

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

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3427

HOUSE OF REPRESENTATIVES

RECEIVED

DATE: 01 SEP 2016

TIME: 9:27 AM

BY: Porell

REGISTRATION UNIT
BILLS AND INDEX SERVICE

Introduced by: **REPRESENTATIVE SHERNEE A. TAN**

EXPLANATORY NOTE

The Constitution explicitly mandates the State not only to make education accessible to all but also to uphold the right of citizens to quality education.

In pursuance of these Constitutional mandates, Congress passed Republic Act No. 6655 otherwise known as the "*Free Secondary Education Act of 1988*."

This is the most tangible reason that public elementary and high schools are now found everywhere in the countryside, even in far-flung areas. With free elementary and high schools available in the public school system, the number of enrollees had grown by leaps and bounds over the years.

It is sad to note however, that due to extreme poverty, pursuing college education for most of our countrymen has only become an unreachable dream. Most of these high school graduates end up as *kasambahay*, *kargador*, other menial jobs, and worst, engage in criminal activities to earn a living. This situation holds true in poor areas, like in the Autonomous Region in Muslim Mindanao (ARMM). In fact, an overwhelming majority of the residents in the ARMM, specially the Tausugs, have no means to avail of the government assistance to students and teachers in private education pursuant to Republic Act No. 6728 and its amendatory law, Republic Act No. 8545 otherwise known as the Expanded Government Assistance to Students and Teachers Education primarily because they are imprisoned in the walls of poverty. They give priority to food not education of their children. What they really need therefore, is not a subsidized but a free college education.

It is relevant to the ARMM, according to the Philippine Statistics Authority (PSA), remains the poorest region in the country with poverty incidence among households of 53.4% in the first semester of 2015 from 46.9% in the same period in 2012.

At least 11% of 573,446 of the 5.1 million poorest households are in Maguindanao, Lanao del Sur, Basilan, Sulu and Tawi-tawi, according to the 2015 national household targeting system for poverty reduction.

It is not surprising then, that most of our Muslim brothers and sisters have been way behind in terms of education. They are caught in a vicious cycle: they are poor because they are uneducated. They are uneducated because they are poor. Poverty is both the cause and effect of the lack of educational opportunities for them.

The government, unlike in other parts of the country, must invest heavily in the education of our school children in the ARMM, not in arms and weapons that kill, but in education that sharpens the skill and intellect of human being, who will shape the future of our youth, the hope our motherland.

This bill therefore seeks to establish a free college education program for all high school graduates, who desire to pursue tertiary education in any state college and university in the ARMM. There is no substitute for a fact that investment in education always pays the best interest and so, a ticket out of poverty and good station in life.

The foregoing reasons warrant the approval of this bill.


SHERNEE A. TAN
Representative
Kusug Tausug Partylist

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Introduced by: **REPRESENTATIVE SHERNEE A. TAN**

AN ACT
ESTABLISHING A FREE COLLEGE EDUCATION PROGRAM IN STATE COLLEGES AND UNIVERSITIES IN THE AUTONOMOUS REGION IN MUSLIM MINDANAO (ARMM)

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 ***"ARMM Free College Education Act of 2016."***

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to establish free college education to all qualified beneficiaries in the Autonomous Region in Muslim Mindanao (ARMM) in order to afford them the opportunity to be productive members of society and eventually contribute to nation-building.

SEC. 3. Definitions. - For purposes of this Act, the following terms shall mean:

- a) **Free College Education** – means that the qualified beneficiaries enrolled in any college degree course or program offered by any state colleges and universities in the Autonomous Region in Muslim Mindanao (ARMM) shall be free from payment of tuition and other school fees;
- b) **Autonomous Region in Muslim Mindanao** – refers to the geographical area consisting of the provinces of Maguindanao, Lanao del Sur, Sulu, Tawi-tawi and Basilan;
- c) **Qualified Beneficiaries** – refers to all high school graduates, who are bonafide residents of the ARMM, regardless of ethnic origin or religious affiliation or belief;
- d) **Tuition Fee** – refers to the fee representing direct costs of instruction, training and other related activities and for the students' use of the instruction and training facilities;

- e) **Other school fees** – refers to the fees which cover other necessary costs supportive of instruction, including but not limited to medical and dental, athletic and laboratory fees.

SEC. 4. Implementation of Free College Education Program. – The free college education program as provided under this Act shall commence in the next school year following the approval of this Act. The qualified beneficiaries enrolled in any course offerings in state colleges and universities in the ARMM shall be free from payment of tuition and other school fees: *Provided, That* nothing in this Act shall cause or authorize the reduction or removal of any benefit which the national or local government may have granted to the students prior to the enactment of this Act.

SEC. 5. Limitation. – The right of any student to avail of free college education shall terminate if he or she fails in the majority of the academic subjects for the school year in which he or she is enrolled during the course of his or her study.

SEC. 6. Place of Study. – The qualified beneficiary shall take his or her free education in any state college and university of his or her choice in the municipality, city or province where he or she resides within the ARMM.

SEC. 7. Mandatory Admission. - It shall be mandatory for the state colleges and universities to admit a qualified beneficiary, who desires to avail of the free college education program. Any rejection of a qualified beneficiary shall constitute a ground for dismissal of the school authorities concerned.

SEC. 8. Duration of the Free College Education Program. – The free college education program shall be implemented for a period of twenty (20) years from the effectivity of this Act.

SEC. 9. Implementing Rules and Regulations. – The Commission on Higher Education (CHED), in consultation with the association of state colleges and universities, shall issue the necessary rules and regulations to implement this Act

SEC. 10..Appropriations. – The amount necessary to implement this Act shall be charged against the money in the National Treasury not otherwise appropriated.

The President is hereby authorized to realign or transfer any item of appropriation within the CHED and/or utilize any savings therein to carry out the purposes of this Act. Such sums as maybe necessary for its continuous implementation shall be included in the annual General Appropriations Act.

SEC. 11. Effectivity. – This Act shall take effect fifteen (15) days its publication in the Official Gazette or in any newspaper of general circulation.

Approved,