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S.B. No. 2034

(In substitution of Senate Bill Nos. 182, 236, 468, 1235, 1349, 1551, and 1565,
taking into consideration House Bill No. 6687)

Prepared by the Committee on Higher, Technical and Vocational Education (upon recommendation of the Subcommittee on the "Revitalized Reserve Officers Training Corps Act") jointly with the Committees on National Defense and Security, Peace, Unification and Reconciliation; and Finance with Senators Padilla, Ejercito Estrada, Ejercito, Dela Rosa, Gatchalian, and Tolentino as authors.

AN ACT

MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING, ORGANIZATION AND ADMINISTRATION OF RESERVE OFFICERS' TRAINING CORPS (ROTC) PROGRAM IN HIGHER EDUCATIONAL INSTITUTIONS AND TECHNICAL VOCATIONAL INSTITUTIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

1 Section 1. *Short Title.* - This Act shall be known as the "Reserve Officers'
2 Training Corps (ROTC) Act".

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to serve and protect
4 the people and to inculcate in the youth patriotism, nationalism and respect for
5 human rights; and to encourage their involvement in public and civic affairs.

6 Thus, the government may call upon the people to defend the State and, in
7 the fulfillment thereof, all citizens may be required, under conditions provided by
8 law, to render personal military or civil service; shall recognize the vital role of the
9 youth in nation-building; and shall promote and protect their physical, moral,
10 spiritual, intellectual and social well-being.

1 Towards this end, the State shall enhance the capacity of the nation to
2 produce the needed workforce in times of war, calamities and disasters, and in
3 support of the law enforcement strategy of the government against crimes and
4 maintenance of peace and order by creating a pool of trained reservists.

5 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms
6 shall be defined as follows:

7 a) *Armed Forces of the Philippines (AFP) Reservist* refers to a graduate of
8 the Basic ROTC Program or Advance ROTC Program as established
9 under this Act and as defined under Republic Act No. 7077 otherwise
10 known as the "Citizen Armed Forces or Armed Forces of the Philippines
11 Reservist Act";

12 b) *Higher Education Institution (HEI)* refers to a lawfully established
13 learning institution offering Commission on Higher Education (CHED)-
14 recognized or permitted higher education programs including the
15 University of the Philippines System and other universities and colleges
16 with institutional autonomy; and

17 c) *Technical-Vocational Institution (TVI)* refers to a Technical Education
18 and Skills Development Authority (TESDA)-recognized or accredited
19 learning institution that offers technical-vocational training.

20 Sec. 4. *Mandatory Basic ROTC in Higher Education Institutions and Technical-*
21 *Vocational Institutions.* –

22 a) The mandatory Basic ROTC Program in HEIs and TVIs for all students
23 enrolled in not less than two (2)-year undergraduate degree, diploma,
24 or certificate programs in HEIs and TVIs is hereby institutionalized;

25 b) The mandatory Basic ROTC shall be undertaken by all undergraduate
26 students for four (4) semesters: *Provided, That,* subject to the
27 capabilities of the school and the AFP, in lieu of the four (4) semesters,
28 a training-immersion program in the AFP training base may be
29 designed, formulated and adopted by the Department of National
30 Defense (DND), CHED, and TESDA, to complete the requirement of
31 this Act;

1 c) Any student who fails to undergo the mandatory Basic ROTC in
2 accordance with this Act shall not be qualified for graduation;

3 d) Any educational institution that fails to institute and implement the
4 Basic ROTC pursuant to this Act shall be subject to disciplinary and
5 administrative sanctions as the CHED or the TESDA may impose.

6 *Sec. 5. Basic ROTC Program Curriculum.* – The DND, CHED and TESDA, in
7 consultation with other relevant government agencies and private stakeholders
8 including associations of schools, shall design and formulate the Program of
9 Instruction (POI) on the Basic ROTC and be guided with the following purposes and
10 objectives:

11 a) To provide basic military and police training for students in order to
12 motivate, train, organize, and utilize for national defense preparedness
13 or civil military operations, and law enforcement;

14 b) To enhance the students' consciousness in the ethics of service,
15 patriotism and nationalism, respect for human rights, appreciation of
16 the role of national heroes in the historical development of the country,
17 strengthen ethical and spiritual values, and develop personal discipline
18 and leadership;

19 c) To reinforce in students the values of civic mindedness, volunteerism
20 and genuine service to others in order to be active participants and
21 volunteers for the development and improvement of ecology and
22 environmental protection, human and civil rights awareness and law
23 enforcement; and

24 d) To provide the students with practical and applicable knowledge and
25 skills that are necessary, essential and ideal for survival, and providing
26 service in times of emergencies and disasters including disaster
27 response operations, skills for search, rescue and relief operations, and
28 early recovery activities.

29 *Sec. 6. Specialized Programs for Students under Special Circumstances.* –
30 There shall be no exemptions from the Basic ROTC Program. However, the DND,
31 CHED and TESDA, shall prescribe a specialized program to address the special needs
32 and circumstances of students under the following circumstances:

- 1 a) Those who are classified and officially registered as persons with
- 2 disabilities;
- 3 b) Those whose religious beliefs prohibit the use of firearms in rendering
- 4 service to the country; and
- 5 c) Those who have been convicted by final judgment of crimes involving
- 6 moral turpitude.

7 The specialized program shall include modules as the Basic ROTC Program
8 except for physical military training: *Provided*, That foreign citizens enrolled in
9 baccalaureate degree courses or technical vocational courses where the Basic ROTC
10 is required shall likewise undergo a specialized program that would deepen their
11 understanding and appreciation of the Philippines, its people, society, culture and
12 government, and harness their potential as bridges to improve their respective
13 countries with the Philippines: *Provided, Further*, That foreign students who will
14 complete the course shall not be included in the AFP Reserve Force.

15 *Sec. 7. Benefits for Undergoing Basic ROTC Program.* – ROTC cadets are
16 entitled to the following benefits:

- 17 a) Subject to existing laws and rules on the use and design of military
- 18 uniform and insignias and provisions of this Act, students undergoing
- 19 Basic ROTC Program shall be provided with free one (1) set of uniform
- 20 including combat boots; and
- 21 b) Free hospitalization including medicines and necessary medical tests
- 22 and treatments in any government hospital in case of accident or injury
- 23 during the training.

24 *Sec. 8. Advance Reserve Officers' Training Corps (ROTC) Program.* – The
25 voluntary Advance ROTC is hereby re-institutionalized. The DND, in coordination
26 with the CHED and, where appropriate, the TESDA, shall prescribe the POI for
27 Advance ROTC.

28 Students who will undergo the Advance ROTC Program must complete the
29 Basic ROTC Program prior to admission into the Advance ROTC Program: *Provided*,
30 *That*, acceptance for Advance ROTC shall be subject to the requirements of Section
31 40 of R.A. No. 7077.

1 Students may undergo the Advance ROTC Program for no more than two (2)
2 academic years.

3 *Sec. 9. Incentives for Undergoing the Advance ROTC Program.* – Advance
4 ROTC cadets are entitled to the following incentives:

- 5 a) For students not covered by the provisions of R.A. No. 10931,
6 otherwise known as the "Universal Access to Quality Tertiary Education
7 Act", full tuition subsidy of their annual tuition for the period of their
8 advance ROTC;
- 9 b) Free hospitalization including medicines and necessary medical tests
10 and treatments in any government hospital in case of accident or injury
11 during their training;
- 12 c) Subject to other requirements prescribed by rules and regulations of
13 the DND and other concerned government agencies, graduates of the
14 Advance ROTC shall be eligible, upon completion of the Advance ROTC
15 and earning a baccalaureate degree, for commission as officers in the
16 Reserve Force of the AFP;
- 17 d) Priority in recruitment in uniformed services agencies; and
- 18 e) Automatic grant of first level civil service eligibility for Advance ROTC
19 graduates.

20 *Sec. 10. Composition of the Reserve Force.* – All students who completed the
21 Basic ROTC Program shall be enlisted as members of the Reserve Force with ranks
22 and assignments pursuant to Section 45 of R.A. No. 7077, as amended. However,
23 those who completed the Advance ROTC Program shall be conferred with ranks and
24 assignments pursuant to Section 46 of R.A. No. 7077, as amended.

25 *Sec. 11. Organization, Operation and Maintenance of ROTC Units.* – There
26 shall be at least one ROTC unit in every HEI and TVI: *Provided,* That HEIs and TVIs
27 may be clustered for the efficient implementation of the provisions of this Act taking
28 into consideration the ideal number of students per ROTC unit. For this purpose, the
29 DND, CHED and TESDA, shall jointly formulate the manner by which the educational
30 institutions shall be clustered in implementing the Basic ROTC and the Advance
31 ROTC Program.

1 The DND, CHED and TESDA shall prescribe the organization and operational
2 manual of ROTC units in HEIs. They shall also designate an office solely dedicated to
3 the supervision and administration of Basic and Advance ROTC programs.

4 Sec. 12. *School-Based Ready Reserve Units (SBRRUs)*. – School-Based Ready
5 Reserve Units may be organized by the DND, through the AFP, in HEI campuses and
6 TVIs offering baccalaureate degree programs. The DND, through the AFP, shall
7 promulgate the rules and regulations for the establishment, management and
8 operation of SBRRUs. HEIs shall provide office space, access to facilities and
9 personnel to assist the DND and AFP in managing SBRRUs.

10 Sec. 13. *Training Instructors' Capacity Development and Enhancement*
11 *Program*. - There is hereby established a training program for training instructors,
12 to ensure that they meet the highest physical and moral standards to teach and
13 carry out the Basic ROTC Program. The Instructors' Program shall be jointly
14 developed and administered by the DND in coordination with the CHED, TESDA, and
15 in consultation with stakeholders concerned. A comprehensive training manual shall
16 be developed for the conduct of these trainings, incorporating among other things,
17 gender-appropriate awareness, familiarity with relevant domestic laws and
18 international obligations necessary and appropriate to guarantee the integrity and
19 the highest standard of morality for the implementers of the Basic ROTC Program.

20 Personnel implementing the National Service Training Program (NSTP) under
21 R.A. No. 9163 otherwise known as the "National Service Training Program Act of
22 2001" shall have priority for employment as personnel to assist in the management
23 of the Basic and Advance ROTC Programs in HEIs and TVIs. They may also be
24 granted authority, subject to rules to be issued by the DND, CHED and TESDA, to be
25 ROTC Program lecturers, instructors and implementers.

26 Sec. 14. *Guidelines to Safeguard Students of the Basic and Advance ROTC*
27 *Programs*. – In order to properly and effectively implement the Basic and Advance
28 ROTC Programs, the following policies shall be adopted to prevent the occurrence of
29 hazing, corruption and other forms of abuses:

- 30 a) The Basic and Advance ROTC Programs prohibit hazing as defined
31 under R.A. No. 8049, otherwise known as "An Act Regulating
32 Hazing and Other Forms of Initiation Rites in Fraternities, Sororities,

1 And Other Organizations and Providing Penalties Therefor” as
2 amended by R.A. No. 11053, otherwise known as the “Anti-Hazing
3 Act of 2018” and as such, adopt the penalties for any act
4 committed under the provisions of the said law;

5 b) In case of school officials or employees of public or government
6 educational institutions, who shall accept any gift from any student,
7 or from any parent or guardian of the student, or who shall commit
8 other practices contemplated under R.A. No. 3019, otherwise
9 known as the “Anti-Graft and Corrupt Practices Act” and the
10 Revised Penal Code on Bribery and Corruption, the maximum
11 penalty shall be imposed: *Provided*, That the same penalty shall be
12 imposed upon any private individual who shall conspire with public
13 school officials and employees in violating the above-cited laws;
14 and

15 c) The penalties provided under the Revised Penal Code on Bribery
16 and Corruption shall be imposed upon school officials or employees
17 of HEIs and TVIs who shall accept directly or indirectly, any gift, in
18 cash or in kind, from any student, or from any parent or guardian
19 of the student in relation to or pertinent with the conduct of the
20 Basic and Advance ROTC Programs.

21 Sec. 15. *Establishment of ROTC Grievance Board* – There is hereby
22 established an ROTC Grievance Board in every ROTC unit that shall receive
23 complaints or motu proprio conduct investigations on any complaint or allegation of
24 abuse, violence or corruption in any educational institution implementing this Act
25 which shall be composed of five (5) members:

- 26 (1) School President or his/her representative where the ROTC unit is
27 located, as Chairperson of the Board;
- 28 (2) A representative from the CHED Regional Office to be designated by
29 the CHED Chairperson;
- 30 (3) A representative from the TESDA Regional Office to be designated by
31 the TESDA Director General;

1 (4) Commandant from the AFP to be designated by the Secretary of the
2 National Defense; and

3 (5) A representative from the provincial or city local government unit
4 where the ROTC unit is located.

5 The Grievance Board shall function as an independent investigative body,
6 which shall formulate the recommendation to the proper disciplinary authority that
7 has jurisdiction over the respondent, depending on whether the said respondent
8 belongs to the military for which purpose, the Articles of War shall be employed. In
9 case of school officials or employees of HEIs and TVIs, the provisions of R.A. No.
10 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public
11 Officials and Employees" and other relevant laws on the matter shall be applied. This
12 is without prejudice to administrative cases that may be filed pursuant to the Civil
13 Service rules for public officers and employees involved in the complaint.

14 *Sec. 16. Powers and Duties of the Grievance Board.* – Every Grievance Board
15 shall be proactive in its duty to:

- 16 a) establish a system and prescribe a process that promotes and
17 encourages the reporting of any incident of hazing, violence, abuse
18 and corruption in every ROTC unit;
- 19 b) *motu proprio* or upon a complaint filed by any person, investigate,
20 any act of hazing, violence, abuse and corruption in the ROTC unit;
- 21 c) issue an order to preclude those involved in the incident
22 complained of or being investigated from exerting undue influence
23 over the complainant and impede the normal course of the
24 investigation;
- 25 d) recommend the appropriate action for any offense committed in the
26 ROTC unit to the proper disciplinary authority which has jurisdiction
27 over the respondent within fifteen (15) days upon receipt of the
28 complaint or after initiation of the *motu proprio* investigation;
- 29 e) monitor all complaints filed with the Board or with the concerned
30 HEIs and TVIs and maintain an updated record of the status of
31 each case;

- 1 f) provide the parties of the complaint its findings and
2 recommendations within thirty (30) days upon receipt thereof;
3 g) promulgate rules and regulations necessary to carry out its
4 objectives, functions and disciplinary procedures; and
5 h) perform such other functions as may be provided by law.

6 *Sec. 17. National Grievance and Monitoring Committee.* – There is hereby
7 established a National Grievance and Monitoring Committee (NGMC) composed of
8 the Secretary of National Defense or his or her permanent authorized representative
9 who will act as the Chairperson, the Chairperson of CHED or any permanent
10 authorized representative, the Director General of TESDA or any permanent
11 authorized representative, the Secretary of Justice or any permanent authorized
12 representative, and the Secretary of Interior and Local Government or any
13 permanent authorized representative.

14 The NGMC shall ensure that the provisions and intent of this Act are properly
15 implemented and adhered to, and that there shall be no abuse of any kind in both
16 the conduct of training.

17 In addition, the NGMC shall review the findings or recommendations of any of
18 the Grievance Boards upon filing of the aggrieved party within fifteen (15) days after
19 receipt of such findings or recommendations. It shall provide the parties with its
20 decision within fifteen (15) days from the time of receipt of the petition.

21 *Sec. 18. Free Uniform Voucher.* – In order to effectively implement the
22 provision on free uniform and combat boots for students enrolled in Basic ROTC
23 Program, the CHED and TESDA, in consultation with HEIs and TVIs, shall provide for
24 a mechanism to implement a voucher system that will entitle students to purchase
25 through accredited supplier one set of uniform and combat boots.

26 The Department of Trade and Industry, in coordination with the DND and
27 CHED, shall promulgate rules and regulations on the accreditation of uniform and
28 combat boots suppliers.

29 *Sec. 19. School Fees.* – Covered HEIs and TVIs may collect a reasonable
30 training fee of not more than fifty percent (50%) of the tuition fee per academic unit
31 or subject. Such funds shall be used only for the implementation of the Basic ROTC
32 Program. The CHED, TESDA and DND shall determine the reasonable distribution of

1 the fees among the HEI, TVI and DND to cover the cost of training and related
2 expenses.

3 Public HEIs and TVIs covered by R.A. No. 10931, otherwise known as the
4 "Universal Access to Quality Tertiary Education Act", shall not collect any fee for the
5 Basic ROTC. The training costs shall be included in the annual appropriations of such
6 HEIs or TVIs. In cases of students not eligible to avail of the benefits under R.A. No.
7 10931, public colleges, universities and similar learning institutions may collect a
8 training fee of not more than fifty percent (50%) of the tuition fee per academic
9 unit.

10 HEIs and TVIs not covered by R.A. No. 10931 may collect a training fee of not
11 more than fifty percent (50%) of the tuition fee per academic unit. Such funds shall
12 be used only for the implementation of the Basic ROTC Program and maintenance of
13 the ROTC Units and SBRRUs, if any.

14 *Sec. 20. Pilot Implementation of the Mandatory Basic ROTC Program.* – Upon
15 approval of this act, the DND, in coordination with CHED and TESDA, shall undertake
16 a two (2) year pilot program in select public HEIs with existing ROTC units as well as
17 private HEIs who may want to participate in the said pilot implementation of the
18 mandatory program. The DND, in coordination with CHED and TESDA, shall ensure
19 that there shall be ROTC units in Luzon, Visayas, and Mindanao included in the pilot
20 implementation.

21 *Sec. 21. Mandatory Review of the Implementation of this Act.* - The DND, in
22 coordination with CHED and TESDA, shall conduct a review of the implementation of
23 this Act at the end of the two (2) year pilot program and every two (2) years
24 thereafter. The DND shall submit a report to Congress on the result of the
25 mandatory review.

26 *Sec. 22. Penal Provisions.* – Any act of abuse, corruption, hazing, torture, data
27 privacy rights violation, or violation of human rights committed in direct or indirect
28 relation to the implementation of this Act which are punished criminally or
29 administratively by existing laws, rules or regulations, shall be prosecuted in
30 accordance with such laws, rules or regulations. The maximum penalty imposable
31 under existing laws shall be imposed.

1 Sec. 23. *Prosecution Not a Bar to Civil Action.* – Criminal or administrative
2 prosecution shall not be a bar to any civil action for damages or any appropriate
3 relief a victim may file for any act of abuse, corruption, hazing, torture, data privacy
4 rights violation, or violation of human rights committed in direct or indirect relation
5 to the implementation of this Act.

6 Sec. 24. *Appropriations.* – The amount necessary for the implementation of
7 this Act shall be charged against those authorized in the current appropriations of
8 the DND, CHED and TESDA. Thereafter, the amount necessary for its continued
9 implementation shall be included in the annual General Appropriations Act: *Provided,*
10 That, funding for the uniform shall be included in the appropriations of CHED and
11 TESDA.

12 Sec. 25. *Joint Congressional Oversight Committee.* – There is hereby created
13 a Joint Congressional Oversight Committee (JCOC) to oversee, monitor, and evaluate
14 the implementation of this Act. The JCOC shall be composed of five (5) members
15 each from the Senate and the House of Representatives with the Chairpersons of the
16 Committees on Higher Educations of both houses as Co-Chairpersons. The
17 Chairpersons of the Committees on National Defense and Security shall likewise be
18 designated as members of the JCOC. The President of the Senate and the Speaker
19 of the House of Representatives shall designate the other three (3) members of the
20 JCOC, one (1) of which shall be from the minority, from the Senate and the House,
21 respectively.

22 Sec. 26. *Implementing Rules and Regulations (IRR).* – Within ninety (90) days
23 from the effectivity of this Act, the DND, CHED, and TESDA, in consultation with
24 relevant agencies and stakeholders, shall issue the rules and regulations
25 implementing its provisions. The IRR issued pursuant to this section shall take effect
26 thirty (30) days after its publication in a newspaper of general circulation.

27 Sec. 27. *Enrollment under R.A. No. 9163.* – Students who are currently
28 enrolled and will be enrolled until the full implementation of this Act, based on the
29 curriculum implemented by virtue of R.A. No. 9163, otherwise known as the NSTP
30 Act of 2001, shall be allowed to finish the curriculum and be deemed to have
31 satisfied the requirement for graduation after completion thereof.

1 Sec. 28. *Separability Clause.* – If any provision of this Act is held invalid or
2 unconstitutional, the other provisions not so declared shall remain in force and
3 effect.

4 Sec. 29. *Repealing Clause.* – R.A. No. 9163, otherwise known as the NSTP Act
5 of 2001, is hereby repealed. Provisions of R.A. No. 7077, otherwise known as the
6 Citizen Armed Forces of the Philippines Reservist Act, which are inconsistent with the
7 provisions of this Act are hereby amended accordingly.

8 All other laws, orders, rules regulations and other issuances, or parts thereof,
9 which are inconsistent with the relevant provisions of this Act are likewise hereby
10 repealed, amended or modified accordingly.

11 Sec. 30. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
12 its publication in the Official Gazette or in a newspaper of general circulation.

Approved,