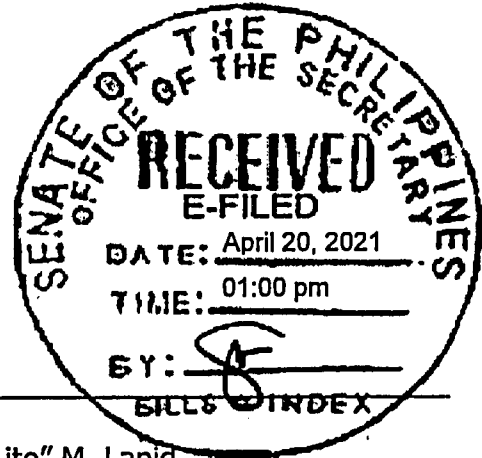


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

S. No. 2141



Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
AMENDING SECTION 6 OF REPUBLIC ACT NO. 10931, OTHERWISE KNOWN
AS THE "UNIVERSAL ACCESS TO QUALITY TERTIARY EDUCATION ACT", BY
PROVIDING FOR RELIEF FROM CERTAIN INELIGIBILITIES TO FREE
TERTIARY EDUCATION AND FREE TVET BENEFICIARIES AFFECTED BY
NATIONAL OR LOCAL EMERGENCIES

EXPLANATORY NOTE

Section 1, Article XIV of the 1987 Constitution lays down the duty of the State to protect and promote the right of all citizens to quality education at all levels and to exert steps to make such education accessible to all. In recognition of the inalienable right of all Filipinos to quality education, Congress passed Republic Act No. 10931, otherwise known as "Universal Access to Quality Tertiary Education Act". This law institutionalized the benefits of free higher education in state universities and colleges (SUCs) and local universities and colleges (LUCs) and free technical-vocational education and training (TVET) in state-run institutions. With the COVID-19 pandemic still raging, it is now more than ever that this law finds relevance and significance. It is important that access to quality education for all is guaranteed, despite of and especially with the ravages of the pandemic and the resulting economic downturn. As households suffer ever-tightening finances, unemployment, and unfortunately, even sickness and death, our government must ensure that our young population is not forced out of school and condemned to learning loss and academic regress. Compassion demands that all efforts must be made to help them remain enrolled and in school, albeit in online or distance education setups. Likewise, moving beyond the

pandemic, same relief must also be afforded to students affected by national or local emergencies that span long periods of time.

This proposed measure seeks to provide relief to student-beneficiaries of the Free Higher Education and Free TVET programs under R.A. No. 10931. Specifically, certain ineligibilities provided in Section 6 of the law will not be imposed on students based upon proof that the ground/s arose due to a condition or circumstance, such as, but not limited to, financial distress, lack of proper and adequate remote learning resources, mental health issues, contracting a disease or disability, etc., experienced in relation to a national or local emergency lasting for three months or more. These ineligibilities are: (1) for free higher education beneficiaries, failure to complete their undergraduate degree within a year after the period prescribed in their program; and (2) for free TVET beneficiaries, failure to pass in any course of their program. To benefit students affected by the COVID-19 Public Health Emergency, retroactive application of the relief is provided in the proposed measure.

The motivation for this relief is empathy and consideration to the plight being faced by our students and their families particularly with devastating and lasting emergencies such as the current pandemic. It has been more than a year since the pandemic had started and some college and technical-vocational students may have been left with no other choice but skip a semester or even a year of their education because of lack of money or the need to already work to support their families. Some may have failed in their classes because of the prevailing difficult circumstances. Thus, every opportunity for them to continue or get back to school must be presented to them.

In view of this, early passage of this bill is sought.

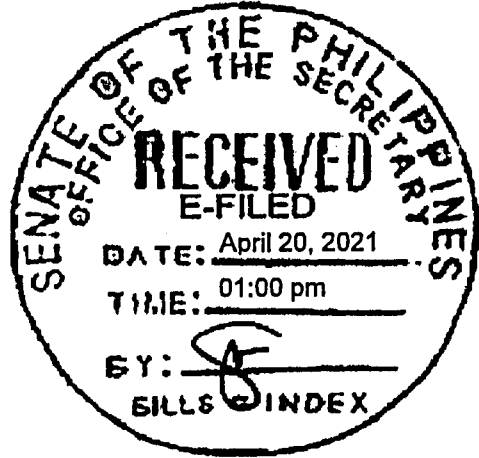


MANUEL "LITO" M. LAPID
Senator

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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SENATE

S. No. 2141



Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
AMENDING SECTION 6 OF REPUBLIC ACT NO. 10931, OTHERWISE KNOWN AS THE "UNIVERSAL ACCESS TO QUALITY TERTIARY EDUCATION ACT", BY PROVIDING FOR RELIEF FROM CERTAIN INELIGIBILITIES TO FREE TERTIARY EDUCATION AND FREE TVET BENEFICIARIES AFFECTED BY NATIONAL OR LOCAL EMERGENCIES

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

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Section 1. Section 6 of Republic Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act" is hereby amended to read as follows:

"Section 6. Exceptions to Free Tertiary Education. - The following students are ineligible to avail of the free tertiary education:

(a) In SUCs and LUCs:

(1) Students who have already attained a bachelor's degree or comparable undergraduate degree from any HEI, whether public or private:

(2) Students who fail to comply with the admission and retention policies of the SUC or LUC;

1 (3) Students who fail to complete their bachelor's degree
2 or comparable undergraduate degree within a year after
3 the period prescribed in their program; and
4

5 (b) In State-Run TVIs:

6 (1) Students who have obtained a bachelor's degree, as
7 well as those who have received a certificate or diploma
8 for a technical-vocational course equivalent to at least
9 National Certificate III and above:

10 (2) Students who fail in any course enrolled in during the
11 course of the program.
12

13 Students ineligible to avail of the free tertiary education
14 shall be charged the tuition and other school fees, as
15 determined by the respective boards of the SUCs and
16 LUCs, and in the case of the state-run TVIs, to be
17 determined by the TESDA[.] **PROVIDED, THAT FOR A**
18 **NATIONAL OR LOCAL EMERGENCY LASTING FOR**
19 **THREE (3) MONTHS OR MORE, INELIGIBILITY**
20 **SHALL NOT BE IMPOSED ON AFFECTED**
21 **STUDENTS FALLING UNDER (A)(3), AND (B)(2)**
22 **BASED UPON PROOF THAT THE GROUND/S**
23 **AROSE DUE TO A CONDITION OR CIRCUMSTANCE**
24 **EXPERIENCED IN RELATION TO THE SAID**
25 **NATIONAL OR LOCAL EMERGENCY, SUCH AS, BUT**
26 **NOT LIMITED TO, FINANCIAL DISTRESS, LACK OF**
27 **PROPER AND ADEQUATE REMOTE LEARNING**
28 **RESOURCES, MENTAL HEALTH ISSUES,**
29 **CONTRACTING A DISEASE OR DISABILITY, ETC.**
30

31 **Section 2. *Retroactivity Clause for Students affected by the COVID-***
32 ***19 Public Health Emergency.*** – The relief granted by this Act shall retroactively

1 apply to students affected by the State of Public Health Emergency declared by the
2 President of the Philippines in connection with the Coronavirus Disease (COVID-19)
3 pandemic. The CHED and TESDA shall ensure and monitor the compliance of public
4 or private HEIs/TVIs on the retroactive application of this temporary relief.

5
6 **Section 3. *Repealing Clause.*** — All laws, presidential decrees, executive
7 orders, proclamations, rules and regulations, or any part thereof, which are
8 inconsistent with the provisions of this Act are hereby repealed or modified
9 accordingly.

10
11 **Section 4. *Separability Clause.*** — If any provision or part of this Act, or the
12 application thereof to any person or circumstance, is held unconstitutional or invalid,
13 the remainder of this Act shall not be affected thereby.

14
15 **Section 5. *Effectivity Clause.*** — This Act shall take effect fifteen (15) days
16 from its publication in the Official Gazette or in at least two (2) newspapers of general
17 circulation.

18
19 *Approved,*