

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH (16TH) CONGRESS
First Regular Session

House Bill No. **1757**



Introduced by **Hon. Joseph Gilbert F. Violago**

EXPLANATORY NOTE

The 1987 Constitution mandates the State "to protect and promote the right of all citizens to quality education at all levels and to take appropriate steps to make education accessible to all." (Art. XIV Sec. 1)

Various international instruments, such as the Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child, to which the Philippines is signatory, have also declared education as a right and not just a privilege. Hence, the country is duty-bound to provide free, quality and accessible education.

However, considering the rising cost of education, especially college education, more and more high school graduates find it impossible to enrol in college or drop out and fail to earn a degree.

Data from the Commission on Higher Education (CHED) showed that enrollees in higher education institutions (HEIs) from 2001 to the present have reached 2.56 million, but the dropout rate reached an alarming 83.7 percent. This means that the country is producing 2.13 million college dropouts annually while graduates stand at close to 500,000 only.

CHED records also showed that enrolment in tertiary education has not been encouraging as it slowed down from 1999 to 2002, and then dropped gradually starting 2002 to 2003, with negative 0.8 percent growth in 2004-2005 for both public and private schools. Except for the big jump in 1998-1999, enrolment has been sliding down thereafter. Moreover, tertiary education enrolment even in state universities and colleges shows a decelerating trend, weakening to negative 1.2 percent growth in 2004-2005, despite the lower cost of public education. In the case of private schools, the decline started as early as 2002.

Based on the Commission's 2008 data, out of 100 Grade 1 pupils, only 66 finish Grade 6 and only 58 of them enrol in first year high school. Of the 58, only 43 finish high school. However, only 23 of the 43 who finished high school enrol in college and only 14 of the 23 eventually graduate from college.

Also disturbing is the National Statistics and Coordination Board (NSCB) data on the ratio of graduates to enrolment for tertiary education, which stands at 16 to less than 18 percent from 1994 to 2005. In the past 10 years, the NSCB reported that the total number of college graduates increased by an average of only 2.9 percent. The number of graduates also increased to only 481,862 in Academic Year 2009-2010 from 363,640 in AY 2000-2001.

Considering that more than 26.5 percent or 3.8 million Filipino families are living below the poverty line, as reported by the NSCB 2009 Poverty Statistics and released in February 2011, access to tertiary education for bright and deserving children of these families would be almost impossible, especially if they do not have the means to pay even for an entrance examination, which is the initial step towards admission to a college degree program.

Thus, this bill aims to ensure that poor but deserving high school graduates are given equal opportunities in applying for college admission to higher education institutions by removing the first hindrance at the entry level, such as the prohibitive cost of entrance examinations.

In view of the foregoing reasons, immediate approval of this measure is earnestly sought.



HON. JOSEPH F. VIOLAGO
Representative
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AN ACT
PROVIDING FOR FREE COLLEGE ENTRANCE EXAMINATIONS TO
UNDERPRIVILEGED PUBLIC HIGH SCHOOL STUDENTS BELONGING TO THE TOP
TEN PERCENT (10%) OF THE GRADUATING CLASS

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 "Free College Entrance Examinations Act of 2013."

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to expand and further democratize access to quality education at the college level by instituting mechanisms that protect the rights of underprivileged but bright and deserving high school graduates.

The exemption from the imposition of entrance examination fees is one such mechanism that will ensure that underprivileged but bright and deserving high school graduates, are given adequate assistance and equal opportunity to pursue their dreams from obtaining a college education.

SEC. 3. *Definition of Terms.* - For purposes of this Act, the following terms shall mean:

- (a) College Entrance Examinations - shall refer to examinations required by higher education institutions on graduating high school students or high school graduates as one of the criteria for determining admission to a four-year or five-year college degree program in the said educational institutions;
- (b) Underprivileged Public High School Graduates - shall refer to public high school students who belong to the top 10 percent of the graduating class and whose parents live below the poverty line or belong to the poorest of the poor as determined by the National Economic Development Authority (NEDA) and who are the qualified beneficiaries of this Act;
- (c) Higher Education Institution (HEI) - shall refer to an educational institution that is legally authorized to offer a program of education leading to the conferment of a degree.

SEC. 4. *Coverage.* - This Act shall apply to all public and private HEIs offering degree programs, including local colleges and universities, and shall cover underprivileged public high school students graduating or who have graduated at the top 10 percent of the class and intending to apply for admission in any public or private HEI in the country for a degree program.

SEC. 5. *Qualification Requirements for Free College Entrance Examinations Beneficiary.* A student beneficiary eligible under this Act shall have the following entry requirements:

- (a) Must be a natural-born Filipino citizen;
- (b) Must be a graduating high-school student or high school graduate from a public high school and intends to enrol in any public or private HEI;
- (c) Must belong to the top 10% of the graduating class; and
- (d) Must have parents or guardians living below the poverty line as determined by the NEDA.

SEC. 6. *Penalties.* – Any HEI official or employee and other concerned individuals found guilty of violating the provisions of this Act shall suffer the penalty of *prision correccional* or imprisonment from six (6) months and one (1) day to six (6) years and a fine of Seven Hundred Fifty Thousand Pesos (P750,000).

In addition, the Commission on Higher Education (CHED) may impose disciplinary sanctions against any HEI official or employee violating the provisions of this Act pursuant to Section 13 of Republic Act No. 7722, otherwise known as the Higher Education Modernization Act of 1994.

SEC. 7. *Implementing Rules and Regulations.* – The CHED, in coordination with the Department of Education (DepEd), Philippine Association of State Universities and Colleges (PASUC), the Coordinating Council of Private Educational Associations (COCOPEA), and the Association of Local Colleges and Universities (ALCU), shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 8. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the other sections or provisions not otherwise affected shall continue to be in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, executive orders, decrees, instructions, rules and regulations contrary to or inconsistent with any provision of this Act are hereby repealed, modified or amended accordingly.

SEC. 10. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,