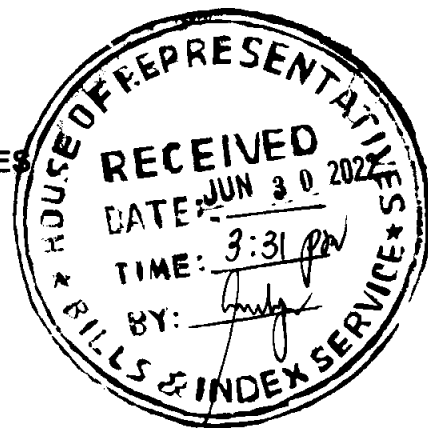


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 252



Introduced by
KABATAAN PARTY-LIST Representative Raoul Dannel A. Manuel,
ACT TEACHERS PARTY-LIST Representative France L. Castro,
and GABRIELA WOMEN'S PARTY Representative Arlene D. Brosas

AN ACT
PROVIDING FINANCIAL ASSISTANCE TO SUBSIDIZE EDUCATION COSTS AND PROVIDING
OTHER FORMS OF RELIEF DURING TIMES OF NATIONAL EMERGENCIES AND CRISES,
AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Article XIV, Section I of the 1987 Constitution states that the State shall protect and promote the right of all citizens to quality education at all levels. This is further concretized in Section 2, subparagraph (3) of the same Article, which states that it shall establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged.

While significant strides have been made in the Filipino youth's pursuit to realize this constitutionally-enshrined right—the passage of RA 10931 (Universal Access to Quality Tertiary Education Act), RA 10929 (Free Public Wifi Law), RA 11036 (Mental Health Law), among others—there are still numerous battles to be won. However, the education sector has faced another major setback: the COVID-19 pandemic and its consequent historic economic crisis.

The COVID-19 pandemic has unmasked the already weak economic fundamentals, poor job generation strategy, and fragile healthcare and social protection systems that have been in

place for so long as part of the neoliberal orientation of the Philippine economy. Contrary to the Duterte administration's claim of strong economic fundamentals, the Philippine economy has long been tethered to artificial and external economic growth drivers such as overseas remittances that continue to act as a façade for the chronic decay of the quality of life of millions of Filipinos.

Last 2020, the high dropout rates and surge in mental health concerns among students while government agencies are implementing distance learning modes are reaching alarming levels. Students are experiencing difficulties as to how they can continue to fund their education because their parents are unemployed, underemployed, or receiving meager wages. While the country is in an economic crisis, public funds must be used primarily for basic social services, including education.

As the fight for quality education amidst the pandemic has progressed, we have seen that national government agencies for education have since called for the resumption of face-to-face classes and instituted policies to this effect. This has given rise to new problems for students and their families who have fallen on hard times due to the economic crash caused by the Duterte regime's mismanagement of the pandemic. Students will need assistance for food, transportation, accommodations, and even gadgets during the transition from distance learning to hybrid modalities.

In grassroots consultations, we continue to see dwindling confidence in students' ability to embrace the face-to-face learning modality due to high economic insecurities. We believe that now, aid is even more important to ensure that we can deliver true quality and accessible education to all students

In this bill, it seeks to institutionalize an emergency student aid and relief system during times of national emergency or crisis to assist Filipino students and youth in their expenses related to alternative modes of learning, including tuition, other school fees, gadgets and internet connectivity, and now, to help facilitate the return of students to face-to-face classes it will also include a one-time distribution of Php 10,000.

This Representation, along with the Student Aid Network, and broad sectors of society call on Congress to enact this law and others that will allocate sufficient budget for cash subsidies to Filipino students. It also calls on the Philippine President to certify as urgent those bills in line with this objective.

In view of the foregoing, the approval of this bill is earnestly sought.


RAOUL DANNIEL A. MANUEL
Kabataan Partylist


ARLENE D. BROSAS
Gabriela Women's Party


FRANCE L. CASTRO
Act Teachers Partylist

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 252

Introduced by KABATAAN PARTY-LIST Representative ~~Sarah Jane I. Elago~~ ^{Raoul Daniel A. Manuel},
ACT TEACHERS PARTY-LIST Representative France L. Castro,
and GABRIELA WOMEN'S PARTY Representative Arlene D. Brosas

AN ACT
PROVIDING FINANCIAL ASSISTANCE TO SUBSIDIZE EDUCATION COSTS AND PROVIDING
OTHER FORMS OF RELIEF DURING TIMES OF NATIONAL EMERGENCIES AND CRISES,
AND APPROPRIATING FUNDS THEREFOR

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 "Emergency Student Aid and Relief Law".

SECTION 2. Declaration of Principles and State Policies. – It is hereby the declared policy of the State that education at all levels is a fundamental right of every Filipino, and that the State shall establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged.

In order to achieve this, the State shall:

- (1) Ease the financial burden of educational costs during national emergencies or crises across all levels of education;
- (2) Financially assist students in public and private educational institutions, especially those struck by economic hardship during national emergencies and crises, by defraying a certain portion of such cost; and
- (3) Allocate sufficient funding to subsidize additional costs incurred by the student during the alternative learning setup during said national emergency or crisis.

SECTION 3. Definition of Terms. – The following terms, as defined accordingly, shall be used in this Act:

- 1 (1) *Gadget subsidy*. – refers to the disbursement of public funds to aid students in their
2 procurement or purchase of electronic gadgets necessary for their attendance and/or
3 participation in the online classroom setup;
- 4 (2) *Learning institution*. - refers to institutions providing educational services to its
5 enrollees, including those in basic, secondary, and/or tertiary education;
- 6 (3) *Online and modular learning expenses*. – refers to expenses incurred relevant to the
7 utilization of the digital learning setup, which may include, but are not limited to,
8 prepaid load, internet connection rental, transportation expenses for submission of
9 modules and other requirements, printing expenses for the production of learning
0 modules and other written projects;
- 1 (4) *Other education-related expenses*. – refers to expenses incurred by the student in
2 his/her compliance with the educational requirements necessary to finish the term,
3 which may include, but are not limited to books, school supplies, materials for
4 alternative-learning projects or activities, reproduction of other learning materials,
5 yearbook;
- 6 (5) *Recipient*. – refers to anyone currently enrolled as a student in any learning institution
7 duly accredited by the Department of Education (DepEd) and/or Commission on
8 Higher Education (CHED), as well as those who dropped out of their programs
9 attributable to the national crisis or emergency;
- 0 (6) *Tuition*. – refers to the fee representing the direct costs of instruction, training and
1 other related activities, the students' use of the instruction and training facilities, and
2 fees that cover costs supportive of instruction, including but not limited to medical and
3 dental, athletic, development and construction, library, and laboratory fees.
4

5 **SECTION 4. Implementation of the Student Aid Program.** – The Student Aid shall be
6 effective upon declaration by the national government of a national emergency or any declaration
7 to that effect, and that recipients shall receive said student aid in cash form, upon compliance with
8 minimal requirements as may be imposed by the Department of Social Welfare and Development,
9 in coordination with the Department of Education and/or the Commission on Higher Education:
0 *Provided*, that local government units in any level may declare a local state of emergencies or crisis
1 and be authorized to realign their respective local funds, including unutilized or unreleased subsidies
2 and transfers to fund the provision of the emergency aid and relief contemplated in this Act: *Provided*
3 *further*, that nothing in this Act shall cause or authorize the reduction or removal of any benefit which
4 the national or local government, or any other private entity, may have granted to the students or to
5 their families prior to the enactment of this Act:
6

7 **SECTION 5. Student Aid.** – To subsidize education costs during the period of emergency or
8 crisis, the student aid as provided in this Act shall be disbursed to its recipients in the following
9 matrix:
0

- 1 (1) Financial assistance for tuition, other education-related expenses, and/or gadget
2 subsidy of at least One thousand pesos (Php 1,000.00) per month; and
3 (2) Subsidy for online and modular learning expenses of at least One Thousand pesos
4 (Php 1,000.00) per month, also to be given in a singular tranche.

1
2 All recipients will receive the subsidy of within 15 days after the declaration of emergency or
3 crisis: *Provided*, that in the event that the funding appropriated under this Section is not fully
4 utilized by reason of those voluntary opt-outs, the remaining balance, shall be appropriated
5 towards increasing the financial assistance mentioned in Section 5, subparagraph (1) of this
6 Act.

7
8 **SECTION 6. Moratorium on Tuition and Other School Fee Increases.** – To further mitigate
9 the impact of the emergency or crisis to students and their families, a moratorium on tuition and
0 increases in other school fees (TOSF), as defined by Sec. 3(h) of Republic Act 10931, shall be in
1 place for the term during the occurrence of the emergency or crisis: *Provided*, That the Department
2 of Education, Commission on Higher Education, and/or Technical Skills Development Authority shall
3 review its policy guidelines governing adjustment, refund and transparency in the collection of TOSF
4 following changes in learning modalities under a public health emergency, with the objective of
5 studying the feasibility of reduction during the period of emergency or crisis, and coming up with
6 guidelines to that effect.

7
8 **SECTION 7. Waiver of student loans incurred during the emergency or crisis.** – For
9 those students in tertiary education, whether in public or private educational institutions, who have
0 incurred student loans through the Unified Financial Assistance System (UniFAST) or any
1 government lending institution for educational expenses during the period of emergency or crisis,
2 their loans are deemed waived.

3
4 **SECTION 8. Waiver of interest on unpaid balances incurred during an emergency or**
5 **crisis.** – The collection of interest arising from unpaid balances in private educational institutions
6 across all levels incurred during the period of the emergency or crisis are hereby suspended:
7 *Provided*, That non-payment was due to loss of financial capacity to pay because of unemployment
8 or some other valid justification as may be qualified by the crisis management agency.

9
0 **SECTION 9. Opt-Out Provision.** Any student, without the need of any valid or justifiable
1 reason, may voluntarily opt not to receive any or all of the student aid grants described in Sec. 5
2 subparagraphs (1) and (2), Sec. 6, 7, and 8.

3
4 **SECTION 10. Student Aid and Relief during the COVID-19 pandemic.** To subsidize
5 education costs during the period of the COVID-19 pandemic, student aid in the form of a one-time
6 cash subsidy of Ten thousand pesos (Php 10,000.00) shall be disbursed to its recipients. It shall
7 serve as financial assistance for tuition, other school fees, transportation, food, accommodation,
8 gadgets, online and modular learning costs, and other education-related expenses.

9
0 All recipients will receive the one-time cash subsidy of Ten thousand pesos (Php 10,000.00)
1 within 15 days after the promulgation of the Implementing Rules and Regulations of this Act:
2 *Provided*, that any student, without need of any valid or justifiable reason, may voluntarily opt
3 not to receive any or all of the student aid grants in this Section and Secs. 6, 7, and 8:
4 *Provided further*, that in the event that the funding appropriated under this Section is not fully

utilized by reason of those voluntary opt-outs, the remaining balance, shall be appropriated towards increasing the financial assistance mentioned in Section 5, subparagraph (1) of this Act.

The sum of **Two hundred and Eighty-five Billion pesos (Php 285,000,000,000.00)** is hereby appropriated to the Development of Social Welfare and Development for the implementation of this Section.

This section shall lose its operative force upon full utilization of the funds appropriated therefor.

SECTION 11. Prohibited Acts. – Upon effectivity of this Act, it shall be unlawful for any person and/or any learning institution to:

- (a) Impose additional rates on the tuition and/or other school fees being charged to its students;
- (b) Deprive any qualified recipient of the student aid being given, without sufficient basis and due process; and
- (c) Unlawfully appropriate said funding for purposes other than those specified in this Act: *Provided*, That the criminal offense arising from the violation of this Section does not preclude the criminal offenses that may be charged under the Revised Penal Code and other special laws.

SECTION 12. Penalties. – A violation of the prohibited act under Section 7 of this Act shall be meted a penalty of imprisonment of not less than six (6) months but not more than one (1) year or a fine of not less than Twenty thousand pesos (Php 20,000.00) but not more than One hundred thousand pesos (Php 100,000.00), or both, at the discretion of the court. In case of a university, college or any other judicial entity, the penalty shall be imposed on the president, treasurer or the officer or person responsible for the violation.

SECTION 13. Sources of Funding.

(a) For the immediate implementation of Section 10 of this Act, the herein subsidy and stimulus measures shall be funded from the following:

- (i) The General Appropriations Act (GAA) in place for the particular fiscal year that this Act is passed: *Provided*, That funds for the herein authorized programs, activities and projects (P/A/Ps) shall be sourced primarily from the unprogrammed funds and savings realized from modified, realigned, or reprogrammed allocations for operational expense of any government agency or instrumentality under the Executive Department, including, but not limited to, traveling expenses, supplies and materials, expenses, professional services, infrastructure projects, general services, advertising expenses, printing and publication expenses, and other maintenance and operating expenses in the GAA currently in place: *Provided*, That such discontinued P/A/Ps do not support

1 the objectives of economic stimulus and recovery for having low labor intensity
2 or low multiplier effects: *Provided, further,* That infrastructure, having the
3 highest multiplier effect can only be discontinued when all other funds, including
4 unobligated allotments and unreleased appropriations, have been exhausted.

5
6 Notwithstanding the provisions of this Act, the discontinued P/A/Ps may be
7 revived at any time after the COVID-19 pandemic has ceased, and
8 notwithstanding the provisions of Republic Act No. 11639 or the "General
9 Appropriations Act of 2022", may be revived and proposed for funding within
0 the next two (2) fiscal years.

- 1
2 (ii) Savings pooled pursuant to Republic Act No. 11469, otherwise known as the
3 "*Bayanihan* to Heal as One Act" and Republic Act No. 11494, otherwise known
4 as "*Bayanihan* to Recover as One Act";
- 5
6 (iii) Excess revenue collections in any one of the identified tax or non-tax revenue
7 sources from its corresponding revenue collection target, as provided in the FY
8 2022 Budget of Expenditures and Sources of Financing (BESF);
- 9
0 (iv) New revenue collections or those arising from new tax or non-tax sources that
1 are not part of nor included in the original sources included in the FY 2022
2 BESF;
- 3
4 (v) Any unutilized or unreleased balance in special purpose funds (SPFs),
5 including, but not limited to, funds appropriated towards the Barangay
6 Development Program, shall be considered to have their purpose abandoned
7 during the state of national emergency as declared by the President. All such
8 unspent, unutilized, or unreleased money or funds sourced from SPFs shall be
9 utilized and are hereby appropriated for such measures to address the COVID-
0 19 situation and to accomplish the declared national policy herein;
- 1
2 (vi) Cash, funds, and investments held by any GOCC or any National Government
3 Agency: Notwithstanding any law to the contrary, the President is hereby
4 authorized to allocate cash, funds, and investments, including unutilized or
5 unreleased subsidies and transfers, held by any GOCC or any National
6 Government Agency in order to address the COVID-19 Pandemic; and
- 7
8 (vii) Unused appropriation for debt servicing: Notwithstanding any law to the
9 contrary, the President may direct the discontinuance of unutilized automatic
0 appropriations for debt service and available appropriation for the redemption
1 of maturing government securities and use the savings generated therefrom to
2 augment the allocation for any item necessary for the purposes identified in this
3 Act. All amounts so reprogrammed, reallocated, or realigned shall be deemed
4 automatically appropriate for the said purposes: *Provided,* That for interest
5 payments, the savings will be generated from the unused appropriations after

1 actual payment of interest per month as reported by the Bureau of Treasury to
2 the DBM: *Provided further*, That for principal repayment the savings will be
3 generated from the funds freed up as a result of a debt exchange by the Bureau
4 of Treasury.

- 5
6 (b) For succeeding implementation of this Act, the amounts necessary to carry out the
7 provisions of this Act shall be included in the annual General Appropriations Act (GAA)
8 and shall be appropriated under SUCs, CHED, and TESDA in accordance with the
9 provisions of this Act.
0

1 **SECTION 14. Implementing Rules and Regulations.** – Upon enactment of this Act, there
2 shall be an inter-agency task force charged with the promulgation of the Implementing Rules and
3 Regulations (IRR) needed for the implementation of this Act. This task force shall be led by the
4 Secretary of the Department of Social Welfare and Development with the following members: (1)
5 the Department of Education; (2) the Commission on Higher Education; (3) the Department of
6 Budget and Management; (4) National Youth Commission; (5) a representative from the Philippine
7 Association of State Universities and Colleges; (6) a representative from the Coordinating Council
8 of Private Educational Associations; (7) a representative from the Association of Local Colleges and
9 Universities; and (8) representatives from the National Youth and Student Organizations and
0 Formations: *Provided*, That the committee shall finish and promulgate the IRR within thirty (30) days
1 after the effectivity of this Act.
2

3 **SECTION 15. Reporting to Congress.** – The implementing agencies shall submit, in either
4 printed form or by way of an electronic document, to the Joint Congressional Oversight Committee,
5 the House Committee on Appropriations, the Senate Committee on Finance, and the Commission
6 on Audit, the monthly reports regarding the implementation of this Act. The quarterly reports shall
7 likewise be uploaded on the official website of the respective implementing agencies.
8

9 **SECTION 16. Separability clause.** – If, for any reason or reasons, any part or provision of
0 this Act shall be declared as unconstitutional or invalid, the other parts or provisions hereof which
1 are not affected thereby shall continue to be in full force and effect.
2

3 **SECTION 17. Repealing clause.** – All provisions of existing laws, orders, rules and
4 regulations or parts thereof which are in conflict or inconsistent with the provisions of this Act are
5 hereby repealed, amended, or modified accordingly.
6

7 **SECTION 18. Effectivity clause.** – This Act shall take effect immediately upon its publication
8 in the Official Gazette or in at least two (2) newspapers of general circulation in the Philippines.
9
0

1 *Approved,*