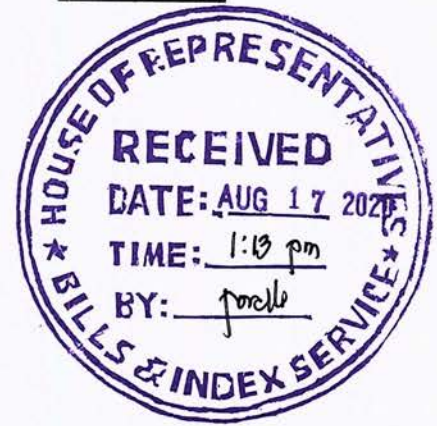




E-FILED

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

EIGHTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 7413

Introduced by CIBAC Party-List Representatives
EDUARDO "BRO. EDDIE" C. VILLANUEVA and DOMINGO C. RIVERA

AN ACT
STRENGTHENING THE COMMISSION ON HIGHER EDUCATION,
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7722,
OTHERWISE KNOWN AS THE "HIGHER EDUCATION ACT OF 1994"
AND FOR OTHER PURPOSE

EXPLANATORY NOTE

The Commission on Higher Education (CHED) was created through Republic Act No. 7722 or the Higher Education Act of 1994 as part of the policy decision of Congress to separate responsibilities and mandates over basic, higher and technical-vocational education across three agencies of government. This major shift in education policy was a product of a long series of education reviews and recommendations carried out through the Monroe Commission (1925), Economic Survey Committee by the Bureau of Education (1927), Quezon Education Survey (1935), UNESCO (1949), Swanson survey (1967), and the Congressional Commission on Education in 1991.

Under RA No. 7722, CHED was mandated to perform policy making, regulatory, and developmental functions over all public and private higher education institutions. As created, the Commission was not envisioned to have implementation functions. Its functions were anchored on the Constitutional mandate to protect, foster and promote the right of all citizens to affordable quality education at all levels; ensure that education shall be accessible to all; advance learning and research; develop responsible and effective leadership; develop high-level and middle-level professionals; and the enrichment of our historical and cultural heritage.

The higher educational landscape has changed significantly since 1994. The internationalization of higher education, outcomes-based education, quality assurance, giant strides in information technology, ASEAN integration, the Fourth Industrial revolution, transnational education, the expansion of secondary education through the K-12 program, and Universal Access to Quality Higher Education (UAQTE) law require a Commission that will steer and assist higher education institutions to maximize these international and regional opportunities.

In addition to these global and regional developments, the Philippine Congress has passed numerous laws that increase implementation mandates for the CHED, such as:

- 1) Republic Act No. 10650 or the Open Distance Learning Act;
- 2) Republic Act No. 11448 or the Transnational Higher Education Law;
- 3) Republic Act No. 10968 or An Act Institutionalizing the Philippine Qualifications Framework;
- 4) Republic Act No. 11053 or the Anti Hazing law of 2018;
- 5) Republic Act No. 11180 or An Act Requiring Higher Education Institutions to Report Participation and Program Support Expenditures in All College Athletic Programs;
- 6) Republic Act No. **11261** or **An Act Waiving Government Fees and Charges in the Issuance of Documents Required in the Application for Employment of First Time Jobseekers;**
- 7) Republic Act No. 11313 or An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures and Prescribing Penalties Therefor;
- 8) Republic Act No. **11393** or **An Act Authorizing Higher Education Curriculum Development and Graduate Training in Advanced Energy and Green Building Technologies, and Appropriating Funds Therefor;**
- 9) Republic Act No. **11396** or **An Act Requiring State Universities and Colleges (SUCs) to Prepare and Implement a Land Use Development and Infrastructure Plan that Shall Include the Construction of Dormitories for Students and Housing Sites for Employees;**
- 10) Republic Act No. 11292 or An Act Providing for the Magna Carta for the Poor; and
- 11) Republic Act No. 10931 or the Universal Access to Quality Tertiary Education Law.

This bill, strongly endorsed by the Commission, seeks to strengthen the Commission by:

- 1) Incorporating all the added mandates created by laws passed by Congress since 1994 in a single document;
- 2) Expanding its mandate to cover sports development; supervision and regulation of higher education programs offered by local universities and colleges (LUCs); developing common standards for accrediting agencies; internationalization of higher education institutions, establishment of a national registry for academic information and mobility; and strengthening quality assurance;
- 3) Giving the Commission quasi-judicial powers to strengthen its capability to establish and enforce educational policies and standards;
- 4) Creating new offices in CHED that will carry out its added mandates; and
- 5) Increasing its manpower complement to ensure successful execution of all its functions that include recently added mandates.

To ensure that CHED can execute all the added mandates efficiently and effectively and at the same time undertake the vital role of modernizing Philippine higher education to keep pace with all the international and regional advancements, the immediate approval of this bill is earnestly sought.


HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA


HON. DOMINGO C. RIVERA



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

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7413

Introduced by CIBAC Party-List Representatives
EDUARDO "BRO. EDDIE" C. VILLANUEVA and DOMINGO C. RIVERA

AN ACT
STRENGTHENING THE COMMISSION ON HIGHER EDUCATION,
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7722,
OTHERWISE KNOWN AS THE "HIGHER EDUCATION ACT OF 1994"
AND FOR OTHER PURPOSE

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Revised Higher Education
2 Act of 2020."

3
4 **SEC. 2. Declaration of Policy.** – The State shall protect, foster and promote the right
5 of all citizens to affordable quality education at all levels and shall take appropriate
6 steps to ensure that education shall be accessible to all. The State shall likewise
7 ensure and protect academic freedom and shall promote its exercise and observance
8 for the continuing intellectual growth, the advancement of learning and research, the
9 development of responsible and effective leadership, the education of high level
10 professionals, and the enrichment of our historical and cultural heritage.

11
12 State-supported institutions of higher learning shall gear their programs to
13 national, regional or local development plans. Finally, all institutions of higher learning

1 shall exemplify through their physical and natural surroundings the dignity and beauty
2 of, as well as their pride in, the intellectual and scholarly life.

3
4 **SEC. 3. Definition of Terms.** – As used in this Act:

5
6 a) Commission en banc refers to the policy-making body of the
7 Commission on Higher Education composed of the chairperson and commissioners
8 exercising their power and functions under the mandates prescribed by this Act;

9
10 b) Foreign higher education institutions refer to a foreign-owned and duly
11 recognized higher education institutions abiding by a prescribed system of education
12 duly registered in a country other than the Philippines;

13
14 c) Higher education institution (HEI) refers to an educational institution,
15 whether private or public, undertaking operations of higher education programs
16 recognized by the Commission on Higher Education;

17
18 d) Local universities and colleges refer to public HEIs established and
19 financially supported by their respective local governments; and

20
21 e) State universities and colleges refer to public HEIs with independent and
22 separate governing boards created and established by law.

23
24 **SEC. 4. Commission on Higher Education.** – In pursuance of the abovementioned
25 policies, the Commission on Higher Education, hereinafter referred to as the
26 Commission, created under Republic Act (RA) No. 7722, otherwise known as the
27 “Higher Education Act of 1994,” shall continue in the exercise of its powers and
28 functions in accordance with the provisions of this Act.

29
30 The Commission shall be independent and separate from the Department of
31 Education (DepEd) and attached to the Office of the President for administrative
32 purposes only. Its coverage shall be both public and private HEIs as well as degree-
33 granting programs in all post-secondary educational institutions, public and private,
34 except those under the jurisdiction of the Bangsamoro Autonomous Region of Muslim
35 Mindanao (BARMM) as provided under Republic Act No. 11054, otherwise known as
36 the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao.

37
38 **SEC. 5. Composition of the Commission.** – The Commission shall be composed of
39 five (5) full-time members. The President of the Philippines shall appoint a chairperson
40 of the Commission and four (4) commissioners, (a) who shall be holders of earned
41 doctorate degrees, defined as Level 8 in the Philippine Qualifications Framework, from
42 a reputable HEI recognized by the Commission, (b) who have been actively engaged
43 in higher education for at least ten (10) years, and (c) must not have been candidates
44 for any elective positions in the national or local election immediately preceding their
45 appointment. They must be academicians known for their high degree of
46 professionalism and integrity and have distinguished themselves as authorities in their
47 chosen fields of learning. The members of the Commission shall belong to different
48 academic specializations.

49
50 The chairperson shall act as the chief executive officer of the Commission.

1 The President of the Philippines shall also appoint three (3) deputy
2 commissioners who must have the same qualifications as the commissioners. The
3 Deputy Commissioners shall be responsible for (a) Standards and Quality Assurance;
4 (b) Administration and Finance; and (c) Planning and Grants Administration.

5
6 In no case shall any or all of the commissioners or deputy commissioners
7 appoint representatives to act on their behalf.

8
9 **SEC. 6. Term of Office.** – The President shall appoint the full-time chairperson,
10 commissioners, and deputy commissioners for a term of four (4) years, without
11 prejudice to one (1) reappointment.

12
13 The chairperson, commissioners, and deputy commissioners shall hold office
14 until their successors shall have been appointed and qualified. In case a member of
15 the Commission fails to complete a term, the successor shall be appointed by the
16 President of the Philippines for a full four-year term without prejudice to one (1)
17 reappointment. In case of a re-appointee, time served in an acting or hold-over
18 capacity shall be counted as part of the new four-year term.

19
20 **SEC. 7. Rank and Emoluments.** – The chairperson shall have the equivalent rank of
21 a Department Secretary and shall be a member of the Cabinet. The commissioners
22 and deputy commissioners shall have the equivalent rank of Undersecretaries and
23 Assistant Secretaries, respectively. They shall be entitled to receive the compensation
24 and other emoluments corresponding to those of a Secretary, Undersecretaries, and
25 Assistant Secretaries, respectively, and shall be subject to the same disqualifications.
26 Consistent with the provisions of Executive Order No. 292, otherwise known as the
27 “Revised Administrative Code of 1987,” they shall be allowed to receive honoraria and
28 other benefits, subject to existing rules and regulations prescribed by the Commission
29 on Audit.

30
31 **SEC. 8. Powers and Functions of the Commission.** – The Commission shall
32 exercise the following powers and functions:

33
34 a) Formulate a roadmap for Philippine higher education, setting the general
35 directions for educational policies and standards and ensure the development of a
36 Philippine higher education that is accessible, equitable and producing locally
37 responsive, innovative, and globally competitive graduates and lifelong learners;

38
39 b) Formulate, recommend, and implement development plans, policies,
40 priorities, and programs on higher education and research consistent with national and
41 regional development goals, and international human resource requirements;

42
43 c) Broaden access to quality higher education through programs and
44 services, particularly for the disadvantaged students, such as indigenous peoples,
45 poor and deserving students, and students from depressed areas;

46
47 d) Direct the development and reform of higher education towards world
48 class standards, harmonization with the ASEAN education plan, and international
49 conventions and agreements;

1 e) Enable the development of non-traditional higher education programs
2 and delivery modes, including, but not limited, to distance education, ladderized
3 education, and the Expanded Tertiary Education Equivalency and Accreditation
4 Program or ETEEAP provided for by Republic Act No. 10650, otherwise known as the
5 "Open Distance Learning Act" and applicable Executive Orders and issuances;
6

7 f) Facilitate the development of sports development and wellness
8 programs in HEIs to produce globally competitive students-athletes in coordination
9 with the Philippine Sports Commission;
10

11 g) Set minimum quality assurance standards and guidelines for programs
12 and institutions, as well as a governance framework for higher education institutions,
13 including local universities and colleges (LUCs), and accrediting agencies as
14 recommended by panels of experts in the field and enforce the same;
15

16 h) Identify, support and develop centers of excellence in program areas
17 needed for the development of world-class scholarship, nation building and national
18 development;
19

20 i) Accelerate the establishment of transnational higher education
21 programs, the internationalization of higher education in the country and the
22 development of transnational higher education sector consistent with Republic Act No.
23 11448, otherwise known as the "Transnational Higher Education Act;"
24

25 j) Exercise quasi-judicial powers in the pursuit of the mandate of the
26 Commission;
27

28 k) Develop and enforce a system of program compliance and impose
29 necessary sanctions for cause provided by law and only after due process, such as
30 imposition of fines or penalties, downgrading to permit status, non-recognition of
31 accreditation, termination by closure or phase-out of higher education programs, or
32 cessation of operations of public and private HEIs, including local universities and
33 colleges (LUCs) which are not in compliance with the prescribed minimum policies,
34 standards and guidelines (PSGs) set by the Commission or international conventions,
35 whenever applicable: Provided, That no restraining orders or injunctions shall be
36 issued upon Commission actions in the exercise of its quasi-judicial functions, except
37 by the appellate courts after proper proceedings: Provided, further, That the welfare
38 of students, faculty, and employees are given due consideration: Provided, finally,
39 That the exercise of quasi-judicial power shall include the issuance of subpoena,
40 summons, and initiation of contempt proceedings against recalcitrant parties under its
41 jurisdiction;
42

43 l) Upon consultation with the SUCs, coordinate with the DBM the issuance
44 of general guidelines on the use of their income;
45

46 m) Set standards, policies and guidelines for the creation of new higher
47 education institution as well as the conversion or elevation of schools to institutions of
48 higher learning, subject to budgetary limitations and the number of institutions of
49 higher learning in the province or region where creation, conversion or elevation is
50 sought to be made;

1 n) Develop and implement standards and systems on reclassification,
2 promotion and professional development of personnel in SUCs in coordination with
3 the DBM and the Civil Service Commission (CSC);
4

5 o) Support HEIs in the implementation of the Philippine Qualifications
6 Framework for higher education in coordination with the DepEd, Technical Education
7 and Skills Development Authority (TESDA) and other appropriate government
8 agencies consistent with Republic Act No. 10968, otherwise known as the "PQF Act;"
9

10 p) Set guidelines for reasonable increases in tuition and other fees in
11 private HEIs, and approve, disapprove or modify applications for increases: Provided,
12 That the Commission, through its regional offices shall strictly monitor their compliance
13 with the guidelines set for this purpose;
14

15 q) Provide directions and common standards for accrediting agencies;
16

17 r) Conduct mediation, conciliation, settlement meeting or conferences,
18 exercise appellate jurisdiction between HEIs and students, teachers and staff involving
19 academic issues;
20

21 s) Administer the Higher Education Development Trust Fund, as described
22 in Section 14 hereunder, and approve projects funded thereby based on guidelines
23 set by the Commission, which will promote the development of public and private
24 higher education institutions both stock and non-stock;
25

26 t) Chair the governing boards of SUCs and provide direction to these
27 institutions by ensuring that the Commission's policies, standards and guidelines are
28 complied with and fully implemented by them, and review the charters of SUCs
29 including the chairpersonship and membership of their governing bodies and
30 recommend appropriate measures as basis for necessary action;
31

32 u) Establish a national registry for academic information and mobility and
33 other relevant mechanisms for information sharing and dissemination locally or
34 internationally, in coordination with other concerned government agencies;
35

36 v) Promulgate such rules and regulations and exercise such other powers
37 and functions as may be necessary to carry out effectively the purpose and objectives
38 of this Act; and
39

40 w) Perform such other functions as may be necessary for its effective
41 operations and for the continued enhancement, growth or development of higher
42 education.
43

44 **SEC. 9. Quasi-Judicial Powers of the Commission.** – The Commission shall
45 exercise exclusive original jurisdiction over the following:
46

47 a) Fraud or deceit committed in connection with the application for and
48 grant by the Commission of government permits or recognition and other incentives
49 and qualifying procedures;
50

1 b) Failure to comply with conditions or obligations prescribed by the
2 Commission as minimum standards in operating academic courses and programs;
3

4 c) Unauthorized operation of a school or course, or any component thereof,
5 or any violation of the requirement governing advertisements or announcements of
6 educational institutions; and
7

8 d) Other cases and complaints related to the powers and functions of the
9 Commission.
10

11 Except for subparagraph (b), complaints and cases shall first be filed with the
12 regional office which has jurisdiction over the area. The regional director shall resolve
13 the case within a reasonable period from the time of submission of the case for
14 resolution, but in no case shall the entire resolution of the case exceed ninety (90)
15 days from filing.
16

17 An appeal from the decision of the regional director may be filed with the Office
18 of the Executive Director of the Commission within ten (10) days from the receipt of
19 the decision. The Office of the Executive Director shall rule on the appeal within ninety
20 (90) days from the filing of the appeal.
21

22 An appeal from the decision of the Office of the Executive Director may be filed
23 with the Commission en banc within ten (10) days from the receipt of the decision.
24 The Commission en banc shall resolve the appeal within ninety (90) days from the
25 filing of the appeal.
26

27 The decision of the Commission en banc shall be executory. An appeal from
28 the decision of the Commission en banc may be filed with the Court of Appeals, subject
29 to the period on appeals from administrative quasi-judicial bodies to the Court of
30 Appeals in the Rules of Court.
31

32 The Regional Trial Courts are prohibited from issuing any injunction against
33 decisions of the Commission in the exercise of its quasi-judicial functions.
34

35 Sanctions against an HEI is without prejudice to the interest of the students,
36 teachers and employees who believe in good faith that their institution's operations
37 were in conformity with the standards and guidelines set by the Commission: Provided,
38 however, That upon issuance by the Commission of notices to the public regarding an
39 institution's noncompliance with policies and standards of the Commission, including
40 the sanctions imposed on HEIs, the general public shall be bound thereby, and no
41 presumption of good faith shall be enjoyed thereafter by existing or new students,
42 faculty and employees.
43

44 **SEC. 10. Secretariat and the Executive Director.** – The Commission shall have a
45 secretariat, which shall be headed by an executive director, subject to the national
46 compensation and position classification plan. The Commission shall fix the
47 secretariat's staffing pattern, determine the duties, qualifications, responsibilities and
48 functions, as well as the compensation scheme for the positions to be created, upon
49 the recommendation of the executive director. It shall also prepare and approve its
50 budget.

1 The executive director must have at least five (5) years administrative or
2 technical experience in the areas of policies and standards development,
3 management, public or private administration and policy, as well as human resource
4 development, among others, with the rank and emoluments of an assistant secretary
5 to be appointed by the President of the Philippines upon the recommendation of the
6 Commission en banc.

7
8 **SEC. 11. Central Office Operation.** – The Commission shall establish a central office
9 in accordance with the Revised Administrative Code of 1987 and other pertinent laws
10 and issuances to support the fulfillment of the powers and functions of the Commission
11 at the national level. The office shall be headed by a qualified director and assistant
12 director.

13
14 The Chairperson of the Commission shall appoint such personnel necessary to
15 carry out the objectives, policies and functions of the Commission subject to civil
16 service laws, rules and regulations.

17
18 **SEC. 12. Regional Operations.** – The regional offices of the Commission are headed
19 by regional directors with the rank and emoluments of Director IV to be appointed by
20 the President of the Philippines.

21
22 The regional offices of the Commission are under the direct control of the
23 Chairperson of the Commission and shall have the following functions:

24
25 a) Implement the programs of the Commission in the regional level which
26 is under their jurisdiction;

27
28 b) Develop and recommend programs for regional and local-level
29 implementation within the policies set by the Commission;

30
31 c) Facilitate implementation of Republic Act No. 10931, otherwise known
32 as the "Universal Access to Quality Tertiary Education Act," including disbursement of
33 checks; and

34
35 d) Perform such other duties and functions as may be deemed necessary.

36
37 The regional director shall sit as a resource person in all board meetings of
38 SUCs in the region where the regional office has jurisdiction to keep the regional
39 director attuned and updated on the official activities and needs of the concerned
40 SUCs.

41
42 There shall be a legal division in each regional office and provincial office,
43 created pursuant to Section 14 of this Act, to ensure the effective action on legal
44 matters in the region and province, with corresponding additional staffing pattern.

45
46 **SEC. 13. Provincial Offices.** – The Commission shall establish provincial offices to
47 ensure the implementation of policies and programs across island groups and in far to
48 reach areas. The provincial offices are headed by provincial directors, who shall have
49 the rank and emoluments of a Director III. The provincial offices shall be under the

1 direct control and supervision of their respective regional directors and shall have the
2 following functions:

3
4 a) Implement the policies and programs of the Commission in the provincial
5 office which is under their jurisdiction;

6
7 b) Review and recommend programs for implementation within their
8 localities;

9
10 c) Provide technical assistance to local government units in the
11 governance of local universities and colleges and the implementation of local
12 government-initiated programs within their localities;

13
14 d) Provide assistance in the implementation of RA 10931, including
15 disbursement of checks for HEIs which are under their jurisdiction; and

16
17 e) Perform such other duties and functions as maybe authorized.
18

19 **SEC. 14. Higher Education Development Trust Fund.** – The Higher Education
20 Development Fund established under Republic Act No. 7722 shall now be known as
21 the Higher Education Development Trust Fund, hereinafter referred to as the Trust
22 Fund. The Trust Fund shall be used exclusively for the strengthening of higher
23 education in all regions of the country.
24

25 a) The Government shall continue to contribute to the Trust Fund, as
26 follows:
27

28 1) The equivalent of forty percent (40%) annual share on the total
29 gross collections of the travel tax;

30
31 2) The equivalent of thirty percent (30%) share of the annual
32 collections from the Professional Registration Fee; and

33
34 3) The equivalent of one percent (1%) of the gross sales of the lotto
35 operation of the Philippine Charity Sweepstakes Office (PCSO).
36

37 b) Government financing institutions identified and requested by the
38 Commission may contribute to the Trust Fund an amount equivalent to not less than
39 three percent (3%) but not more than five percent (5%) of their unimpaired surplus
40 realized during the immediately preceding year.
41

42 c) The Trust Fund shall have a private portion to be raised from donations,
43 gifts, and other conveyances, including materials, equipment, properties and services
44 by gratuitous title which are exempt from donor's tax and shall constitute as allowable
45 deduction from the income of the donor for income tax purposes.
46

47 d) The Commission has full and exclusive control of the Trust Fund, subject
48 only to existing laws and rules and regulations prescribed by the Commission on Audit.
49

1 **SEC. 15. Management and Administration of the Higher Education Development**
2 **Trust Fund.** – The Trust Fund shall be administered by the Commission. For sound
3 and judicious management of the Trust Fund, the Commission shall appoint a
4 reputable government financial institution as portfolio manager of the Trust Fund,
5 subject to the conditions provided under this Act.
6

7 As administrator of the Trust Fund, the Commission shall prepare the
8 necessary guidelines for its use, subject to the following conditions:
9

10 a) No part of the seed capital of the Trust Fund, including earnings thereof,
11 shall be used to underwrite overhead expenses for administration;
12

13 b) Unless otherwise stipulated by the private donor, only earnings of private
14 contributions shall be used for administrative expenses;
15

16 c) The Commission shall appoint and organize a separate Trust Fund
17 Office to be headed by a director and to be composed of units responsible for resource
18 mobilization, planning and programs, monitoring and evaluation, and finance and
19 administration, among others. Since the Trust Fund comes from contributions from
20 the government and private sector, the Trust Fund Office shall be independent
21 administratively and budgetarily separate from the Commission Secretariat; and
22

23 d) The Trust Fund shall be utilized equitably according to regions to
24 strengthen higher education institutions and support priority programs. In no case
25 shall the Trust Fund be utilized for purposes benefiting individuals other than those
26 earmarked for developmental purposes under the guidelines set by the Commission.
27

28 **SEC. 16. Technical Panels.** – The Commission shall reconstitute or organize
29 technical panels for different disciplines and academic program areas. They shall
30 assist the Commission in setting standards and evaluating academic programs for
31 regulatory and development purposes. The technical panels are composed of
32 individuals highly recognized in their fields of expertise tasked with the formulation of
33 a roadmap for the development of disciplinary and degree programs; review, revise,
34 and update policies, standards, and guidelines (PSGs) based on the policy direction
35 set by the Commission; and serve as resource persons of the Commission in its
36 various activities.
37

38 The technical panels shall serve as advisory or recommendatory bodies for a
39 specific discipline or related program, and whose recommendations are subject to the
40 approval of the Commission en banc.
41

42 **SEC. 17. Guarantee of Academic Freedom.** – Nothing in this Act shall be construed
43 as limiting the academic freedom of universities and colleges. In particular, no
44 abridgment of curricular freedom of the individual educational institutions by the
45 Commission shall be made except for: (a) minimum unit requirements for specific
46 academic programs; (b) general education distribution requirements as may be
47 determined by the Commission; and (c) specific professional subjects as may be
48 stipulated by the various licensing entities. No academic or curricular restriction shall
49 be made upon private educational institutions which are not required for chartered
50 state colleges and universities.

1 Both public and private HEIs, including those established by local governments
2 must comply with the mandatory minimum institutional and program standards set by
3 the Commission en banc.
4

5 **SEC. 18. Guarantee of Religious Freedom.** – No higher education student, faculty,
6 or other members of the academic community shall be prohibited from exercising their
7 right to religious freedom in the HEI or any of its campuses.
8

9 **SEC. 19. Accreditation.** – The Commission shall provide incentives to institutions of
10 higher learning, public and private, whose programs are accredited or whose needs
11 are for accreditation purposes.
12

13 **SEC. 20. Tax Exemptions.** – Any donation, contribution, bequest, and grant which
14 may be made to the Commission shall constitute as allowable deduction from the
15 income of the donor for income tax purposes and shall be exempt from donor's tax,
16 subject to such conditions as provided under the National Internal Revenue Code, as
17 amended.
18

19 **SEC. 21. Authority.** – The Commission shall exercise such authority as may be
20 deemed necessary within its premises or areas of operation to effectively carry out its
21 powers and functions and to attain its objectives: Provided, That the Commission may
22 seek the assistance of other government agencies for the proper implementation of
23 this Act.
24

25 **SEC. 22. Periodic Review.** – The Commission shall undertake a periodic assessment
26 of its accomplishment and review and update the roadmap of Philippine Higher
27 Education every ten (10) years. The updated roadmap shall be submitted to Congress
28 and the Office of the President for the formulation of new policies necessary for the
29 continuous modernization of higher education.
30

31 **SEC. 23. Appropriations.** – The amount necessary for the implementation of this Act
32 shall be charged to the current year's appropriations of the Commission on Higher
33 Education. Thereafter, such amount necessary for the continued implementation of
34 this Act shall be included in the annual General Appropriations Act.
35

36 **SEC. 24. Transitory Provisions.** – The incumbent chairperson and commissioners
37 shall serve as chairperson and commissioners, respectively, under the terms for which
38 they have been appointed without need of new appointments. The incumbent
39 executive director shall likewise serve as executive director without need of a new
40 appointment.
41

42 All officers and personnel of the Commission shall continue to perform their
43 duties and responsibilities and receive their corresponding salaries and benefits. The
44 approval of this Act shall not cause any demotion in rank or diminution of salary,
45 benefits and other privileges of the incumbent personnel of the Commission.
46

47 **SEC. 25. Separability Clause.** – If any part or provision of this Act is held
48 unconstitutional or invalid, the other provisions or parts hereof which are not affected
49 thereby shall continue to be in full force and effect.

1 **SEC. 26. Repealing Clause.** – Republic Act No. 7722, otherwise known as the
2 “Higher Education Act of 1994,” is hereby repealed. All laws, presidential decrees,
3 executive orders, rules and regulations, or parts thereof which are inconsistent with
4 the provisions of this Act are hereby repealed, amended or modified accordingly.
5

6 **SEC. 27. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
7 in the Official Gazette or in a newspaper of general circulation.
8

9 **Approved,**