

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

'04 JUL 16 P4:51

SENATE 1444  
S. B. No. \_\_\_\_\_

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Introduced by Senator Miriam Defensor Santiago

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### EXPLANATORY NOTE

The Constitution, Article 14 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.

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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SENATE  
S. B. NO. 1414

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Introduced by Senator Miriam Defensor Santiago

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**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**

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

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

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

SECTION 3. *Prohibition against discrimination and preferential treatment.* –

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

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

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

SECTION 5. *Penalties.* - Any person violating any provision of this Act or of the rules and regulations promulgated shall, upon conviction by a court of competent jurisdiction, suffer the penalty of imprisonment of not less than one month but not more than one year or a fine of P20,000.00 to P50,000.00 or both, at the discretion of the court. Provided, that in the case of corporations, partnerships, or associations, the president, or administrator, or the person who has charge of the institution, shall be civilly responsible for any violation of this Act and/or rules and regulations promulgated.

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

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

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

Approved.

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