

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

OFFICE OF THE SECRETARY

75 JAN -5 P3 56

SENATE
S. No. 2553

RECEIVED BY: *J*

Introduced by Senator Miriam Defensor Santiago

AN ACT
TO PROHIBIT DISCRIMINATION AND PREFERENTIAL TREATMENT ON
THE BASIS OF SEX, ETHNICITY, PHYSICAL CONDITION, RELIGIOUS
BELIEF OR POLITICAL AFFILIATION IN CONNECTION WITH
ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION
PARTICIPATING IN ANY PROGRAM AUTHORIZED UNDER THE
COMMISSION ON HIGHER EDUCATION

EXPLANATORY NOTE

The Constitution, Article XIV provides:

SECTION 1. 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.

SECTION 5(3). Every citizen has a right to select a profession or course of study, subject to fair, reasonable, and equitable admission and academic requirements.

These constitutional provisions protect the right of every student to be admitted in any institution of his choice.

This bill seeks to prohibit discrimination and preferential treatment on the basis of sex, ethnic consideration, physical condition, religious belief, or political affiliation in connection with admission to an institution of higher education

participating in any program authorized under the Commission on Higher Education.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO,
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¹ This bill was originally filed during the Thirteenth Congress, First Regular Session

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6 PARTICIPATING IN ANY PROGRAM AUTHORIZED UNDER THE
7 COMMISSION ON HIGHER EDUCATION

*Be it enacted by the Senate and House of Representatives of the Philippines
in Congress
assembled:*

8 SECTION 1. *Short Title.* - This Act shall be known as the "Anti-
9 Discrimination in College Admission Act."

10 SECTION 2. *Declaration of Policy.* - It is the policy of the State to protect,
11 foster and promote the right of all citizens to quality education particularly on
12 tertiary level. In accordance with this policy, the State is mandated to take
13 appropriate steps to ensure that education shall be accessible to all.

14 SECTION 3. *Prohibition against Discrimination and Preferential*
15 *Treatment.* -

1 (A) *Prohibition.* - No institution of higher education that participates in any
2 program authorized under the Commission on Higher Education shall in
3 connection with admission to such institution, discriminate against, or grant
4 preferential treatment to any person or group based in whole or in part on the sex,
5 ethnicity, physical condition, religious belief or political affiliation of such person
6 or group.

7 (B) *Outreach Activities Permitted.* - Paragraph (A) does not prohibit or limit
8 any effort by an institution of higher education to encourage and recruit qualified
9 women and minorities to seek admission to such institution if such recruitment or
10 encouragement does not involve granting preferential treatment, in selecting any
11 person for admission, that is based in whole or in part on sex, ethnicity, physical
12 condition, religious belief or political affiliation.

13 SECTION 4. *Enforcement.* - The Commission on Higher Education shall be
14 the enforcement agency. As such, the Commission shall prepare the necessary
15 rules and regulations to implement the provisions of this Act, conduct
16 investigations against violators of this Act.

17 SECTION 5. *Penalties.* - Any person violating any provision of this Act
18 or of the rules and regulations promulgated shall, upon conviction by a court of
19 competent jurisdiction, suffer the penalty of imprisonment of not less than one
20 month but not more than one year or a fine of Twenty Thousand Pesos
21 (P20,000.00) to Fifty Thousand Pesos (P50,000.00) or both, at the discretion of the
22 court. If the entity in violation of this Act is a corporation, partnership, or

1 association, the president, or administrator, or the person who has charge of the
2 institution shall be civilly responsible for any violation of this Act and/or rules and
3 regulations promulgated.

4 SECTION 6. *Separability Clause.* - If any provision or part hereof, is held
5 invalid or unconstitutional, the remainder of the law or the provision not otherwise
6 affected shall remain valid and subsisting.

7 SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance,
8 executive order, letter of instruction, administrative order, rule or regulation
9 contrary to, or inconsistent with, the provision of this Act is hereby repealed,
10 modified or amended accordingly.

11 SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days
12 after its publication in at least two (2) newspapers of general circulation.

Approved,

/apm12152014