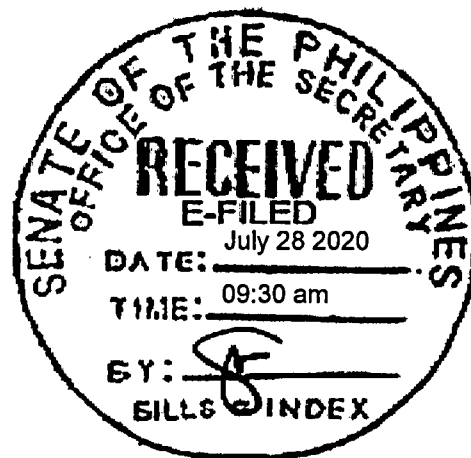


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

SENATE

S. B. NO. 1744



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Introduced by **SENATOR JOEL VILLANUEVA**

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**AN ACT**  
**STRENGTHENING THE COMMISSION ON HIGHER EDUCATION,**  
**REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7722,**  
**OTHERWISE KNOWN AS THE "HIGHER EDUCATION ACT OF 1994"**  
**AND FOR OTHER PURPOSE**

**EXPLANATORY NOTE**

The Commission on Higher Education (CHED) was created through Republic Act No. 7722 or the Higher Education Act of 1994 as part of the policy decision of Congress to separate responsibilities and mandates over basic, higher and technical-vocational education across three agencies of government. This major shift in education policy was a product of a long series of education reviews and recommendations carried out through the Monroe Commission (1925), Economic Survey Committee by the Bureau of Education (1927), Quezon Education Survey (1935), UNESCO (1949), Swanson survey (1967), and the Congressional Commission on Education in 1991.

Under RA No. 7722, CHED was mandated to perform policy making, regulatory, and developmental functions over all public and private higher education institutions. As created, the Commission was not envisioned to have implementation functions. Its functions were anchored on the Constitutional mandate to protect, foster and promote the right of all citizens to affordable quality education at all levels; ensure that education shall be accessible to all; advance learning and research; develop responsible and effective leadership; develop high-level and middle-level professionals; and the enrichment of our historical and cultural heritage.

The higher educational landscape has changed significantly since 1994. The internationalization of higher education, outcomes-based education, quality assurance, giant strides in information technology, ASEAN integration, the Fourth Industrial revolution, transnational education, the expansion of secondary education through the K-12 program, and Universal Access to Quality Higher Education

(UAQTE) law require a Commission that will steer and assist higher education institutions to maximize these international and regional opportunities.

In addition to these global and regional developments, the Philippine Congress has passed numerous laws that increase implementation mandates for the CHED, such as:

- 1) Republic Act No. 10650 or the Open Distance Learning Act;
- 2) Republic Act No. 11448 or the Transnational Higher Education Law;
- 3) Republic Act No. 10968 or An Act Institutionalizing the Philippine Qualifications Framework;
- 4) Republic Act No. 11053 or the Anti Hazing law of 2018;
- 5) Republic Act No. 11180 or An Act Requiring Higher Education Institutions to Report Participation and Program Support Expenditures in All College Athletic Programs;
- 6) Republic Act No. **11261 or An Act Waiving Government Fees and Charges in the Issuance of Documents Required in the Application for Employment of First Time Jobseekers;**
- 7) Republic Act No. 11313 or An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures and Prescribing Penalties Therefor;
- 8) Republic Act No. **11393 or An Act Authorizing Higher Education Curriculum Development and Graduate Training in Advanced Energy and Green Building Technologies, and Appropriating Funds Therefor;**
- 9) Republic Act No. **11396 or An Act Requiring State Universities and Colleges (SUCs) to Prepare and Implement a Land Use Development and Infrastructure Plan that Shall Include the Construction of Dormitories for Students and Housing Sites for Employees;**
- 10) Republic Act No. 11292 or An Act Providing for the Magna Carta for the Poor; and
- 11) Republic Act No. 10931 or the Universal Access to Quality Tertiary Education Law.

This bill, strongly endorsed by the Commission, seeks to strengthen the Commission by:

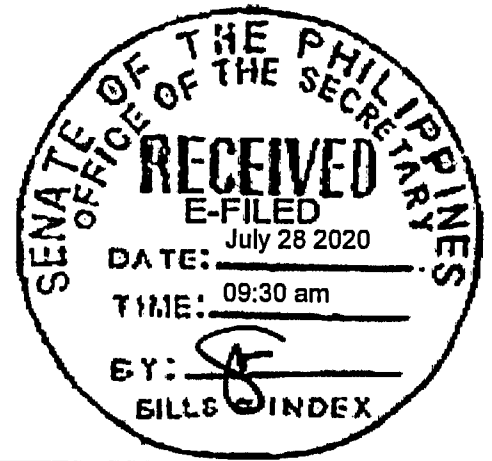
- 1) Incorporating all the added mandates created by laws passed by Congress since 1994 in a single document;
- 2) Expanding its mandate to cover sports development; supervision and regulation of higher education programs offered by local universities and colleges (LUCs); developing common standards for accrediting agencies; internationalization of higher education institutions, establishment of a national registry for academic information and mobility; and strengthening quality assurance;
- 3) Giving the Commission quasi-judicial powers to strengthen its capability to establish and enforce educational policies and standards;
- 4) Creating new offices in CHED that will carry out its added mandates; and
- 5) Increasing its manpower complement to ensure successful execution of all its functions that include recently added mandates.

To ensure that CHED can execute all the added mandates efficiently and effectively and at the same time undertake the vital role of modernizing Philippine higher education to keep pace with all the international and regional advancements, the immediate approval of this bill is earnestly sought.

  
**SENATOR JOEL VILLANUEVA**

EIGHTEENTH CONGRESS OF THE )  
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**AN ACT  
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OTHERWISE KNOWN AS THE "HIGHER EDUCATION ACT OF 1994"  
AND FOR OTHER PURPOSE**

*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 "Revised Higher Education  
2 Act of 2020."  
3

4 **SEC. 2. Declaration of Policy.** – The State shall protect, foster and promote the right  
5 of all citizens to affordable quality education at all levels and shall take appropriate  
6 steps to ensure that education shall be accessible to all. The State shall likewise  
7 ensure and protect academic freedom and shall promote its exercise and observance  
8 for the continuing intellectual growth, the advancement of learning and research, the  
9 development of responsible and effective leadership, the education of high level  
10 professionals, and the enrichment of our historical and cultural heritage.  
11

12 State-supported institutions of higher learning shall gear their programs to  
13 national, regional or local development plans. Finally, all institutions of higher learning  
14 shall exemplify through their physical and natural surroundings the dignity and beauty  
15 of, as well as their pride in, the intellectual and scholarly life.  
16

17 **SEC. 3. Definition of Terms.** – As used in this Act:  
18

19 a) Commission en banc refers to the policy-making body of the  
20 Commission on Higher Education composed of the chairperson and commissioners  
21 exercising their power and functions under the mandates prescribed by this Act;  
22

1           b) Foreign higher education institutions refer to a foreign-owned and duly  
2 recognized higher education institutions abiding by a prescribed system of education  
3 duly registered in a country other than the Philippines;

4  
5           c) Higher education institution (HEI) refers to an educational institution,  
6 whether private or public, undertaking operations of higher education programs  
7 recognized by the Commission on Higher Education;

8  
9           d) Local universities and colleges refer to public HEIs established and  
10 financially supported by their respective local governments; and

11  
12           e) State universities and colleges refer to public HEIs with independent and  
13 separate governing boards created and established by law.

14  
15 **SEC. 4. Commission on Higher Education.** – In pursuance of the abovementioned  
16 policies, the Commission on Higher Education, hereinafter referred to as the  
17 Commission, created under Republic Act (RA) No. 7722, otherwise known as the  
18 “Higher Education Act of 1994,” shall continue in the exercise of its powers and  
19 functions in accordance with the provisions of this Act.

20  
21           The Commission shall be independent and separate from the Department of  
22 Education (DepEd) and attached to the Office of the President for administrative  
23 purposes only. Its coverage shall be both public and private HEIs as well as degree-  
24 granting programs in all post-secondary educational institutions, public and private,  
25 except those under the jurisdiction of the Bangsamoro Autonomous Region of Muslim  
26 Mindanao (BARMM) as provided under Republic Act No. 11054, otherwise known as  
27 the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao.

28  
29 **SEC. 5. Composition of the Commission.** – The Commission shall be composed of  
30 five (5) full-time members. The President of the Philippines shall appoint a chairperson  
31 of the Commission and four (4) commissioners, (a) who shall be holders of earned  
32 doctorate degrees, defined as Level 8 in the Philippine Qualifications Framework, from  
33 a reputable HEI recognized by the Commission, (b) who have been actively engaged  
34 in higher education for at least ten (10) years, and (c) must not have been candidates  
35 for any elective positions in the national or local election immediately preceding their  
36 appointment. They must be academicians known for their high degree of  
37 professionalism and integrity and have distinguished themselves as authorities in their  
38 chosen fields of learning. The members of the Commission shall belong to different  
39 academic specializations.

40  
41           The chairperson shall act as the chief executive officer of the Commission.

42  
43           The President of the Philippines shall also appoint three (3) deputy  
44 commissioners who must have the same qualifications as the commissioners. The  
45 Deputy Commissioners shall be responsible for (a) Standards and Quality Assurance;  
46 (b) Administration and Finance; and (c) Planning and Grants Administration.

47  
48           In no case shall any or all of the commissioners or deputy commissioners  
49 appoint representatives to act on their behalf.

1 **SEC. 6. Term of Office.** – The President shall appoint the full-time chairperson,  
2 commissioners, and deputy commissioners for a term of four (4) years, without  
3 prejudice to one (1) reappointment.  
4

5 The chairperson, commissioners, and deputy commissioners shall hold office  
6 until their successors shall have been appointed and qualified. In case a member of  
7 the Commission fails to complete a term, the successor shall be appointed by the  
8 President of the Philippines for a full four-year term without prejudice to one (1)  
9 reappointment. In case of a re-appointee, time served in an acting or hold-over  
10 capacity shall be counted as part of the new four-year term.  
11

12 **SEC. 7. Rank and Emoluments.** – The chairperson shall have the equivalent rank of  
13 a Department Secretary and shall be a member of the Cabinet. The commissioners  
14 and deputy commissioners shall have the equivalent rank of Undersecretaries and  
15 Assistant Secretaries, respectively. They shall be entitled to receive the compensation  
16 and other emoluments corresponding to those of a Secretary, Undersecretaries, and  
17 Assistant Secretaries, respectively, and shall be subject to the same disqualifications.  
18 Consistent with the provisions of Executive Order No. 292, otherwise known as the  
19 “Revised Administrative Code of 1987,” they shall be allowed to receive honoraria and  
20 other benefits, subject to existing rules and regulations prescribed by the Commission  
21 on Audit.  
22

23 **SEC. 8. Powers and Functions of the Commission.** – The Commission shall  
24 exercise the following powers and functions:  
25

26 a) Formulate a roadmap for Philippine higher education, setting the general  
27 directions for educational policies and standards and ensure the development of a  
28 Philippine higher education that is accessible, equitable and producing locally  
29 responsive, innovative, and globally competitive graduates and lifelong learners;  
30

31 b) Formulate, recommend, and implement development plans, policies,  
32 priorities, and programs on higher education and research consistent with national and  
33 regional development goals, and international human resource requirements;  
34

35 c) Broaden access to quality higher education through programs and  
36 services, particularly for the disadvantaged students, such as indigenous peoples,  
37 poor and deserving students, and students from depressed areas;  
38

39 d) Direct the development and reform of higher education towards world  
40 class standards, harmonization with the ASEAN education plan, and international  
41 conventions and agreements;  
42

43 e) Enable the development of non-traditional higher education programs  
44 and delivery modes, including, but not limited, to distance education, ladderized  
45 education, and the Expanded Tertiary Education Equivalency and Accreditation  
46 Program or ETEEAP provided for by Republic Act No. 10650, otherwise known as the  
47 “Open Distance Learning Act” and applicable Executive Orders and issuances;  
48

1 f) Facilitate the development of sports development and wellness  
2 programs in HEIs to produce globally competitive students-athletes in coordination  
3 with the Philippine Sports Commission;

4  
5 g) Set minimum quality assurance standards and guidelines for programs  
6 and institutions, as well as a governance framework for higher education institutions,  
7 including local universities and colleges (LUCs), and accrediting agencies as  
8 recommended by panels of experts in the field and enforce the same;

9  
10 h) Identify, support and develop centers of excellence in program areas  
11 needed for the development of world-class scholarship, nation building and national  
12 development;

13  
14 i) Accelerate the establishment of transnational higher education  
15 programs, the internationalization of higher education in the country and the  
16 development of transnational higher education sector consistent with Republic Act No.  
17 11448, otherwise known as the "Transnational Higher Education Act;"

18  
19 j) Exercise quasi-judicial powers in the pursuit of the mandate of the  
20 Commission;

21  
22 k) Develop and enforce a system of program compliance and impose  
23 necessary sanctions for cause provided by law and only after due process, such as  
24 imposition of fines or penalties, downgrading to permit status, non-recognition of  
25 accreditation, termination by closure or phase-out of higher education programs, or  
26 cessation of operations of public and private HEIs, including local universities and  
27 colleges (LUCs) which are not in compliance with the prescribed minimum policies,  
28 standards and guidelines (PSGs) set by the Commission or international conventions,  
29 whenever applicable: Provided, That no restraining orders or injunctions shall be  
30 issued upon Commission actions in the exercise of its quasi-judicial functions, except  
31 by the appellate courts after proper proceedings: Provided, further, That the welfare  
32 of students, faculty, and employees are given due consideration: Provided, finally,  
33 That the exercise of quasi-judicial power shall include the issuance of subpoena,  
34 summons, and initiation of contempt proceedings against recalcitrant parties under its  
35 jurisdiction;

36  
37 l) Upon consultation with the SUCs, coordinate with the DBM the issuance  
38 of general guidelines on the use of their income;

39  
40 m) Set standards, policies and guidelines for the creation of new higher  
41 education institution as well as the conversion or elevation of schools to institutions of  
42 higher learning, subject to budgetary limitations and the number of institutions of  
43 higher learning in the province or region where creation, conversion or elevation is  
44 sought to be made;

45  
46 n) Develop and implement standards and systems on reclassification,  
47 promotion and professional development of personnel in SUCs in coordination with  
48 the DBM and the Civil Service Commission (CSC);

49

1 o) Support HEIs in the implementation of the Philippine Qualifications  
2 Framework for higher education in coordination with the DepEd, Technical Education  
3 and Skills Development Authority (TESDA) and other appropriate government  
4 agencies consistent with Republic Act No. 10968, otherwise known as the "PQF Act;"  
5

6 p) Set guidelines for reasonable increases in tuition and other fees in  
7 private HEIs, and approve, disapprove or modify applications for increases: Provided,  
8 That the Commission, through its regional offices shall strictly monitor their compliance  
9 with the guidelines set for this purpose;

10  
11 q) Provide directions and common standards for accrediting agencies;  
12

13 r) Conduct mediation, conciliation, settlement meeting or conferences,  
14 exercise appellate jurisdiction between HEIs and students, teachers and staff involving  
15 academic issues;

16  
17 s) Administer the Higher Education Development Trust Fund, as described  
18 in Section 14 hereunder, and approve projects funded thereby based on guidelines  
19 set by the Commission, which will promote the development of public and private  
20 higher education institutions both stock and non-stock;

21  
22 t) Chair the governing boards of SUCs and provide direction to these  
23 institutions by ensuring that the Commission's policies, standards and guidelines are  
24 complied with and fully implemented by them, and review the charters of SUCs  
25 including the chairpersonship and membership of their governing bodies and  
26 recommend appropriate measures as basis for necessary action;

27  
28 u) Establish a national registry for academic information and mobility and  
29 other relevant mechanisms for information sharing and dissemination locally or  
30 internationally, in coordination with other concerned government agencies;

31  
32 v) Promulgate such rules and regulations and exercise such other powers  
33 and functions as may be necessary to carry out effectively the purpose and objectives  
34 of this Act; and

35  
36 w) Perform such other functions as may be necessary for its effective  
37 operations and for the continued enhancement, growth or development of higher  
38 education.  
39  
40



1 **SEC. 9. Quasi-Judicial Powers of the Commission.** – The Commission shall  
2 exercise exclusive original jurisdiction over the following:  
3

4 a) Fraud or deceit committed in connection with the application for and  
5 grant by the Commission of government permits or recognition and other incentives  
6 and qualifying procedures;  
7

8 b) Failure to comply with conditions or obligations prescribed by the  
9 Commission as minimum standards in operating academic courses and programs;  
10

11 c) Unauthorized operation of a school or course, or any component thereof,  
12 or any violation of the requirement governing advertisements or announcements of  
13 educational institutions; and  
14

15 d) Other cases and complaints related to the powers and functions of the  
16 Commission.  
17

18 Except for subparagraph (b), complaints and cases shall first be filed with the  
19 regional office which has jurisdiction over the area. The regional director shall resolve  
20 the case within a reasonable period from the time of submission of the case for  
21 resolution, but in no case shall the entire resolution of the case exceed ninety (90)  
22 days from filing.  
23

24 An appeal from the decision of the regional director may be filed with the Office  
25 of the Executive Director of the Commission within ten (10) days from the receipt of  
26 the decision. The Office of the Executive Director shall rule on the appeal within ninety  
27 (90) days from the filing of the appeal.  
28

29 An appeal from the decision of the Office of the Executive Director may be filed  
30 with the Commission en banc within ten (10) days from the receipt of the decision.  
31 The Commission en banc shall resolve the appeal within ninety (90) days from the  
32 filing of the appeal.  
33

34 The decision of the Commission en banc shall be executory. An appeal from  
35 the decision of the Commission en banc may be filed with the Court of Appeals, subject  
36 to the period on appeals from administrative quasi-judicial bodies to the Court of  
37 Appeals in the Rules of Court.  
38

39 The Regional Trial Courts are prohibited from issuing any injunction against  
40 decisions of the Commission in the exercise of its quasi-judicial functions.  
41

42 Sanctions against an HEI is without prejudice to the interest of the students,  
43 teachers and employees who believe in good faith that their institution's operations  
44 were in conformity with the standards and guidelines set by the Commission: Provided,  
45 however, That upon issuance by the Commission of notices to the public regarding an  
46 institution's noncompliance with policies and standards of the Commission, including  
47 the sanctions imposed on HEIs, the general public shall be bound thereby, and no  
48 presumption of good faith shall be enjoyed thereafter by existing or new students,  
49 faculty and employees.  
50

1 **SEC. 10. Secretariat and the Executive Director.** – The Commission shall have a  
2 secretariat, which shall be headed by an executive director, subject to the national  
3 compensation and position classification plan. The Commission shall fix the  
4 secretariat's staffing pattern, determine the duties, qualifications, responsibilities and  
5 functions, as well as the compensation scheme for the positions to be created, upon  
6 the recommendation of the executive director. It shall also prepare and approve its  
7 budget.  
8

9 The executive director must have at least five (5) years administrative or  
10 technical experience in the areas of policies and standards development,  
11 management, public or private administration and policy, as well as human resource  
12 development, among others, with the rank and emoluments of an assistant secretary  
13 to be appointed by the President of the Philippines upon the recommendation of the  
14 Commission en banc.  
15

16 **SEC. 11. Central Office Operation.** – The Commission shall establish a central office  
17 in accordance with the Revised Administrative Code of 1987 and other pertinent laws  
18 and issuances to support the fulfillment of the powers and functions of the Commission  
19 at the national level. The office shall be headed by a qualified director and assistant  
20 director.  
21

22 The Chairperson of the Commission shall appoint such personnel necessary to  
23 carry out the objectives, policies and functions of the Commission subject to civil  
24 service laws, rules and regulations.  
25

26 **SEC. 12. Regional Operations.** – The regional offices of the Commission are headed  
27 by regional directors with the rank and emoluments of Director IV to be appointed by  
28 the President of the Philippines.  
29

30 The regional offices of the Commission are under the direct control of the  
31 Chairperson of the Commission and shall have the following functions:  
32

33 a) Implement the programs of the Commission in the regional level which  
34 is under their jurisdiction;  
35

36 b) Develop and recommend programs for regional and local-level  
37 implementation within the policies set by the Commission;  
38

39 c) Facilitate implementation of Republic Act No. 10931, otherwise known  
40 as the "Universal Access to Quality Tertiary Education Act," including disbursement of  
41 checks; and  
42

43 d) Perform such other duties and functions as may be deemed necessary.  
44

45 The regional director shall sit as a resource person in all board meetings of  
46 SUCs in the region where the regional office has jurisdiction to keep the regional  
47 director attuned and updated on the official activities and needs of the concerned  
48 SUCs.  
49

1           There shall be a legal division in each regional office and provincial office,  
2 created pursuant to Section 14 of this Act, to ensure the effective action on legal  
3 matters in the region and province, with corresponding additional staffing pattern.  
4

5 **SEC. 13. Provincial Offices.** – The Commission shall establish provincial offices to  
6 ensure the implementation of policies and programs across island groups and in far to  
7 reach areas. The provincial offices are headed by provincial directors, who shall have  
8 the rank and emoluments of a Director III. The provincial offices shall be under the  
9 direct control and supervision of their respective regional directors and shall have the  
10 following functions:  
11

12           a)     Implement the policies and programs of the Commission in the provincial  
13 office which is under their jurisdiction;  
14

15           b)     Review and recommend programs for implementation within their  
16 localities;  
17

18           c)     Provide technical assistance to local government units in the  
19 governance of local universities and colleges and the implementation of local  
20 government-initiated programs within their localities;  
21

22           d)     Provide assistance in the implementation of RA 10931; including  
23 disbursement of checks for HEIs which are under their jurisdiction; and  
24

25           e)     Perform such other duties and functions as maybe authorized.  
26

27 **SEC. 14. Higher Education Development Trust Fund.** – The Higher Education  
28 Development Fund established under Republic Act No. 7722 shall now be known as  
29 the Higher Education Development Trust Fund, hereinafter referred to as the Trust  
30 Fund. The Trust Fund shall be used exclusively for the strengthening of higher  
31 education in all regions of the country.  
32

33           a)     The Government shall continue to contribute to the Trust Fund, as  
34 follows:  
35

36                   1)     The equivalent of forty percent (40%) annual share on the total  
37 gross collections of the travel tax;  
38

39                   2)     The equivalent of thirty percent (30%) share of the annual  
40 collections from the Professional Registration Fee; and  
41

42                   3)     The equivalent of one percent (1%) of the gross sales of the lotto  
43 operation of the Philippine Charity Sweepstakes Office (PCSO).  
44

45           b)     Government financing institutions identified and requested by the  
46 Commission may contribute to the Trust Fund an amount equivalent to not less than  
47 three percent (3%) but not more than five percent (5%) of their unimpaired surplus  
48 realized during the immediately preceding year.  
49

1 c) The Trust Fund shall have a private portion to be raised from donations,  
2 gifts, and other conveyances, including materials, equipment, properties and services  
3 by gratuitous title which are exempt from donor's tax and shall constitute as allowable  
4 deduction from the income of the donor for income tax purposes.  
5

6 d) The Commission has full and exclusive control of the Trust Fund, subject  
7 only to existing laws and rules and regulations prescribed by the Commission on Audit.  
8

9 **SEC. 15. Management and Administration of the Higher Education Development**  
10 **Trust Fund.** – The Trust Fund shall be administered by the Commission. For sound  
11 and judicious management of the Trust Fund, the Commission shall appoint a  
12 reputable government financial institution as portfolio manager of the Trust Fund,  
13 subject to the conditions provided under this Act.  
14

15 As administrator of the Trust Fund, the Commission shall prepare the  
16 necessary guidelines for its use, subject to the following conditions:  
17

18 a) No part of the seed capital of the Trust Fund, including earnings thereof,  
19 shall be used to underwrite overhead expenses for administration;  
20

21 b) Unless otherwise stipulated by the private donor, only earnings of private  
22 contributions shall be used for administrative expenses;  
23

24 c) The Commission shall appoint and organize a separate Trust Fund  
25 Office to be headed by a director and to be composed of units responsible for resource  
26 mobilization, planning and programs, monitoring and evaluation, and finance and  
27 administration, among others. Since the Trust Fund comes from contributions from  
28 the government and private sector, the Trust Fund Office shall be independent  
29 administratively and budgetarily separate from the Commission Secretariat; and  
30

31 d) The Trust Fund shall be utilized equitably according to regions to  
32 strengthen higher education institutions and support priority programs. In no case  
33 shall the Trust Fund be utilized for purposes benefiting individuals other than those  
34 earmarked for developmental purposes under the guidelines set by the Commission.  
35

36 **SEC. 16. Technical Panels.** – The Commission shall reconstitute or organize  
37 technical panels for different disciplines and academic program areas. They shall  
38 assist the Commission in setting standards and evaluating academic programs for  
39 regulatory and development purposes. The technical panels are composed of  
40 individuals highly recognized in their fields of expertise tasked with the formulation of  
41 a roadmap for the development of disciplinal and degree programs; review, revise,  
42 and update policies, standards, and guidelines (PSGs) based on the policy direction  
43 set by the Commission; and serve as resource persons of the Commission in its  
44 various activities.  
45

46 The technical panels shall serve as advisory or recommendatory bodies for a  
47 specific discipline or related program, and whose recommendations are subject to the  
48 approval of the Commission en banc.  
49

1 **SEC. 17. Guarantee of Academic Freedom.** – Nothing in this Act shall be construed  
2 as limiting the academic freedom of universities and colleges. In particular, no  
3 abridgment of curricular freedom of the individual educational institutions by the  
4 Commission shall be made except for: (a) minimum unit requirements for specific  
5 academic programs; (b) general education distribution requirements as may be  
6 determined by the Commission; and (c) specific professional subjects as may be  
7 stipulated by the various licensing entities. No academic or curricular restriction shall  
8 be made upon private educational institutions which are not required for chartered  
9 state colleges and universities.

10  
11 Both public and private HEIs, including those established by local governments  
12 must comply with the mandatory minimum institutional and program standards set by  
13 the Commission en banc.

14  
15 **SEC. 18. Guarantee of Religious Freedom.** – No higher education student, faculty,  
16 or other members of the academic community shall be prohibited from exercising their  
17 right to religious freedom in the HEI or any of its campuses.

18  
19 **SEC. 19. Accreditation.** – The Commission shall provide incentives to institutions of  
20 higher learning, public and private, whose programs are accredited or whose needs  
21 are for accreditation purposes.

22  
23 **SEC. 20. Tax Exemptions.** – Any donation, contribution, bequest, and grant which  
24 may be made to the Commission shall constitute as allowable deduction from the  
25 income of the donor for income tax purposes and shall be exempt from donor's tax,  
26 subject to such conditions as provided under the National Internal Revenue Code, as  
27 amended.

28  
29 **SEC. 21. Authority.** – The Commission shall exercise such authority as may be  
30 deemed necessary within its premises or areas of operation to effectively carry out its  
31 powers and functions and to attain its objectives: Provided, That the Commission may  
32 seek the assistance of other government agencies for the proper implementation of  
33 this Act.

34  
35 **SEC. 22. Periodic Review.** – The Commission shall undertake a periodic assessment  
36 of its accomplishment and review and update the roadmap of Philippine Higher  
37 Education every ten (10) years. The updated roadmap shall be submitted to Congress  
38 and the Office of the President for the formulation of new policies necessary for the  
39 continuous modernization of higher education.

40  
41 **SEC. 23. Appropriations.** – The amount necessary for the implementation of this Act  
42 shall be charged to the current year's appropriations of the Commission on Higher  
43 Education. Thereafter, such amount necessary for the continued implementation of  
44 this Act shall be included in the annual General Appropriations Act.

45  
46 **SEC. 24. Transitory Provisions.** – The incumbent chairperson and commissioners  
47 shall serve as chairperson and commissioners, respectively, under the terms for which  
48 they have been appointed without need of new appointments. The incumbent  
49 executive director shall likewise serve as executive director without need of a new  
50 appointment.

1  
2 All officers and personnel of the Commission shall continue to perform their  
3 duties and responsibilities and receive their corresponding salaries and benefits. The  
4 approval of this Act shall not cause any demotion in rank or diminution of salary,  
5 benefits and other privileges of the incumbent personnel of the Commission.  
6

7 **SEC. 25. Separability Clause.** – If any part or provision of this Act is held  
8 unconstitutional or invalid, the other provisions or parts hereof which are not affected  
9 thereby shall continue to be in full force and effect.  
10

11 **SEC. 26. Repealing Clause.** – Republic Act No. 7722, otherwise known as the  
12 “Higher Education Act of 1994,” is hereby repealed. All laws, presidential decrees,  
13 executive orders, rules and regulations, or parts thereof which are inconsistent with  
14 the provisions of this Act are hereby repealed, amended or modified accordingly.  
15

16 **SEC. 27. Effectivity.** – This Act shall take effect fifteen (15) days after its publication  
17 in the Official Gazette or in a newspaper of general circulation.  
18

19 **Approved,**