

SENATE

S.B. NO. 2188

Introduced by SENATOR FERDINAND R. MARCOS, JR.

EXPLANATORY NOTE

The 1987 Constitution, under Article XIV, Section 1 thereof provides: *"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."*

Pursuant to this mandate, the State's primordial concern is to provide every citizen high quality standard of education.

Through the years, a great number of State Universities and Colleges (SUCs) have proliferated, especially in the countryside. To date, there are already 110 existing State Universities and Colleges in the country. And it is expected that that there will still be a great number of proposals creating SUCs that would await the approval of Congress.

In a report of the GMA News Research posted on December 1, 2006, it states that "in 15 years, the number of SUCs in the country increased by 160 percent—from 138 main and satellite campuses in 1990 to 364" in 2005.

The unfortunate reality, however, is that the quantity of SUCs does not guarantee quality education. The unregulated propagation of SUCs is not matched with the corresponding increase in the budget for these institutions, thereby diminishing the quality of service that these academic institutions should be known for.

Through the years, there is a downward trend in the budgetary allocation for the SUCs in the country. In 2010 alone, P22.4 Billion has been allotted for SUCs' funds. This amount is not sufficient to subsidize each of the 110 SUCs. The budgetary funding for each SUC, therefore, decreases, as the number of these institutions steadily increases.

There is, therefore, an imperative need to assess the situation.

The policy on imposing moratorium on the creation / conversion of SUCs is not entirely new.

On October 7, 1999, former President Joseph E. Estrada issued a Memorandum addressed to the CHED reiterating its administration policy "not in any way support the creation of new state universities and colleges and the conversion/upgrading of existing state colleges into universities".

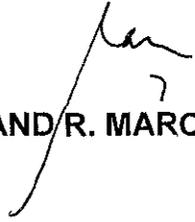
Unfortunately, despite this policy recommendation for the moratorium, the creation and/or conversion of SUCs persisted. Records show that despite the above cited 1999 moratorium, 145 main and satellite campuses were created. In 2005, 37 of 42 SUC bills were approved by the House Committee on Higher and Technical Education and favorably commented on by the Committee on Appropriations for the bills' funding provisions and the Committee on Ways and Means for tax exemptions. (GMA News Research posted on December 1, 2006).

The bottom line of it all is that the whole process of creation and/or conversion of SUCs has become so politicized, that in the end, lawmakers have sometimes completely disregarded the CHED guidelines for high standards of educational system, just to provide SUCs in their respective congressional district.

The basic questions that should be resolved now are: Are the SUCs really providing quality education for our students? Is the Philippine educational system, through the SUCs, competitive enough to meet the challenges of the global educational environment? Is the National Government allocating enough money to fund the budgetary needs of all the SUCs in the country? Until we provide the answers to these queries, there must be a suspension or moratorium in the creation and/or conversion of SUCs.

This bill proposes a moratorium on the creation of new State Universities and Colleges, and conversion or upgrading of existing State Colleges into Universities, within three (3) years from the effectivity of this Act. This will provide Congress and the CHED reasonable time to assess, monitor and upgrade the educational system of higher education that would truly meet the challenges of the changing times.

In view of thereof, the passage of this bill is earnestly requested.


FERDINAND R. MARCOS, JR

Introduced by Senator FERDINAND R. MARCOS, JR.

AN ACT IMPOSING A THREE-YEAR MORATORIUM ON THE CREATION OF NEW STATE UNIVERSITIES AND COLLEGES AND CONVERSION OR UPGRADING OF EXISTING STATE COLLEGES INTO STATE UNIVERSITIES

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

SECTION 1. Title – This Act shall be known as “Moratorium on the Creation or Conversion of State Universities and Colleges Act of 2010”.

SECTION 2. Declaration of Basic Policy- It is the policy of the State to give utmost importance to quality education that is accessible to all Filipinos. The State shall likewise provide an integrated system of education that is relevant to the needs of the people, and the changing times.

SECTION 3. Coverage – The moratorium mandated by this Act shall cover all existing public higher education Institutions and State Colleges all over the country.

SECTION 4. Moratorium on the Creation of State Universities. There shall be a moratorium or suspension on the creation of new State Universities and Colleges, and conversion or upgrading of existing State Colleges into Universities, for a period of three (3) years from the effectivity of this Act.

SECTION 5. Implementing Rules and Regulations. The Commission on Higher Education (CHED) is hereby tasked to draft the implementing rules and regulations of this Act within sixty (60) days following its complete publication.

SECTION 6. Repealing Clause – All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. Separability Clause. – If any part or provision of this Act shall be held unconstitutional or invalid, other provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 8. Effectivity – This Act shall take effect fifteen (15) days after its publication to two (2) national newspapers of general circulation.

Approved,