

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City  
**17<sup>th</sup> CONGRESS**  
First Regular Session  
House Bill No. **2635**

HOUSE OF REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by Representative Wes Gatchalian


### EXPLANATORY NOTE

The benefits of education to the individual, to his family, to his community, and to his country, are no longer up for debate. They are realities accepted without nuance, proven by long human history and experience, such that barring inevitable externalities, when the opportunity is given a person would and should avail of it. One of the unfortunate externalities which this bill now seeks to completely eradicate is the ceiling brought by the age long adversary of financial constraint. This bill therefore proposes to make education in the tertiary level free.

Appropriations and funding by the state are of course proper concerns for debate, but lest we forget, the monies in our coffers are those of the Sovereign People of the Philippines. It is therefore by no means an exaggeration to submit that it is they who ultimately dictate where ought to we put it. Thus when in the constitution they tell us that "The State shall protect and promote the right of all citizens to quality education at **all levels** and shall take **appropriate steps to make such education accessible to all.**", it is nothing short of a sovereign mandate which we as representatives are duty bound to enact.

As it was emphatically enunciated in the past, it is now once more echoed that it is time for us to secure, once and for all, the Filipino's right to higher education through decisive action. It is time for us to institute a reform which will ensure that millions of deserving but underprivileged young men and women will be given their rightful opportunity to pursue a college degree. By passing this legislation, we are making a genuine and tangible collective commitment to building the world-class education system that our people deserve.

Support for the passage and approval of this landmark legislation is earnestly sought.

  
**Wes Gatchalian**  
Representative  
1<sup>st</sup> District of Valenzuela

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**AN ACT**  
**PROVIDING FOR FULL TUITION SUBSIDY IN STATE UNIVERSITIES AND**  
**COLLEGES, AND APPROPRIATING FUNDS THEREFOR**

*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 "*Free Higher Education Act.*"

SEC. 2. **Declaration of Policy.** - It is hereby declared that accessible and quality education is an inalienable right of the Filipino. Therefore, the State shall renew its constitutionally mandated duty to make education its top budgetary priority by providing tuition-free higher education courses in state universities and colleges.

SEC. 3. **Full Tuition Subsidy.** - All Filipino citizens who are either currently enrolled at the time of effectivity of this Act, or shall enroll at any time thereafter, in courses in pursuance of a bachelors degree, certificate degree, or any comparable undergraduate degree in any state university or college shall be exempt from paying tuition fees for any units enrolled in any state university or college, unless they are disqualified under the provisions of this Act or by any other provision of law.

SEC. 4. **Exceptions.** - The provisions of the next preceding Section of this Act notwithstanding, the following are hereby disqualified and deemed ineligible for the full tuition subsidy:

a) Persons who have already attained a bachelors degree or equivalent degree from any higher education institution, whether public or private;

b) Persons who have been dishonourably discharged from any higher education institution, whether public or private, for any reason other than financial difficulty in paying tuition and other fees;

c) Persons who fail to complete their degree within the maximum residency period, which is the sum of regular prescribed period for the degree plus half of that prescribed period, without just cause;

**SEC. 5. *Special Tuition Subsidy Fund*** - The Special Tuition Subsidy Fund, hereinafter referred to as the Fund, is hereby established. The Fund shall be used solely for the purposes of implementing the full tuition subsidy under the provisions of this Act. Tuition fees for units enrolled by persons eligible for the tuition benefit under the provisions of this Act, payable to state universities and colleges, shall be paid from this Fund.

**SEC. 6. *Administration of the Fund*** - The Fund shall be administered by the Commission on Higher Education, with the following powers and functions:

- a) Manage and administer the Fund;
- b) Devise a reporting mechanism to be implemented by the state universities and colleges which will detail the exact amount of tuition fee subsidy availed of by persons eligible for the full tuition subsidy under this Act;
- c) Formulate and implement an efficient and transparent mechanism to ensure the payment of tuition fees to the respective state universities and colleges, pursuant to the provisions of this Act, using money from the Fund;
- d) Resolve and mediate disputes concerning the ineligibility or disqualification of persons from the full tuition subsidy under the provisions of this Act or any other provision of law; and
- e) Any other powers or functions necessary for the implementation of the provisions of this Act.

**SEC. 7. *Tuition Report*** - The President of each state University or college shall submit to the Commission on Higher Education (CHED), within five (5) days after the last day of late registration for each semester, a report detailing the number of units enrolled by persons eligible for the full tuitionsubsidy in their institution, as well as the tuition fee amount due based

on the number of units enrolled.

SEC. 8. **Payment from Fund.** - The CHED shall ensure the full payment of tuition fees due to the state university or college, as reported under the next preceding section of this Act, no later than thirty (30) days after the submission of the report to the CHED: *Provided*, That the CHED shall reserve the right to disallow the payment of any reported fees which are anomalous or irregular, until further investigation has been conducted.

SEC. 9. **Accountability Report.** - At the end of each academic semester, the President of each state university or college shall submit to the CHED a report reconciling the funds received from the Fund. Any unused or improperly disbursed amount shall be returned immediately to the Fund.

SEC. 10. **Midterm Report.** - Starting during the first school year upon effectivity of this Act, the CHED shall conduct a mandatory review and submit a midterm report to Congress as to the status of implementation of this Act.

The CHED shall include among others, in this midterm report, the following key metrics of access to and quality of public tertiary education:

- (a) Enrollment rate;
- (b) Student demographics;
- (c) Graduation rate;
- (d) Gross tuition receipts;
- (e) Disqualification and ineligibility;
- (f) Teachers' welfare and training profiles;
- (g) Adequacy of funding requirements; and
- (h) Other educational quality indicators, including but not limited to physical learning infrastructure, teacher-to-student ratio, and student housing.

SEC. 11. **Appropriations.** - The amount of Fifteen Billion Pesos (P15, 000, 000, 000) is hereby initially appropriated from the Presidential Social Fund to implement the provisions of this Act. Thereafter, such amount necessary to effectively carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC. 13. ***Implementing Rules and Regulation.*** - The CHED, in coordination with the Department of Budget and Management (DBM), shall adopt rules to effectively carry out the provisions of this Act.

SEC. 14. ***Separability Clause.*** - Should any part of this Act be declared unconstitutional, the rest of the provisions of this Act shall continue to be in effect and subsisting.

SEC. 15. ***Repealing Clause.*** - The provisions of other laws, decrees, executive orders, rules and regulations inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 16. ***Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* and/or in at least two (2) national newspapers in general circulation.