

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City**

**Twentieth Congress
First Regular Session**

House Bill No. 5704



**Introduced by Honorable Representatives
DADAH KIRAM ISMULA (Akbayan Partylist)
JOSE MANUEL TADEO "CHEL" I. DIOKNO (Akbayan Partylist)
PERCIVAL V. CENDAÑA (Akbayan Partylist)
ARLENE "KAKA" J. BAG-AO (Dinagat Islands)**

**AN ACT INSTITUTIONALIZING THE NATIONAL COMMISSION ON
INDIGENOUS PEOPLES' EDUCATIONAL ASSISTANCE PROGRAM AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Under the Indigenous Peoples Rights Act of 1997 (IPRA), ICCs/IPs have the right to special measures for the immediate, effective and continuing improvement of their economic and social conditions. In pursuit of this, the National Commission on Indigenous Peoples (NCIP) devised the NCIP Educational Assistance Program (EAP) to assist marginalized IP students by providing them with financial assistance for their education. This program was created to empower the IP youth to pursue their education and contribute to their communities.

The implementation of the EAP, however, has been plagued with various challenges, such as the lack of stable and regular funding and the absence of a permanent legal framework. Consequently, this limits the program's reach and sustainability.

This bill seeks to institutionalize the NCIP's Educational Assistance Program by establishing it as a regular government program with dedicated and sustained funding. It also aims to establish mechanisms that will ensure effective implementation and sustained support for IP students. Through this measure, the program's capacity to reach IP youths will be increased, empowering them to finish their education and ultimately contribute to the development of their communities.

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

DADAH KIRAM ISMULA
Akbayan Representative

JOSE MANUEL TADEO
"CHEL" I. DIOKNO
Akbayan Representative

PERCIVAL V. CENDAÑA
Akbayan Representative

ARLENE "KAKA" J. BAG-AO
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*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

1 **SECTION 1. *Short Title.*** - This Act will be known as the "**Katutubong Iskolar**
2 **Act**".

3
4 **SEC. 2. *Declaration of Principles and State Policies.*** –

5
6 (a) The State recognizes and promotes the rights of indigenous cultural
7 communities within the framework of national unity and development.

8 (b) The State shall encourage formal, informal, and indigenous learning systems,
9 as well as self-learning, independent, and out-of-school study programs
10 particularly those that respond to community needs.

11
12 In view of the foregoing, the State must adopt measures ensuring access to quality
13 education to ICCs/IPs and empower them to complete their education and ultimately
14 contribute meaningfully to their communities.

15
16 **SEC. 3. *Definition of Terms.*** - For the purposes of this Act, the following
17 definitions apply:

18
19 (a) **General Weighted Average (GWA)** - refers to the average grades in all
20 subjects taken, whether passed or failed. It serves as the indicator of a
21 student's academic performance for a given semester or school year;
22

(b) **Grantees** - refer to the qualified recipients of the Educational Assistance Program;

(c) **Indigenous Cultural Communities (ICCs)/Indigenous Peoples (IPs)**

- refers to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains; and

(d) **IP Traditional Leaders** - refer to leaders of indigenous communities who are recognized authorities on conflict resolution and peace-building processes, spiritual practices, rituals and ceremonies. They lead and assist the community in decision-making processes aimed at protecting and promoting the sustainable development of their ancestral domains. They are also defined by the dynamics of customary laws and practices.

SEC. 4. Educational Assistance Program (EAP). The EAP is the program of the National Commission on Indigenous Peoples (NCIP) that aims to provide financial educational support available and accessible to students who are part of an Indigenous Cultural Communities (ICC)/Indigenous Peoples (IPs). This is to ensure continuity of their education and empower them to become self-reliant and contribute to their communities and the nation.

The EAP shall be available to eligible ICC/IPs enrolled in both public and private educational institutions that are accredited by the appropriate government agency.

The program also encourages qualified ICCs/IPs to pursue post-secondary or college education in priority and relevant fields that support personal growth, community development, and national progress.

SEC. 5. Categories of the EAP. The Educational Assistance Program shall be available in the following categories:

(a) Tertiary Education Program, which covers higher education programs offered by CHED- accredited Higher Education Institutions (HEIs);

- 1 (b) Technical Vocational Education and Training (TVET) Program, which covers
2 TVET courses offered by TESDA and TESDA-accredited Technical Vocational
3 Institutions (TVIs). Grantees under this category may avail of the financial
4 assistance provided under this Act for a maximum of three (3) separate courses
5 or training programs only;
- 6 (c) Secondary Education, which refers to those enrolled in Junior and Senior High
7 School under the "K to 12" program; and
- 8 (d) Elementary, which refers to Grades 1 to 6 under the "K to 12" program.

9
10 **SEC. 6. *Criteria for Selection.*** An applicant must possess the following
11 qualifications and submit the following documents to be eligible to the EAP:
12

- 13 (a) A bona fide member of an ethno-linguistic group in his/her community which
14 is duly recognized by the NCIP;
- 15 (b) An annual household income of not more than Two Hundred Fifty Thousand
16 Pesos (Php 250,000.00);
- 17 (c) Favorable endorsement from at least two (2) acknowledged IP traditional
18 leaders of his/her ethno-linguistic group;
- 19 (d) Affidavit of undertaking to serve his/her community/ancestral domain after the
20 completion of his/her studies, should an opportunity arise; and
- 21 (e) Currently not receiving other government educational financial assistance,
22 except those who received educational assistance not exceeding Five
23 Thousand Pesos (Php 5,000.00).

24
25 Additionally, the NCIP may impose supplementary requirements to ensure fair,
26 flexible, and culturally sensitive guidelines. These may take into account the distinct
27 challenges faced by Indigenous Peoples, including but not limited to limited access to
28 standard documentation, geographic isolation, transportation barriers, and economic
29 constraints.

30
31 **SEC. 7. *Financial Benefits.*** The grantees of the EAP shall receive the following
32 benefits:
33

- 34 (a) For Tertiary Education Program grantees – Thirty Thousand Pesos (Php
35 30,000.00) per semester/trimester;
- 36 (b) For TVET grantees – Depending on the duration of the grantee's course, they
37 shall receive at least Seven Thousand Five Hundred Pesos (Php 7,500.00) but
38 not more than Thirty Thousand Pesos (Php 30,000.00) for the whole duration
39 of the course;
- 40 (c) For Secondary Education grantees – Fifteen Thousand Pesos (Php 15,000.00)
41 per school year;

(d) For Elementary grantees – Seven Thousand Five Hundred Pesos (Php 7,500.00) per school year.

SEC. 8. Mode of Payment. The NCIP shall provide grantees with direct and secured access to their financial benefits through any number of Authorized Government Depository Banks (AGDBs). For localities not adequately served by an AGDB, the NCIP may, by itself or through an AGDB, contract the services of rural banks, thrift banks, cooperative banks, and institutions engaged in money remittances duly accredited by the Bangko Sentral ng Pilipinas (BSP).

SEC. 9. Conditions of Entitlement. The educational assistance of the grantees shall continue for the succeeding semester or academic year, provided the grantee passes all enrolled subjects and submits proof of compliance of this requirement to the NCIP. However, if a grantee receives a failing mark in any subject, the assistance may still be continued, subject to the NCIP's evaluation and approval, provided there are valid and justifiable reasons for the failure.

For degree/vocational grantees, continued entitlement to the benefits under the EAP also requires compliance with the following conditions:

- (a) Grantees must carry the regular academic load prescribed in the approved curriculum of their respective schools, with a minimum of 18 units per semester or 15 units per trimester; and
- (b) Must not drop any course that would result in underloading. However, dropping a course may be permitted for valid reasons, subject to NCIP's review and approval.

SEC. 10. Disqualifications. The grantee may be disqualified from the enjoyment of the benefits under the program on any of the following grounds:

- (a) Tampering or falsification of any/all documents relative to his/her application and its supporting papers; or
- (b) Becomes physically and mentally unfit to continue studies without prejudice to the differently abled; or
- (c) Drops from the school without approval of the NCIP; or
- (d) While being a grantee, he or she commits gross misconduct in a manner that would bring significant damage to the SUC or PHEI concerned or to the Indigenous Peoples Community as a whole.

SEC. 11. Duties of the NCIP. As the lead agency for the implementation of this Act, the NCIP shall perform the following functions:

- (a) Implement proper guidelines in the evaluation and screening of applicants;

- 1 (b) Devise a standardized a standardized monitoring system of grantees, and
2 conduct regular monitoring and evaluation activities;
3 (c) Prepare status reports regarding the efficiency of the program;
4 (d) Recommend appropriate policy recommendations; and
5 (e) Perform such other functions as may be necessary or incidental to the proper
6 implementation of the provisions of this Act.
7

8 **SEC. 12. *Beneficiary Data.*** The NCIP must submit to the DBM the projected
9 number of new grantees to be admitted under the EAP for the fiscal year together
10 with the number of existing grantees currently receiving benefits under the program.
11 This shall serve as the basis of the DBM in determining the funding requirements for
12 the EAP and in the preparation of the annual National Expenditure Program (NEP).
13

14 **SEC. 13. *Appropriations.*** This Act shall be implemented initially within the
15 framework of the NCIP budget for the fiscal year in which it is enacted into law.
16 Thereafter, such amounts as may be necessary for its continued implementation shall
17 be included in the annual General Appropriations Act under the budget of the NCIP.
18

19 **SEC. 14. *Implementing rules and regulations.*** Within sixty (60) days from
20 the effectivity of this Act, NCIP shall draft, formulate, and issue the corresponding
21 implementing rules and regulations of this Act. That the absence of the IRR within the
22 specified period will not prevent the automatic implementation and execution of the
23 specific provisions of this Act.
24

25 **SEC. 15. *Separability Clause.*** - If for any reason, any part or provision of this
26 Act is held unconstitutional or invalid for any reason, the remaining parts or provisions
27 not affected will continue in full force and effect.
28

29 **SEC. 16. *Repealing Clause.*** - All laws, decrees, executive orders,
30 proclamations, rules and regulations, and other issuances, or part or parts thereof,
31 inconsistent with the provisions of this Act, are hereby repealed, amended, or modified
32 accordingly.
33

34 **SEC. 17. *Effectivity.*** - This Act takes effect fifteen (15) days after its publication
35 in two (2) newspapers of general circulation.
36

37 Approved,
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