



Republic of the Philippines

Combating Discrimination in Education

A National Report

*for the Eight Consultation of Member States on the Application of the
Convention and Recommendation against Discrimination in Education*

March 2012

I. Introduction

The National Report on Combating Discrimination in Education submitted by the Republic of the Philippines consolidates the inputs from the following government agencies:

1. Department of Education (DepEd);
2. Commission on Higher Education (CHED);
3. Technical Education and Skills Development Authority (TESDA); and
4. Department of Foreign Affairs – Office of Legal Affairs (DFA-OLA).

The inputs were consolidated by the UNESCO National Commission of the Philippines and reviewed by its Education Committee. The report is in consonance with the guidelines issued by UNESCO for the Eight Consultation of Member States on the application of the Convention and the Recommendation against Discrimination in Education.

II. Legislative, Judicial, Administrative and Other Measures

The Philippines is a State Party to the Convention and Recommendation against Discrimination in Education since 1964. The said Convention is directly applicable in domestic law on ratification as the Philippines “*adopts the generally accepted principles of international law as part of the law of the land.*” This is otherwise known as the incorporation clause in the Constitution (Sec. 2 Article II, 1987 Constitution). Thus, some rules and principles of international law are applicable in the country even though these have not been previously converted to statutory enactments.

The Convention embodies an accepted principle in international law as it recognizes the right to education as a universal entitlement by eliminating discrimination. As such, it affirms the recognition of the right to education as a human right in the *Universal Declaration of Human Rights* which “*asserts the principle of non-discrimination and proclaims that every person has the right to education*” (1st Preambular clause, Convention against Discrimination in Education).

a. The 1987 Constitution of the Republic of the Philippines

The rights and obligations of the Convention are guaranteed in the 1987 Constitution of the Republic of the Philippines. Specific provisions pertinent to the Convention are as follows:

- Article II, Section 17. The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development;
- Article XIV, Section 1. The State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all.
- Article XIV, Section 2. The State shall:

- (1) Establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the people and society;
 - (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural rights of parents to rear their children, elementary education is compulsory for all children of school age;
 - (3) Establish and maintain a system of scholarship grants, student loan programs, subsidies and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged;
 - (4) Encourage non-formal, informal and indigenous learning systems, as well as self-learning, independent and out-of-school study programs particularly those that respond to community needs; and
 - (5) Provide adult citizens, the disabled, and out-of-school youth with training in civics, vocational efficiency and other skills.
- Article XIV, Section 3, Paragraph 3. At the option expressed in writing by the parents or guardians, religion shall be allowed to be taught to their children or wards in public elementary and high schools within the regular class hours by instructors designated or approved by the religious authorities of the religion to which the children or wards belong, without additional cost to the Government.
 - Article XIV, Section 4.
 - (1) The State recognizes the complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.
 - (2) Educational institutions, other than those established by religious groups and mission boards, shall be owned solely by citizens of the Philippines or corporations or associations at least sixty per centum of the capital of which is owned by such citizens. The Congress may, however, require increased Filipino equity participation in all educational institutions. The control and administration of educational institutions shall be vested in citizens of the Philippines. No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third of the enrollment in any school. The provisions of this subsection shall not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.
 - Article XIV, Section 5.
 - (1) The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs.
 - (2) Academic freedom shall be enjoyed in all institutions of higher learning.

- (3) Every citizen has a right to select a profession or course of study, subject to fair, reasonable and equitable admission and academic requirements.
- (4) The State shall enhance the right of teachers to professional advancement. Non-teaching academic and non-academic personnel shall enjoy the protection of the State.
- (5) The State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.

b. National Legislation

Provisions of the Convention are likewise guaranteed in the following national laws:

- **Republic Act No. 9155 – Governance of Basic Education Act of 2001.** This law institutionalizes a framework of governance for basic education establishing authority and accountability. This Act also renames the Department of Education, Culture and Sports (DECS) as the Department of Education (DepEd). The said law reiterates the state policy of the 1987 Philippine Constitution to protect and promote the right of all citizens to quality basic education and to provide all Filipino children free and compulsory education in the elementary level and free education in the high school level. Such education shall also include alternative learning systems for out-of-school youth and adult learners. It shall be the goal of basic education to provide them with the skills, knowledge and values they need to become caring, self-reliant, productive and patriotic citizens. Salient provisions of this law in view of the Convention are as follows:

Section 3. The purposes and objectives of this act are:

- (a) To provide the framework for the governance of basic education which shall set the general directions for educational policies and standards and establish authority, accountability and responsibility for achieving higher learning outcomes;
- (b) To define the roles and responsibilities of, and provide resources to, the field offices which shall implement educational programs, projects and services in communities they serve;
- (c) To make schools and learning centers the most important vehicle for the teaching and learning of national values and for developing in the Filipino learners love of country and pride in its rich heritage;
- (d) To ensure that schools and learning centers receive the kind of focused attention they deserve and that educational programs, projects and services take into account the interests of all members of the community;

- (e) To enable the schools and learning centers to reflect the values of the community by allowing teachers/learning facilitators and other staff to have the flexibility to serve the needs of all learners;
 - (f) To encourage local initiatives for the improvement of schools and learning centers and to provide the means by which these improvements may be achieved and sustained; and
 - (g) To establish schools and learning centers as facilities where schoolchildren are able to learn a range of core competencies prescribed for elementary and high school education programs or where the out-of-school youth and adult learners are provided alternative learning programs and receive accreditation for at least the equivalent of a high school education.
- **Republic Act No. 10157 – Kindergarten Education Act.** The law effectively institutionalizes kindergarten schooling as part of the basic education system. It was primarily and recently enacted on 20 January 2012 to provide equal opportunities for all children to avail of accessible mandatory and compulsory kindergarten education that effectively promotes physical, social, intellectual, emotional and skills stimulation and values formation to sufficiently prepare them for formal elementary schooling.

Kindergarten education is vital to the academic and technical development of the Filipino child for it is the period when the young mind's absorptive capacity for learning is at its sharpest. It is also the policy of the State to make education learner-oriented and responsive to the needs, cognitive and cultural capacity, the circumstances and diversity of learners, schools and communities through the appropriate languages of teaching and learning.

- **Republic Act No. 6655 – Free Public Secondary Education Act of 1988**

Section 4. Implementation of Free Public Secondary Education. The system of free public secondary education as provided in this Act shall commence in School Year 1988-1989, and that the students enrolled in secondary course offerings in national and general comprehensive high schools, state colleges and universities, specialized schools, trade, technical, vocational, fishery and agricultural schools and in schools which may be established by law, shall be free from payment of tuition and other school fees, except fees related to membership in the school community such as identification cards, student organizations and publication which may be collected: Provided, That nothing in this Act shall cause or authorize the reduction or removal of any benefit which the national or local government may have granted to the students, teachers and other school personnel of these public high schools prior to the enactment of this Act.

Section 5. Formulation of a Secondary Education Curriculum. The Department of Education, Culture and Sports shall formulate a secondary education curriculum in order to upgrade its quality, efficiency and access. In addition to providing the high school students with general skills, knowledge and values, such a curriculum must include vocational and technical courses that will give the students gainful employment.

- **Republic Act No. 9231 – An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for this Purpose Republic Act No. 7610, as Amended, otherwise known as the “Special Protection of Children against Child Abuse, Exploitation and Discrimination Act.”**

Section 4. Section 13 of the same Act is hereby amended to read as follows:
Section 13. Access to Education and Training for Working Children

- (a) No child shall be deprived of formal or non-formal education. In all cases of employment allowed in this Act, the employer shall provide a working child with access to at least primary and secondary education.
- (b) To ensure and guarantee the access of the working child to education and training, the Department of Education shall: (1) formulate, promulgate and implement relevant and effective course designs and educational programs; (2) conduct the necessary training for the implementation of the appropriate curriculum for the purpose; (3) ensure the availability of the needed educational facilities and materials; and (4) conduct continuing research and development program for the necessary and relevant alternative education of the working child.
- (c) The DepEd shall promulgate a course design under its non-formal education program aimed at promoting the intellectual, moral and vocational efficiency of working children who have not undergone or finished elementary or secondary education. Such course design shall integrate the learning process deemed most effective under given circumstances.

- **Republic Act No. 9547 – An Act Strengthening and Expanding the Coverage of the Special Program for Employment of Students, Amending for the Purpose Provisions of Republic Act No. 7323, otherwise known as the Special Program for Employment of Students**

Section 1. Section 1 of Republic Act No. 7323, otherwise known as the Special Program for Employment of Students (SPES) is hereby amended to read as follows: Any provision of law to the contrary notwithstanding, any person or entity employing at least ten persons may employ poor but deserving students fifteen years of age but not more than twenty-five years old, paying them a salary or wage not lower than the minimum wage for private employers and the applicable hiring rate for the national and local government agencies: Provided, That students enrolled in the secondary level shall only be employed during summer and/or Christmas vacations, while those enrolled in tertiary, vocational or technical education may be employed at any time of the years: Provided, further, That their period of employment shall be from twenty to fifty-two working days only, except that during Christmas vacation, employment shall be from ten to fifteen days which may be counted as part of the students' probationary period should they apply in the same company or agency after graduation: Provided, finally, That students employed in activities related to their course may earn equivalent academic credits as may be determined by the appropriate government agencies.

For purposes of this Act, poor but deserving students refer to those whose parents' combined income, together with their own, if any, does not exceed the annual regional poverty threshold level for a family of six for the preceding year as may be determined by the National Economic Development Authority (NEDA). Employment facilitation services for applicants to the program shall be done by the Public Employment Service Office (PESO).

Participating employers, in coordination with the PESO, must inform their SPES employees of their rights, benefits and privileges under existing laws, company policies and employment contracts.

▪ **Republic Act No. 8545 – Expanded Government Assistance to Students and Teachers in Private Education Act**

Section 4. Forms of Assistance. Assistance to private education shall consist of assistance to students and assistance to teachers. The following are forms of assistance to students in private education:

- (1) Tuition fee supplements for students in private high schools, including students in vocational and technical courses;
- (2) High School Textbook Assistance Fund: Provided, That the textbook assistance per student in private high schools shall be determined by the council and shall not exceed what students in public high schools are provided on a per student basis under a comprehensive textbook program of the Secondary Education Development Program (SEDP): Provided, further, That the textbook assistance shall be granted only to beneficiaries of tuition fee supplements and educational service contracting scheme provided in this Act;
- (3) Expansion of the existing Education Service Contracting (ESC) Scheme;
- (4) The voucher system of the Private Education Student Financial Assistance Program (PESFA);
- (5) Scholarship grants to students graduating as valedictorians and salutatorians from secondary schools;
- (6) Tuition fee supplements to students in private colleges and universities; and
- (7) Education Loan Fund.

The following are forms of assistance to teachers and faculty in private education:

- (1) In-service training fund for teachers in private high schools; and
- (2) College Faculty Development Fund.

▪ **Republic Act No. 7722 – Higher Education Act of 1994**

Section 8. Powers and Functions of the Commission on Higher Education:

- (a) Formulate and recommend development plans, policies, priorities and programs on higher education and research;
- (b) Formulate and recommend development plans, policies, priorities and programs on research;
- (c) Recommend to the executive and legislative branches, priorities and grants on higher education and research;
- (d) Set minimum standards for programs and institutions of higher learning recommended by panels of experts in the field and subject to public hearing, and enforce the same;
- (e) Monitor and evaluate the performance of programs and institutions of higher learning for appropriate incentives as well as the imposition of sanctions such as, but not limited to, diminution or withdrawal of subsidy, recommendation on the downgrading or withdrawal of accreditation, program termination or school closure;
- (f) Identify, support and develop potential centers of excellence in program areas needed for the development of world-class scholarship, nation building and national development;
- (g) Recommend to the Department of Budget and Management the budgets of public institutions of higher learning as well as general guidelines for the use of their income;
- (h) Rationalize programs and institutions of higher learning and set standards, policies and guidelines for the creation of new ones as well as the conversion or elevation of schools to institutions of higher learning, subject to budgetary limitations and the number of institutions of higher learning in the province or region where creation, conversion or elevation is sought to be made;
- (i) Develop criteria for allocating additional resources such as research and program development grants, scholarships and other similar programs: Provided, That these shall not detract from the fiscal autonomy already enjoyed by colleges and universities;
- (j) Direct or redirect purposive research by institutions of higher learning to meet the needs of agro-industrialization and development;
- (k) Devise and implement resource development schemes;
- (l) Administer the Higher Education Development Fund, as described in Section 10 hereunder, which will promote the purposes of higher education;
- (m) Review the charters of institutions of higher learning and state universities and colleges including the chairmanship and membership of their governing bodies and recommend appropriate measures as basis for necessary action;

- (n) Promulgate such rules and regulations and exercise such other powers and functions as may be necessary to carry out effectively the purpose and objectives of this Act; and
 - (o) Perform such other functions as may be necessary for its effective operations and for the continued enhancement, growth or development of higher education.
- **Republic Act No. 4670 - Magna Carta for Public School Teachers.** This act sets forth provisions pertaining to standards on hiring of teachers including their rights and liberties. Salient provisions of this law in view of the Convention are as follows:

Section 1. Declaration of Policy. It is hereby declared to be the policy of this Act to promote and improve the social and economic status of public school teachers, their living and working conditions, their terms of employment and career prospects in order that they may compare favorably with existing opportunities in other walks of life, attract and retain in the teaching profession more people with the proper qualifications, it being recognized that advance in education depends on the qualifications and ability of the teaching staff and that education is an essential factor in the economic growth of the nation as a productive investment of vital importance.

Section 2. Title Definition. This Act shall be known as the "Magna Carta for Public School Teachers" and shall apply to all public school teachers except those in the professorial staff of state colleges and universities.

Section 6. Consent for Transfer Transportation Expenses. Except for cause and as herein otherwise provided, no teacher shall be transferred without his consent from one station to another. Where the exigencies of the service require the transfer of a teacher from one station to another, such transfer may be effected by the school superintendent who shall previously notify the teacher concerned of the transfer and the reason or reasons therefor. If the teacher believes there is no justification for the transfer, he may appeal his case to the Director of Public Schools or the Director of Vocational Education, as the case may be. Pending his appeal and the decision thereon, his transfer shall be held in abeyance: Provided, however, That no transfers whatever shall be made three months before any local or national election. Necessary transfer expenses of the teacher and his family shall be paid for by the Government if his transfer is finally approved.

Section 7. Code of Professional Conduct for Teachers. Within six months from the approval of this Act, the Secretary of Education shall formulate and prepare a Code of Professional Conduct for Public School Teachers. A copy of the Code shall be furnished each teacher: Provided, however, That where this is not possible by reason of inadequate fiscal resources of the Department of Education, at least three copies of the same Code shall be deposited with the office of the school principal or head teacher where they may be accessible for use by the teachers.

Section 10. No Discrimination. There shall be no discrimination whatsoever in entrance to the teaching profession, or during its exercise, or in the termination of services, based on other than professional consideration.

Section 11. Married Teachers. Whenever possible, the proper authorities shall take all steps to enable married couples, both of whom are public school teachers, to be employed in the same locality.

Section 12. Academic Freedom. Teachers shall enjoy academic freedom in the discharge of their professional duties, particularly with regard to teaching and classroom methods.

- **Republic Act No. 8190 – An Act Granting Priority to Residents of the Barangay, Municipality or City where the School is Located, in the Appointment or Assignment of Classroom Public School Teachers.** In the appointment or assignment of teachers to public elementary or secondary schools, this law grants priority to bona fide residents of the barangay, municipality, city or province where the school is located, provided that the teacher possesses all the minimum qualifications for the position as required by law.
- **Republic Act No. 8371 – The Indigenous Peoples Rights Act of 1997**

Section 21. Equal Protection and Non-discrimination of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs). Consistent with the equal protection clause of the Constitution of the Republic of the Philippines, the Charter of the United Nations, the Universal Declaration of Human Rights including the Convention on the Elimination of Discrimination against Women and International Human Rights Law, the State shall, with due recognition of their distinct characteristics and identity, accord to the members of the ICCs/IPs the rights, protections and privileges enjoyed by the rest of the citizenry. It shall extend to them the same employment rights, opportunities, basic services, educational and other rights and privileges available to every member of the society. Accordingly, the State shall likewise ensure that the employment of any form of force of coercion against ICCs/IPs shall be dealt with by law.

The State shall ensure that the fundamental human rights and freedoms as enshrined in the Constitution and relevant international instruments are guaranteed also to indigenous women. Towards this end, no provision in this Act shall be interpreted so as to result in the diminution of rights and privileges already recognized and accorded to women under existing laws of general application.

Section 25. Basic Services. The ICC/IP have the right to special measures for the immediate, effective and continuing improvement of their economic and social conditions, including in the areas of employment, vocational training and retraining, housing, sanitation, health and social security. Particular attention shall be paid to the rights and special needs of indigenous women, elderly, youth, children and differently-abled persons. Accordingly, the State shall guarantee the right of ICCs/IPs to government's basic services which shall include, but not limited to water and electrical facilities, education, health and infrastructure.

Section 26. Women. ICC/IP women shall enjoy equal rights and opportunities with men, as regards the social, economic, political and cultural spheres of life. The participation of indigenous women in the decision-making process in all levels, as well as in the development of society, shall be given due respect and recognition.

The State shall provide full access to education, maternal and child care, health and nutrition, and housing services to indigenous women. Vocational, technical, professional and other forms of training shall be provided to enable these women to fully participate in all aspects of social life. As far as possible, the State shall ensure that indigenous women have access to all services in their own languages.

Section 28. Integrated System of Education. The State shall, through the NCIP, provide a complete, adequate and integrated system of education, relevant to the needs of the children and young people of ICCs/IPs.

Section 30. Educational Systems. The State shall provide equal access to various cultural opportunities to the ICCs/IPs through the educational system, public or cultural entities, scholarships, grants and other incentives without prejudice to their right to establish and control their educational systems and institutions by providing education in their own language, in a manner appropriate to their cultural methods of teaching and learning. Indigenous children/youth shall have the right to all levels and forms of education of the State.

Section 31. Recognition of Cultural Diversity. The State shall endeavor to have the dignity and diversity of the cultures, traditions, histories and aspirations of the ICCs/IPs appropriately reflected in all forms of education, public information and cultural-educational exchange. Consequently, the State shall take effective measures, in consultation with ICCs/IPs concerned, to eliminate prejudice and discrimination and to promote tolerance, understanding and good relations among ICCs/IPs and all segments of society. Furthermore, the Government shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. The State shall likewise ensure the participation of appropriate indigenous leaders in schools, communities and international cooperative undertakings like festivals, conferences, seminars and workshops to promote and enhance their distinctive heritage and values.

Section 46. Offices within the National Commission on Indigenous Peoples (NCIP). The NCIP shall have the following offices which shall be responsible for the implementation of the policies herein after provided:

(c) Office of Education, Culture and Health. The Office of Culture, Education and Health shall be responsible for the effective implementation of the education, cultural and related rights as provided in this Act. It shall assist, promote and support community schools, both formal and non-formal, for the benefit of the local indigenous community, especially in areas where existing educational facilities are not accessible to members of the indigenous group. It shall administer all scholarship programs and other educational rights intended for ICC/IP beneficiaries in coordination with the Department of

Education, Culture and Sports (DECS) and the Commission on Higher Education. It shall undertake, within the limits of available appropriation, a special program which includes language and vocational training, public health and family assistance program and related subjects.

It shall also identify ICCs/IPs with potential training in the health profession and encourage and assist them to enroll in schools of medicine, nursing, physical therapy and other allied courses pertaining to the health profession.

Towards this end, the NCIP shall deply a representative in each of the said offices who shall personally perform the foregoing task and who shall receive complaints from the ICCs/IPs and compel action from appropriate agency. It shall also monitor the activities of the National Museum and other similar government agencies generally intended to manage and preserve historical and archaeological artifacts of the ICCs/IPs and shall be responsible for the implementation of such other functions as the NCIP may deem appropriate and necessary.

- **Republic Act No. 8504 – Philippine AIDS Prevention and Control Act of 1998**

Section 36. Discrimination in Schools. No educational institution shall refuse admission or expel, discipline, segregate, deny participation, benefits or services to a student or prospective student on the basis of his/her actual, perceived or suspected HIV status.

- **Republic Act No. 8972 – Solo Parents' Welfare Act**

Section 9. Educational Benefits. The DECS, CHED and TESDA shall provide the following benefits and privileges:

- (1) Scholarship programs for qualified solo parents and their children in institutions of basic, tertiary and technical/skills education; and
- (2) Nonformal education programs appropriate for solo parents and their children.

The DECS, CHED and TESDA shall promulgate rules and regulations for the proper implementation of this program.

- **Republic Act No. 9710 – The Magna Carta of Women**

Section 13. Equal Access and Elimination of Discrimination in Education, Scholarships and Training.

- (a) The State shall ensure that gender stereotypes and images in educational materials and curricula are adequately and appropriately revised. Gender-sensitive language shall be used at all times. Capacity-building on gender and development, peace and human rights education for teachers, and all those involved in the education sector shall be pursued toward this end. Partnerships between and among players of the education sector, including the private sector, churches, and faith groups shall be encouraged.

- (b) Enrollment of women in nontraditional skills training in vocational and tertiary levels shall be encouraged.
- (c) Expulsion and non-readmission of women faculty due to pregnancy outside of marriage shall be outlawed. No school shall turn out or refuse admission to a female student solely on the account of her having contracted pregnancy outside of marriage during her term in school.

c. Judicial, Administrative and Other Competent Authorities Having Jurisdiction with Respect to the Rights Guaranteed by the Convention

The provisions of the Convention can be invoked before and given effect by regular courts because of the incorporation clause in the Philippine Constitution.

Batas Pambansa Blg. 129 as amended by Republic Act No. 7691 provides for the jurisdiction of Regional Trial Courts, Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts.

d. Regional Human Rights Instruments

The Philippines is party to several regional human rights instruments. These concerns, among others, the rights of indigenous peoples, migrant workers, women and children, to wit:

- The ASEAN Socio-Cultural Community (ASCC) Plan of Action (Vientiane, 29 November 2004);
- ASEAN Declaration Against Trafficking in Persons Particularly Women and Children (Vientiane, 29 November 2004);
- ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (Cebu, 13 January 2007);
- Declaration on the Elimination of Violence Against Women in the ASEAN Region (Jakarta, 30 June 2004);
- Memorandum of Understanding between the Governments of the Member Countries of the Association of Southeast Asian Nations and the Government of the People's Republic of China on Cultural Cooperation (Bangkok, 3 August 2005);
- Vientiane Action Programme (Vientiane, 29 November 2004);
- Agreement on the Establishment of the ASEAN Development Fund (Vientiane, 26 July 2005);
- Kuala Lumpur Agenda on ASEAN Youth Development (Kuala Lumpur, 17 November 1997);

- Declaration of the Advancement of Women in the ASEAN Region (Bangkok, 5 July 1988);
- Declaration of the 8th ASEAN Health Ministers Meeting (Yangon, 21 June 2006);
- Declaration of the 7th ASEAN Health Ministers Meeting (Penang, 22 April 2004);
- Joint Declaration Special ASEAN Leaders Meeting on Severe Acute Respiratory Syndrome (Bangkok, 29 April 2003);
- Declaration of the 6th ASEAN Health Ministers' Meeting on Health ASEAN Lifestyles (Vientiane, 15 March 2002);
- 7th ASEAN Summit Declaration on HIV/AIDS (Bandar Seri Begawan, November 2001);
- Declaration of the 2nd HIV/AIDS ASEAN Regional Workshop of Islamic Religious Leaders (Jakarta, 28-31 July 2000);
- Declaration of the 5th ASEAN Health Ministers Meeting on Healthy ASEAN 2020 (Yogyakarta, 28-29 April 2000);
- Declaration of the ASEAN Health Ministers on Collaboration on Health (Manila, 24 July 1980);
- Resolution of the Third ASEAN Health Ministers Meeting (Pattaya, 9 March 1984);
- Memorandum of Understanding between the ASEAN and the World Health Organization (1997); and
- Protocol Communication and Information Sharing on Emerging Infectious Diseases in the ASEAN Plus Three Countries (Beijing, 22-23 November 2007).

Currently, the ASEAN Intergovernmental Commission on Human Rights (AICHR) is drafting the ASEAN Human Rights Declaration.

On the subject of discrimination in education, the following declarations provide for access to education at every level; development of the leadership, entrepreneurship and business skills of ASEAN youth, particularly out-of-school youth, youth with special needs and youth-at-risk; and recognition of the rights of all children, including those of indigenous people:

- Declaration of Principles to Strengthening ASEAN Collaboration on Youth (Bangkok, 24 June 1983);
- Resolution on the ASEAN Plan of Action for Children (Manila, 2 December 1993);

- Yangon 2000 Declaration on Preparing ASEAN Youth for the Challenges of Globalization (Yangon, 2 November 2000);
- Declaration on the Commitments for Children in ASEAN (Singapore, 2 August 2001);
- Manila Declaration on Strengthening Participation in Sustainable Youth Employment (Manila, 4 September 2003);
- Beijing Declaration of the Ministers Responsible for Youth of the ASEAN and the People's Republic of China on ASEAN-China Cooperation on Youth (Beijing, 29 September 2004); and
- Joint Declaration on the Attainment of the Millennium Development Goals in ASEAN (Cha-am, 1 March 2009).

III. Implementation of the Convention and Recommendation

The Philippine Government undertakes the following policies, programs and strategies to eliminate discrimination in education:

- a. **National Indigenous People's Education Policy Framework** (DepED Order 62, series 2011) issued last August 8, 2011. It is intended to be an instrument for promoting shared accountability, continuous dialogue, engagement, partnership, among government, IP communities, civil societies and other education stakeholders. Recognizing education as a necessary means to realize other human rights and fundamental freedoms, DepED urges the strengthening of its IP policies in education and develop and implement an IP Education Program. As such, the following shall be DepED's policy statements on IP Education:
 - Ensure the provision of universal and equitable access of all IP to quality education and relevant basic education services towards functional literacy for all;
 - Adopt appropriate basic education pedagogy, content and assessment through the integration of the Indigenous Knowledge Systems and Practices in all learning areas and processes;
 - Provide adequate and culturally-appropriate learning resources and environment to IP learners;
 - Strengthen the hiring, deployment and continuous development of teachers and learning facilitators in the implementation of its IP Education Program; and
 - Establish and strengthen appropriate multi-level units within DepED responsible for planning, implementing and monitoring IP education interventions.
- b. **Establishment of Indigenous People's Education Center** in Bagabag, Nueva Vizcaya. The DepED IP Education Center is envisioned to be one of the Department's focal point in responding to the need of IP learners for relevant and culture-responsive education that takes into account indigenous knowledge, systems, and practices (IKSPs) and the current social realities faced by indigenous peoples' communities.

At the onset of the center's operationalization, the Department, in collaboration with Saint Mary's University and the College of Education of the University of the Philippines-Diliman, will be conducting a pilot summer training program for teachers and school heads assigned in IP communities in the provinces of Nueva Vizcaya and Isabela.

- c. **Indigenous Peoples Education Learning Materials.** Indigenized learning materials have been prepared to support the IP Core Curriculum. Consultation meetings for the development of needs-based learning materials for IPs in Occidental Mindoro and Oriental Mindoro have been conducted. To date, there are Basic Literacy materials translated into 14 different languages/mother tongues.
- d. **Philippines' Response to Indigenous and Muslim Education (PRIME).** The PRIME Program is an educational development initiative of the Department of Education (DepED) which strives to improve equitable access to and quality of basic education for girls and boys in disadvantaged Indigenous Peoples (IP) and Muslim communities.

PRIME is being supported by the Government of Australia as a founding partner for an initial period of three years (2011—2014) through an Australian Agency for International Development (AusAID) grant of 20 Million AUD. The grant assistance is directed in two key thrusts:

- 1) Assist in stimulating community-led demand for quality education services; and
- 2) Strengthen the capacity of the community, DepED, and other stakeholders to respond in providing relevant, sustainable, and quality learning opportunities.

The support of AusAID is delivered through a funding facility which provides DepED with additional resources in the form of grants to schools/communities and to support capability-building activities for DepED and targeted communities in 9 regions/24 schools divisions of the country.

- e. **MADRASAH Roadmap.** A comprehensive Program for the Educational Development of Filipino Muslims. The program comprises of the following components:
 - Development and institutionalization of Madrasah Education
 - Upgrading Quality Secular Basic Education in formal elementary and secondary schools serving Muslim children
 - Developing and Implementing an Alternative Learning System for Filipino Muslims out-of-school youth
 - Developing and implementing appropriate livelihood skills education and training for present day students of Private Madaris, and out of-school youth.
 - Supporting government efforts to provide quality ECCD Program for Muslim Filipino pre-school children
 - Creation of a special fund for assistance to Muslim Education (FAMEO by an Act of Congress)
 - Improvement of the Health and Nutrition Status of Filipino Muslim learners particularly in the public elementary schools

- f. **Madrasah Education Programs.** The Madrasah Education Program has three components namely: Arabic Language and Islamic Values Education (ALIVE) in public schools, ALIVE for Muslim Out-Of-School youth and adults and Financial Assistance to Private Madaris.

To support the implementation of this program, standard Madrasah Curriculum was developed and adopted in various parts of the country. These have likewise been complemented with instructional materials on Arabic Language and Islamic Values and Islamic Studies.

Basic literacy along with the ALIVE curriculum is provided to Muslim out of school youth under the ALIVE in ALS. In collaboration with the Technical Educational Skills Development Authority (TESDA), skills training are also provided through the Arabic Language and Islamic Values Education in Technical Vocational Education and Training (ALIVE in TVET) program. Currently in the development stage is the ALIVE in Entrepreneurship program which provides for entrepreneurial opportunity and trainings to young Muslims.

The Financial Assistance to Private Madaris is a scheme similar to the GASTPE program. It primarily aims to decongest the public school system and to provide incentive for the Madaris to adopt and implement the Standard Curriculum for Public Elementary Schools and Private Madrasah. In addition, through this financial assistance, quality education in these sectarian schools will be ensured and recurrent operational costs will be augmented. The pupil-recipients of this program are entitled to an amount of P5000.00 each.

- g. **Special Needs Education Program (SNEP) and Special Education Program.** Recognizing the distinct needs of our differently-abled learners and in an effort to make our education inclusive, DepED has been implementing various programs and projects which address quality special education through the different significant key areas namely:

- Early intervention-ensuring that children with disabilities and their parents have access to suitable help and care;
- Removing barriers to learning – embedding inclusive practice in all schools and early years setting;
- Raising Expectations and Achievement – developing teaching skills and strategies and focusing on progress children make; and
- Delivering Improvement in Partnership – a hands-on approach on collaboration with parents and the community.

To help the teachers and learners in the learning process, four (4) volumes of elementary and secondary books have been transcribed into Braille. Additional resources were likewise distributed in the form of Braille papers, writing slates with stylus, and 165 copies of Filipino Braille Code.

Yearly, a capacity building program for teachers, administrators and Supervisors on SPED is conducted which aims to provide participants the 18-unit requirement in the materials program for teachers to meet the qualification standards of a SPED teachers and to better equip these teachers to handle the learners.

Apart from this, various capacity building programs have been conducted.

- A total of 31 SPED teachers were trained on how to handle children with hearing impairment, visual impairment, multiple disabilities and children with intellectual disability.
- 30 Administrators and supervisors were trained on the organization, administration and Supervision of SPED which aims to provide the appropriate knowledge and skills necessary for the management of the education of children with special needs.
- 30 SPED teachers completed the scholarship training for children with Autism Spectrum Disorder. The activity aims to provide teachers with appropriate knowledge and skills necessary for the management of learners with the said disability.
- Consultative workshop on Enhancing the Gifted and Talented Education. The workshop aims to formulate policies and recommendations to enhance the education of the gifted and talented based on research findings. A Total of 35 SPED supervisors and administrator have participated in this activity which produced 16 proposals.
- SPED Caravan is an advocacy program which ensures that education services for children with special needs are brought in the communities where they reside. An awareness raising program which aims to increase participation rate of children with special needs. About 910 children with special needs were identified as a result of this campaign.

From 89 secondary schools in 2006, SPED has been expanded to 222 secondary schools across the country. Some of these schools are now equipped with some assistive devices, instructional materials and other facilities out of the Php 500,000.00 subsidy from the national government.

Teachers were also trained in basic classroom accommodation strategies for the differently-abled students.

In 2011, the following SPED Programs were conducted: Validation of the Modified Curriculum for Individuals with Moderate Disabilities at RELC, Marikina on September 21 – 23, 2011. Ten (10) validators and seven (7) BSE staff were involved in the validation phase of the documents.

The First (1st) National Secondary Level SPED Conference – Workshop was held at Tagaytay International Convention Center (TICC) on October 26 – 28, 2011. The objective of the conference participated in by three hundred seventy-eight (378) education supervisors, principals, guidance counselors, and teachers was to bring together secondary level special education practitioners and advocates to address pertinent issues on special education.

- h. **Modified In-School Off-School Approach (MISOSA).** MISOSA is an alternative delivery mode of education meant to address the problem of congestion--overcrowding due to classrooms and teachers shortages resulting to big class size, less contact time with pupils, absenteeism and insufficient learning materials. This problem results to the poor performance of schools in terms of learning achievement, participation and completion rates.

With the objective of ensuring that equal access to quality education is provided by addressing the problems on congestions in schools and providing adequate learning materials, the program makes use of Self-Instructional Materials as an approach in the different learning areas which learners can work on independently in a venue other than the regular classroom under the supervision of a teacher-facilitator.

- i. **Philippine Schools Overseas (PSO).** Under the program, the Bureau of Secondary Education (BSE) processes the Philippine Schools Overseas (PSO) requests for permit to operate and for government recognition. PSOs are given permit to operate to serve the needs of children of overseas Filipino workers.

In 2011, the following achievements were noted: issuance of six (6) Provincial Government Permit, four (4) Government recognition, and one (1) Government Permit. Apart from these permits, Special Orders, were likewise issued to our Philippine schools in Greece, Doha, Oman and Saudi Arabia.

- j. **Child-Friendly School System (CFSS).** CFSS is a strategy to strengthen the achievement of quality education and increasing access both in elementary and secondary levels which started in the Fifth Country Program for Children (CPC-V) of UNICEF in collaboration with DepEd. This program seeks to respond to the needs of students in disadvantaged conditions such as congested classroom; areas of armed conflict, prevalence of child labor, indigenous peoples, and integrated schools.

CFSS is an expansion from elementary level. It was piloted and initially implemented in eight (8) secondary schools in 2005 and later expanded to 52 high schools in 2007-2008 (60 UNICEF-led CFSS). 54 more schools were added in 2008 under the BSE-led initiative.

At present, a total of 114 schools are already in the CFSS movement. The BSE-led C-F schools have undergone all the training based on the modules developed by the UNICEF. The program also provided capacity building to PTCA presidents (or alternate) community health workers, and school officials on Student and Community Participation and Health Promotion.

Currently, assessment on the level of child-friendliness is being undertaken in 114 schools. Later this year, random assessment on friendliness of the 10% of the total public secondary schools in the country will also commence. Results of these studies shall be used to strengthen the implementation of CFSS leading to its institutionalization.

- k. **Dropout Reduction Program (DORP).** To arrest the increasing dropout rate at the secondary level, the Bureau started the mainstreaming of a dropout intervention program tried out by the Secondary Education Development and Improvement Project (SEDIP). The interventions include an alternative delivery mode of education through the Open High School Program (OHSP) and the project Effective Alternative Secondary Education (EASE) and School-Initiated Interventions (SIIs).

From 180 target schools, the program was expanded to 240 schools in 15 provinces assisted by SEDIP. The program was able to save 99% or 25,487 from a total of 25,620 students at-risk of dropping out (SARDOs).

The DORP primarily responds to the EFA 2015 Goals of decreasing the dropout rate and increasing the participation rate in high school.

- I. **Open High School Program (OHSP).** OHSP is offered to in-school youth (ISY) and out-of-school youth (OSY) who cannot regularly attend school for justifiable reasons. It is designed as an alternative delivery system utilizing digital and non-digital learning resources of a blend of these materials to support learning outside the formal classroom structure. Online resources are being developed to enrich the delivery of the program.

Year 2011 marked a big leap in the achievement of the OHSP. As of December 14, 2011, five hundred seven (507) schools have implemented the program with a total of seventeen thousand nine hundred fifty three (17,953) student enrollees. For school year 2011–2012, a total of Four Thousand Two Hundred Eighty Nine (4,289) students will be graduating from the program. In terms of capability building, One Hundred Eighty-nine (189) division personnel, Two Hundred Thirty-Seven (237) School Heads and Seven Hundred Eleven (711) Secondary School Teachers were trained.

The first year modules across subject areas for the OHSP were developed and uploaded in the BSE Website for use of the program implementers.

- m. **Education Service Contracting and Education Voucher System.** This program is aligned with the RA 6728 which aims to increase participation rate and to decongest public secondary schools through the extension of financial assistance to deserving elementary school graduates who wish to pursue their secondary education in private schools.

One component of GASTPE is the Education Voucher System (EVS) where the government provides vouchers to graduates of public elementary schools, which they can use to enroll in government recognized private schools. Another is the Education Service Contracting (ESC) where the government pays the tuition of student overflows from public high schools. The third component is the Teacher Salary Subsidy (TSS) which seeks to augment the monthly pay of teachers of ESC students and make it competitive.

The Program expanded its implementation to reach more beneficiaries. An estimated amount of Php3.9B has been allotted by the government for the school year (SY 2011-2012). Of which, a total of 2,850 schools participated in the program.

- n. **Basic Literacy Programs (BLP).** A program aimed at eradicating illiteracy among out-of-school children, youth and adults by developing basic literacy skills of reading, writing and numeracy. For program support, BLP has learning materials development, translation, digitization and production for regular learners, family basic literacy and for the differently-abled learners.
- o. **Accreditation and Equivalency (A&E) Program.** A program aimed at providing an alternative pathway of learning for OSY and adults who are basically literate but who have not completed the 10 years of basic education mandate by the Philippine Constitution. Through this program, school dropouts are able to complete elementary and high school education outside the formal school system.

- p. **Informal Education.** Informal education is a lifelong process by which every person acquires and accumulates knowledge, skills, attitudes and insights from daily life experiences at home, at work, at play and from life itself. It is designed to address the specific interest of prospective learners through the program for the development of multiple literacy such as social, civic, political, cultural.
- q. **DRRM in Education Framework.** In times of emergencies, caused by disasters either natural or man-made, provision of quality education to children and youth in the affected areas is disrupted as critical education resources are often times diverted. To anticipate and minimize the effects of disasters and ensure availability of key education resources and uphold children's right to education at all time, even in times of emergency, a Policy Framework for Climate Change Adaptation and Disaster Risk Reduction and Management in Education: Fostering Resilience within the Education System and among Learners and Communities -- DRRM in Education Framework has been crafted ready for adoption.

The framework for climate change adaptation (CCA) and disaster risk reduction and management (DRRM) in education sets forth the approach to avoiding or limiting the adverse effects of hazards on the provision of education. The framework focuses on preventing or reducing the risks and impacts of disasters and climate change on education resources, learners, and communities; and ensuring preparedness and rapid and effective education in emergencies. It also supports the integration of cross-cutting issues into all aspects of emergency preparedness, response and recover. The Framework is a response to the enactment of RA 10121 which mandates all government agencies to implement resilience strategies to disasters and climate change.

- r. **Commission on Higher Education (CHED) Programs** to ensure the accessibility of education to anyone irrespective of gender, age, social status and ethnicity are as follows:
 - **Financial assistance programs:**
 - 1. **Full merit.** This program is for bright Filipino students who received the highest score in the National Career Assessment Examination (NCAE) and must belong to the top ten of the graduating class. Scholars under this program with parents who have a combined annual gross income not to exceed Php300,000 can enroll in any government or private higher education institution.
 - 2. **One Town Scholar (OTOS).** This program is for deserving public high school graduates from all towns, especially those from families which do not have the financial means. Scholars under this program can enroll in any government higher education institution.
 - 3. **Half Merit.** For bright Filipino students who received a percentile NCAE rating score of 85-89, scholars under this program can enroll in any government or private higher education institution.
 - **Study grant program for solo parents and their dependents** intended for solo parents and their children.

- **National Integration Grant Program** intended for members of cultural minority groups.
- **Selected Ethnic Group Educational Assistance Program** intended for indigenous peoples.
- **Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP).** This is an educational assessment scheme which recognizes knowledge, skills, and prior learning obtained by individuals from non-formal and informal education experiences. This is implemented through CHED-deputized higher education institutions.

Throughout the years, access to Philippine tertiary education by a majority of Filipino students had steadily been gaining ground as shown by the establishment of 1,823 tertiary level institutions broken down into: 110 state universities and colleges; 93 local colleges and universities and 16 other government schools, and 1,604 private institutions. Of the almost three million students, 61% is enrolled in private higher education institutions (HEIs) and 34% is with the public HEIs. In terms of gender distribution, 1,601,478 or 54.5% are women and 1,336,369 or 45.4% are men.

s. **Technical Education and Skills Development Authority's (TESDA) Policies and Programs:**

- TESDA issues rules and regulations governing the offering of programs/courses on technical education and skills development in both public and private institutions. Circulars, memorandum orders and other regulatory mechanisms are institutionalized to ensure that the rights to quality education and training of students and trainees are being safeguarded and not discriminated.
- **Scholarships, grants, student loans, subsidies and other student assistance programs** are being provided to underprivileged but deserving students in both public and private institutions. This includes competency-based technical education and skills development programs in public and private training institutions to enable them to be employable and productive.
- In technical education and skills development, quality standards are being ensured through the **Unified TVET Program Registration and Accreditation System (UTPRAS)**. Under this scheme, all TVET programs being offered by technical vocational institutions nationwide must be UTPRAS-registered with TESDA. To ensure adherence to quality program standards, periodic compliance audits are being done.

Assessment and certification is another quality assurance mechanism that ensures that the graduates of technical education and skills development programs can perform the competencies required of the job.

Relatively, TESDA has been awarded the ISO-certification in UTPRAS and assessment and certification processes. This is in recognition of integrity and quality service being provided by TESDA.

- TESDA formulated the **Philippine TESD Trainers/Assessors Qualification Framework (PTTQF)** that aims to qualify and certify the pool of technical trainers-assessors to ensure their competence in trade qualification and training and assessment methodologies. It is a four-level framework that ensures consistent delivery of quality TESD services. This is done through the training, assessment, qualification and creation of a pool of technical trainers/assessors competent in trade qualifications and training and assessment methodologies. It also establishes a structure that will ensure the systematic and purposive development of TESD trainers.
- The **Philippine Qualifications Framework (PQF)** has been formulated that sets the standards of learning outcomes in terms of knowledge and skills, application, degree of independence and qualification levels. It provides for the learning outcomes in the different levels of education and training from Kindergarten to Post-Doctoral or Specialization.

In conclusion, the Philippine Government remains firm in its commitment to ensuring that education is equally accessible to all Filipinos. Education, as the Social Contract of the Philippine President with the Filipino people states, is “the central strategy for investing in our people, reducing poverty and building national competitiveness.”

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