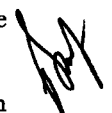
RULE III. TEACHER QUALIFICATIONS, TRAINING AND CONTINUING PROFESSIONAL DEVELOPMENT

Section 12. Teacher Education and Training. To ensure that the enhanced basic education program meets the demand for quality teachers and school leaders, the DepEd, CHED, and TESDA shall conduct teacher education and training programs, in collaboration with relevant partners in government, academe, industry, and non-governmental organizations. Such professional development programs shall be initiated, conducted and evaluated regularly throughout the year to ensure constant upgrading of teacher skills. Teacher education and training programs shall include, but shall not be limited to:

12.1. In-service Training on Content and Pedagogy. DepEd teachers who will implement the enhanced basic education curriculum but have not undergone pre-service education that is aligned with the enhanced basic education curriculum shall be trained to meet the content and performance standards of the enhanced basic education curriculum.

The DepEd shall ensure that private educational institutions shall be given the opportunity to avail of such training.

12.2. Training of New Teachers. New graduates of the Teacher Education curriculum not aligned with the enhanced basic education curriculum shall undergo additional training, upon hiring, to upgrade their competencies and skills to the content and performance standards of the new curriculum. Furthermore, the CHED, in coordination with the DepEd and relevant stakeholders, shall ensure that the



Teacher Education curriculum offered in these TEIs will meet the necessary quality standards for new teachers. Duly recognized organizations acting as TEIs, in coordination with the DepEd, CHED, and other relevant stakeholders, shall ensure that the curriculum of these organizations meets the necessary quality standards for trained teachers.

For purposes of this subparagraph, the term “*duly recognized organizations acting as TEIs*” refers to organizations, other than schools or HEIs, contracted out by the DepEd during the transition and for a fixed period, to provide teacher training for purposes of retooling the graduates of the Teacher Education curriculum, and only in such areas where there is a shortage of trained teachers.

12.3. Training of School Leadership. Superintendents, principals, subject area coordinators, and other instructional school leaders shall likewise undergo workshops and training to enhance their skills on their roles as academic, administrative, and community leaders.

12.4. Training of Alternative Learning System (ALS) Coordinators, Instructional Managers, Mobile Teachers, and Learning Facilitators. ALS coordinators, instructional managers, mobile teachers, and learning facilitators shall likewise undergo workshops and training to enhance their skills on their roles as academic, administrative, and community leaders.

Section 13. Hiring of Other Teachers. Notwithstanding the provisions of Sections 26, 27 and 28 of Republic Act No. 7836, otherwise known as the “*Philippine Teachers Professionalization Act of 1994*,” the DepEd and private educational institutions shall hire, as may be relevant to the particular subject:

13.1. Graduates of science, mathematics, statistics, engineering, music and other degree courses needed to teach in their specialized subjects in elementary and secondary education with shortages in qualified applicants who have passed the Licensure Examination for Teachers (LET). They shall also include graduates admitted by foundations duly recognized for their expertise in the education sector and who satisfactorily complete the requirements set by these organizations; *Provided*, That they pass the LET within five (5) years after their date of hiring; *Provided, further*, That if such graduates are willing to teach in basic education on part-time basis, the provisions of LET shall no longer be required.

The term “*foundations*,” as used in this section, refers to non-stock, non-profit organizations, which are not operating as educational institutions, contracted out by the DepEd for a fixed period, to provide volunteers to teach in basic education in areas where there is a shortage of qualified teachers. The DepEd shall issue the guidelines and procedures for selection and eligibility of these organizations.

13.2. Graduates of technical-vocational courses to teach in their specialized subjects in the secondary education; *Provided*, That these graduates possess the necessary certification issued by TESDA; *Provided, further*, That they undergo appropriate in-service training to be administered by the DepEd or HEIs at the expense of the DepEd. The DepEd shall provide administrative support to private educational institutions for the in-service training of their teachers on the enhanced basic education curriculum.

13.3. Faculty of HEIs to teach in their general education or subject specialties in secondary education; *Provided*, That the faculty must be a holder of a relevant Bachelor’s degree, and must have satisfactorily served as a full-time HEI faculty;

13.4. The DepEd and private educational institutions may hire practitioners, with expertise in the specialized learning areas offered by the enhanced basic

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education curriculum, to teach in the secondary level: *Provided*, That they teach on part-time basis only. For this purpose, the DepEd, in coordination with the appropriate government agencies, shall determine the necessary qualification standards in hiring these experts.

RULE IV. PRIVATE EDUCATIONAL INSTITUTIONS

Section 14. Reasonable Supervision and Regulation. As a matter of policy laid down in Article XIV, Section 5(1) of the 1987 Philippine Constitution, the State recognizes the complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.

Section 15. Issuance and Revocation of Permits and/or Recognition of Private Senior High Schools. The DepEd shall regulate the offering of senior high school in private educational institutions. Private educational institutions may only offer senior high school when so authorized by the DepEd. The DepEd shall prescribe the guidelines on the issuance and revocation of permits and/or recognition of senior high schools.

Section 16. Specializations in Private Senior High School. Private educational institutions may offer specializations in senior high school that are essential to the economic and social development of the nation, region or locality. Local planning in the development of educational policies and programs shall be encouraged consistent with the State policy to take into account regional and sectoral needs and conditions.

RULE V. CAREER GUIDANCE AND COUNSELING ADVOCACY

Section 17. Career Guidance and Counseling Programs. Consistent with Section 9 of the Act, to properly guide the students towards becoming productive and contributing individuals through informed career choices, the DepEd, in coordination with the DOLE, TESDA, CHED, PRC, NYC, industry associations, professional associations, and other relevant stakeholders, shall pursue programs that expose students to the world and value of work, and develop the capability of career counselors and advocates to guide the students and equip them with the necessary life skills and values.

Section 18. Career Advocacy Activities. Career advocacy activities refer to activities that will guide secondary level students in choosing the career tracks that they intend to pursue. Career advocacy activities involve provision of career information and experiences, advising, coordinating and making referrals, and may include, but are not limited to, career talks, career and job fairs, parents' orientations, and seminar-workshops on career decision-making.

Section 19. Career Advocates. Notwithstanding the provisions of Section 27 of Republic Act No. 9258, otherwise known as the "Guidance and Counseling Act of 2004," career advocates shall be allowed to conduct career advocacy activities for secondary-level students of the schools where they are currently employed; *Provided*, That they undergo appropriate capacity building programs developed and implemented by the DepEd, in coordination with the DOLE, TESDA, CHED, PRC, NYC, student organizations, industry associations, guidance and counseling associations, professional associations, and other relevant stakeholders.

Career advocacy may be conducted by career advocates and peer facilitators. Consistent with Section 9 of the Act, career advocates refer to career and employment guidance counselors who are not registered and licensed guidance counselors. Career advocates include homeroom advisers and teachers of all learning areas who will

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implement career advocacy activities. Peer facilitators are secondary-level students trained to assist career advocates in implementing career advocacy activities.

Section 20. Role of the DepEd. The DepEd shall:

- (a) Integrate career concepts in the curriculum and undertake teaching in relevant learning areas;
- (b) Conduct career assessments;
- (c) Conduct regular career advocacy activities;
- (d) Conduct continuous professionalization and capacity building of guidance counselors, career advocates, and peer facilitators;
- (e) Develop or accredit training programs on career advocacy;
- (f) Establish a career advocacy unit and provide adequate office space in high schools; and
- (g) Designate guidance supervisors at the division level and career advocates at the school level.

RULE VI. E-GASTPE BENEFICIARIES AND OTHER FINANCING ARRANGEMENTS WITH PRIVATE EDUCATIONAL INSTITUTIONS AND NON-DEPED PUBLIC SCHOOLS

Section 21. Expansion of E-GASTPE Beneficiaries. Pursuant to Section 10 of the Act, the DepEd shall develop programs of assistance that will extend the benefits accorded by Republic Act No. 8545, or the *"Expanded Government Assistance for Students and Teachers in Private Education Act,"* to qualified students enrolled in senior high school.

Section 22. Criteria for Assistance to Qualified Students. The programs of assistance shall be made available primarily to students who completed junior high school in public schools, taking into account the income background and financial needs of students, available capacities of public, private and non-DepEd public schools in the locality, socio-economic needs of regions, overall performance of private and non-DepEd public schools, as well as geographic spread and size of the student population.

The programs of assistance may also be made available to students who completed junior high school in private educational institutions, whether these students are E-GASTPE beneficiaries or not, subject to compliance with the qualifications and guidelines to be determined by the DepEd.

Section 23. Forms and Amount of Assistance. The forms of assistance that may be provided by the DepEd may include any of the following:

- (a) A voucher system, where government issues a coupon directly to students to enable them to enroll in eligible private educational institutions or non-DepEd public schools of their choice under a full or partial tuition or schooling subsidy;
- (b) Education Service Contracting (ESC), where the government enters into contracts with private educational institutions or non-DepEd public schools to shoulder the tuition and other fees of high school students who shall enroll in private high schools under this program;
- (c) Management contracts, where government enters into contractual arrangements with private educational institutions or non-DepEd public schools to manage the day-to-day operations of public schools under agreed performance targets;
- (d) Forms of assistance provided under Republic Act No. 8545; and
- (e) Other forms of financial arrangements consistent with the principles of public-private partnership.

The DepEd shall take into account the ability of program beneficiaries to cover tuition differentials, if any, in setting the amount of the voucher, ESC, or other forms of assistance. The amount of assistance to be given by the government shall not exceed the determined per student cost in public schools.

Section 24. Participating Schools. Private educational institutions, non-DepEd public schools, and other potential providers of basic learning needs that may be authorized to offer senior high school are eligible to participate in programs of assistance, as may be applicable, under the E-GASTPE program and other financial arrangements formulated by the DepEd and DBM based on the principles of public-private partnership. The continued participation of said providers in the E-GASTPE program and other financial arrangements is subject to their meeting minimum requirements and standards, including student performance, as determined by the DepEd.

To promote partnership and greater cooperation between public and private educational institutions, government will take into account existing and potential capacities of private educational institutions in expanding public school capacity.

Section 25. Implementation Mechanisms. The DepEd may enter into contractual arrangements or establish new mechanisms for the design, administration, and supervision of programs of assistance or aspects thereof, subject to the approval of the appropriate government agencies. For this purpose, the DepEd shall:

- (a) Issue the appropriate guidelines for the implementation of the programs of assistance;
- (b) Ensure transparency and accountability in the implementation of the programs of assistance;
- (c) Implement information and advocacy programs to inform the general public and ensure greater participation and availment of the programs of assistance; and
- (d) Undertake periodic reviews of the program features and make adjustments, as necessary, to ensure the successful, effective and sustainable implementation of the program. The program features shall include, among others, amount of subsidy, number of grantees, eligibility requirements, and performance of participating schools.

Section 26. Funding Requirement. The budgetary requirement of the programs under this Rule shall be ensured by the national government.

The DepEd shall encourage private and corporate donors to support the programs of assistance in this section under the framework of Republic Act No. 8525, entitled, "*An Act Establishing An 'Adopt-A-School Program,' Providing Incentives Therefor, And For Other Purposes,*" and other relevant laws and policies.

Section 27. Timeframe. The DepEd shall implement the programs provided in this Rule no later than the start of School Year 2016-2017.

Section 28. Additional Beneficiaries. The DepEd may develop similar programs of assistance for kindergarten and elementary pupils and alternative learning system learners in accordance with specific objectives, taking into account the need and capacities of public and private educational institutions.

RULE VII. TRANSITORY PROVISIONS

Section 29. Private Basic Educational Institutions' Transition to the Enhanced Basic Education Program. The DepEd shall ensure the smooth transition of private elementary and high schools in the country that are not aligned with the enhanced basic education program. Private educational institutions or a group thereof shall develop their plans detailing how to transition from their current basic education

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system to the enhanced basic education program. The DepEd shall provide the appropriate guidelines on the evaluation of the transition plans.

Private educational institutions offering twelve (12) to thirteen (13) years of basic education prior to the enactment of this Act shall submit to the DepEd their transition plans within twelve (12) months from the effectivity of this IRR, subject to the guidelines that will be issued by the DepEd.

Section 30. Implementation Mechanisms and Strategies. Pursuant to Section 12 of the Act, the DepEd, CHED and TESDA shall formulate the appropriate strategies and mechanisms needed to ensure smooth transition from the existing ten (10) years basic education cycle to the enhanced basic education program. The strategies may cover, among others, changes in physical infrastructure, human resource, organizational and structural concerns, bridging models linking secondary education competencies and the entry requirements of new tertiary curricula, and partnerships between the government and other entities. Modeling for Senior High School (SHS) may be implemented in selected schools to simulate the transition process and provide concrete data for the transition plan following the guidelines set by the DepEd. The results of the SHS modeling program may be considered in the nationwide implementation of the SHS program in School Year 2016-2017.

30.1. Partnerships with HEIs and TVIs. To manage the initial implementation of the enhanced basic education program and mitigate the expected multi-year low enrolment turnout for HEIs and TVIs starting School Year 2016-2017, the DepEd shall engage in partnerships with HEIs and TVIs for the utilization of the latter's human and physical resources, and issue relevant guidelines on such partnerships. Moreover, the DepEd, CHED, TESDA, TVIs and HEIs shall coordinate closely with one another to implement strategies that ensure the academic, physical, financial, and human resource capabilities of HEIs and TVIs to provide educational and training services for graduates of the enhanced basic education program to ensure that they are not adversely affected. The faculty of HEIs and TVIs allowed to teach students of secondary education under Section 8 of the Act, shall be given priority in hiring for the duration of the transition period.

30.2. Financing Framework for State Universities and Colleges During the Transition Period. The CHED and DBM shall review the financing policy framework for State Universities and Colleges in light of the Act with the end in view of optimizing the use of government resources for education, the results of which shall be covered by a joint administrative issuance.

30.3. Effects of Initial Implementation of the Enhanced Basic Education Program on Industry Human Resource Requirements. The DOLE, CHED, DepEd, TESDA and PRC, in coordination with industry associations and chambers of commerce, shall develop a contingency plan, not later than the start of School Year 2015-2016, to mitigate the effects of the enhanced basic education program with respect to a potential reduction or absence of college graduates to meet the human resource requirements of industry. The plan shall contain mitigation strategies for industries to adjust their employment policies as deemed necessary and expedient, and may include the adoption of other relevant programs or appropriate qualifications.

Section 31. Labor and Management Rights. In the implementation of the Act, including the transition period, the rights of labor as provided in the Constitution, the Civil Service Rules and Regulations, Labor Code of the Philippines, and existing collective agreements, as well as the prerogatives of management, shall be respected. The DOLE, DepEd, CHED and TESDA shall promulgate the appropriate joint administrative issuance, within sixty (60) days from the effectivity of this IRR, to ensure the sustainability of the private and public educational institutions, and the

promotion and protection of the rights, interests and welfare of teaching and non-teaching personnel.

For this purpose, the DOLE shall convene a technical panel with representatives from the DepEd, CHED, TESDA and representatives from both teaching and non-teaching personnel organizations, and administrators of the educational institutions.

Section 32. Transition Period. The transition period shall be reckoned from the date of the approval of this IRR until the end of School Year 2021-2022.

RULE VIII. JOINT CONGRESSIONAL OVERSIGHT COMMITTEE

Section 33. Joint Congressional Oversight Committee on the Enhanced Basic Education Program. The Joint Congressional Oversight Committee created under Section 13 of the Act shall be composed of five (5) members each from the Senate and from the House, including Chairs of the Committees on Education, Arts and Culture, and Finance of both Houses. The membership of the Committee for every House shall have at least two (2) opposition or minority members.

RULE IX. MANDATORY EVALUATION AND REVIEW

Section 34. Mandatory Evaluation and Review. By the end of School Year 2014-2015, the DepEd shall conduct a mandatory review and submit a midterm report to Congress as to the status of implementation of the Enhanced Basic Education Program in terms of closing the following current shortages: (a) teachers; (b) classrooms; (c) textbooks; (d) seats; (e) toilets; (f) other shortages that should be addressed.

The DepEd shall include among others, in this midterm report, the following key metrics of access to and quality of basic education: (a) participation rate; (b) retention rate; (c) National Achievement Test results; (d) completion rate; (e) teachers' welfare and training profiles; (f) adequacy of funding requirements; and (g) other learning facilities including, but not limited to, computer and science laboratories, libraries and library hubs; and sports, music and arts.

RULE X. COMMITMENT TO INTERNATIONAL BENCHMARKS

Section 35. Commitment to International Benchmarks. The DepEd shall endeavor to increase the per capita spending on education towards the immediate attainment of international benchmarks. Towards this end, the DepEd shall seek to:

- a) engage local government units to efficiently use the special education fund and other funds to advance and promote basic education;
- b) implement programs that will enhance private sector participation and partnership in basic education; and
- c) propose an annual budget allocation in accordance with these goals. The DepEd shall further develop a multi-year spending plan to ensure that the UNESCO-prescribed standards on education spending are attained.

RULE XI. FINAL PROVISIONS

Section 36. Appropriations. Pursuant to Section 11 of the Act, the initial funding for the operationalization of the Enhanced Basic Education Program shall be charged against the current appropriations of the DepEd. Thereafter, such sums which shall be necessary for the continued implementation of the enhanced basic education program shall be included in the annual General Appropriations Act.

Section 37. Implementing Details. The DepEd, CHED and TESDA may issue such policies and guidelines as may be necessary to further implement this IRR.

Section 38. Amendment. Amendments to this IRR shall be jointly promulgated by the DepEd Secretary, CHED Chairperson, and TESDA Director-General.

Section 39. Separability Clause. Should any provision of this IRR be subsequently declared invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions.

Section 40. Repealing Clause. Pursuant to Section 18 of the Act, rules and regulations implementing the pertinent provisions of *Batas Pambansa Bilang 232* or the "Education Act of 1982," Republic Act No. 9155 or the "Governance of Basic Education Act of 2001," Republic Act No. 9258, Republic Act No. 7836, and all other laws, decrees, executive orders and rules and regulations, contrary to or inconsistent with the provisions of the Act are deemed repealed or modified accordingly.

Section 41. Effectivity Clause. This IRR shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

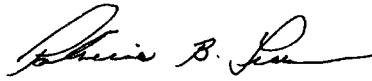
This IRR shall be registered with the Office of the National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.

Done this 4th day of September 2013.



BR. ARMIN A. LUISTRO FSC
Secretary
Department of Education

7th AM



DR. PATRICIA B. LICUANAN
Chairperson
Commission on Higher Education



SEC. EMMANUEL JOEL J. VILLANUEVA
Director General
Technical Education and Skills Development Authority

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