

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4172



Introduced by
KABATAAN Party-list Rep. RENEE LOUISE M. CO
and **ACT Teachers Party-list Rep. ANTONIO L. TINIO**

AN ACT
UPHOLDING AND PROMOTING CAMPUS JOURNALISM AND CAMPUS
PRESS FREEDOM, REPEALING FOR SAID PURPOSE REPUBLIC ACT NO.
7079, ENTITLED "AN ACT PROVIDING FOR THE DEVELOPMENT AND
PROMOTION OF CAMPUS JOURNALISM", PENALIZING VIOLATIONS
AGAINST CAMPUS PRESS FREEDOM AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The campus press has an invaluable contribution to the restoration and preservation of free speech and expression inside and outside our nation's campuses.

As early as the periods of the Spanish, American, and Japanese Occupations, campus journalists have braved repressive conditions in order to expose the grim realities under a colonial government. During the tumultuous decades under Martial Law, campus publications served as the alternative press as Presidential Proclamation 1081 imposed state censorship and ordered the closure of major dailies, television and radio stations, and even community papers. As part of the alternative press, campus publications countered State propaganda and fought for the espousal of truth that pierced through the maelstrom of the political and economic injustices of the time.

From the campus press also came prominent and notable figures in Philippine politics, media, art, literature, and business, who, in one way or another, have contributed significantly to their respective fields. The campus press instilled in many of them the hunger for truth and social change that served as the first stirrings of their nationalist consciousness. Among the known products of the campus press

are Amado V. Hernandez, Wenceslao Vinzons. Ernesto Rodriguez. Jr., Armando Malay, Renato Constantino, Elmer Ordonez, Homobono Adaza, Ramon V. Mitra, Leonardo Quisumbing, Luis Teodoro, Antonio Tagamolila, Abraham Sarmiento. Jr. Malou Mangahas, Artemio Panganiban, Miriam Defensor-Santiago, Helena Z. Benitez, Rolando Tolentino, Satur Ocampo, Joe Taruc, and many others, but more importantly, the campus press have produced many nameless and faceless heroes who not only used the pen to hone their skills but to write narratives that "sting" the powers-that-be. In the many campuses today, student publications that continue to uphold and preserve their thrust as an alternative media act as vanguards of academic freedom.

The campus press is regarded as a concrete manifestation of the students democratic rights and a tangible expression of press freedom in the campus. Through it, students are able to practice their rights to freedom of expression and information, rights that are protected by the 1987 Constitution. It does not exist for commercial purposes, unlike the mainstream press that depends primarily on advertisements as its lifeblood. While there are some student publications that resort to advertisements in order to generate additional funds, the majority of campus publications throughout the country rely on the collection of student fees to maintain their operations.

The campus press is expected to uphold the interests of the students amid various issues such as the incessant and unabated tuition and other fee increases, repressive student policies, the militarization of campuses, and various assaults on their democratic rights. However, it does not discriminate between local and national issues because it recognizes that the student body and the community outside our schools and universities are hounded by the same political and economic contradictions.

It is therefore not surprising to find student journalists in conflict with institutions who use their authority to quell free speech and expression. Many student editors and writers have been persecuted throughout history, especially during the 60s, 70s, and 80s when nationalist thoughts were dismissed as threats to the government. Today, student journalists continue to face the same dilemma despite the freedoms and rights enshrined in our Constitution. Student journalists who are critical of the government's policies are being tagged by the military as enemies of the State, openly incriminating them to a grand plot to overthrow the government. Student publications and editors are being tagged as subversives and incorporated into the Armed Forces of the Philippines' (AFP) order of battle, placing their lives in grave danger.

Meanwhile, student journalists also experience harassment, especially in their

own backyard. While the school administration abides by the dictates of state abandonment, the campus press struggles for students' rights by boldly exposing anti-student policies and condemning both the national and school administration's policies of commercialization and privatization. The student journalists are placed at the mercy of school authorities, who have at their discretion the power to determine the student's fate inside the educational institution.

It is simply preposterous that campus press freedom violations exist despite our constitutionally-guaranteed rights to free speech and expression. Yet, it is, even more, enraging that the existing law governing the existence and operations of campus publications in the country is at fault for these assaults to campus press freedom.

Republic Act No. 7079, otherwise known as the Campus Journalism Act of 1991, was enacted on July 5, 1991, to supposedly uphold and protect the freedom of the press at the campus level and to promote the development and growth of campus journalism, as stated in its declaration of policies. While it has some strong provisions, the seriously flawed Campus Journalism Act has been found to be insufficient and lacking in material aspects to fully maintain the existence of the campus press, and protect the rights and welfare of student journalists. Some of the weaknesses of the law are the following:

- (1) It legalizes the non-mandatory collection of the publication fee, which is considered as the lifeblood of most student publications. The law does not contain any provision that would mandate school administrations to collect student publication funds. Instead, it only enumerates the sources where the student publication funds may be taken.
- (2) Section 7 of the law supposedly gives freedom and space for student journalists to write without fear of any threat of suspension or expulsion, the qualification made by the Supreme Court on the said provision by providing exemptions has rendered the security of tenure provision practically useless. One notable exemption is "material disruption of class work or involving substantial disorder or invasion of the rights of others," which is too broad that even a simple factual article may fall within its application.
- (3) The law does not make it mandatory for all colleges and universities in the Philippines to establish student publications. Neither does the said law require that those student publications that remain closed until the present be reopened for the benefit of students.

Administrative intervention and censorship have proliferated, often enabled by policy and funding levers. The classification of the Universal Access to Quality Tertiary Education Act (UAQTEA) of publication fees as “other school fees” made collection and disbursement non-mandatory, while administrators interfered in editorial independence and adviser appointments. Notable cases include:

- University of San Carlos’ *Today’s Carolinian* operating without funds since 2019;
- Polytechnic University of the Philippines - Manila’s *The Catalyst* facing chronic disbursement delays;
- Polytechnic University of the Philippines - Santa Rosa’s *Alpas Publication* (formerly *Tanglaw*) experiencing admin intervention on daily operations;
- National University - Manila’s “nonpartisanship” rules coercing *The National* editors to abandon the Guild under threat of penalties;
- UP Manila’s *Manila Collegian* staff ejected from a UP College of Dentistry town hall;
- Leyte Normal University’s *An Lantawan* denied information channels and funds amid forced adviser appointments;
- University of Santo Tomas’ *TomasinoWeb* ordered to take down posts and later threatened with suspension by school officials; and
- Pamantasan ng Lungsod ng Marikina’s *Hayag* subjected to admin control, takedown orders, and the termination of its editor-in-chief.

Despite a 2021 report documenting 1,000+ Campus Press Freedom Violations (2010–2021), the Commission on Higher Education later denied receiving it, even as cases continued to grow.

Harassment and surveillance by state forces further chill campus journalism, with NTF-ELCAC and the Anti-Terrorism Act weaponized to brand dissent as “communist-terrorist tactics.” Examples include:

- Surveillance and profiling of CEGP Central Luzon coordinators Kleng Mendiola and Denisse Macalino;
- Police harassment of UP Solidaridad in Davao;
- Red-tagging and stalking of Himati-UP Mindanao editor Regina Louelle Masacupan; and
- A Navy-led red-tagging forum at Saint Louis College in Ilocos Norte.

Regional patterns show escalation of campus press repression:

- Bicol publications faced censorship, charges, and harassment;
- Camarines Sur editors endured interrogations, threats, and forced “waivers” disavowing affiliation with CEGP from the 1st Civil Military Operations (Diplomats) Company of the 9th Civil Military Operations Battalion;
- Additionally, *The SPARK*, student publication of Camarines Sur Polytechnic Colleges (CSPC) suffered disinformation attacks from then-candidate Luis Raymund Villafuerte;
- Cordillera authorities adopted a Tokhang-like “Dumanon Makitungtong” strategy targeting campus publication members; and
- Southern Tagalog youth journalists were charged with trumped-up cases later dismissed.

The cumulative picture is one of systematic administrative and state pressure aimed at silencing the campus press and eroding students’ democratic rights.

Several bills have been filed in the previous Congresses seeking to amend the Campus Journalism Act. Although the House of Representatives has recognized the flaws of the law, the proposed amendments by several legislators focused only on the financial aspect of the Campus Journalism Act and still fail to address the roots of campus press freedom violations.

This bill, thus, seeks to repeal the Campus Journalism Act of 1991, which has been hanging over the campus press for several decades now, and to replace it with a law that genuinely upholds campus press freedom.

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


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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 "Campus Press Freedom Act."

SECTION 2. *Declaration of Policy.* — It is the declared policy of the State to promote the development and growth of campus journalism as a means of encouraging critical and creative thinking and as a beacon of nationalism and democracy inside and outside the nation's campuses.

The State also firmly recognizes the historic role and contribution of the campus press to press freedom in the country, in providing a free and adequate venue for the discussion of student concerns, and in upholding social consciousness and defending the interest and welfare of the Filipino people by tackling both national and sectoral issues in its pages. The State realizes that the campus press, as part of the media, is an important institution in a society that promotes and protects this constitutionally-guaranteed freedom of the press.

The State thus resolves to undertake various programs and projects aimed at improving the journalistic skills of students concerned, to promote responsible and free journalism. to reopen all closed student publications, to establish student publications in schools where there are none, and to protect and to uphold freedom of the press at the campus level and the rights of campus journalists at all times.

SECTION 3. *Definition of Terms.* — As used in this Act, the following terms shall mean:

- (a) "*School*" refers to an institution for learning in the elementary, secondary, or tertiary level composed of the studentry, administration, faculty, and non-faculty personnel;
- (b) "*Student*" refers to any person enrolled in elementary, secondary, post-secondary, tertiary, graduate, and postgraduate levels, including those enrolled in vocational and technical education;
- (c) "*Student publication*" refers to the issue of any printed and/or online material, such as, but not limited to, newspapers, wall news, literary folios, newsletters, and other similar forms, independently published by, and which meets the needs and interests of the students;
- (d) "*Student journalist*" refers to any *bona fide* student enrolled for the current semester or term, who has passed or met the qualification and standards of the editorial board;
- (e) "*Editorial board*" refers to the composition of student journalists who have qualified in placement examinations who shall be primarily in charge of setting the tone of the paper in accordance with the thrust of the publication, which may include a publication adviser at the option of its members;
- (f) "*Editorial policies*" refers to a set of guidelines by which a student publication is operated and managed, taking into account pertinent laws as well as the school administration's reasonable policies. The said guidelines, which shall be created and determined by the editorial board, shall determine the frequency of the publication, the manner of selecting articles and features and other similar matters; and
- (g) "*Editor-in-chief*" refers to the publication's primary editor chosen through a competitive but fair selection process, which shall be determined by the student body.

SECTION 4. *Student Publication.* — All educational institutions on the elementary, secondary, and tertiary levels, public or private, shall be mandated to establish a student publication. Every school shall have at least one (1) student publication without prejudice to other publications established within the campus. A student publication shall be published by the student body through an editorial board and publication staff composed of students selected through fair and competitive examinations.

All student publications whose operations cease upon the directives of the school administration shall be revived and allowed to operate again.

Once the publication is established or reopened, the editorial board shall freely determine its editorial policies and manage the publication's funds.

SECTION 5. *Editorial Board; Powers and Functions.* — The Editorial Board shall have the power to select the staff members of the student publication granted that the student journalists the board selected were able to pass a qualifying examination.

The editorial board shall also be primarily accountable with regard to the operation of the student publication and the management of its funds. At the end of each semester or term, as the case may be, the editorial board shall prepare a report on the disbursement of funds, subject to accounting and auditing rules. Such a report shall be posted on the school's bulletin board or published in the school publication.

SECTION 6. *Independence of Student Publications.* — The student publication shall be autonomous from any form of administrative intervention with regard to the handling of its funds, the content of the articles the editorial board chooses to publish, and the selection of its publication staff and members of the editorial board.

SECTION 7. *Operations of Student Publications.* — The school administration shall provide the student publication with an office preferably located at the school's student center and other materials and equipment necessary for its operations.

SECTION 8. *Funding of Student Publications.* — Funding for the student publication shall be sourced primarily from student publication fees collected by the school administration. It shall be mandatory for the school administration to collect student publication/subscription fees during the enrollment period. The members of the student publication can opt to collect the publication funds themselves upon their initiative and under their full discretion and without administrative intervention. Secondary sources of publication funds shall also include the savings of the respective school's appropriations.

For this purpose, the number of *bona fide* students enrolled for the current semester or term shall be used as the basis for the amount of publication funds that shall be released by the school administrator who shall issue a list of the students enrolled for the current semester or term to the editorial board.

SECTION 9. *Automatic Transmittal of Funds to Student Publications.* – The school administration shall effect the automatic release of the student subscription fees to the student publication within fifteen (15) days after the last day of enrollment. The publication funds shall be deposited in a trust fund or in the account of the student publication in an authorized depository bank.

In no instance shall the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), and the Department of Education (DepEd), as the case may be, or the school administration concerned withhold the release of funds intended for the student publication.

SECTION 10. *Publication Adviser.* – The editorial board shall have the discretion whether or not they would appoint a faculty adviser. In case the student publication decides to appoint a faculty adviser, the editorial board shall have the power to choose its faculty adviser whose functions shall be limited merely to technical assistance. The technical assistance of the faculty adviser shall mean any concern related to the grammatical concerns, proofreading and the like.

SECTION 11. *Security of Tenure.* – A member of the publication staff shall maintain their status as a student in order to retain membership in the publication staff. The student journalist shall not be suspended, expelled or punished with administrative sanctions solely on the basis of the articles they have written. Likewise, their performance as a student should not be used as a basis for their dismissal from the student publication.

SECTION 12. *Printing of the Student Publication.* – The printing of the student publication shall be conducted by the editorial board and the student publication staff through canvass or public bidding. For public schools, the student publication shall be exempted from undergoing formal and bidding process under Republic Act No. 9184 also known as the *Procurement Reform Act* with regard to the selection of a printing press and the purchase of equipment and materials necessary for its operations. The editorial board shall freely choose the printing press it wants to avail the services of.

SECTION 13. *Power to Investigate.* – The Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), and the

Department of Education (DepEd), as the case may be, shall be granted the power to investigate any violation of this Act and its implementing rules and regulations.

SECTION 14. *Administrative Sanctions against Campus Press Freedom Violations.* – The Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), and the Department of Education (DepEd), as the case may be, shall impose administrative sanctions for these campus press freedom violations, including, but not limited to:

- (a) interrogation and intimidation of editors and staff members and other forms of harassment by the school administration, faculty members, and the military, such as, but not limited to, sending of death threats, filing of libel cases against student journalists, issuance of derogatory and libelous public statements against student journalists;
- (b) meddling of school administrators with editorial policies;
- (c) actual censorship of editorial content;
- (d) withholding and non-collection of publication fees;
- (e) expulsion and suspension of student editors and writers without due process;
- (f) stopping or suspending the operations of the school publication, such as, but not limited to, the outright closure of the publication, locking of the publication office, cutting the electricity and water supplies and other utilities of the office;
- (g) non-establishment of at least one (1) campus publication for every school;
- (h) refusal to reopen closed student publications; or
- (i) any other manner that commits any act to defeat any provision of this Act.

SECTION 15. *Penalties.* – Any person who shall willfully commit any campus press freedom violation as mentioned in Section 15 of this Act or who shall in any other manner commit any act to defeat any provision of this Act shall, upon conviction, be punished by a fine of not less than One Hundred and Seventy Thousand Pesos (PHP 170,000.00) but not more than Two Hundred Thousand Pesos (PHP 200,000) or imprisonment of not less than one (1) year but not more than five (5) years, or both at the discretion of the court or both upon conviction.

If the offender is an educational institution or a juridical person, the penalty shall be imposed upon the president, treasurer, secretary, or any officer responsible for the violation.

SECTION 16. *Legal Assistance to Campus Journalists.* – The Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), and the Department of Education (DepEd), as the case may be, shall provide legal assistance to student journalists in all cases as cited above.

SECTION 17. *Press Conferences and Training Seminars.* – The Commission on Higher Education, the Technical Education and Skills Development Authority, and the Department of Education, in partnership with media and campus press organizations and alliances, shall sponsor periodic competitions, press conferences, and training seminars in which student editors/writers and teacher-adviser of student publications in the elementary, secondary, and tertiary levels shall participate. Such competitions, conferences, and seminars shall be held at the institutional, divisional, and regional levels, culminating with the holding of the annual national elementary, secondary, or tertiary School Press Conference in place of historical and/or cultural interest in the country.

SECTION 18. *Reportorial Requirements.* – The Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), and the Department of Education (DepEd) shall submit an annual report to both houses of Congress on the status of the implementation of the law including violations thereof and the disposition of pertinent cases.

SECTION 19. *Rules and Regulations.* – The Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), Department of Education (DepEd), and the College Editors Guild of the Philippines (CEGP), in close consultation and coordination with student and campus press organizations and all other concerned sectors, shall promulgate within sixty (60) days upon its approval, the rules and regulations for the implementation of this Act.

SECTION 20. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or parts thereof, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 21. *Repealing Clause.* – Republic Act No. 7079, entitled “*An Act Providing for the Development and Promotion of Campus Journalism,*” is hereby repealed.

All laws, presidential decrees, executive orders, letters of instruction, rules and regulations which are inconsistent with any of the provisions of this Act are hereby repealed.

SECTION 22. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

Approved,