

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

7 JUL 18 1911

SENATE
 S. B. No. 1280

RECEIVED BY: *JS*

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.*

Miriam Defensor Santiago
 MIRIAM DEFENSOR SANTIAGO
Ed.

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

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7 JUL 1975

SENATE
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Introduced by Senator Miriam Defensor Santiago

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

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

9 SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Discrimination in
10 College Admission Act.”

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

15 SECTION 3. *Prohibition against Discrimination and Preferential Treatment.* –

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

21 (B) *Outreach Activities Permitted.* – Paragraph (A) does not prohibit or limit any effort
22 by an institution of higher education to encourage and recruit qualified women and
23 minorities to seek admission to such institution if such recruitment or encouragement
24 does not involve granting preferential treatment, in selecting any person for

1 admission, that is based in whole or in part on sex, ethnicity, physical condition,
2 religious belief or political affiliation.

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

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

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

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

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

21 Approved,