

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 658



Introduced by **Kabataan Party-list Representative Sarah Jane I. Elago**

EXPLANATORY NOTE

The Philippines, as a party to the International Covenant on Economic, Social and Cultural Rights, agreed that "education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms" and "that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups."

Article XIV, Section 3(2) of the 1987 Philippine Constitution mandates all educational institutions to "inculcate patriotism and nationalism, foster love and humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency."

The global phenomenon of neoliberalism has brought nothing but hardships for the people. One concrete manifestation of this is the deregulation and commercialization of education. Consequential to this global phenomenon, Philippine education is designed to serve the demands of the market. This is a direct affront to the youth's right to education.

The annual increase in tuition and other school fees in schools have rendered education a privilege, most especially in private universities. In the past six years, not only have tuition and other school fees almost doubled, but the profits of private universities as well. Data collected from the annual financial reports submitted to the Securities and Exchange Commission (SEC) show a steady increase in profitability of some of the country's most well-known private higher education institutions (HEIs), with some universities almost doubling their annual profit in a span of just five years. The rise in profits and revenues coincide with the upsurge in tuition and other school fee collections in private colleges and universities.

Despite being subsidized by the national government, state schools have been gradually increasing their tuition and other school fee rates in the past years, in

compliance with the “self-sustaining” framework under the Roadmap for Public Higher Education Reform, Aquino’s masterplan for public higher education. The cost of higher education, especially public higher education, is not only a local concern – but a national issue. The current state of college education in the country – which is highly unaffordable and inaccessible for the common Filipino – is the result of the Aquino administration’s continued push to turn education into a business venture, a luxury commodity, rather than a right

Consistent with the framework of neoliberalism, other fundamental democratic rights are being curbed. Many cases of discrimination, repression of freedom of speech and the right to organize have been reported. Schools have taken to the practice of having enrollees sign waivers against joining certain organizations and activities as a precondition for enrollment. Not a few schools disallow the formation of a student council and other organizations. In many cases, where they are allowed to exist, their autonomy and independence are assaulted by stringent school measures and other forms of repression that threaten the very material existence of these student organizations.


It’s more unacceptable that students are powerless against these forms of attacks on education. Mechanisms to protect the students’ rights are not working or are completely absent. This bill seeks to change that. Students, parents, teachers, and other school personnel are now empowered to take part in tuition increase deliberations/consultations. There are not a few cases where students are forced to accept tuition increase despite the fact that no consultation was done.

Twice in our nation’s history we witnessed the youth, led by their organizations, march to the streets to demand a clean government and forced an allegedly corrupt president to step down. The historic role of the ferment youth in ousting fascist and corrupt leaders is testament to their latent power to effect social change.

This bill aims to harness the youth’s collective strength. Furthermore, the bill challenges students, parents, educators, educators and legislators to recognize the fundamental right of the youth to accessible and quality education at all levels. Likewise, this bill, reiterates the fundamental rights of the youth, won through painstaking engagements in the parliament of the streets.

As legislators, it is our Constitutional obligation, to protect and uphold the basic democratic rights of the people. In the context that neoliberal attacks on education and the youth is intensifying, we should commit to defend their rights, alongside with them, through this legislation and beyond.

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


HON. SARAH JANE I. ELAGO
Representative, Kabataan Party-list

1 undermine constitutionally protected rights and freedoms (freedom of association,
2 freedom of assembly, freedom of expression, among others);

3 (d) Integral to the right of students to organize and actively participate in social
4 change is the fundamental right to expression. The right to expression shall be
5 unabridged and autonomous from the influences of educational institutions.

6 (e) Student publications shall serve as a principal medium for free expression, and
7 as a means of encouraging critical and creative thinking among students. The State
8 shall thus protect and promote free journalism, re-open all closed student publications,
9 establish student publications in schools where there are none, and protect and uphold
10 freedom of the press at the campus level and the rights of campus journalists at all
11 times;

12 SECTION 4. *Definition of Terms.* – as used in this Act, the following terms shall mean:

13 (a) “*Student*” – any person enrolled in the elementary, secondary, post-secondary,
14 tertiary, graduate and post-graduate levels, including vocational and technical
15 education. For purposes of this Act, this shall include any person who has been
16 separated from the school but pursues a pending suit for violations under this Act.

17 (b) “*School*” – any private, public or government-run and funded academic
18 educational institution offering any or all courses in the above-mentioned levels.

19 (c) “*School Campus*” – the totality of all contiguous or proximate buildings,
20 grounds, and other facilities designated by the school authorities as areas or facilities
21 for the curricular and extracurricular use of their students.

22 (d) “*Governing Board*” – the highest policy making body of the school such as the
23 Board of Directors, Trustees or Regents.

24 (e) “*Student Council or Government*” – the body representing the whole student
25 population in one school or school campus whose officers are annually elected at large
26 by the whole student population pursuant to its charter or constitution. This definition
27 shall include student councils or governments at the elementary, secondary and level
28 of colleges, campuses, etc.

29 (f) “*Student Publication*” – the issue of any printed and/or online material such as,
30 but not limited to, newspapers, wall news, literary folios, newsletters and other similar
31 forms, independently published by, and which meets the needs and interests of the
32 students.

33 (g) “*Council of Leaders*” – the body composed of the heads of various student
34 organizations chaired by the President or Chairperson of the Student Council or by
35 any student duly elected by the student organizations.

36 (h) “*Tuition*” – the fee representing direct costs of instruction, training and other
37 related activities, and the use of school facilities. The term other school fees refers to
38 fees which cover other necessary costs supportive of instruction, including but not
39 limited to medical and dental, athletic, library, laboratory and NSTP fees.

40 CHAPTER II

