

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 9014

Introduced by **KABATAAN PARTY-LIST Representative Sarah Jane I. Elago**

EXPLANATORY NOTE

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

This is the guiding principle behind the crafting of the Comprehensive Free Public Education Bill. Thrust before Congress is a bill drafted collectively by youth and students in the Philippines to holistically address the worsening state of the Philippine public higher education system. This proposed bill not only seeks to make public education up to the tertiary level ultimately free and accessible to all, but also to uphold the public character of our government-run higher education institutions, and address the structural ills of the Philippine education system.

Current Higher Education Situation Highlights

Despite having Universal Access to Quality Tertiary Education, majority of Filipino students in tertiary education are in private schools. Eighty-eight percent (88%) of institutions that offer tertiary-level degrees are privately run, and the remaining is composed of SUCs, LUCs and other government schools.

Private higher education institutions in the country are now preparing to hike tuition and other school fees (TOSF) for Academic Year 2019-2020. Around 700 private schools, universities and colleges will submit applications for 6-8% TOSF increase to the Department of Education (DepEd) and Commission on Higher Education (CHED), which have traditionally approved the annual round of fee increases at the expense of students and families.

Added burden to already struggling families

The entry of the average Filipino family to schools is obstructed by exorbitant TOSF as well as other expenses that will keep a student in school. Another round of fees increases will only cause more dropouts and out-of-school youth. Wages of ordinary, minimum-wage earners are not enough to ensure the attendance of one student in senior high school.

Table 1. Breakdown of Cost of Attendance in Private HEIs for AY 2017-2018

ITEM	COST (in Php)
Tuition	33,047 – 47,210
Laboratory Fees	5,000 – 10,000
Miscellaneous Fees	8,000 – 16,000
Books	10,000 – 15,000
Daily Expenses	62,500
Supplies and Projects	19,000
TOTAL	167,547 – 229,710

In private higher education, the national average tuition rate as of 2017 is Php 786.84 per unit. An academic load of 42-60 units per academic year will mean that a student needs Php 33,047 to Php 47,210 for tuition fees.

Including all other costs such as living allowance, student housing, school supplies, class projects, and other fees besides tuition, college education reaches Php 168,000 pesos and peaks to almost Php 230,000. For the typical Filipino family in Metro Manila with one parent working as a minimum wage earner, that parent will earn Php 10,240 per month for working 20 days with Php 512 per day. This same parent will earn Php 122,880 annually – an amount that is barely enough to cover even just the cost of college education.

Rising costs due to Duterte's TRAIN Law

The Tax Reform for Acceleration and Inclusion (TRAIN) Law has caused the prices of basic goods and services to skyrocket beyond the reach of the many poor families in the country. Even education is no exemption. For AY 2018-2019, private schools point to TRAIN Law as a major reason for increasing fees by around 6% which is higher than the usual rate of 3-4%.

By continuing to implement the TRAIN Law, the Duterte administration is accountable for pushing the cost of education to go up way beyond its normal rate of increases in past years. Higher TOSF along with more expensive food, higher transportation costs and other daily expenses aggravate the problem of already pricey education in the country.

Even the voucher system in basic education and the Tertiary Education Subsidy in higher education are poorly implemented. Ultimately, these programs fail to address the problem of annually increasing TOSF and rising costs to keep students in school.

Deregulated educational system

The government persists in treading the path of deregulation in education. It basically gives schools the liberty to increase fees without exercising strict control and oversight, resulting in annual TOSF increases in hundreds of schools nationwide. Over the decades, school fees have soared because CHED and DepEd act as stamp pads to the fee increase applications amid calls by students and parents to stop those hikes.

While claiming credit for the free education program, the Duterte government has not reversed the state policy of deregulating education. This is because the primary

beneficiaries of expensive education are big capitalist educators who earn massive profits from education among their other business interests: Ayala's, Sy's, Lucio Tan, among others.

The Need for Free Public Higher Education

Clearly, there is a need for a paradigm shift in higher education, a shift that should reverse the reigning system that turned college education into an expensive private pursuit. This bill thus seeks to introduce a system of free public higher education, with particular emphasis on promulgating new state policy that translates to a repudiation of the neoliberal education framework. This bill has the following features:

- **Abolition of the Tuition System** – The proposed bill does not espouse the concept of “subsidizing” tuition and other school fees. Rather, it rethinks the manner in which public financing of state-run higher education institutions is done. Instead of creating a separate fund to pay for the equivalent tuition and other school fee rates of students, this bill seeks to finance the actual “cost of attendance” of students, the total amount a particular state-run university or college needs to provide education for a student per year, including proportional cost per student for personnel services, maintenance and other operating expenses, and capital outlay. The total projected cost of attendance will become the primary determinant of a state-run university or college’s annual funding from the government and shall also serve as guide for the Executive Department in preparing the annual national expenditure program.
- **Readmission of drop-outs** – Due to the high cost of education and related expenses, millions of students are not able to finish their studies. The bill seeks to give these out-of-school youth an opportunity to continue studies by including a provision for their readmission.
- **Special Grant for Financially-Disadvantaged Students** – The bill also creates a special grant that will offer additional support for financially-disadvantaged students, outside of tuition and other school fees. This Special Grant covers:
 - Allowance for books, supplies, transportation, and miscellaneous personal expenses, including a reasonable allowance for the documented rental or purchase of a personal computer or laptop;
 - An allowance for room and board costs incurred by the student;
 - For a student with a disability, an allowance determined by the public higher education institution he/she is enrolled in for expenses related to the student's disability, including special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred; and
 - For a student in a program requiring professional licensure or certification, the one-time cost of obtaining the first professional credentials.

- **Introduction of a nationalist, scientific, and mass-oriented higher education curriculum** – This bill also establishes a new higher education curriculum responsive to the needs and the goals of the nation. The curriculum shall:
 - Foster patriotism and nationalism by instilling in every student the firm resolve never to allow our people to be dominated and controlled by foreign powers or domestic tyrants, and focusing on developing a self-reliant and independent national economy, with particular emphasis on agrarian reform, and the development of the nation's agriculture and national industries;
 - Inculcate a scientific worldview that heightens the social consciousness of all Filipino students towards total human liberation, as well as foster a culture of learning that nurtures learning directed towards understanding and solving the basic problems of Philippine society
 - Serve to equip students with the knowledge and skills needed to serve the Filipino nation. The new curriculum shall also encourage study programs that respond to community needs. Students should not only learn through formal learning instruction and textbooks, but also through immersion into the larger society that exists beyond their classrooms.

Through this we can facilitate the creation of a safer and better learning environment and achievement of holistic development of our youth.

If passed, this bill stands to benefit not only the students currently enrolled in LUCs established, administered, maintained and funded by local government units and all other public universities and colleges not covered by RA 10931 or the Universal Access to Quality Tertiary Education, but also millions others who will be able to enter college without fearing the heavy costs. At a more fundamental level, the passage of this bill will also result in the reversal of decades of attacks on the right of every Filipino to education.

Believing that fundamental changes in education should address the basic ills that hound the system, we need to collectively strive for a type of education that is not only free, but also empowering and liberating.

In this light, the passage of this bill is earnestly sought.



Hon. Sarah Jane I. Elago
Representative, Kabataan Party-list

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9014
HOUSE BILL NO. _____

Introduced by **KABATAAN PARTY-LIST Representative Sarah Jane I. Elago**

AN ACT
STRENGTHENING AND EXPANDING THE SCOPE OF THE FREE PUBLIC
TERTIARY EDUCATION TO INCLUDE ALL LOCAL UNIVERSITIES AND
COLLEGES (LUCS), AND BRANCHES OF STATE UNIVERSITIES AND COLLEGES,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10931, OTHERWISE KNOWN
AS THE "UNIVERSAL ACCESS TO QUALITY TERTIARY EDUCATION"

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

SECTION 1. Section 3(e) of Republic Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education", is amended to read as follows:

"Section 3. *Definition of Terms.* - As used in this Act:

xxx	xxx	xxx
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(e) Local universities and colleges (LUCs) refers to [CHED-accredited] public HEIs established by local government units (LGUs) through an enabling ordinance, financially supported by the LGU concerned, and compliant with the policies, standards and guidelines of the CHED."

xxx	xxx	xxx
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SECTION 2. Section 11 of the same act is amended to read as follows:

"Section 11. *Prohibited Act.* - Upon effectivity of this Act, it shall be unlawful for any person, SUC, LUC and state-run TVI to collect tuition and other school fees from qualified students who voluntarily opt out of the tuition and other school fees subsidy or make a contribution to the school."

SECTION 3. *Separability Clause.* - If any provision or part thereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid or subsisting.

1 **SECTION 4. *Repealing Clause.*** — Republic Act No. 10931 is hereby amended
2 accordingly. All laws, decrees, executive orders and rules and regulations contrary to or
3 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.
4
5 **SECTION 5. *Effectivity Clause.*** — This Act shall take effect fifteen (15) days after its
6 publication in the Official Gazette or in two (2) newspapers of general circulation.

Adopted,