

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4944



**INTRODUCED BY REP. KARLO A. B. NOGRALES and
REP. JERICHO JONAS B. NOGRALES**

EXPLANATORY NOTE

Education, in general, is regarded as the major contributor to the improvement of living standards of the underprivileged. For many poor Filipinos, education is a means to a better life.¹

With the current education reforms, particularly the K to 12 Program under RA 10533 and the Unified Financial Assistance System for Tertiary Education or the UNIFAST Act under RA 10687, the State is now faced with the challenge to allocate enough resources to meet the current input gaps and to translate these education reforms into concrete actions. Every year, the government allocates the highest budget for education. A major development is also the inter- agency collaboration in addressing the needs of the poorest Filipinos through the Conditional Cash Transfer (CCT) program that requires school attendance of children. However, even with this budgetary support, there are still many Filipinos who remain unable to afford the full cost of education; many Filipinos are in areas that are underserved due to tremendous geographical barriers to access the schools, emerging climate change issues, continuing threats to security and peace, and the long-standing marginalization of indigenous peoples and those with disabilities. The problem does not exclude those who are actually in school as there remains much to be desired when it comes to the quality of education being provided.

Consistent with the constitutional mandate to protect and promote the right of all citizens to quality and accessible education², it is imperative to make sure quality higher education is provided to all the deserving and qualified, and providing more to the deserving and qualified poor in the form of subsidy to cover the full cost of education. Such subsidy shall be made available to

¹ EFA 2015

² Sec. 1, Art. XIV, 1987 Philippine Constitution.

deserving and poor students in both public and private higher education institutions as mandated by the constitution, no less³.

Given the current landscape in higher education where 1,706 are private higher education institutions, which accounts to 54% of the total students enrolled in higher education; and 228 are State Universities and Colleges (SUCs) which accounts to 46% of the total student population in higher education, it presents an opportunity to once and for all operationalize the constitutional mandate of complementarity between public and private higher education institutions⁴. This complementarity is calculated to optimize the use of government resources in reaching out to more student beneficiaries for higher education.

In sum, this complementary role of Philippine higher education is envisioned to be an instrument to expand access to quality education, enhance the competencies of graduates and faculty, develop and foster excellence in all institutions of higher learning, and enshrine ethical and innovative governance in higher education.

WHEREFORE, in recognition of education as a universal right⁵, and in line with the long-term and collective aspirations of Filipinos established by the NEDA under *Ambisyon Natin 2040*, urgent passage of this bill providing for free higher education for all, is earnestly sought.



KARLO A. B. NOGRALES



JERICO JONAS B. NOGRALES

³ Sec. 2 (1) and (3) *supra*.

⁴ Sec. 4, (1) *supra*.

⁵ Article 26, The Universal Declaration of Human Rights (UDHR). It is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations.

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AN ACT
PROVIDING FOR FREE QUALITY HIGHER EDUCATION AND
CREATING THE FREE QUALITY HIGHER EDUCATION VOUCHER
SYSTEM, AND APPROPRIATING FUNDS THEREFOR

*Be it enacted by the Senate and the House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the “*Free Quality
Higher Education Act of 2016.*”

SECTION 2. *Declaration of Policy.* – The State shall protect and promote the
right of all citizens to accessible quality higher education through a system of
complementary public and private higher education institutions. Towards this
end, the State shall:

1. Give the highest budgetary allocation to education;
2. Provide subsidies which shall be available in both public and private
higher educational institutions;
3. Give priority to students who are financially challenged and academically
able;
4. Ensure the optimized utilization of government resources in education;
5. Recognize the complementary roles of public and private institutions in
the higher educational system.

Specifically, the delivery of quality and accessible higher education shall aim
to:

- 1) Stimulate the social and cultural transformation of the society;
- 2) Accelerate innovation and inclusive economic prosperity;

- 3) Pursue public-private complementarity by encouraging diversity and increasing competition among higher educational institutions within a level playing field; and
- 4) Align with the long-term and collective aspirations of Filipinos established by the NEDA under *Ambisyon 2040*.

SECTION 3. *Higher Education Voucher System (HEVS)*- There shall be a higher education voucher system for students in both public and private higher education institutions under the Free Quality Higher Education Program. The Higher Education Voucher (HEV) shall entitle the holder to quality higher education in any qualified participating State University or College (SUC) or Private Higher Education Institution (PHEI).

SECTION 4. *Implementing Agency*. The UNIFAST Board under Republic Act 10687 shall be the lead agency tasked, in consultation with multi-sectoral representatives which includes the academe and industry, to:

- a. Identify the priority higher educational programs that will be subsidized under this Act;
- b. Provide the guidelines in the selection and accreditation of participating SUCs and PHEIs to implement the HEVs and ensure equal opportunity and access of the participating educational institutions;
- c. Provide the guidelines or criteria for students to qualify for free quality higher education vouchers;
- d. Administer the Free Higher Education Voucher System; and
- e. To manage the Free Higher Education Fund.

SECTION 5. *Free Quality Higher Education Fund*. – The Free Quality Higher Education Fund, hereinafter referred to as the Fund, is hereby established. The Fund shall be used solely for the purpose of implementing the HEVS under the provisions of this Act.

SECTION 6. *Free Quality Higher Education Voucher Value*- The Commission on Higher Education (CHED) shall be tasked to determine the appropriate HEV voucher values upon consultation with the National Economic and Development Authority (NEDA), Philippine Institute for Development Studies (PIDS), industry groups, and other relevant sectors, based on a set of criteria which shall include, among others:

1. tuition and other school fees charged by the participating SUCs/PHEIs,
2. the socioeconomic needs of each region,

3. the academic qualifications and the financial needs of the students and the teachers, and the financial needs of the educational institutions;
4. level of quality of educational services delivered by the participating SUCs and PHEIs, and
5. the geographic spread and size of student population.

The HEV values shall be subject to change upon periodic review of CHED and after due consultation with stakeholders.

SECTION 7. *Coverage of Subsidy.* The amount of subsidy through the HEV received by the state university or college (SUC) shall cover the full cost of education. No other collections shall be made to the students. For private higher educational institutions (PHEI), the amount of tuition and other fees not covered by the HEV shall be determined and collected only in compliance with consultation and other requirements under existing guidelines and procedures for tuition and other school fees of the Commission on Higher Education.

A violation of this provision shall be a cause for disqualification of the educational institution from participating in the implementation of the Higher Education Voucher System under this Act.

SECTION 8. *Appropriations.* – Such amount necessary to effectively carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SECTION. 9. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the CHED in consultation with the Coordinating Council of Private Educational Associations (COCOPEA), Philippine Association of State Universities and Colleges (PASUC), Association of Local Colleges, and Universities (ALCU), all other concerned associations and government agencies necessary to implement the provisions of this Act.

SECTION. 10. *Separability Clause.* – Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SECTION. 11. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or other issuances or parts inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION. 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

Approved.