



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Thirteenth Congress
Second Regular Session

HOUSE BILL NO. **4868**

Introduced by Honorable Acmad M. Tomawis

EXPLANATORY NOTE

This bill seeks to further improve the literacy rate in areas predominantly populated by indigenous peoples and to keep them, at pace with the other parts of the country in political stability, economic growth and social development. It envisions to give more meaning, substance and impetus to the government's advocacy for the recognition and promotion of their rights within the framework of national unity and development as enshrined in the Constitution.

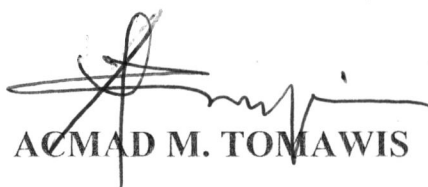
The literacy level in indigenous cultural communities has, to a certain degree, stunted efforts to fast track development there. Even the initiatives and programs of government to respond to their basic needs have been, on certain instances, met with opposition and resistance due to negative perception resulting from poor understanding and appreciation as well as the incessant efforts of detractors of government to take advantage of the weaknesses of our indigenous people in education and information. It is undeniable that in rural areas, insurgency and other forms of criminality like terrorism thrive among members of the indigenous cultural communities, presumably on account of their little education.

This legislative measure is mainly designed, therefore, to make quality education more accessible to indigenous cultural communities, consistent with the thrust of government towards peace, progress and development. Further, the proposed measure will institutionalize the grant of tuition fee discount, particularly in favor of qualified and deserving college students, most of whom belong to the marginalized, underprivileged and depressed sectors of our society. To a certain extent, the measure will pave the way towards attainment of quality education which, at present, has been elusive to most of its beneficiaries on account of poverty and other social inequalities.

The rising prices of basic commodities and the spiraling cost of education are causes of concern for indigenous cultural communities. Thus, there is urgency to devise a scheme to cushion the impact of our country's deteriorating economy to help forestall the possibility of massive increase in school dropouts, particularly from the marginalized sector which includes the beneficiaries of this measure.

Definitely, once approved, the draft measure will further boost the beneficiaries' opportunity to pursue better education, consistent with their aspiration for a brighter and a more rewarding future where they can live in harmony and with dignity with other Filipinos.

Hence, approval of this measure is earnestly sought.



ACMAD M. TOMAWIS



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AN ACT
GRANTING TUITION FEE DISCOUNTS TO QUALIFIED
STUDENTS BELONGING TO THE INDIGENOUS CULTURAL
COMMUNITIES AND FOR OTHER PURPOSES.

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
“Indigenous People Tuition Fee Discount Act of 2005.”

SEC. 2. **Declaration of Policy.** – It is the policy of the State to 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. Likewise, the State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.

For this purpose, there is a need to establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving college students in both public and private schools, especially to the underprivileged members of indigenous cultural communities.

SEC. 3. **Objectives.** – The objectives of this Act are as follows:

a) Provide more opportunities to deserving Filipino college students belonging to indigenous cultural communities to further their studies and seek quality education to enhance peace, progress and development in their communities;

b) Raise the level of literacy in areas predominantly populated by the indigenous peoples and keep them at pace with those in the other parts of the country;

c) Institutionalize the grant of tuition fee discount to deserving college students belonging to indigenous cultural communities, most of whom constitute the marginalized, underprivileged and depressed sectors of society on account of lower literacy rate in their areas; and

d) Give more meaning and substance to the government's advocacy for the recognition and promotion of the rights of the indigenous

cultural communities within the framework of national unity and development.

SEC. 4. **Coverage.** – This Act shall cover all qualified college students belonging to the indigenous cultural communities: *Provided*, That the net income of the parents or guardians of such student during the taxable year immediately preceding the enrollment does not exceed Fifty thousand pesos (P50,000.00), as appearing in the corresponding Income Tax Return (ITRs) of his parents or guardians filed with the Bureau of Internal Revenue (BIR).

SEC. 5. **Tuition Fee Discount.** – The discount to be granted to qualified and deserving college student under this Act shall be ten percent (10%) of the prescribed tuition fee.

The term tuition fee shall refer to the charges for instruction and general services of all students per unit of courses enrolled in, or as prescribed, regulated and approved by the Commission on Higher Education (CHED) and Department of Education (DepEd).

SEC. 6. **Availment.** – The discount privilege under this Act shall be claimed at the time of enrollment by presenting an authentic certification that the enrollee is a *bona fide* member of an indigenous cultural community

together with a certified photocopy of the ITR of the parents or guardians of said enrollee.

In the event the parents or guardians are exempted by law to file their ITR, a certificate of indigency, indicating therein that said parents or guardians are exempt from filing said ITR shall be secured from the municipal or city treasurer of the place of residence of the parents or guardians of said enrollee.

SEC. 7. **Proof of Membership.** – For purposes of this Act, membership in the indigenous cultural community shall be established by appropriate certification issued by the National Commission on Indigenous Peoples (NCIP) or by the Office on Muslim Affairs (OMA).

SEC. 8. **Complaints, Violations and Fines.** – Qualified students under this Act who are refused or denied to avail of this discount privilege may file a complaint with the field or regional office of the Commission on Higher Education with jurisdiction over the concerned educational institution. As part of due process, the parties shall be notified prior to the conduct of investigation by CHED. If the complaint is established or found to be true, the CHED shall direct the institution involved to grant the complaining student the privilege under this Act. When in the findings of the CHED the refusal to grant said privilege is deliberate or unreasonable, a

fine of Five thousand pesos (P5,000.00) shall be imposed against the erring institution. The amount shall be collected by and placed under the disposal of the CHED in furtherance of its mandate to enhance quality education.

SEC. 9. **Misrepresentation.** – Any student who is found to have committed misrepresentation to avail of the privilege shall be made to pay the total amount of tuition fee, without prejudice to the imposition, at the instance of the school, of appropriate disciplinary sanctions, including suspension or expulsion from said school, at the discretion of the CHED.

SEC. 10. **Repealing Clause.** – Any provision of law, decree, order, rule or regulation in conflict or inconsistent with the provisions of this Act is hereby repealed, amended or modified accordingly.

SEC. 11. **Effectivity.** – This Act shall take effect fifteen (15) days after publication in the Official Gazette in at least two (2) national newspapers of general circulation, whichever is earlier.

Approved,