



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

Seventeenth Congress  
First Regular Session

House Bill No. 494

HOUSE OF REPRESENTATIVES
<b>RECEIVED</b>
DATE: <u>30 JUN 2016</u>
TIME: <u>4:10 pm</u>
BY: <u>[Signature]</u>
REGISTRATION UNIT BILLS AND INDEX SERVICE

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Introduced by HON. SITTI DJALIA A. TURABIN-HATAMAN of Anak  
Mindanao (AMIN) Party-List

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#### EXPLANATORY NOTE

AN ACT AMENDING SECTION 3 OF REPUBLIC ACT NO. 8292 OTHERWISE KNOWN AS "THE HIGHER EDUCATION MODERNIZATION ACT OF 1997."

Section 17, Article 14, of the 1987 Constitution of the Philippines mandates the state to give voice to Indigenous people and other cultural communities like Muslims on the formulation of national policies on education. Thus, the Constitution states:

Section 17. The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies.

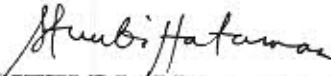
On June 6, 1987, Republic Act. No. 8292 was passed and approved by Congress. The purpose of the law is to separate politics from education sector, particularly, the Commission on Higher Education. One of the notable features of this Act is the removal from the President of the Philippines the authority to appoint the President of State universities and state colleges (SUCs). This authority to vote is now lodged with the board of Regents (for State University) and Board of Trustees (for State College).

Through, the years from 1997 to present this had been the system in the selection of Presidents of State Universities and State Colleges. However, we observed that our Muslim Sector and Indigenous Peoples are not equally represented or no representation at all. If there are, they represent not the Muslim/IP Sector but to represent their constituents, such as alumni president, faculty president and president of the Student Council. This absence of representation runs counter to the mandate of the above-stated provision of the Constitution which mandates for inclusive education in all levels of education.

In this section, a Private Sector Representative is to be selected following a process. However, looking at the Rosters of these Boards you will not find a single Muslim/IP Representative despite the substantial presence of Muslims and Indigenous people in the area. This is alarming considering, that there must be equal representation in governing boards of State Universities and Colleges by Muslims and IPs. This is in consonance to inclusivity and affirmative action on the part of the government and in consonance with the mandate of the Constitution to implement inclusive education.

An inclusive education is one where all the State University and College must provide all students with access to high-quality education that is free from discrimination based on gender, language, sexual orientation, pregnancy, culture, ethnicity, religion, health or disability, socioeconomic background or geographic location. This can be achieved through providing opportunities for the Indigenous and Muslim People substantial participation in decision-making process of the governing boards with the end that they may be able to enrich, protect and promote their way of life and culture in those places where there is a huge cultural communities.

Thus, this bill if passed into law will ensure that in those areas where there is a substantial number of Muslims and IPs, there will be a slot to for representation in the governing boards so that the decision-making process becomes more consultative, inclusive and accountable to the people. Accordingly, the passage of this bill is highly sought.

  
HON. SITTI DJALIA A. TURABIN-HATAMAN



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(AMIN) Party-List)

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AN ACT AMENDING SECTION 3 OF REPUBLIC ACT NO. 8292 OTHERWISE  
KNOWN AS "THE HIGHER EDUCATION MODERNIZATION ACT OF 1997"  
AND OTHER PURPOSES

**SECTION 3. THE GOVERNING BOARDS: MANNER OF APPOINTMENT:**

*a.) Composition* - The governing body of state universities and colleges is hereby in the Board of Regents for Universities and in the Board of trustees for colleges which shall be composed of the following:

- (i)
- (ii)
- (iii)
- (iv)
- (v)
- (vi)
- (vii)
- (viii)

(ix)

(x) A representative from the public sector specifically to represent the Muslim/IPs

(xi) A Commissioner from the National Commission on Muslim Filipinos (NCMF) automatically sits in all these Governing Boards where Muslim students population is obviously significant.

(xii) A Commissioner of the Commission on Indigenous Peoples (NCIP) automatically sits in these all Governing Boards of State Colleges and Universities where a significant number of IP students.

x                    x                    x                    x                    x                    x                    x

*Approved,*