

Republic of the Philippines
CHED - UniFAST
Metro Manila

**Implementing Rules and Regulations of Republic Act
No. 10931, known as the “Universal Access to Quality
Tertiary Education Act of 2017”**

Pursuant to the authority vested in the Unified Student Financial Assistance System for Tertiary Education (UniFAST) Board under Section 18 of the Universal Access to Quality Tertiary Education Act, the following rules and regulations are hereby promulgated to ensure the efficient and effective implementation of the provisions of the Act:

RULE I
PRELIMINARY PROVISIONS

Section 1. **Title.** These rules and regulations shall be known as the Implementing Rules and Regulations of Republic Act No. 10931, known as the “Universal Access to Quality Tertiary Education Act of 2017,” or the “IRR.”

Section 2. **Policy.** The IRR enforces the intentions of the Act to promote social justice and the advancement of nation building recognizes the inalienable right of all Filipinos to quality education and thus protects and promotes the right of all Filipino students to accessible quality education. The IRR recognizes the complementary roles of public and private Higher Education Institutions and Technical-Vocational Institutions in the tertiary education system, and the invaluable contribution of private tertiary institutions to the education system.

The IRR also enforces the following objectives of the Act:

- (a) to provide adequate funding and such other mechanisms to increase the participation rate among all socioeconomic classes in tertiary education;
- (b) to provide all Filipinos with equal opportunity to quality tertiary education in both private and public educational institutions;
- (c) to give priority to students who are academically able and who come from poor families;
- (d) to ensure the optimized utilization of government resources in education;
- (e) to provide adequate guidance and incentives in supporting young Filipinos with their career choices and towards the proper development and utilization of human resources; and
- (f) to recognize the complementary roles of public and private institutions in the tertiary education system.

Section 3. **Definitions.** Whenever used in this IRR, the following terms shall have the respective meanings hereafter set forth:

- (a) **Act** refers to Republic Act No. 10931, also known as the “Universal Access to Quality Tertiary Education Act of 2017;”
- (b) **Admission or Entrance fees** refer to fees paid by students when applying for admission to a Higher Education Institution (HEI). It is collected during the semester or term that the student applied for admission. These fees may cover the entrance/admission examination, medical screening, documentary and entrance fees, and/or personal/psychological test, as required by the institution, and are being referred to as “registration fee” or “qualifying examination fee” by some HEIs;
- (c) **ASEAN Quality Assurance Framework (AQAF)** refers to the quality assurance framework in higher education with regional identities where ASEAN countries could benchmark and align their quality assurance systems of higher education, and will serve as a common reference point for quality assurance agencies and higher education institutions as they strive towards harmonization amidst the diversity of higher education systems, cultures, and traditions within the region;
- (d) **Assessment and Certification** refers to a program that aims to assess and certify the competencies of middle-level skilled workers through the Philippine Technical-Vocational Education and Training (TVET) Competency Assessment and Certification System (PTCACS);
- (e) **Athletic fees** refer to fees collected for the use of sports facilities and equipment, the conduct of sports-related trainings and/or participation in local, provincial, regional, and national sports competitions. These fees cover related fees such as intramural, sports, varsity, and State Colleges and Universities Athletic Association (SCUAA) fees;
- (f) **Bridging program** refers to a set of holistic interrelated activities such as, but not limited to, guidance services, tutorials, and psycho-social and spiritual programs that are offered by an HEI to certain groups of students during either pre- or post-admission to serve as compensatory and corrective measures to enable the students to cope with college work;
- (g) **Bundled program** refers to the combination of several With Training Regulations (WTR) qualifications offered as a program to produce multi-skilled graduates. This can be done either through vertical articulation—under the same qualification and different national qualification levels—or horizontal or lateral progression—under different qualifications within the same sector and the same national certification levels;
- (h) **Campus** refers to any educational institution bearing the name of State Universities and Colleges (SUCs) or Local Universities and Colleges (LUCs). This includes all forms of main campuses, satellite campuses, branches, and extension service centers or units;
- (i) **Certificate of Competency (COC)** refers to a document issued by the Technical Education and Skills Development Authority (TESDA) to individuals who were assessed as competent in a single unit or cluster of related units of competency, as

defined in Section 4 of the National Assessment and Certification Arrangements of the Training Regulations;

- (j) **Certificate of TVET Program Registration (CTPR)** refers to a document issued by TESDA to a concerned institution as a manifestation that the TVET program the said institution is offering complies with the minimum requirements or standards prescribed by TESDA;
- (k) **Cluster of units of competency** refers to a group of competencies, as defined in the Training Regulations, that corresponds to a Certificate of Competency (COC). A cluster of units of competency includes the basic, common, and core competencies addressing a COC that can be offered as a registered program;
- (l) **Comparable undergraduate degree** refers to any higher education degree equivalent to Level 6, regardless of its recommended period of completion, based on the accepted outcomes-based learning and the Philippine Qualifications Framework;
- (m) **Competency assessment** refers to a process of collecting evidence and making judgments to confirm if an individual can perform according to the standards expected at the workplace, as expressed in the Training Regulations. The assessment process is based on evidence or information gathered to prove possession of certain competencies and may be applied to an employable unit or units of competency in partial fulfillment of the requirements for national qualification. The competency assessment leads to the issuance of a National Certificate (NC) or a Certificate of Competency (COC);
- (n) **Composite fee** refers to an index, consisting of a single fee or range of fees, that aggregates the basic costs of teaching and other fees incidental or related to instruction based on the normative cost of a given program;
- (o) **Computer fees** refer to fees paid by the students for the access and use of the entire range of information and communication technology services;
- (p) **Consumables** refer to the supplies and materials needed by the learners to practice the skills requirement of a training activity;
- (q) **Cost of facilities, equipment, and tools maintenance** refers to the funds necessary to keep the facilities, equipment and/or tools in good functional condition. It is computed by determining the imputed cost on the facilities, equipment, and tools utilization;
- (r) **Cost of tertiary education** refers to (1) tuition and other school fees, (2) educational expenses, and (3) the cost of living allowance;
- (s) **Cost of utilities** refers to the cost of the amount of water and electricity consumed during the training period;
- (t) **Cultural fees** refer to the fees intended for conducting or participating in socio-cultural activities designed to provide opportunities to enhance and develop talents,

abilities, and values of students to help them appreciate, promote, and conserve our national culture and heritage;

- (u) **Development fees** refer to fees used to fund students' activities, projects, and programs other than those intended for general and specific student welfare and development, some of which, if applicable, are distributed by the HEI to pertinent student groups. These programs include the following:
 - (1) leadership trainings;
 - (2) off-campus experiential learning (field trips and the like);
 - (3) student partnerships and activities of student organizations;
 - (4) student publication/newsletter;
 - (5) life-long learning activities;
 - (6) spiritual, social and values programs; and
 - (7) bridging/remedial programs;
- (v) **Enrollment capacity** refers to the optimal number of students that can be enrolled in a degree program offered by an HEI in a given semester or term, as determined by the learning objectives and outcomes and the current carrying capacity of the HEI and by the policies and standards of academic programs and other such quality safeguards formulated by the Commission on Higher Education (CHED);
- (w) **Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP)** refers to an educational assessment scheme which recognizes and provides equivalent credentials to knowledge, skill, and prior learning attained by individuals from non-formal and informal educational experiences;
- (x) **Graduate courses** refer to higher education programs leading to a certificate, diploma, master's, or doctorate degree, as may be authorized and recognized by the CHED;
- (y) **Guidance fees** refer to the fees intended for guidance-related activities such as, but not limited to, the following:
 - (1) student training and seminars;
 - (2) career guidance and counseling;
 - (3) general student counseling;
 - (4) psychological testing;
 - (5) career assessment;
 - (6) career development; and
 - (7) employment placement services;
- (z) **Handbook fees** refer to the amount used for the production and issuance of a written document or student manual that contains general instructions and guidelines, policies, standards and procedures of HEIs to guide their students. Contents of this document may include the following:
 - (1) admission and retention policies;
 - (2) grievance and appeals system;
 - (3) grading system;
 - (4) assessment and enrolment procedures;

- (5) policies and expectations on student discipline and behavior; and
(6) student responsibilities;
- (aa) **Higher education** refers to the stage of formal education, or its equivalent, which requires the completion of secondary education and which covers programs of study that lead to associate degrees and bachelor and advanced degrees;
- (bb) **Higher Education Institution (HEI)** refers to an educational institution authorized and recognized by the CHED to offer bachelor's degrees or graduate courses;
- (cc) **Honorarium of trainer** refers to the budget allocated to pay for services rendered by a contractual TVET trainer;
- (dd) **Institution-based StuFAPs** refer to different modalities or forms of merit scholarships, grants-in-aid, and student loans (short-term and long-term) that are initiated, funded, maintained, or acquired by HEIs from various sources. It includes various types of financial assistance, either as compensation for services rendered by the students or in consideration of their skills, talents, and other circumstances;
- (ee) **Instructional materials allowance** refers to the provision for learners that they may use to acquire the necessary learning materials/workbooks/handbooks and/or non-print materials. Learners are entitled to this allowance per course that they are enrolled in;
- (ff) **Laboratory fees** refer to the fees intended for the use of various laboratory facilities required for curricular instruction and research, regardless of subject areas and teaching venues. This does not include payment for the use of computer laboratories, which are already subsumed under computer fees in Section 3(o) of the IRR;
- (gg) **Library fees** refer to the fees intended for the use of and access to library services in aid of research and instruction. This fee shall not cover fines and penalties incurred by student library users. This also includes license fees to cover large-scale reproduction of copyrighted materials which shall be paid to collective licensing organizations;
- (hh) **Living allowance** refers to the allocation intended to cover for the following expenses of the TVET student: (1) meals and transportation, and/or (2) student accommodation;
- (ii) **Long-term loans** are loans applied for by student-borrowers, which they shall pay once their compensations, remunerations, or earnings after completion of their degrees have reached the Compulsory Repayment Threshold (CRT), subject to provisions in Section 36 of the IRR;
- (jj) **Local Universities and Colleges (LUCs)** refer to CHED-recognized public HEIs established by local government units (LGUs) through an enabling law or ordinance, financially supported by the LGU concerned, and compliant with the policies, standards, and guidelines of the CHED;

- (kk) **Medical and dental fees** refer to all fees intended for health services provided to the students including physical, dental, and mental health assessment, examination, and treatment in the institution to ascertain that the student is physically and mentally fit and does not have any contagious illness(es). This includes an all-purpose student insurance to cover in-campus and off-campus activities;
- (ll) **Miscellaneous fees** refer to either a specific fee or a collection of fees usually charged to the student in addition to tuition fee, in accordance with Section 7 of the Act;
- (mm) **Miscellaneous fee for TVET** refers to “other school fees” that include the following:
- (1) accident/insurance fee;
 - (2) access to library/learning resource center collections;
 - (3) school ID card;
 - (4) medical/dental services; and
 - (5) student support services such as career guidance and job linkage for graduating learners;
- (nn) **Mobilization fund** refers to the immediate payment provided to SUCs and LUCs and State-run TVIs from the funds appropriated for the free higher education and free TVET provisions to ensure the immediate and unhampered implementation of the said provisions;
- (oo) **National Certificate (NC)** refers to the document issued by TESDA to individuals as proof that they have achieved all the required units of competency of a national qualification defined under the promulgated Training Regulations;
- (pp) **National Competency Assessment fee** refers to the amount charged to a TVET examinee/candidate by an accredited assessment center for the purpose of a national competency assessment;
- (qq) **National College Readiness Assessment (NCRA)** refers to a comprehensive diagnostic assessment of students which provides HEIs with information on aptitude, intellectual ability, and socio-emotional disposition, for the purpose of student admission and with the aim of designing the appropriate guidance and intervention program for students in need;
- (rr) **National Household Targeting System for Poverty Reduction (NHTS-PR) or Listahanan** refers to the information management system of the Department of Social Welfare and Development (DSWD) that identifies who and where the poor are in the country. The system makes available to national government agencies and other social protection stakeholders a database of poor families as reference in identifying potential beneficiaries of social protection programs;
- (ss) **Nominal duration** refers to the estimated learning hours which indicate the time for an average person to achieve the learning outcomes of the units of competency, inclusive of classroom contact time, laboratory/field work/practicum, and other methods of study/assignment, as defined in the Training Regulations;

- (tt) **Opt-out** refers to the voluntary decision of the student to forego the benefits of the Free Higher Education in SUCs and LUCs in Section 4 of the Act and Free TVET in Post-Secondary TVIs in Section 5 of the Act and instead pay the institution the amount equivalent to the waived subsidy;
- (uu) **Other education-related expenses** refer to expenses related to the education of a student such as cost of books, school supplies, uniforms, reproduction of materials, electronic devices necessary for education, and payment for other fees such as practical teaching devices, student publication, yearbook, insurance, and student trust funds;
- (vv) **Other school fees** refer to the fees charged by HEIs and Technical-Vocational Institutions which cover other necessary costs supportive of instruction, specifically the following:
- (1) library fees;
 - (2) computer fees;
 - (3) laboratory fees;
 - (4) school ID fees;
 - (5) athletic fees;
 - (6) admission fees;
 - (7) development fees;
 - (8) guidance fees;
 - (9) handbook fees;
 - (10) entrance fees;
 - (11) registration fees;
 - (12) medical and dental fees;
 - (13) cultural fees; and
 - (14) other similar or related fees;
- (ww) **Other similar or related fees** (as used in the definition of “other school fees” above) refer to the synonyms of the fees listed under Section 3 (vv) of the IRR. This does not make the definition statement open-ended, but rather restricts the kinds of fees that can be charged by the SUC or LUC to the budget allocation of the Act;
- (xx) **Other training-related costs** refer to payment for training-related expenses incurred in the pursuit of a post-secondary TVET program. These include the cost of instruction materials, miscellaneous fees, national competency assessment fee, and starter toolkits;
- (yy) **Petitioned classes** refer to off-semester courses requested by students to qualify them to catch up with the normal load or to enable them to fulfill the requisites for graduation;
- (zz) **Private Higher Education Institution** refers to an HEI that is not funded, owned and controlled by the government or any of its instrumentalities;
- (aaa) **Private Technical-Vocational Institution** refers to post-secondary Technical-Vocational Institution that is being run by the private sector and offers programs

registered with the Technical Education and Skills Development Authority (TESDA);

- (bbb) **Quality** refers to the notion of quality adopted by CHED for quality assurance purposes: (1)“Fitness for purpose,” which is generally used by international bodies for assessment and accreditation, requires the translation of the institution’s vision, mission, and goals into its learning outcomes, programs, and system; (2)“Exceptional,” which means being distinctive; exceeding very high standards; or in conformance to standards based on a system of compatibility using criteria and ratings; and (3) Quality as “developing a culture of quality,” which is the transformational dimension of the CHED notion of quality;
- (ccc) **Registration fees** refer to the financial amount intended for processing the student's completed requirements during enrollment, which results in the listing of the student’s name in the registry of enrolled students;
- (ddd) **Review and Enhancement classes** refer to additional classes which students may take in preparation for their licensure examinations. These are governed by provisions under Republic Act No. 10609;
- (eee) **Short-term loan** refers to any loan applied for by the student that would need to be paid within a period no longer than one (1) academic year;
- (fff) **Starter toolkit** refers to a set of training equipment and materials in the form of hand tools, power tools, and/or portable and/or small equipment that would help learners create business opportunities;
- (ggg) **State-run Technical-Vocational Institutions (STVIs)** refer to technical-vocational institutions operated by the TESDA or LGUs, provided that the LGU is accredited by the TESDA. These institutions include TESDA Technology Institutions (TTIs) and SUCs, LUCs, and LGU-run training centers that are offering registered TVET programs under the Unified TVET Program Registration and Accreditation System (UTPRAS);
- (hhh) **State Universities and Colleges (SUCs)** refer to public HEIs established by the national government and are governed by their respective Boards of Trustees or Regents;
- (iii) **Student Financial Assistance Program (StuFAP)** refers to a system of Scholarships, Grants-in-Aid, Student Loans, subsidies and other incentives which are or shall be made available to eligible students as defined in Section 4(q) in Republic Act No. 10687;
- (jjj) **School ID fees** refer to the fees intended for the production, issuance, and renewal of prescribed identification cards to the students;
- (kkk) **Student Loan Program (SLP) for tertiary education** refers to a loan program established under Section 8 of the Act, consisting of short-term and long-term provisions;

- (lll) **Technical-Vocational Education and Training (TVET)** refers to the education process designed at post-secondary and lower tertiary levels, officially recognized as non-degree programs aimed at preparing technicians, para-professionals, and other categories of middle-level workers by providing them with a broad range of general education, theoretical, scientific, and technological studies, and related job skills training;
- (mmm) **Technical-Vocational Institutions (TVIs)** refer to learning institutions offering post-secondary TVET. These include TESDA Technology Institutions, Public and Private Technical Vocational Institutes, Private Higher Education Institutions (HEIs), State Universities and Colleges (SUCs), Local Universities and Colleges (LUCs), Training Centers, and enterprises offering TVET programs;
- (nnn) **TESDA Technology Institutions (TTIs)** refer to the schools, Regional and Provincial Training Centers that are under the management of TESDA. These include TESDA Regional Training Centers, TESDA Provincial Training Centers, TESDA-administered schools, and TESDA-specialized centers (e.g., TESDA Women's Center, Language Skills Institute (LSI), etc.);
- (ooo) **Tertiary education** refers to the stage of education following the secondary cycle, which covers post-secondary non-degree diploma, TVET, and higher education programs, including graduate and advanced education;
- (ppp) **Tertiary Education Subsidy (TES)** refers to a subsidy for tertiary education established under Section 7 of the Act;
- (qqq) **Tuition fees** refer to fees or school charges for the work of teaching the subjects or course enrolled in by a tertiary education student;
- (rrr) **Tutorial classes** refer to, but are not limited to, the classes that are held for purposes of enhancing the learning capability of the students or for the remediation of the regular class offering;
- (sss) **Undergraduate courses** refer to any program leading to a degree, as may be authorized and recognized by the CHED. This may include, but is not limited to, courses completed through the ETEEAP, Ladderized Education, and colleges offering open distance learning (i.e., open university, distance learning, e-learning);
- (ttt) **UniFAST Registry of Programs and Institutions** refer to the Registry of Programs and Institutions defined in Section 4(k) of Republic Act No. 10687 as quality-assured academic and research programs and tertiary institutions certified by the CHED and/or TESDA as complying with acceptable standards, and which shall be referred to from hereon as the "Registry;"
- (uuu) **Unified Student Financial Assistance System for Tertiary Education (UniFAST)** refers to the harmonized, State-run and administered system of higher education and technical-vocational scholarships, grants-in-aid, student loans, and other modalities of student financial assistance program promulgated under Republic Act No. 10687;

- (vvv) **Unified TVET Program Registration and Accreditation System (UTPRAS)** refers to a two-stage quality assurance process that covers the following: (1) the mandatory registration of TVET programs with TESDA and the monitoring for continuous compliance with the prescribed minimum requirements; and (2) the voluntary accreditation of institutions which deals with the institutionalization of quality management systems at the institutional level;
- (www) **Voluntary contribution** refers to the decision of the student to contribute at his/her free will some financial amount to the SUC, LUC, or State-run TVI, even while availing himself/herself of the free higher education or free TVET provisions in the Act; and
- (xxx) **With Training Regulations (WTR)** refer to the programs registered under UTPRAS with corresponding Training Regulations as basis for its registration.

RULE II

FREE HIGHER EDUCATION (HE) IN SUCS AND LUCS

Section 4. **Coverage.** All Filipino students who are either currently enrolled at the time of the effectivity of the Act, or shall enroll at any time thereafter, in courses leading to a bachelor's degree in any SUC and LUC shall be exempt from paying tuition and other school fees for units enrolled in.

Students will be eligible to receive these benefits, provided they qualify under the admission and retention requirements of the SUCs and LUCs.

As provided for under Article II, Section 13 of the 1987 Constitution which recognizes the vital role of the youth in nation-building, and the express provision in Article II, Section 15(f) of RA 10687 on the rights and obligations of student beneficiaries benefitting from state subsidy, SUCs and LUCs shall formulate and implement a Return Service System for students benefitting from the free higher education provision of this Act, as part of their admission and retention policies. Such guidelines shall be approved by their respective governing boards and the CHED.

Section 5. **Providers.** All SUCs and LUCs are eligible to provide the Free Higher Education provision. In the case of LUCs, only those recognized by the CHED on or before the cut-off schedule for each fiscal year shall be eligible. The annual cut-off schedule will be determined by the CHED.

Section 6. **Exceptions to Free HE.** The following students are ineligible to avail of Free Higher Education:

- (a) students who have already obtained a bachelor's degree or comparable undergraduate degree from any public or private HEI;
- (b) students who fail to comply with the admission and/or retention policies of the SUCs or LUCs, provided that the failure to comply with the SUC or LUC's retention

- policies results in the student's permanent disqualification from enrolling in any SUC or LUC;
- (c) students who fail to complete their bachelor's degree or comparable undergraduate degree within a year after the period prescribed in their program:
 - i. provided, that in the case of shiftees, any semester wherein the student has availed of the benefits of free higher education will be subtracted from the expected duration of the current program in which the student is enrolled;
 - ii. provided further, that in the case of transferees, any semester wherein the student has availed of any form of government-funded StuFAP shall be subtracted from the expected duration of the current program in which the student is enrolled;
 - iii. provided further, that in the case of returning students and other students who went on a leave of absence (LOA), the determination and computation of their free higher education benefit shall be without prejudice to the most expedient way of completing their studies;
 - iv. provided finally, that the SUCs and LUCs shall decide on the cases that merit the extension of the availment of free higher education; and
 - (d) students who voluntarily opt out of the free higher education provision.

Students who are not eligible to avail of the Free Higher Education provision shall be charged tuition and other school fees as determined by the Governing Boards of the SUCs and LUCs.

Section 7. **Benefits.** All students availing themselves of the free higher education provision shall be entitled to:

- (a) free tuition for all courses/subjects/classes enrolled in during a particular semester/term, as part of the curriculum and are essential to obtaining a degree. This includes approved petitioned classes, but not non-credit within-semester tutorial or review classes, nor review and enhancement classes offered by the HEI;
- (b) free miscellaneous, other school fees, and similar or related fees, which include:
 - (1) library fees
 - (2) computer fees
 - (3) laboratory fees
 - (4) school ID fees
 - (5) athletic fees
 - (6) admission fees
 - (7) development fees
 - (8) guidance fees
 - (9) handbook fees
 - (10) entrance fees
 - (11) registration fees
 - (12) medical and dental fees
 - (13) cultural fees

Provided, that only the first copies/printouts of school ID, library ID, and student handbook shall be free, and any subsequent requests by the student can be charged the usual fees.

All SUCs, LUCs and TVET institutions shall formulate and implement affirmative action programs to enhance access of disadvantaged students, such as Lumads, Muslims, and other

indigenous peoples; persons with disabilities; students from public schools; and students from depressed areas. These affirmative action programs shall be approved by the respective governing boards and submitted to CHED within 1 year after the approval of the IRR.

Section 8. ***Opt-Out Mechanism.*** All SUCs and LUCs shall create a mechanism to enable students with financial capacity to pay for their education and voluntarily opt out of the subsidy for tuition and other school fees.

The decision of the student to voluntarily opt out must be made during the enrollment period for each semester/term and shall be considered final and irrevocable for that particular semester/term. Students who opt out will be allowed to change their decision in subsequent semesters/terms.

Students who voluntarily opt out of the free higher education provision shall pay during the enrollment period an amount equivalent to the assessed tuition and other school fees, which shall be based on the policy of composite fees formulated by the UniFAST Board, subject to the transitory provisions in Section 54 of the IRR.

Students who choose to voluntarily opt out of the provision shall sign and submit a waiver to the SUC or LUC they are enrolling in. The SUC or LUC shall develop a pro-forma waiver, which shall be notarized by the institution, and which has the following information:

- (a) a statement certifying that the student is cognizant of the Act and all his/her benefits and responsibilities under the Act, providing the reason for opting out of the provision and certifying that the student made the choice voluntarily and not under duress;
- (b) the academic period (semester/term and academic year) in which the student opted out;
- (c) signature of the student, and if the student is a minor, the signature of his/her legal guardian or parent; and
- (d) certification/acceptance by the registrar and/or the guidance counselor.

Students who successfully opt-out of the free higher education provision during a semester / term shall be exempt from the civic obligation during the same semester / term.

Section 9. ***Student Voluntary Contribution Mechanism.*** All SUCs and LUCs shall create a mechanism to enable students with the financial capacity to pay for their education to voluntarily contribute a particular financial amount to the SUC or LUC while availing themselves of the free higher education provision.

The decision of the student to pay any amount as voluntary contribution to the school must be made during the enrollment period for a particular semester/term and shall be considered final and irrevocable for that semester/term. These students shall be allowed to change their decision in subsequent semesters/terms.

Students who choose to pay a voluntary contribution shall sign and submit a Voluntary Contribution Form to the SUC or LUC in which they are enrolling. The SUC or LUC shall develop a pro-forma contribution form, which shall be notarized by the institution, and which has the following information:

- (a) a statement certifying that the student is cognizant of the Act and all his/her benefits and responsibilities under the Act and that the student made the choice voluntarily and not under duress;
- (b) the amount of the financial contribution;
- (c) the academic period (semester/term and academic year) in which the student made the voluntary contribution;
- (d) signature of the student, and if the student is a minor, the signature of his/her legal guardian or parent; and
- (e) certification/acceptance by the registrar and/or the guidance counselor.

Section 10. **Funding Requirement.** Except during the transitory period, which shall be subject to the transitory provisions in Section 52 and Section 53 of the IRR, the amount required to implement the provision for free tuition and other school fees in SUCs and LUCs shall be determined by the respective Governing Boards of the SUCs and LUCs based on the projected number of enrollees for each academic year, which shall be the primary factor in computing the annual proposed budget of SUCs and, in the case of LUCs, the CHED for such purpose. This shall serve as the baseline to be used during the preparation of the annual National Expenditure Program (NEP) of the Department of Budget and Management (DBM), which shall be submitted to and finalized by the Congress.

Section 11. **Reporting Requirements.** All SUCs and LUCs shall submit to the CHED within five (5) working days after the last day of registration for each semester the following:

- (a) a report detailing the names of applicants who took the SUC/LUC entrance exam, if any, and information on whether these applicants passed or not;
- (b) a report detailing the names of students in their institutions who availed of the free tuition and other school fees benefit, and the relevant details of this availment (e.g., courses enrolled, number of units enrolled, number of semesters left in the Free HE benefit, etc.);
- (c) all payments collected from students who opted out; and
- (d) all payments from students who made voluntary contributions to the institution.

All payments from students who opted out and those who made voluntary contributions to the institutions shall accrue as income to the SUCs and LUCs.

Section 12. **Appropriation.** The amounts necessary to carry out the provisions of the Free Higher Education benefit in SUCs and LUCs shall be included in the annual General Appropriations Act (GAA) and shall be appropriated under SUCs and, in the case of LUCs, under the CHED, subject to the transitory provisions in Section 52 of the IRR.

In the case that the appropriations for the free higher education provision is lodged in CHED, payments by CHED to SUCs and LUCs shall be booked up as income of the institutions.

RULE III
FREE TECHNICAL-VOCATIONAL EDUCATION AND TRAINING (TVET) IN
POST-SECONDARY STATE-RUN TVIS

Section 13. **Coverage.** All Filipino learners who are currently enrolled at the time of the effectivity of the Act, or shall enroll at any time thereafter, in any TESDA-registered TVET program leading to a non-degree certificate or diploma, including diploma courses and bundled programs, and offered by State-run TVIs (STVIs) shall be eligible for the free TVET provision, provided, that they comply with the admission and retention policies and existing residency rules of the STVIs.

Section 14. **Providers.** All State-run TVIs (STVIs) are eligible to provide Free TVET benefit, provided that the post-secondary TVET programs offered in these institutions are registered under TESDA.

Section 15. **Exemptions to Free TVET.** The following students are ineligible to avail of the Free TVET benefit:

- (a) learners who have obtained a bachelor's degree;
- (b) learners who are already holders of a certificate or diploma for a technical-vocational course equivalent to National Certificate Level III or higher, unless the trainee is enrolled in bundled courses or programs in Level IV or Diploma;
- (c) learners who fail in any public TVET course since the effectivity of the Act;
- (d) learners enrolled in TVET programs not registered under TESDA; and
- (e) learners who voluntarily opt out of the free TVET provision.

Learners who are not eligible to avail of the Free TVET benefit shall be charged the training cost and other training-related costs determined by TESDA based on the policy of composite fees formulated by the UniFAST Board, subject to the transitory provisions in Section 54 of the IRR.

Section 16. **Benefits.** The Free TVET benefit in STVIs shall cover the following:

- (a) consumables;
- (b) cost of utilities;
- (c) cost of facilities, equipment and tools maintenance;
- (d) honorarium of trainers;
- (e) living allowance;
- (f) miscellaneous fee;
- (g) National Competency Assessment fee;
- (h) instructional materials allowance; and
- (i) starter toolkit.

Provided, that only incremental costs of utilities and maintenance not already charged to the regular Maintenance and Other Operating Expenses (MOOE) of STVIs shall be charged against the Free TVET provision of the Act.

Provided further, that only the first copies/printouts of IDs shall be free, and any subsequent requests by the learner can be charged the usual fees.

Section 17. ***Opt-Out Mechanism.*** All eligible providers of Free TVET shall create a mechanism to enable learners with the financial capacity to pay for their education to voluntarily opt out from the Free TVET subsidy.

The decision of the learner to voluntarily opt out must be made during the enrollment period of a TVET program and shall be considered final and irrevocable for that period. If the program enrolled in is a bundled program, the learners can change their decision in subsequent programs that they shall be enrolling in.

Learners who voluntarily opt out of the Free TVET provision shall pay within five (5) days after the start of training an amount equivalent to the full training cost and other training-related costs of the corresponding TVET program determined by TESDA based on the policy of composite fees formulated by the UniFAST Board, subject to the transitory provisions in Section 54 of the IRR.

Learners who choose to voluntarily opt out shall sign and submit a waiver to the eligible provider. TESDA shall develop this pro-forma waiver, which shall be notarized by the institution, and which has the following information:

- (a) a statement certifying that the learner is cognizant of the Act and all his/her benefits and responsibilities under the Act;
- (b) a statement providing the reason for opting out of the Free TVET provision;
- (c) a statement certifying that the learner made the choice voluntarily and not under duress;
- (d) the duration of the program (months and year) for which the learner opted out;
- (e) signature of the learner, and in case learner is a minor, the legal guardian or parent; and
- (f) certification/acceptance of the registrar and/or the guidance counselor.

Section 18. ***Student Voluntary Contribution Mechanism.*** All STVIs shall create a mechanism to enable learners with the financial capacity to pay for their education to voluntarily contribute some financial amount to the STVI while availing of the Free TVET provision.

The decision of the learner to pay any amount of voluntary contribution to the school must be made during the enrollment period of a program and shall be considered final and irrevocable for the duration of the program. If the program enrolled in is a bundled program, the learners can change their decision in subsequent programs that they shall be enrolling in.

Learners who choose to pay a voluntary contribution shall sign and submit a Voluntary Contribution Form to the STVIs. TESDA shall develop this pro-forma contribution form, which shall be notarized by the institution, and which has the following information:

- (a) a statement certifying that the learner is cognizant of the Act and all his/her benefits and responsibilities under the Act;
- (b) the amount of the contribution;
- (c) the duration of the program (months and year) for which the learner made the voluntary contribution;
- (d) a statement certifying that the learner made the choice voluntarily and not under duress;
- (e) signature of the learner, and in case learner is a minor, his/her legal guardian or parent; and
- (f) certification/acceptance of the registrar and/or the guidance counselor.

Section 19. **Funding Requirement.** Except during the transitory period, which shall be subject to the transitory provisions in Section 52 and Section 53 of the IRR, the amount required to implement the free training costs and other training-related costs of TESDA-registered TVET programs in STVIs shall be determined by the Governing Board of TESDA based on the projected number of enrollees for each program, which shall be the primary factor in computing for the annual proposed budget of TESDA for such purpose. This shall in turn serve as the baseline during the preparation of the annual NEP by the DBM, which shall be submitted to and finalized by the Congress.

Section 20. **Reporting Requirements.** All STVIs shall submit to TESDA the following within five (5) days after the starting date of each TESDA-registered TVET program:

- (a) a report detailing the names of students eligible for the Free TVET, and the availed free training costs and other training-related costs;
- (b) details of all payments from learners who opted out; and
- (c) details of all payments from learners who made voluntary contributions.

All payments received from learners who opted out or made voluntary contributions to the institutions shall be remitted to the TESDA Development Fund (TDF) within one (1) month from the start of the training program.

The TESDA Board, as Fund Administrator of the TDF, shall determine the relevant programs and projects for which the proceeds of the TDF collections can be utilized, subject to the provisions of Section 31 of Republic Act No. 7796 and Section 71 of this IRR.

Section 21. **Appropriation.** Except during the transition period, which shall be subject to the transitory provisions in Section 52 of the IRR, the amounts necessary to carry out the provisions of Free TVET in STVIs shall be included in the annual GAA under TESDA.

RULE IV TERTIARY EDUCATION SUBSIDY (TES)

Section 22. **Coverage.** To support the cost of tertiary education or any portion thereof, a Tertiary Education Subsidy (TES) program is established for all Filipino students who shall enroll in the following:

- (a) for Higher Education: first undergraduate post-secondary programs offered in SUCs, LUCs, and private HEIs, subject to prioritization and availability of funds; and
- (b) for Technical-Vocational Education and Training: post-secondary TVET programs registered under TESDA and offered in all TESDA-recognized TVIs, subject to prioritization and availability of funds.

Provided, that they qualify under the existing admission and retention requirements of the SUCs, LUCs, and private HEIs; or in the case of students enrolled in TVET programs, they undertake and/or qualify under the screening/assessment procedure, trade test, or skills

competency evaluation of TVIs; or under any other future qualification policies that the UniFAST Board may mandate; provided further, that the programs enrolled in by the students are included in the Registry; provided finally, that the SUCs, LUCs, private HEIs, and TVIs offering the programs enrolled in are in the Registry.

Section 23. **Benefits.** The TES may, among others, support the cost of tertiary education or any portion thereof to cover the following:

- (a) tuition and other school fees in private HEIs, and in private or LGU-operated TVIs, which shall be equivalent to the tuition and other school fees of the nearest SUC or State-run TVI in their respective area;
- (b) allowance for books, supplies, transportation, and miscellaneous personal expenses, including a reasonable allowance for the documented rental or purchase of personal computer or laptop, and other education-related expenses;
- (c) allowance for room and board costs incurred by the student;
- (d) for a student with disability, allowance for expenses related to the student's disability, including special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred; and
- (e) for a student in a program requiring professional license or certification, the one-time cost of obtaining the first professional credentials or qualifications, which may include the following application fees: notarial fees, review classes fees, insurance premium fees, and documentation fees.

Section 24. **Amount of Subsidy.** The amount of subsidy shall be based on the guidelines set forth by the UniFAST Board and on the annual budgetary appropriation for this purpose. The following general rules shall be followed in the setting of the amount of subsidy:

- (a) Normative amounts shall be set for the following:
 - (1) TES for tuition and other school fees, referred to as "TES-1" hereinafter;
 - (2) TES for education-related expenses as defined in (b) to (c) of Section 7 of the Act, referred to as "TES-2" hereinafter; and
 - (3) TES for expenses defined in (d) and (e) of Section 7 of the Act, referred to as "TES-3" hereinafter.
- (b) The TES benefits awarded to qualified students shall correspond to the institution and programs they are enrolled in.
 - (1) For students enrolled in SUCs and LUCs under programs covered in Section 22(a) of the IRR, they shall be entitled to:
 - a. TES-2; and
 - b. TES-3, if necessary.
 - (2) For students enrolled in private HEIs under programs covered in Section 22(a) of the IRR, they shall be entitled to:
 - a. TES-1;
 - b. TES-2; and
 - c. TES-3, if necessary.
 - (3) For learners enrolled in SUCs, LUCs, LGU-run TVIs, and TESDA TTIs under programs covered in Section 22(b) of the IRR, they shall be entitled to:

- a. TES–2, with the amount corresponding to the length of TVET program they are enrolled in; and
- b. TES–3, if necessary.

Provided, that the above entitlements will automatically be included in the benefits received by the learners availing of the Free TVET provision, as stated in Section 16 of the IRR.

- (4) For learners enrolled in private HEIs and private TVIs under programs covered in Section 22(b) of the IRR, they shall be entitled to:
 - a. TES–1;
 - b. TES–2, with the amount corresponding to the length of TVET program they are enrolled in; and
 - c. TES–3, if necessary.
- d. Provided that the above entitlements for learners enrolled in private TVIs shall be packaged to be similar to the benefits being received by learners availing of the Free TVET as stated in Section 16 of the IRR.

(c) All TES beneficiaries shall be entitled to:

- (1) a full academic-year grant amount for students enrolled in programs covered in Section 22(a) of the IRR, subject to yearly renewal based on their continued studies; or
- (2) a full-year grant amount or the grant amount equivalent to the recommended period of completion of the TVET program, whichever is shorter, if the learner is enrolled in programs covered in Section 22(b) of the IRR.

Section 25. **Student Prioritization.** Prioritization shall be given to eligible TES beneficiaries in the following order:

- (a) students included in the most recently updated Listahanan;
- (b) students not included in (a) and ranked according to their per capita income based on submitted document(s) of proof of income to be determined by the UniFAST Board

This prioritization system shall not apply to Filipino students in cities and municipalities with no existing SUCs or LUCs.

The National Commission on Indigenous Peoples (NCIP), Office of the Presidential Adviser on the Peace Process (OPAPP), Department of Agriculture (DA), and other government agencies that provide need-based scholarships to disadvantaged groups shall work with the DSWD to develop an expanded Listahanan that can be used for the TES. The Expanded Listahanan list shall be submitted and adopted by the UNIFAST Board starting Academic Year 2019 to ensure that students who need additional financial assistance shall be included under this Act.

Section 26. **Administration.** The TES shall be administered by the UniFAST Board, which shall develop detailed guidelines to properly allocate the TES to eligible students, subject to

the prioritization guidelines in Section 7 of the Act. The formulated guidelines shall ensure the enforcement of Section 2(b) and Section 2(f) of the Act by strengthening the complementary roles between public and private institutions in Tertiary Education while ensuring that students are able to exercise choice in the selection of programs and institutions to enroll in.

The UNIFAST Board may enter into a contract with public or private educational subsidy or voucher providers in recognition of the specialized competencies needed for the efficient operation of the TES. The UniFAST Board shall develop the criteria for and oversee the selection of the service provider in accordance with relevant government rules and regulations.

Section 27. **Appropriation.** The amount necessary to fund the TES shall be included in the budgets of the CHED and TESDA, except during the transitory period, which shall be subject to the transitory provisions in Section 52 of the IRR.

Section 28. **Exceptions to TES.** The following students are ineligible to avail themselves of the TES benefit:

(a) for Higher Education:

- (1) students who did not qualify under the admission and retention requirements of eligible SUCs, LUCs, and private HEIs or under any other future qualification policies that the UniFAST Board may mandate;
- (2) students in eligible SUCs, LUCs, and private HEIs who have exceeded the Maximum Residency Rule of their programs; and
- (3) students enrolled in programs and/or in HEIs not included in the Registry, subject to the transitory provisions in Section 57 of the IRR.

(b) for Technical-Vocational Education and Training:

- (1) students enrolled in TESDA-registered programs in any TVI who availed of government-funded StuFAPs other than the Free TVET provision;
- (2) students who did not undertake and/or qualify under the TVIs' screening/assessment procedure, trade test, or skills competency evaluation; and
- (3) students enrolled in TVET programs not included in the Registry, subject to the transitory provisions in Section 57 of the IRR.

RULE V STUDENT LOAN PROGRAM (SLP) FOR TERTIARY EDUCATION

Section 29. **Coverage.** To support further the cost of tertiary education or any part or portion thereof, a student loan program for tertiary education is hereby established for all Filipino students.

Section 30. **Programs and Institutions.** Student loan beneficiaries shall enroll only in programs that are listed in the Registry, provided, that these programs are offered in SUCs, LUCs, State-run TVIs, private HEIs, and private TVIs that are likewise listed in the Registry. Provided further, that in the case of institutions offering short-term loans, they should also pass the due diligence criteria/procedures of partner banks and other institutions that will be providing funding for the SLP, to access the relevant funds.

Section 31. **Administration and SLP Partners.** The UniFAST Board shall administer / implement the SLP through partner banks and similar entities / institutions. The UniFAST Board shall develop the criteria, procedures, and determine institutions among the HEIs, TVIs, and banks as partners in implementing the SLP. Provided finally, that the UniFAST Board shall continue to improve upon the design of the SLP, both for short-term and long-term loans, subject to provisions in Section 60 of the IRR.

Section 32. **Appropriation.** The amounts necessary to carry out the provisions for the SLP shall be included in the annual GAA appropriated under the CHED and TESDA, except during the transitory period, which shall be subject to the transitory provisions in Section 52 of the IRR.

Starting in 2019, the amounts needed to carry out the provisions of the SLP shall be included in the annual appropriation of the UniFAST.

Section 33. **Qualifications.** All Filipino students enrolling in post-secondary programs covered in Section 30 of the IRR are eligible to avail of the SLP services, provided, that the students:

- (a) qualify under the existing admission and retention standards of the HEIs, or have undertaken and/or qualify under the screening/assessment procedure, trade test, or skills competency evaluation of TVIs, or qualify under any other future qualification policies that the UniFAST Board may mandate;
- (b) who availed of the loan during their post-secondary TVET or undergraduate studies may still avail of another cycle of student loan for their pursuit of their continuing studies including medicine and law, after they have fully paid the previously availed loans;
- (c) who have not availed of the loan program during their post-secondary TVET or undergraduate studies may avail for it to pursue their continuing studies including medicine and law;
- (d) who did not avail of the loan program during their post-secondary TVET or undergraduate studies may avail of the loan program for the review expenses for licensure examinations administered by the Professional Regulation Commission (PRC);
- (e) secured a Tax Identification Number from the Bureau of Internal Revenue;
- (f) secured a Social Security System Number from the SSS;
- (g) have undergone financial counseling programs to be provided by the SLP partner; and
- (h) have a designated guarantor (parent or guardian), if the student is availing of short-term loans.

Section 34. **Benefits.** Eligible student-borrowers shall receive loan amounts approved by the SLP partner, subject to SLP guidelines and policies of the SLP partner, in the case of short-term loans, or subject to SLP guidelines and policies to be formulated by the UniFAST Board, in the case of long-term loans.

Loan proceeds intended to pay for tuition and other school fees and for services directly provided by the HEIs and TVIs shall be directly paid to these institutions. Remaining loan proceeds shall be paid directly to the student-borrower in reasonable intervals.

All student-borrowers shall be subject to financial counseling programs and other support programs, as deemed necessary for the students.

Section 35. ***Loan Procedures.*** The UniFAST Board shall issue detailed guidelines on the SLP. Provided, that the UniFAST Board shall pilot-test more than one design of both the short-term and long-term SLP to determine the most appropriate and prudent designs for the country.

Section 36. ***Repayment of Long-term Loans.*** Repayment of the long-term loan amount will commence once the beneficiary secures any gainful employment with compensation, remuneration, or earnings that reach the Compulsory Repayment Threshold (CRT), which shall be set and periodically reviewed by the UniFAST Board. The UniFAST Board shall also formulate detailed guidelines on the repayment procedures.

Repayment shall be effected by incorporating a portion of the loan amount or a percentage thereof in the employees' monthly Social Security System (SSS) or Government Service Insurance System (GSIS) contribution, as the case may be, based on a reasonable schedule of repayment and interest rates as may be formulated by the UniFAST Board. The UniFAST Board, in consultation with relevant agencies, shall formulate loan repayment guidelines for loan beneficiaries whose earnings are not covered by the GSIS and the SSS programs, including those of overseas Filipino workers (OFWs), emigrants, and self-employed persons and professionals (SEPs).

Pursuant to Section 15(r) of RA No. 10687, the UniFAST Board shall develop an efficient tracking system of Student-Borrowers of long-term loans, in addition to a system of disbursement and collection of payments, including entering into agreements with the Bureau of Internal Revenue (BIR), GSIS, SSS, National Bureau of Investigation (NBI), Department of Foreign Affairs (DFA), Philippine Overseas Employment Administration (POEA), Bureau of Immigration (BI), Overseas Workers Welfare Administration (OWWA), Bangko Sentral ng Pilipinas (BSP), Bankers Association of the Philippines (BAP), Credit Information Corporation (CIC), private and public banks and banking intermediaries, credit information bureaus, and other government financial institutions, inclusive of investigating and checking the whereabouts of delinquent student-borrowers, and setting up mechanisms for blacklisting of defaulting student-borrowers in application for loans, credit cards, and other credit facilities.

Section 37. ***Guidelines and Policies.*** The UniFAST Board, in consultation with relevant agencies, shall develop an SLP handbook, which shall contain guidelines and policies on the determination of loanable amounts, applicable interest rates, repayment procedures, collection procedures, tracking of student-borrowers, and quality standards.

The SLP handbook shall be subject to periodic review by the UniFAST Board, in consultation with relevant agencies.

RULE VI QUALITY STANDARDS

Section 38. ***Quality Standards of SUCs and LUCs.*** The CHED shall ensure quality standards in the review and consequent endorsement of the budget of the SUCs and LUCs according to their performance in the following criteria:

- (a) compliance of the SUCs and LUCs with their mandates in Section 9 of the Act:

- (1) establish a student information system, in accordance with the guidelines to be developed by the CHED, to facilitate the tracking of students;
 - (2) submit relevant information, as determined by CHED, on school quality and performance; and
 - (3) formulate and submit to the CHED and to the JCOC on Universal Access to Quality Tertiary Education a detailed SUC or LUC development plan updated every ten (10) years, which shall include plans for facilities and infrastructure development and expansion;
- (b) reporting to the CHED of payments received from students who opted out and made voluntary contributions to the SUCs and LUCs;
- (c) submission of a year-end report to the CHED detailing the utilization of funds generated from the Free Tuition and other school fees to ensure the improvement in the quality of education as provided for in Section 10 of RA 10931; and
- (d) compliance of the SUCs and LUCs to CHED Quality Standards, which shall include quality indicators on:
- (1) Fidelity to Mandate – all SUCs and LUCs shall offer only programs that are in their original mandates, and those subsequently approved by their respective Governing Boards in response to the current needs of the times, under the condition that the conduct of these programs is aligned with the policies and standards of academic programs formulated by the CHED.
 - (2) Enrollment Capacity – the CHED shall ensure that the number of students that the SUCs and LUCs admit does not exceed the optimal number of students that can be enrolled in each program offered by HEIs and does not exceed the number of students that the existing resources and capacity of the SUCs and LUCs can carry, based on predetermined parameters to be determined by the CHED.
 - (3) Other Capacity Standards – the CHED shall ensure that all SUCs and LUCs shall be subject to quality standards on optimal resources and carrying capacity, to be identified and formulated by the CHED.
 - (4) Performance and Institutional Outcomes – SUCs and LUCs shall be subject to the CHED Quality Assurance Framework and its future versions, which adopt a competency-based learning standards and outcomes-based Quality Assurance monitoring and evaluation, which are aligned with relevant international best practices and standards; and
 - (5) Support Structures and Institutional Capacity to Measure Outcomes – CHED shall ensure that all SUCs and LUCs adopt CHED's internal quality assurance tool and that the institutions have the resources and capacity to measure indicators required to monitor and evaluate their performance against the criteria in Section 38 (d.1 to d.4).

CHED shall also review the regular budget proposals of SUCs to ensure that there are no duplications in budget requests and that all important expense items are adequately

proposed. Likewise, CHED shall review the financial statements of LUCs to ensure that these are properly coordinated with the payments from the provisions in the Act.

All policies and guidelines on quality standards and corresponding quality indicators shall be subject to the periodic review by the CHED, to ensure quality in higher education institutions and guided by the most up-to-date and locally-relevant quality assurance frameworks for international best practices such as the ASEAN Quality Assurance Framework (AQAF).

Section 39. ***Quality Standards of State-Run TVIs.*** STVIs offering TVET programs registered under TESDA shall be subjected to the TESDA Quality Assurance Framework in the allocation of the Free TVET budget across the eligible providers.

Providers shall be assessed on their performance in the following measures:

(a) Compliance of State-run TVIs providing the Free TVET in the following:

- (1) Unified TVET Program Registration and Accreditation System (UTPRAS) – all TVET programs to be offered by all STVIs that are providing the Free TVET provision must be registered with TESDA.
- (2) Compliance Audit – all registered TVET programs shall be subjected to compliance audit one (1) year upon registration and every two (2) years thereafter.
- (3) Assessment and Certification – all learners of TVET programs registered as WTR shall be subjected to mandatory assessment as a requirement in finishing the course.
- (4) On-site Monitoring – periodic on-site monitoring of on-going TVET programs in the STVIs shall be done to ensure adherence to the quality standards of the TVET program, as necessary.
- (5) Utilization of Unique Learner Identifier (ULI) system of TESDA in order to facilitate the tracking of learners and their performance.

(b) Reporting to TESDA, and in the case of TTIs, transmittal to the TESDA Development Fund, of payments received from opt-out and voluntary contributions made to STVIs by learners enrolled in TVET programs registered under TESDA.

(c) Reporting of the STVIs to TESDA in the following quality indicators:

- (1) Enrollment, Graduates, Assessed, Certified, Employed
- (2) Job placement mechanisms
- (3) Financial reports on the utilization of funds and status of collections
- (4) Documentation
- (5) Establishment of Quality Circles

Section 40. ***Quality Standards for TES.*** All eligible students shall be awarded the TES only if they enroll in institutions and programs that are in the Registry, as defined in Section 3 (ttt) of the IRR, subject to the transitory provisions in Section 57 of the IRR.

Section 41. ***Quality Standards for the SLP for Tertiary Education.*** All SLP partners shall be subjected to periodic monitoring and assessment by the UniFAST Board and shall be evaluated according to quality standards stated in the SLP Handbook, as referred to in Section 37 of the IRR.

Section 42. ***UniFAST Registry of Quality-Assured Programs and Institutions.*** Consistent with Article IV, Section 15 (p) of RA 10687, the UniFAST shall set up, maintain, and regularly update an official Registry of quality-assured academic and research programs and tertiary institutions. The Registry shall consist of SUCs, LUCs, and private HEIs that pass quality standards as determined by CHED. The Registry for Free TVET, TES and SLP shall be subjected to the TESDA UTPRAS.

The list of eligible HEIs and TVIs included in the Registry shall be published in the official websites of the UniFAST, CHED, and TESDA, and in other publication materials upon the completion of its formulation by the UniFAST Board.

Section 43. ***Access to Student Guidance, Counseling, and Career Development Services.*** Pursuant to enforcing the objectives of the Act stated in Section 2(d) and Section 2(e) of the IRR, the UniFAST Board, in coordination with the Department of Labor and Employment (DOLE), Department of Education (DepEd), Department of Science and Technology (DOST), CHED, TESDA, and other relevant stakeholders, shall design and formulate the guidelines for a nationwide guidance, counseling, and career development program, which shall, among other things, ensure the provision of guidance-related programs and services such as those enumerated in Section 3(y) in the IRR.

RULE VII BENEFITING FROM MULTIPLE PROVISIONS IN THE ACT

Section 44. ***Benefiting from Multiple Provisions in the Act.*** The free tertiary education provision shall not discriminate among its beneficiaries and may not be used as justification for the removal of the right of a student to avail of other government support to education stated in the Act; provided, that students may avail of both TES and SLP, under the condition that a TES grantee shall be counseled to access other grants-in-aid programs before taking out a loan; provided further, that it is possible to avail of all provisions in the Act, under the condition that the UniFAST Board shall ensure the preservation of social justice in awarding such benefits to students.

Section 45. **Support for TES Grantees.** All SUCs, LUCs, Private HEIs and Private TVIs shall ensure that TES grantees shall be able to enroll in their institutions by providing for a special enrollment procedure or creating pathways so they can enroll upon passing the admission and retention policies of these institutions.

RULE VIII BENEFITING FROM MULTIPLE STUFAPS

Section 46. ***Scholarships.*** Students eligible to avail of government-funded scholarship programs shall continue to benefit from these programs in addition to the availment of the provisions in the Act. These government-funded scholarship programs may include, but not be limited to, the DOST Scholarship Programs and the CHED Merit Scholarship Programs,

provided, that all scholarship programs shall be subject to the harmonization policies for scholarships by the UniFAST Board.

Section 47. **Grants-in-aid.** The TES is essentially the national grants-in-aid program. Similar programs funded by the government shall be harmonized by the UniFAST Board, subject to the transitory provisions in Section 59 of the IRR. A list of government-funded affirmative-action grants-in-aid programs, which will be finalized by the UniFAST Board, may be availed by eligible individuals in addition to availing of the provisions in the Act.

Section 48. **Loans.** The Student Loan Program (SLP) is intended to be the safety net if all other StuFAPs are inaccessible or insufficient for the student. Therefore, subject to eligibility requirements, students may avail of StuFAPs while availing of the benefits of the SLP. It is also possible to have outstanding educational loans with other government and private agencies and still qualify for the SLP, provided, that student-borrowers shall disclose to the UniFAST Board the details of all the StuFAPs they are currently benefiting from and/or outstanding educational loans they have availed of. The UniFAST Board, in the case of long-term loans, and its SLP partners, in the case of short-term loans, shall reserve the right to assess all available information in the approval or disapproval of loan applications.

Section 49. **Private StuFAPs.** The availment of privately-funded StuFAPs by students shall not become a consideration or hindrance to availing the provisions in the Act, subject to eligibility requirements of these provisions; provided, that all known private StuFAP funders shall be oriented about the Act and shall be advised to revise their guidelines accordingly.

Section 50. **Institution-based StuFAPs.** In compliance with the mandate of RA No. 10687, the UniFAST Board shall issue policies to guide HEIs and TVIs that are implementing locally-funded StuFAPs in aligning the guidelines of their respective StuFAPs to the objectives of the Act.

RULE IX TRANSITORY PROVISIONS

Section 51. **Transitory period.** The transitory period may differ for each provision in the Act. The UniFAST Board shall determine the end of the transitory period for each provision in the Act through supplemental issuances of guidelines.

Section 52. **Appropriation of funds.** During the transitory period, the amount necessary to implement the provisions of the Act shall be finalized and allocated by the UniFAST Board, which shall be appropriated in the GAA under the CHED. The CHED shall monitor the allocation and utilization of the reimbursed amounts for each SUC.

Section 53. **Disbursement of funds for Free Higher Education and Free TVET.** The CHED shall release fifty percent (50%) of the appropriated funds for Free Higher Education to the SUCs and LUCs as mobilization fund no later than the beginning of their respective academic years. This shall be used to cover expenses incurred by SUCs and LUCs as specified in Section 7 of this IRR beginning the Fiscal Year 2018.

The CHED shall release the appropriated funds for Free TVET to TESDA based on a Memorandum of Agreement between the two agencies, which specifies all the roles and responsibilities of both parties.

The SUCs and LUCs shall bill the CHED on a semestral basis (or, if applicable, trimestral) for reconciliation of the mobilization fund and additional payment—in case the mobilization fund is not enough to pay for all students who are availing of the Free Higher Education benefit.

The STVIs shall bill TESDA the appropriate balance before the end of each fiscal year during the transitory period.

Starting 2019, funds for Free TVET shall be included in the annual appropriation of the TESDA.

Section 54. Tuition and Other School Fees Charged to Students Ineligible for Free Tertiary Education. During the transitory period, students who are not eligible for the Free Higher Education provision shall be charged “tuition and other school fees” determined by the Governing Boards of the SUCs and LUCs. Likewise, students who are not eligible for the Free TVET benefit shall be charged “training costs and other training-related costs” determined by the Governing Board of TESDA.

Provided, that within the period of not more than five (5) academic years from the effectivity of the Act:

- (a) the CHED shall create a mechanism to determine the amounts of tuition and other school fees set by the SUCs and LUCs, the introduction and removal of other school fees, and the resolution of other issues related to tuition and other school fees;
- (b) the CHED, in coordination with the UniFAST Board, shall also work towards the development of a composite fee that will take the place of tuition and other school fees referred to above and as defined in Section 3 (vv) of the IRR, with the objective of establishing a more equitable allocation of resources across SUCs, LUCs, and their students; and
- (c) all tuition and other fees charged by SUCs and LUCs shall not increase from the amounts used during the first semester of Academic Year 2017-2018, until such time that the system for the composite fee is implemented, or the five-year transition period has lapsed, whichever comes first.

Section 55. CHED-recognized LUCs. CHED shall issue specific guidelines on the availment of LUCs of the free higher education provision of the Act. Provided, that LUCs that do not charge tuition and other school fees from its students before the enactment of the Act cannot claim reimbursement from the national government until such time that the policy on composite fees are adopted.

Section 56. Bundled TESDA Programs. During the transitory period, the TESDA shall study the feasibility and benefits of bundled TVET programs. Once found effective and efficient, the said programs shall be covered by the provisions of the Act. However, TESDA shall refrain from offering academic courses/subjects/classes which are usually taught by high schools,

colleges and/or universities. Competency coordination measures like equivalency or ladderization shall be strengthened to serve this purpose.

Section 57. **Registry during the Transitory Period.** The Registry for Free HE, TES and SLP shall consist of SUCs, LUCs, and private HEIs passing quality standards to be determined by the CHED. The Registry for Free TVET, TES and SLP shall be subjected to the TESDA UTPRAS.

Section 58. **Admission and Retention Policies for Free Higher Education and Free TVET.** During the transitory period, students availing of the Free HE or Free TVET shall be subjected to the current admission and retention requirements of eligible providers. Within a period of not more than two (2) academic years from the effectivity of the Act, the UniFAST Board shall recommend additional considerations for admission and retention of all students who will avail of the provisions in the Act and other government-funded StuFAPs covered by RA No. 10687.

Section 59. **Harmonization of Nationally-funded Grants-in-Aid Programs.** Within two (2) years from the effectivity of the Act, the UniFAST Board shall exercise its mandate to harmonize all publicly-funded StuFAPs according to the three main modalities of StuFAPs: scholarships, grants-in-aid, and student loans. The TES shall serve as the national grants-in-aid program, and redundant and/or ineffective programs shall be subsumed by the TES mechanism. Provided, that during the transitory period, the UniFAST Board shall issue TES guidelines that takes into consideration the welfare of beneficiaries of StuFAPs adversely affected by the implementation of the TES, as well as other high-priority sectors of society.

Section 60. **Evolving the SLP.** The UniFAST Board shall pursue a long-term plan for the development of a self-sustaining national SLP.

To achieve this, the UniFAST Board shall:

- (a) continuously improve the design of the SLP towards the realization of the complementarity of the public and private sectors in the tertiary education system as espoused in Section 2 of the Act, so that a fully-functioning SLP is achieved within two (2) years from the effectivity of the Act; and
- (b) continue to carry out its mandate under Section 8 and Section 15(r) of RA No. 10687.

RULE X PROHIBITED ACT

Section 61. **Prohibited Act.** Upon the effectivity of the Act, it shall be unlawful for any person, SUC, LUC, and State-run TVIs to collect tuition and other fees from qualified students, subject to Section 54 of this IRR.

Section 62. **Exemptions to the Prohibited Act.** Exemptions to the Prohibited Act are as follows:

- (a) the SUCs, LUCs, and State-run TVIs shall be allowed to collect from students who are excluded from the Free HE or Free TVET benefit, as stated in Sections 6 and 15 of this IRR; and

- (b) the SUCs, LUCs, and State-run TVIs shall be allowed to collect from students who voluntarily opt out of the Free HE or Free TVET provisions, or make voluntary contributions to the eligible providers.

RULE XI PENALTIES AND SAFEGUARDS

Section 63. ***Penalties.*** A violation of the Prohibited Act in Section 11 of the Act shall be meted a penalty of imprisonment of not less than six (6) months but not more than one (1) year, or a fine of not less than twenty thousand pesos (P20,000.00) but not more than one hundred thousand pesos (P100,000.00), or both, at the discretion of the court. In case of a university, college, or any other juridical entity, the penalty shall be imposed on the president, treasurer, or the officer or person responsible for the violation.

Section 64. ***Sanctions.*** The UniFAST Board, in consultation with CHED and TESDA, shall develop and promulgate an updated policy on sanctions for institutions that violate any provision of the Act.

Section 65. ***Safeguards.*** The UniFAST Board shall prepare a report on the compliance of each eligible provider on the implementation of relevant provisions in the Act and submit this to the Office of the President and the Joint Congressional Oversight Committee within December of every year. The performance against the quality standards of each eligible provider of the provisions of the Act shall also be made public by posting the results on the official website of UniFAST.

RULE XII COMPLEMENTATION BETWEEN RA 10687 AND 10931

Section 66. ***Expansion of the UniFAST Board.*** The UniFAST Board shall be expanded to include the following:

- (a) President of the Philippine Association of State Universities and Colleges (PASUC) as Member;
- (b) Chairman of the Coordinating Council of Private Educational Associations (COCOPEA) as Member;
- (c) President of the Association of Local Colleges and Universities (ALCU) as Member;
- (d) President of the GSIS as non-voting Member; and
- (e) President of the SSS as non-voting Member.

The UniFAST Board is authorized to establish an enhanced organizational structure, staff development and incentives and such other administrative measures needed for the efficient discharge of tasks and commensurate to the level and scope of its responsibilities. It may tap the expertise and management services of eligible service providers subject to the appropriate guidelines promulgated by the UniFAST Board.

Section 67. *Continuation of the UniFAST Mandate under RA 10687.* The UniFAST Board shall continue to carry out its original mandates under RA No. 10687 in addition to performing its mandates under the Act.

RULE XIII ADMINISTRATIVE COST

Section 68. *Administrative Cost.* An amount equivalent to not more than three percent (3%) of the TES and the student loan program for tertiary education provided under the Act may be used as administrative cost under the UniFAST. The UniFAST Secretariat shall be provided an account code to become an implementing unit, and shall be provided with the appropriate capital outlay and personnel services allocation to perform its functions effectively.

RULE XIV OTHER SOURCES OF FUNDS

Section 69. *Other Sources of Funds.* The national government is hereby authorized to prioritize funding this measure in negotiating and utilizing long-term deeply concessional Official Development Assistance (ODA). Other sources of funds such as grants, donations, collections, and other forms of assistance from local and foreign donors or other public or private entities and other private domestic and international sources may be tapped and facilitated by the UniFAST Board to support the programs under this Act, subject to the regular auditing guidelines and procedures; provided, that in the case of donations from foreign sources, acceptance thereof shall be subject to existing government rules and regulations.

RULE XV MONITORING AND EVALUATION

Section 70. *Joint Congressional Oversight Committee on Universal Access to Quality Tertiary Education.* A Joint Congressional Oversight Committee is hereby created to oversee, monitor, and evaluate the implementation of the Act.

The Oversight Committee shall be composed of five (5) members each from the Senate and from the House of Representatives, and shall include the following:

- (a) Chairperson of the Senate Committee on Education, Arts, and Culture;
- (b) Chairperson of the House Committee on Higher and Technical Education;
- (c) Chairperson of the Senate Committee on Finance;
- (d) Chairperson of the House Committee on Appropriations; and
- (e) Three (3) members each to be chosen from the membership of the Senate Committee on Education, Arts, and Culture and House Committee on Higher and Technical Education by the Senate President and House Speaker, respectively, with at least one (1) member each from the minority in the House of Representatives and in the Senate.

Funding for the expenses of the Committees shall be taken from the appropriations of both the Senate and the House of Representatives.

Section 71. ***Monitoring of the Utilization of Funds.*** All SUCs, LUCs, and State-run TVIs shall use the funds and income received from the provisions of the Act, including payments received from students who opt out of the “free tuition and other fees” benefit and those who made voluntary contributions. The CHED and TESDA shall ensure quality standards in the review and consequent endorsement of the budget of the SUCs, LUCs and State-run TVIs, respectively.

Provided, that SUCs, LUCs, and State-run TVIs comply with the reporting requirement referred to in Section 11.d in this IRR and submit to the CHED and TESDA their year-end report on the actual use of the funds received from the provisions of this Act; provided further, that CHED and TESDA provide the UniFAST Board a year-end report on the utilization of funds received from this Act including funds remitted to the TESDA Development Fund that were sourced from the payments of students who opt out of the “free training and training-related costs” benefit and those who made voluntary contributions to State-run TVIs

RULE XVI AMENDMENTS AND SUPPLEMENTARY GUIDELINES TO THE IRR

Section 72. ***Amendments and Supplementary Guidelines to the IRR.*** This IRR shall be subject to periodic review by the UniFAST Board for the purpose of amending the whole or certain parts thereof; provided, that the UniFAST Board may issue supplementary guidelines on specific areas of concern, as the need arises.

RULE XVII SEPARABILITY CLAUSE

Section 73. ***Separability Clause.*** Any part of this Act that may be declared unconstitutional or invalid, the other parts or provisions hereof shall not be affected and continue to be in full force and effect.

RULE XVIII REPEALING CLAUSE

Section 74. ***Repealing Clause.*** All provisions of existing implementing rules and regulations, circulars, department issuances, and other procedures corresponding to laws and any other law or parts of law specifically inconsistent with this IRR are hereby repealed or modified accordingly.

RULE XIX
EFFECTIVITY

SEC. 75. *Effectivity*. These Implementing Rules and Regulations shall take effect fifteen days (15) after publication in the Official Gazette or in a newspaper of general circulation. This IRR shall also be registered with the Office of National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.

The IRR shall be registered with the Office of National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.

Approved and signed this 22nd day of February 2018.

For Presscon Copy Only