COORDINATING COUNCIL FOR PRIVATE EDUCATIONAL ASSOCIATIONS

ROADMAP FOR PHILIPPINE HIGHER EDUCATION
PRELIMINARY MATTERS.

ABOUT COCOPEA

Founded in 1961, the Coordinating Council of Private Educational Associations of the Philippines (COCOPEA) serves as the “unifying voice of private education” in the Philippines “as vital to human development. COCOPEA takes the lead in public policy development in behalf of the five educational associations that count 2,500 educational and learning institutions among its Member-Schools, Colleges, Universities and Tech-Voc Institutions. COCOPEA seeks to promote, advance and safeguard the interest of the private education sector in the country.

THE COCOPEA VISION

COCOPEA is the strong and leading voice of private education as vital to human development.

THE COCOPEA MISSION

COCOPEA advances, promotes and protects

1. Academic freedom
2. Quality education
3. The essential complementarity between public and private education
4. The healthy governance of private educational institutions based on autonomous self-governance and reasonable government regulation
5. Personal development, social justice and the common good.

ON THE NECESSITY OF CRAFTING A ROADMAP FOR PHILIPPINE HIGHER EDUCATION
Roadmaps are blueprints in realizing the mission of an organization. Analogously interpreting it with the commonly followed procedures in policy-making\(^1\), when a roadmap is directly anchored to the mission of the organization it would mean it is made within the organizational entity while a roadmap developed based on formulated agenda may mean that it is a product of negotiated interests of participating groups. Hence, it can be implicitly understood that the roadmap formulated based on the mission of the organization is less influenced by political interests of any participating groups.

Given the evolving context of the country’s educational landscape, there is a great need and urgency for COCOPEA to articulate and draft a five-year road map for Philippine Higher Education. COCOPEA sees a roadmap that is in line with its mission that advances, promotes and protects the interests of higher educational institutions (HEIs), namely:

a. Academic freedom  
b. Quality education  
c. The essential complementarity between public and private HEIs  
d. The healthy governance and reasonable regulation of HEIs and  
e. Content that COCOPEA member organizations may agree is appropriate for Philippine Higher education (i.e. personal development, social justice and working towards the common good.)

OBJECTIVES OF THE ROADMAP

COCOPEA’s ultimate goal is a “complete, adequate and integrated system of quality higher education”\(^2\) for ALL in the Philippines. This is composed of public and private HEIs working in necessary and achieved complementarity in the pursuit and in the communication of truth in academic freedom through:

(a) Instruction and formation of the human person  
(b) Research and innovation, and  
(c) Service of the community.


\(^2\) adapted from paragraph 1, section 2, Article XIV of the 1997 Constitution.
COCOPEA believes that part of the necessity of the complementarity between public and private education is the articulation of the constitutional recognition that the private sector is a driving force of development\(^3\), and nowhere is this more evident than in the education arena.

COCOPEA also sees this Higher education system to be governed autonomously (free from ephemeral [party] political interference, the control of stakeholder interests, the control of the economic elite) and supported appropriately by public funds and reasonable government regulation.

In pursuit of this goal, COCOPEA commits a plan to paper in order that identified long term goals and programs of higher educational institutions will not be overrun by the vagaries of fashion nor by the short term outlook that can result from the biennial change of the COCOPEA board of officers. Having a concrete written roadmap shall effectively enable the COCOPEA to promote the healthy autonomy or self-governance of higher educational institutions as well as to participate actively in influencing government policies related to education and propose concrete plans to the latter. In doing so, it brings the COCOPEA closer to the fulfilment of its vision and mission and when appropriate, contribute positively to the goals of the nation.

**ARTICULATING THE ROADMAP**

**ADVANCING, PROMOTING AND PROTECTING ACADEMIC FREEDOM AND QUALITY EDUCATION.**

Academic Freedom is enjoyed in and by all institutions of higher learning, whether public or private, and is constitutionally guaranteed in Article XIV, section 5(2) of the 1987 Constitution which states: “Academic freedom *shall* be enjoyed in all institutions of higher learning.” (emphasis and underscoring supplied.)

The constitutional guarantee is mandatory, owing to the use of the word “shall” and thus, cannot be disregarded by the government or any of its agencies (i.e. the CHED.) Nor can the government instrumentality carrying out laws relative to higher education claim that it too, has this “academic freedom” and which they can vest unto HEIs; neither can the latter obtain “academic freedom” from the said government instrumentality. By virtue of its nature as an

\(^3\) Cf. Section 20, article II 1987 Constitution which gives due recognition to the indispensable role of the private sector.
HEI, whether created pursuant to a charter or through incorporation, the Constitution already vests academic freedom on the said institution of higher learning.

In fact, RA 7722 which creates the CHED explicitly states in its Declaration of Policy that:

“The State shall likewise ensure and protect academic freedom and shall promote its exercise and observance for the continuing intellectual growth, the advancement of learning and research, the development of responsible and effective leadership, the education of high-level and middle-level professionals, and the enrichment of our historical and cultural heritage.”

It also provides in section 13 of said law that:

“In particular, no abridgment of curricular freedom of the individual educational institutions by the Commission shall be made except for: (a) minimum unit requirements for specific academic programs; (b) general education distribution requirements as may be determined by the Commission; and (c) specific professional subjects as may be stipulated by the various licensing entities. No academic or curricular restriction shall be made upon private educational institutions which are not required for chartered state colleges and universities.”

This institutional academic freedom includes the right of an HEI to decide and adopt its aims and objectives and determine how these objectives can best be attained, free from outside coercion and interference. (Article XIV, section 5[2]; Supreme Court of the Philippines, GR 183572)

To encourage innovativeness in the various HEI programs, in furtherance of academic freedom, it is imperative for the Philippine Government to undo existing onerous and paralyzing regulations. A regulatory framework that polices and penalizes the higher education sector seriously compromises the promotion of creative and quality programs, healthy academic discussion and genuine engagement. As an alternative strategy, the government should craft policies and programs that provide incentives to providers of quality higher education as would ensure sustained authentic learning and quality programs.

It also contemplates, for HEIs, a healthy quality sampling of programs (both humanizing and professional), encouraging and promoting academic discussion, research and publication, promoting university engagement. Quality programs reflect authentic practice of institutional academic freedom. Academic Freedom without quality assurance is reckless; however, quality assurance without academic freedom is also empty. The two must co-exist in fulfilment of the essence of an HEI.
Furthermore, quality assurance is understood as equally applicable to private and public HEIs, necessitating a leveling of the playing field. In this regard, private (Non-government controlled) external quality assurance bodies are necessary for quality assurance, just as government should act as a regulator for minimum standards.

It also involves the extent of participation of private educators in state regulation activities towards the protection and promotion of appropriate private sector participation in Philippine education.

In pursuit of this, COCOPEA commits to:

a. Undertake, in consultation with various concerned sectors, a review of paralyzing governmental regulation or programs that violate institutional academic freedom and ensure that regulation sticks to minimum standards pursuant to the legal mandate granted to the CHED under RA 7722.

b. Take the lead in the organization of a national dialogue involving higher education leaders, academicians, education stakeholders, et.al. toward achieving a collective understanding of “quality” in higher education. Quality, as advocated by COCOPEA is cognizant of the following: compliance with minimum (government-imposed) standards, the drive for academic excellence, implementation of an HEIs Vision and Mission, and responsive to the needs of the stakeholders.

c. Advocate programs and policies that grant incentives to HEIs in the pursuit of authentic learning and quality programs.

d. Advocate that CHED be more transparent and more current in providing information on oversubscribed and undersubscribed courses, thereby improving the educational landscape of both private and public HEIs.

In pursuit of quality education, the COCOPEA commits to:

e. Create quality programs and improving faculty development through:

1. Alignment of teacher training/education curricula to answer the demands of teaching the k to 12 curriculum
2. Collaborating with CHED to review and revise the curricula of HEI programs as post SHS programs.
3. Use the Tertiary Education Sector Transition Fund (TESTF) for faculty development to enhance credentials
4. Establish an expert network that private HEIs can access for assistance in accreditation, quality initiatives and compliance.
5. Encourage and put in place mechanisms for cross border industry certifications.
6. Argue and advocate for much needed funding for competitive faculty scholarships and research grants in needed fields.

f. Build Academe-Industry Linkages

1. Proper implementation of RA 7686 (Dual System Training Act) through increased awareness of the benefits of dual training for both to academic institutions (SHS, TVET, HEIs) and potential industry partners (job-ready graduates, lower labor costs, tax deductibility); expand the coverage of RA 7686 to include SHS and HEIs; TVET schools to detail the registration process with TESDA and assist SHS and HEIs in this process
2. Work towards a more systematic approach to linkages (vs. the ad hoc and opportunistic partnerships seen today)
3. Identify the relevant industry/professional associations and ask them to articulate and make public the skills, gaps and capabilities their discipline needs.
4. Suggest a formal structure to institutionalize academe-industry linkages
5. Encourage CHED to require representatives from industry/professional associations to be part of curriculum technical working groups
6. Advocate that DOLE institutionalize the provision of and access to updated labor market information (such as Projects Job Fit) so that the public may know hard to fill and in-demand occupations

g. Rationalize and Develop Research

1. Investigate how other private HEIs may participate in the Philippine California Advanced Research Institutes (PCARI) specially in the areas of research collaboration and faculty development
2. Review CHED’s National Higher Education Research Agenda 2 (NHERA 2).
3. Use the TESSF to expand research opportunities for faculty
4. Advocate for much higher state support for research and a formal, competitive research allocation process.
5. Guide private HEIs into research areas that suit their circumstances.
h. Support the K to 12 reform

1. Dampen threats posed by k to 12; work with CHED to mitigate ill effects of k to 12 via TESSF for displaced faculty
2. Align teacher training/education curricula towards k to 12 (spiral progression, integrated science, inclusion of SHS subjects); work with CHED to revise education programs and issue related CMOs.
3. Intensify and provide in-service training for both public and private secondary school teachers along the needs of k to 12
4. Provide assistance to HEIs that want to offer SHS in operationalizing their plans, including guidance in working with DepED and sharing studies on absorptive capacity
5. Assist TVET schools as they reposition their offerings post SHS implementation.
6. Survey and identify problems and concerns in implementing SHS early on and work toward speedy resolution
7. Evaluate the effectiveness of the k to 12 on delivering its promised goals, not only of job ready and college ready SHS graduates but also of HEI graduates that can compete with graduates from other countries.

Proposed Legislations/Advocacy Bills:

(i) A law that articulates the Philippine Qualifications Framework. (there is a necessity to pass a legislated PQF rather than relying on an Executive Order that may or may not be recognized by the succeeding Chief Executive.)
(ii) A Bill of Academic Freedoms (Magna Carta of Academic Freedoms)
(iii) Push for the passage of a Quality Assurance Law (replacing CMO 46)
(iv) Push for (extension?) of moratorium on conversions to SUCs until a relatively level playing field between public and private HEIs has been attained. In the alternative, push for the passage of a law that sets forth the conditions or standards for establishing new SUCs.
(v) Push for the passage of the TESTF
(vi) Push for passage of more laws that provide support to HEIs in pursuit of quality education:
- Institutionalizing the oversight / review functions of the CHTE (congressional committee on Higher and Technical Ed) and conducting annual year end review of CHED’s issuances relative to consultations, creation of TWGs and policies.
- Expanding access to quality education through an expanded E-GASTPE; vouchers in the HEI level and scholarships;
- Granting income tax exemptions to parents sending children to private HEIs making private education more affordable, and thus, more accessible to the average Filipino household.
- Enhancing quality of teachers through laws and programs that provide more faculty scholarships and research grants.

**ADVANCING, PROMOTING AND PROTECTING THE ESSENTIAL COMPLEMENTARITY BETWEEN PUBLIC AND PRIVATE EDUCATION**

COCOPEA believes that the Philippine Government, in its responsibility to “protect and promote the right of all citizens to quality education at all levels,”4 must view the private HEIs as indispensable partners to ensure that quality higher education is made “accessible to all.”5 The Constitution recognizes the “complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.” 6 Moreover, the State affirms the “indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments.”7

With this in mind, COCOPEA undertakes to:

a. review the extent of participation of private educators in state regulation activities towards the protection and promotion of appropriate private sector participation in Philippine education.

b. evidence the indispensable role of the private sector in national development pertinent to HEIs.

i.e. publication of comparative global studies on the evolving regulatory context of the educational system and models of complementarity between public and private HEIs

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4 Philippine Constitution, Article XIV, section 1.
5 Ibid.
6 Philippine Constitution, Article XIV section 4 (1).
7 Philippine Constitution, Article II, section 20.
a. advance that in all educational legislation, the principle of “leveling the playing field” for all public and private HEIs must be heeded. Moreover, the government regulatory framework on HEIs must exhibit this level playing field.

b. In support of this, COCOPEA advocates:

i. increase of PPP in favor of private schools,
ii. ESC for tertiary education,
iii. equality of compensation between public and private school teachers for similar disciplines
iv. equity in distribution of state-funded scholarships between private and public schools;
v. increase of cooperation among private schools for research
vi. contracting of research projects of educational associations such as COCOPEA, CEAP, PACU, NABEI and for individual HEIs.
vii. generate bias towards funding private HEIs and folding functions of SUCs and LCUs in private HEIs, among others.
viii. support CHED efforts that elevate the standards of SUCs and LUCs (e.g. accreditation, normative funding, the even application of rules on programs and offerings)
ix. identify governance issues and regulations that are prejudicial to HEIs (e.g. regulatory framework for SUCs and LUCs different from private HEIs, state funding limited to SUCs and LUCs, SUCs and LUCs that take in paying foreign students)
x. Work to have the TESTF passed.
xi. Support the passage of laws providing assistance to tertiary education such as the UNIFAST bill.
xii. Advocate for increased state funding on post-secondary education.
xiii. Conduct comparative studies on spending in higher education within ASEAN or within developing nations as well as the costs of delivering programs in public and private HEIs.
xiv. Study the effectiveness (access, quality, cost) of the voucher system in the SHS. If effective, advocate to extend the voucher system to the HEIs.
xv. Work towards deregulating tuition fee increases in favor of market forces
xvi. Support CHED efforts to relate funding to quality initiatives and make the rewards even more discriminating
xvii. Study and seek to rationalize State support to HEIs, particularly the channels by which the State may support private HEIs.

Proposed Legislations/ Advocacy Bills:

1. Articulating a comprehensive public-private partnership program for education and/or increasing PPPs in favor of private schools. This may involve looking at other PPPs in the World Bank’s conceptual framework – i.e. a PPP on education that focuses more on the management of schools by the private sector. (vis-à-vis the existing PPP on education which is more on education provision)

2. Push for the passage of a bill that shall address the effects of the implementation of the Salary Standardization Law. (strengthening and expanding government assistance to teachers in private education)

3. Impress upon the CHED and its technical working group crafting the implementing rules and regulations of the Unified Student Financial Assistance System for Tertiary Education (a.k.a. the UniFAST) law of the vital role of private sector participation in the development and implementation of education laws and policies

4. Expanding access to quality education through an expanded E-GASTPE; vouchers in the HEI level and scholarships; ESC for tertiary education.

ADVANCING THE HEALTHY GOVERNANCE OF HIGHER EDUCATIONAL INSTITUTIONS BASED ON AUTONOMOUS SELF-GOVERNANCE AND SUPPORTED BY PUBLIC FUNDS AND REASONABLE REGULATION

COCOPEA believes that Higher education (the complete, adequate and integrated system of HE) governs itself. CHED, as a collegial body, supports and calls forth this self-governance per RA 7722 and promotes complementarity.

CHED, as the government agency created pursuant to RA 7722, must understand that it is not “above” the HE community. All universities, whether public (organized directly by the State) or private (organized by the private sector in contribution to the work of the State) are created by law and subject to the governance of the HE community which the CHED serves. As such, CHED shall confine itself in academic regulation to minimum standards for programs and institutions after consultation with the HEI community. It shall set these minimum standards and enforce them, whenever applicable.
However, CHED can and should, encourage awards and celebrate programs for outstanding academic instruction, research and service to the community. It can also shut down programs or institutions that do not achieve or follow minimum standards. Beyond minimum standards, however, all HEIs must be free to govern themselves – in academic freedom and quality assurance.

This understanding of “healthy governance” fosters dialogue and consensus building on shared governance policies. Healthy governance also connotes equitable distribution of state funds to HEIs whether public or private, according to evidenced quality or accessibility demands.

In this regard, the COCOPEA advocates, among others:

(i) The fulfilment by CHED of its mandates as articulated in RA 7722 (a.k.a. “the developmental functions” of CHED), such as:

i. formulating and recommending development plans, policies, priorities, and programs on higher education and research;
ii. formulating and recommending development plans, policies, priorities and programs on research;
iii. recommending to the executive and legislative branches, priorities and grants on higher education and research;
iv. identify, support and develop potential centers of excellence in program areas needed for the development of world-class scholarship, nation building and national development;
v. 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;
vi. direct or redirect purposive research by institutions of higher learning to meet the needs of agro-industrialization and development;
vii. devise and implement resource development schemes;

(ii) the study of the Government regulatory framework relative to the over-regulation of private higher education (e.g. one regulator vs. tri-focalized, role of regulator vs. academic freedom)

(iii) the self-governance, in academic freedom and quality assurance, by all HEIs, public or private

(i) the development of autonomous schools (seriously implementing “progressive deregulation.”)
(ii) the establishment of a Council of Distinguished Educators to lead the self-governance according to functions and powers provided by law.

In addition, it shall:

(i) identify areas of overregulation or regulations where market forces may prove a better “regulator”; advocate for the repeal of such regulations where warranted (e.g. policies on tuition fee increase, some issues on CMO 46/OBTAQA)

(ii) suggest and support initiatives that support greater transparency, that make more data more available to a wider public who can then make informed choices (e.g. board pass rates, CODs, COEs, accredited programs and accreditors.)

(iii) Identify and suggest ways to resolve conflict of interest situations (e.g. TESDA is at once provider, assessor and regulator of skills courses. It competes with private providers that it also regulates, giving it a massive advantage. The same will hold true in senior high school where DepED will compete with private TEIs who want to offer the same grade levels)

ADVANCING, PROMOTING AND PROTECTING THE COCOPEA ADVOCACIES ON PERSONAL DEVELOPMENT, SOCIAL JUSTICE AND THE COMMON GOOD

The COCOPEA believes that HEIs, in their work of forming the hearts and minds of the younger generation must commit to improve the quality of the Philippine Society and the human life of every Filipino by responding effectively to the changing societal needs and conditions and by providing solutions to societal concerns at the local community, regional and national levels.

Further, it advances that HEIs assist each individual to develop one’s potential as a human being, enhance the quality of citizen participation in the basic functions of society, and promote in each student a sense of national identity, cultural consciousness, moral integrity and spiritual vigor. They train the nation’s human resources in the required skills for national development and instill and foster the appropriate and relevant attitudes, skills and knowledge to enable each individual to become a productive, globally competitive and gainfully employed member of the society. And they develop and maintain the integrity of their professions and disciplines that will provide leadership for the nation.

In this regard, COCOPEA advocates programs that promote:

a) Love for Asian identity and national heritage
b) Wealth creation and equitable distribution of goods

c) Environmental conservation and protection

d) Personal development (self awareness, service to society, cultural sensitivity leadership)

e) The common good

f) Conflict resolution (i.e. economic development vs. environment; public good vs. private good; private vs. public provision of goods and services; human rights vs. peace and order

g) Religious inclusiveness and tolerance, no matter your religion (or lack of it)