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SENATE
S. No. 1926

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Introduced by Senator Miriam Defensor Santiago

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

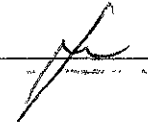
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session

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SENATE
S. No. **1926**

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

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

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

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

13 SECTION 3. *Prohibition against Discrimination and Preferential Treatment.* -

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

19 (B) *Outreach Activities Permitted.* - Paragraph (A) does not prohibit or limit any effort by
20 an institution of higher education to encourage and recruit qualified women and minorities to

1 seek admission to such institution if such recruitment or encouragement does not involve
2 granting preferential treatment, in selecting any person for admission, that is based in whole or in
3 part on sex, ethnicity, physical condition, religious belief or political affiliation.

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

7 SECTION 5. *Penalties.* - Any person violating any provision of this Act or of the rules
8 and regulations promulgated shall, upon conviction by a court of competent jurisdiction, suffer
9 the penalty of imprisonment of not less than one month but not more than one year or a fine of
10 Twenty Thousand Pesos (P20,000.00) to Fifty Thousand Pesos (P50,000.00) or both, at the
11 discretion of the court. If the entity in violation of this Act is a corporation, partnership, or
12 association, the president, or administrator, or the person who has charge of the institution shall
13 be civilly responsible for any violation of this Act and/or rules and regulations promulgated.

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

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

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

Approved,