

# Indigenous Peoples' Rights in the Philippines through Educational Assistance Programs: An Insider's Perspective\*

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## Abstract

Education is among the best long-term financial investments that the state can make. It is essential for human and economic development thereby making lack of access to education as one of the contributing factors to poverty and marginalization of certain sectors in the society, especially the indigenous peoples. Education, however, while viewed as an "enabling right" appears to be a privilege rather than a right for most Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) who remain to be among the most vulnerable and marginalized sectors in the country. Thus, the establishment sustainable, reliable, and accessible means of education is a valuable approach for IPs to claim their statutory rights, as well as in their pursuit for self-determination.

The right of indigenous peoples is enshrined in 1987 Philippine Constitution, Indigenous Peoples Rights Act (IPRA), and numerous international human rights instruments. This paper will emphasize that IP communities have the right to be granted and attended with efficient and continuous means for improvement of their economic and social conditions. As the statutes and international law provide, the state shall guarantee the right to ICCs/IPs to government's basic services which shall include education. Moreover, Section 46 (c), Chapter VII of the IPRA elaborated that the National Commission on Indigenous Peoples (NCIP) through the Office of Education Culture and Health (OECH) is mandated to administer and implement all educational assistance programs and other educational rights intended for indigenous peoples in coordination with DepEd and CHED.

Finally, the policies to strengthen the transparency and accountability in the implementation of the program should be established as this will enable the NCIP in meeting the developmental objective of the program and that is, to improve the over-all quality of life and efficiency of the ICCs/IPs thru increased access to educational opportunities.

**Keywords:** Indigenous Peoples (IP); IP education; empowerment right; educational assistance programs

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## Introduction

**E**ducation is one of the best long-term financial investments that the state can make. It is essential for human and economic development that lack access to education and is one of the contributing factors to poverty and marginalized society especially for the less fortunate groups such as the indigenous people.

Education, however, while viewed as an “enabling right” appears to be a privilege rather than a right for most Indigenous Cultural Communities/ Indigenous Peoples (ICCs/IPs) who remain to be among the most vulnerable and marginalized members of citizenry. International Labor Organization (2007). *The Road to Empowerment and Strengthening the Indigenous Peoples Rights Act: Old Ways, New Challenges*.<sup>1</sup> Thus, the establishment sustainable, reliable, and accessible means of education is a valuable approach for IPs to claim their statutory rights, as well as in their pursuit for self-determination.

Article II, Section 22 of the 1987 Philippine Constitution, reiterated in Section 2, Chapter 1 of the Republic Act of 8371 otherwise known as “The Indigenous Peoples Rights Act (IPRA) of 1997”, declares that the state recognizes and promotes the right to the ICCs within the framework of the national unity and development.<sup>2</sup> It is also in the instance that the enactment of the IPRA made it a provision under Chapter V, Section 25 that “Indigenous Peoples have the rights to special measures of their immediate, effective and continuing improvement of their economic and social conditions, and accordingly the State shall guarantee the right of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to government’s basic services shall include education.”<sup>3</sup>

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<sup>1</sup> International Labor Organization (2007). *The Road to Empowerment and Strengthening the Indigenous Peoples Rights Act: Old Ways, New Challenges*.

<sup>2</sup>Article II, Section 22 of the 1987 Philippine Constitution

<sup>3</sup>Section 25, Republic Act 8371

The foregoing provisions under Chapter VII, Section 46(c) stating that "The National Commission on Indigenous Peoples (NCIP), through its Office on Education, Culture and Health (OECH) is mandated to administer all scholarship programs and other educational rights intended for ICCs/IPs in coordination with the Department of Education (DepEd) and the Commission on Higher Education (CHED)" and ensure that such education services shall be accessible to them. Hence, the implementation of NCIP's Educational Assistance Program (NCIP-EAP).

The National Commission on Indigenous Peoples has six administrative provinces, namely: Davao Occidental, Davao del Sur, Davao City, Davao del Norte, Davao de Oro, and Davao Oriental. The Commission has already spent Php73,609,040.00 for Region XI covering school years 2005-2004 to 2013-2014, and Php27,734,040.00 or about 37.68 percent of the total approved budget for nine consecutive school years was allocated for NCIP-EAP Davao City Province (NCIP-RXI Records). The status and effectiveness of NCIP-EAP implementation in Davao City are the points of inquiry which prompted the researcher to undertake the study. Primary data were gathered among NCIP – EAP graduates from S.Y. 2005-2006 to S.Y. 2013-2014 covering the three (3) congressional districts of Davao City. The survey was conducted in February 2016.

### Definition of Terms

To have a better understanding of this study, the following terms are operationally defined:

*Budget Allocation* refers to the budget allocated for the corresponding grantee slot.

*Criteria* refers to the set of standards by which the applicants are evaluated and selected.

*Documentary Requirements* refers to the documents needed to comply in availing the program.

*Educational Assistance Program (EAP)* refers to the program that aims to provide limited financial assistance to qualified ICC/IP students based on criteria set forth.

*EAP Orientation* refers to the orientation of the grantees on the program and their role during and after the program.

*Educational Assistance* refers to the amount received by the grantees every semester.

*Grantees* refer to the qualified recipients/beneficiaries of the educational assistance Program.

*Indigenous Cultural Communities (ICCs) / Indigenous Peoples (IPs)* refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community or communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits.<sup>1</sup>

*National Commission on Indigenous Peoples (NCIP)* the primary government agency responsible for the formulation and implementation of policies, plans, programs to promote and protect the rights and well-being of the ICCs/IPs and the recognition of their ancestral domains and their rights thereto.

*Office of Education, Culture and Health (OECH)* refers to an office of the NCIP which administer all scholarship programs and other educational rights intended for ICCs/IPs.

## Philippine and International Laws on IP Education

Education, under international human rights law is an inalienable human right, not a mere commodity or a service. It is "an empowerment right" and "the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty."<sup>2</sup>

UNESCO has also viewed education as essential although not sufficient for human development and as having cultural, even spiritual benefits.<sup>3</sup> It was further agrees in the World Conference on Education for All that primary education must be accessible to all children to massively reduce illiteracy. Hence, the adoption of the World Declaration on Education for All, which reaffirmed the notion of education as a fundamental human right and urged countries to intensify efforts to address the basic learning needs of all.<sup>4</sup>

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<sup>1</sup> Section 3, Republic Act 8371

<sup>2</sup> United Nations Human Rights (2009). "Annual Report of Committee on Economic, Social and Cultural Rights

<sup>3</sup> Barrett, Angeline (2006). "The Concept of Quality in Education: A review of the international literature on the concept of quality in education." Department for International Development, United Kingdom

<sup>4</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO) Publication (1990)

Moreover, the extracted preamble of "World Declaration on Education for All" (UNESCO, 1990), has established the following significant pledges: (a) Recalling that education is a fundamental right for all people, women and men, of all ages, throughout our world; (b) Understanding that education can help ensure a safer, healthier, more prosperous and environmentally sound world, while simultaneously contributing to social, economic, and cultural progress, tolerance, and international cooperation; (c) Knowing that education is an indispensable key to, though not a sufficient condition for, personal and social improvement; and (d) Recognizing that traditional knowledge and indigenous cultural heritage have a value and validity in their own right and a capacity to both define and promote development.

Various theories, organizations, individuals, studies have upheld the importance of education, however, in all regions of the world, a number of people especially children still suffer disproportionately from unequal access to quality education, therefore being robbed of their full human potential and their ability to contribute fully to their own communities and to the wider society.<sup>5</sup>

Philippine Education is constitutional that it was further elaborated in Article II, Section 17 of the Philippine Constitution (1987) that it should make education, science and technology, arts, culture and sports a priority of the State. With this, the State is mandated to provide a system of education for the Filipino children and the youth. The kind of education that is envisioned in the Constitution is "quality education," a "complete, adequate, and integrated system of education relevant to the needs of the people and society," and the State must ensure that all citizens can access this envisioned system of education.<sup>6</sup> In achieving these goals, the Article 14 of 1987 Philippine Constitution mandates the State to provide for a free public elementary and secondary education; provide scholarship grants; student loan programs; subsidies and other incentives to deserving and poor students; to give the highest budgetary priority to education; mandates the State to preserve and enrich the Filipino national culture based on the principles of unity in diversity and free expression; and to protect the rights of indigenous cultural communities, among others.

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<sup>5</sup> McDougall, Gay (2009). United Nations Forum on Minority Issues. United Nation Human Rights. Retrieved from <https://digitallibrary.un.org/record/649643?ln=en>

<sup>6</sup> Article XIV, Sec. 1, and Article XIV, Sec 2 sub-section 1, 1987 Philippine Constitution

The UN Declaration on the Rights of the Indigenous Peoples, among other international human rights law, contains specific provisions on indigenous peoples' rights to education. Article 14 of the Declaration stipulates that "indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination."<sup>7</sup>

Accordingly, the situation of the Philippines' indigenous peoples is a "little-reported tragedy"<sup>8</sup>. In a country that has experienced good economic growth in recent history, the indigenous peoples seem to be a striking exception. Their struggle in life is one of great neglect, erosion of basic human rights, and severe lack of opportunity. Children of ICCs/IPs are destined to live in servitude and poverty because they face discrimination and cannot get an education. Families, despite their best efforts and hard work, cannot afford to send their children to school.

Recognizing education as a necessary means to realize other human rights and fundamental freedoms, educational programs must subscribe to the rights-based approach, which gives primary importance to the principles of participation. Nevertheless, history has evolved, but there are many IP communities that still lacked access to decent basic social services, had limited opportunities to engage in mainstream economy and suffered social, economic and political exclusion or marginalization.<sup>9</sup>

Providing an education for the indigenous people is one of the best ways to create a future full of hope for an entire generation that would otherwise suffer the same fate as their parents. Being educated offers hope and an effective way of rising above the conflict and discrimination that plagues rural areas of the Philippines.<sup>10</sup>

### **Indigenous Peoples' Rights Act (RA No. 8371)**

In the midst of various realities and challenges that the indigenous people are facing, the Philippine indigenous peoples continue to remain hopeful and convinced that a relevant education will empower them to claim, exercise and protect their rights in accordance with their culture and tradition. That is why ensuring a sustainable future for the ICCs/IPs

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<sup>7</sup> United Nations Declaration on the Rights of the Indigenous Peoples (2007).

<sup>8</sup> *Supra*, note 2.

<sup>9</sup> Padilla, Stephen Norries (2012). "An Inclusive Education that Respects Indigenous Cultures". *Philippine Daily Inquirer*.

<sup>10</sup> HOPE International Development Agency. "Building Family Ties. Retrieved from <http://www.hopeinternational.com>

emphasizes the crucial role of education in strengthening the capacities of the indigenous learners/students. It also being highlighted engaging ICCs/IPs in education is important to strengthen cultural integrity and ensure meaningful and sustainable development for the ICCs/IPs.<sup>11</sup>

Furthermore, the right of indigenous peoples to education is primarily enshrined in the Philippines Constitution (1987) which stipulates that the State shall "protect and promote the right of all citizens to qualify education at all levels, and shall take appropriate steps to make such education accessible to all."<sup>12</sup>

The Republic Act No. 8371, otherwise known as "The Indigenous Peoples Rights Act (IPRA) of 1997", also stipulates the right of Indigenous Peoples to special measures for the immediate, effective and continuing improvement of their economic and social conditions, and accordingly, the State shall guarantee the right of ICCs/IPs to government's basic services which shall include education among others.<sup>13</sup>

Subsequently, the IPRA mandates the National Commission on Indigenous Peoples (NCIP), through its Office on Education, Culture and Health (OECH) to administer all scholarship programs and other educational rights intended for ICCs/IPs in coordination with the Department of Education, Culture and Sports (DECS) and the Commission on Higher Education (CHED).<sup>14</sup> It was also in Section 4, Rule VII, Part VI of the Implementing Rules and Regulations (IRR) of Republic Act 8371 also provides for the creation of an Office on Education, Culture and Health (OECH) as the branch of the NCIP tasked for the efficient implementation of the rights of the IPs to educational, cultural, and health-related services as provided in IPRA.

The OECH crafted its IP Education framework with a view to its role as "an enabling partner" for the ICCs/IPs' physical and social well-being ensuring that programs are designed to motivate and blend well with the distinct and highly specific issues faced by ICCs/IPs. The OECH aims to harness, integrate, and harmonize multi-sectoral efforts of all stakeholders in safeguarding the educational, cultural, and health-related rights of

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<sup>11</sup> Kalindogan (2012)."IP Education: Ensuring Sustainable Future for the Indigenous Peoples." The 7th Annual Kalindogan Young Leaders Congress.

<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> Section 46c, Republic Act 8371



ICCs/IPs.

In fulfilling the mandate of the 1987 Philippine Constitution, the government is taking the lead in providing an opportunity specifically to the youth members of the indigent families to obtain quality educational support that is both relevant and accessible. Various government agencies have established the provisions of scholarship grants to qualified and deserving youths that serve as means to address the problem of poverty and unemployment which hinder authentic development.

In the discussion paper on Student Financial Assistance Programs (StuFAPs) Policies, Procedures and Control Mechanisms emphasized that undergraduate, graduate, and post-graduate scholarships and grants-in-aid (GIAs) implemented by National Government Agencies (NGAs) are generally guided by policies and guidelines for the administration and monitoring of the said subsidies through laws, IRRs, and department issuances.<sup>15</sup>

The main implementers of tertiary scholarships and grants-in-aid in the country under the Government Appropriations Act (GAA) are the CHED, Department of Science and Technology (DOST), and State Universities and Colleges (SUCs) by virtue of approved provisions included in their budgets of funds. CHED supervises and implements its scholarship programs and grants and provides for the rules therefor through CHED Memorandum Orders (CMOs) that are primarily anchored on Republic Act (RA) 7722, otherwise known as the "Higher Education Act of 1994."

Furthermore, DOST is the administrative body for science and technology scholarship programs through Republic Act No. 7687 or "An Act Instituting a Science and Technology Scholarship Program and Other Purposes."

The NCIP EAP anchored in Republic Act (RA) 8371, otherwise known as "The Indigenous Peoples Rights Act (IPRA) of 1997, specifically on Section 25, Chapter V, the NCIP-EAP formally commenced in School Year (SY) 1999-2000 under the banner of the merged Edukasyong Handog ni

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<sup>15</sup> Halili, Riza (2014). "Assessment of Student Financial Assistance Programs (StuFAP) Policies, Procedures and Control Mechanisms." Philippine Institute for Development Studies.



Erap para sa Mahihirap (EHEM) and Katutubong Mag-aaral Priority Courses (KMPC) Scholarship Programs. The NCIP Scholarship Program is available to members of the ICCs/IPs enrolled in the elementary level, high school, vocational, college, as well as post graduate courses. For that school year, the NCIP-EAP covered only the 3rd District of Davao City through the sponsorship of the Congressman of the same District. In the following year, the program was made available for the IP residents of 1st and 2nd Districts of Davao del Sur and it was in S.Y. 2003-2004 that the NCIP began region-wide implementation of the NCIP-EAP including the 1st and 2nd Districts of Davao City.

Through the initiative of some Congressmen in the House of Representatives, specific allocation for the scholarship of members of northern cultural communities in the budget of the defunct Office for Northern Cultural Communities (ONCC) was introduced in Fiscal Year (FY) 1992. The allocation became a regular budgetary appropriation in FY 1995 through the vigorous representation by concerned Congressmen. On the other hand, the defunct Office for Southern Cultural Communities (OSCC) had been apportioning from its regular allocation funds for educational assistance to clientele in its areas of jurisdiction. Moreover, the ONCC and OSCC Regional Offices had successfully worked for cooperation with civic spirited groups, local and foreign, to augment educational assistance initiatives for members of ICCs/IPs.

### **The Indigenous Peoples: Davao City**

The "Indigenous People of Davao" blog cited that Ferdinand Blumentritt mentions fourteen (14) Davao tribes: Ata, Bagobo, B'la-an, Calagan, Culaman, Dulangan, Guianga, Loac, Maguindanao, Mandaya, Manobo, Samal, Sanguil and Tagakaulo. Also mentioned that Malayan ethnology curators at Chicago's Museum of Natural History Fay-Cooper, describes extensively six of Davao's aboriginal tribes: Bagobo, B'la-an, Tagacaolo, Kulaman, Ata, and Mandaya and additional native tribes are identified as Mansaka, Libaon, Mangguan, Matigsalug and Mamanua.<sup>16</sup>

Significantly, there are five major tribes that were assisted by the

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<sup>16</sup> Diaz, Rhey Mark (2015). "DAVAO: It's History, Culture, Politics, Economy and Progress." Indigenous Peoples of Davao retrieved from <http://davaohistoryph.bogspot.com> on February 2016

National Commission on Indigenous Peoples as the agency mandated to protect and promote the rights of the indigenous peoples, namely: Ata, Bagobo-Klata, Bagobo-Tagabawa, Obu-Manuvu and Matigsalog (NCIP – Davao City Provincial Office; City Local Government of Davao).

In the earlier times, the Ata ICCs/IPs lived in the uplands or along the head waters of Salug, Talahawan and Libuganon Rivers. According to Anthropological Studies, they are the least known the of the inhabitants of Mindanao, of unknown origin and appearing to be of the Negrito and Malay fusion. They once lived in frail huts of palm leaves and bark of trees built on top of trees and primarily, hunt for livelihood. The Ata ICCs/IPs also ascribed themselves from the place where they originated which is termed as matig in their native language. For illustration, an Ata from Mapula is a Matigmapula whereas an Ata from Talahawan is a Matigtalahawan.

Originally, the Ata ICCs/IPs inhabited Mapula but when there population increased, they occupied nearby places now known as Paquibato District, Davao City up to certain portions of the Municipality of Sto. Tomas, Davao del Norte. Prior to the influx of the Spanish conquistador, they lived in peace attending to farms, do hunting and gathering in the rivers of Salog (Davao River) and Talahawan (Lasang River). When the Spaniards came, they imposed their religion and hunted their tumahuron (baylan) and detained them such that they were forced to evacuate uplands towards Panabol (now known as Panabo City). Ata ICCs/IPs are peaceful people but can be very brave and stand on their own when provoked. In history, they have stood against groups who tried to conquer them such as the Moros. They have a long history of great Ata leaders who have fought for the safety of their territory.<sup>17</sup>

The territory of the Bagobo-Klata can be found in North by the Davao River, South by the Lipadas River, in the boundary of North Cotabato and Davao City in West, and in the East by Davao City. It was in 2014 that the Bagobo-Klata ancestral domain was formally recognized through CADT No. R11-DAV-0514-168 with a total area of 6,378.0865. It covers the barangays of Manuel Guianga, Sirib, Tamayong, and Tugbok and Calinan Districts all in Davao City.

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<sup>17</sup> NCIP Coffee Table Book 1, Region XI, 2021

The past of the Bagobo-Klata as lived by their ancestors created a community of dreamers and achievers. Even before there were foreign conquerors, the Bagobo-Klata had developed economic and political systems that allowed the people to excel and prosper as individuals. It may be apparent that their ancestral domain is small as to hectarage compared to other ICCs/IPs, they strived to build landmarks not of structures but of achievements of their people.

Klata, as figuratively defined, means vein or life. Descriptively, it came from the word "olat" which means middle. Their ancestors were the original inhabitants of the west part of Davao River's mouth. This is in the middle or crossroads to the ancestral domains of other Indigenous Cultural Communities. This geographic location of territory was potential for trading. The BAgobo-Klatas were considered as the lifeblood of the ancient times commerce in the countryside of Davao City. Klata also means "klat-ang" which is a bamboo stair with a single post at the center. When the stair is removed, this means that the household members were not around. And so it is removed during night time to deceive those with ill intentions.<sup>18</sup>

In 2013, the territory of Matigsalug was formally recognized through CADT No. R10-KIT-0703-0011 traversing Region 10 (Province of Bukidnon), Region 11 (Davao City) and Region 12 (Province of Cotabato).

Since the earliest times, the Magbabaya (God) bestowed every dalupo (community) in the vast mountain ranges of Mindanao with abundant resources from both the land and water, sustaining the needs of people who are skilled farmers, hunters and food gatherers. Among these are the Matigsalug ICCs/IPs. Matig referring to "the place where we come from" and Salug which means river.

Many of the generations of Matigsalug have kept and protected the forests, sanctuaries and streams including the ones in Gumitan. Gumitan was named after the three siblings of Apo Ngabong or Ngabol namely Midtan and Maytan (female twins) and Guro (mal). Apo Ngabong, together with Apo Buyog was the first dweller of the dalupo. Both were highly respected leaders known not only for their riches, but also for their leadership qualities of character, wisdom and bravery.<sup>19</sup>

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<sup>18</sup> Ibid

<sup>19</sup> Ibid

The Obu-Manuvu is longossa nokod ubpo (blood to blood) as a result of intermarriages in divowyon (on the other side). For this reason, language used is almost the same. All the descriptive names of mountains, rivers and creeks were derived from their own dialect including the burial grounds of elders, hunting, sacred sites and medicinal plants. When they are asked of their identity, they would simply remark manuvu koy meaning "I am a manuvu." Manuvu occupies portions of Southern Bukidnon, Northern Cotabato and Northwestern Davao.

The territory of the Obu-Manuvu was formally recognized through CADT No. R11-DAV-1108. They are a sub-tribe of the Bagobo where their compound name Obu-Manuvu is derived from what is ascribed to it by the other two sub-tribes (Bagobo-Klata or Jangan and Bagobo-Tagabawa) and by its self - ascription both ascription being combined together. Originally, the Manuvu of Davao were called Tahaurrog (meaning those living along rivers).<sup>20</sup>

"Bagobo" refers to people inhabiting the slopes of Mt. Apo while "Bawa" means South where the word "Tagabawa" was coined. "Tagabawa" refers to those who were the first inhabitants of the southern and eastern slopes of the mountain.

The Ancestral Domain of the Bagobo-Tagabawa stretches from Lipadas River in Davao City to Saguing River in Makilala, North Cotabato. Their territory covers Toril, Sta. Cruz, Digos City, Bansalan heading up to Kidapawan. This would also include the upland and coastal areas in Talomo, Daliao, Darong, Astorga, Sta. Cruz and Digos.

One of the most revered material culture for the Bagobo-Tagabawa would be their traditional attire and accessories because it showcases their creativity and resourcefulness. They are known as the most colorful ICCs/IPs in Davao City because of their attire. Even the Spaniards during colonization mentioned them as one of the most well-dressed natives. The Bagobo-Tagabawa use materials found in their surroundings as part of their ornaments. They are also artistic and love to display colorful accessories over almost all parts of their bodies.

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<sup>20</sup> Ibid

The Bagobo-Tagabawa tie-dyed abaca fibers in deep red, maroon, and black colors using dyes from trees of sikarig, kinarrám and kalawag which are bountiful in Mt. Apo. When the dyed fibers are dry, they weave these fibers into longitudinal strips with geometric designs representing nature and human beings. They also include in the weaving white undyed fibers to provide contrast to the colored ones. The motifs, spaces, and symmetry are recalled from memory. The finished product is called inabúl and these are polished using stones and shells to bring out a special luster and softness to the fabric.<sup>21</sup>

### NCIP Education Assistance Program

Adopted as one of the major programs of the NCIP, the budgetary appropriation for the scholarship grants to IPs was proposed to be retained in FY 1999 by members of the House of Representatives. Initially, the program was recommended for transfer to the Commission on Higher Education (CHED) by the Senate but it was restored in the bicameral session of both chambers of Congress after putting a high premium on the provisions of the IPRA, so that the budgetary appropriation was subsequently included in the General Appropriations Act (GAA) and in fact, it was increased to expand the coverage of the scholarship program nationwide.

The role of implementing agency in the provision of scholarships and educational assistance is vital as it is in this part were recipients could define the degree to which a program is implemented effectively or not. Moreover, agencies are responsible for policy guidance and direction, monitoring and evaluation and the promulgation of rules and regulations.

In the educational assistance offered by various government agencies such as CHED, DOST, DSWD, TESDA and LGUs, the main tasks of offices/agencies involved in the implementation are stipulated in memorandum orders, circulars, guidelines and handbooks. Such that, in CHED Memorandum Order (CMO) No. 13, Series of 2014, the CHED Regional Office (CHEDRO), in the implementation of Student Financial Assistance Programs (StuFAPs), is tasked to create a CHEDRO StuFAPs committee who will oversee the operation and implementation of the program.

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<sup>21</sup> Ibid

The CHEDRO is an arm tasked in promoting the program through visually-aided campaigns to be disseminated online, through department memoranda, as well as through brochures, flyers and other medium of information dissemination. The office also conducts assessments of the submitted documents from all the applicants and thereafter recommends who the qualified applicants are as well as their respective ranks using the selection criteria. It is also their tasks to issue notice of award and contract to qualified applicants based on results of ranking and slot assignment, orient the scholars/grantees/borrowers of their obligations/duties and responsibilities.

Likewise, the office is responsible for the termination of scholars/grants/loans and tasked to submit the required status reports, submits to fund utilization report per semester and will act on requests of scholars/grantees/borrowers for transfer to another school, as well as when grantees defer their enrolment or manifest their intent to shift to another course,, and the like. The CHEDRO will in turn, provide Higher Education Institutions (HEIs) with the approved master list of scholars/grantees/borrowers for proper identification, requires the registrar to provide the necessary documents needed; release financial benefits to scholars/grantees/borrowers following mode of payment, monitors participating HEIs and beneficiaries and submits to CHED-Office of Student Development and Services the updated data on status of scholars/grantees/borrowers and maintain the corresponding updated data base.

Moreover, the Department of Science and Technology (DOST) Science Education Institute (SEI) has several educational scholarship programs to increase the science and technology human resource development in the country. In administering its scholarship programs, the DOST established an advisory committee that is an inter-agency by nature. The committee ensures that its scholarship programs are coordinated and implemented effectively. effective coordination of the program. Withal, it is the aforesaid advisory committee that is tasked for the formulation of guidelines and priorities for the DOST-SEI's scholarship programs and for the criteria in the selection of awardees. Correspondingly, The DOST-SEI takes the lead in monitoring and evaluation of its scholars. A periodic evaluation of the academic performance of the scholars are also conducted by the committee on technical and selection.<sup>22</sup>

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<sup>22</sup> Supra, Note 2

It is consequently indicated in the S&T Scholars Handbook Academic Year (AY) 20014-2015 that the DOST-Regional Offices have been empowered to provide administrative and technical assistance to scholars in the region. As such, it disburses financial assistance, monitors academic performance, and acts on request, appeal, queries, complaints, among other tasks.

Furthermore, stipulated in Section 21 of NCIP Administrative Order No. 5, Series of 2012 is the role of NCIP in the administration of the NCIP-EAP of which it is responsible in accepting application papers filed by the applicants; assist the applicants to comply with the required documents and conducts evaluation and validation of the supporting paper. It shall also prepare and submit semestral physical and financial status report with narrative reports; conduct periodic monitoring of awardees to have information on their progress; do mentoring and counseling to the awardees; facilitates Memorandum of Understanding (MOU) execution and release educational assistance to the grantees. The office also has the responsibility of deciding and implementing decision in cases of disqualification, displacement, discontinuance, deferment and appeals; assists grantees in job placement or entrepreneurship after graduation; and propose amendments or enhancement of the guidelines.

The statistics shown in Student Aid Policy Analysis of Kantrowitz demonstrated that, as a whole, private sector scholarship programs tend to perpetuate historical inequities in the distribution of scholarships according to race. However, the reason of this is not on deliberate discrimination, but rather as a natural result of the personal interests of the scholarship sponsors. The sponsors of scholarships have been observed to have the tendency of specifically choosing for characteristics, activities and talents that interests them distinctly.<sup>23</sup>

Most of the general requirements for student applicants for educational assistance concerns of citizenship, grades of previous school graduated or attended, annual gross income of parents/guardian, commitment of parent/guardian to support the student throughout the study and must avail only one scholarship or financial assistance program if they are availing government scholarship programs. As an example, the

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<sup>23</sup> Kantrowitz, Mark. (2003) "The Distribution of Grants and Scholarships by Race". Student Aid Policy Analysis available at <https://pdf4pro.com/view/student-aid-policy-analysis-the-distribution-of-1af20d.html> on September 2, 2011.



CHED recommends to new college students to enroll in "priority courses" in order to avail of the available financial assistance programs and in order to engage in highly demanded jobs that will alleviate the country's economic standing.<sup>24</sup>

The Discussion Paper on StuFAPs Policies, Procedures and Control Mechanisms of Halili (2014) discussed that DOST-SEI qualifications require the applicants to be part of a certain income bracket group and have exceptional class standing as a control measure that scholarship awardees are only those who are financially meager, talented, and deserving. The law also requires the scholarship to be given to a specific number of scholars per municipality or locality, which is a good control mechanism for greater inclusion.<sup>25</sup>

Meanwhile, the Expanded Students' Grants-In-Aid Program for Poverty Alleviation (ESGP-PA) implemented through Joint Memorandum Circular No. 2014-1 is a collaboration program of State Universities and Colleges (SUCs), CHED, DBM, DSWD and Department of Labor and Employment (DOLE) specifies that the grantees of the program are indigent but highly qualified and competitive students who deserve to be given priority as Pantawid Pamilya beneficiaries. A proviso entails that they must have qualified to enroll in selected SUCs to take up priority programs of CHED and other courses aligned with the government key growth areas.

Likewise, the applicants of NCIP-EAP must qualify the general criteria and the specific criteria which include compliance and submission of the required documents. It is also specified that the applicant must be a bona fide member of an ethno linguistic group in the community, and willingness to sign an undertaking to serve his/her community after completion of his/her studies should there be opportunity and taking priority course needed in his/her community.<sup>26</sup>

Each country's scholarship varies in its selectivity. The application process in financial assistance is complicated but while the process can

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<sup>24</sup> Bacani, Louis. (2014) "CHED Lists In-demand, Priority College Courses Until 2018" retrieved from <https://www.philstar.com/campus/2014/05/26/1307196/ched-lists-demand-priority-college-courses-until-2018> on May 26, 2014.

<sup>25</sup> Supra, Note 3.

<sup>26</sup> Section 5, NCIP-Administrative Order No. 05, S.2012. Guidelines of 2012 on the Merit-Based Scholarship (NCIPMBS) and Educational Assistance (NCIP-EA) Program.

be complicated, the less income and assets a student and/or family has, the simpler it is to apply.<sup>27</sup>

In the case of CHED StuFAPs, student applicants submit their accomplished CHED StuFAPs application directly to the CHEDRO concerned. However, applicants who intend to enroll in SUCs shall directly submit StuFAPs application to the concerned SUCs as stipulated in its Calendar of Activities.<sup>28</sup>

Moreover, even if it is not required in the law or in the IRR of DOST-SEI, all awardees and Notices of Award are posted on website making their procedures transparent and they use control numbers rather than names in screening applications in order to level the playing field and avoid interference from sectors that might want to influence the results of the examination.<sup>29</sup>

The ESGP-PA has likewise created timelines in its JMC No. 2014-1 where activities were laid down with corresponding responsible agencies and schedules on the selection process. The process includes validation of potential grantees and confirmation of its eligibility; conduct of orientation on the guidelines; administration of admission exam; and release of allotment comprehensively directly to the SUCs, orientation of ESGP-PA student-grantees, organization or enhances value formation, remedial or mentoring up to the release of Notice of Cash Allocation (NCA) to the ESGP-PA SUCs.

Consequently, the selection procedure for NCIP-EAP is stipulated in Section 10 of NCIP AO No. 05, S.2012 which starts in the submission of application together with the required documents to the NCIP Provincial Office. It is in the NCIP Provincial Office where the submitted documents of applicants were initially evaluated. The NCIP Provincial Office specifically receives and confirms submitted application for validation and transmittal to the Regional Screening and Selection Committee (RSCC).

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<sup>27</sup> Michael S. McPherson & Morton Owen Schapiro (2002) *The Blurring Line Between Merit and Need in Financial Aid*, *Change: The Magazine of Higher Learning*, 34:2, 38-46, DOI: 10.1080/00091380209601844

<sup>28</sup> CHED Memorandum Order No. 13, Series of 2014, Revised Guidelines for the Implementation of StuFAPs, Effective AY 2014-2015

<sup>29</sup> *Ibid*

The aforesaid committee is responsible in selecting the grantees under oath using the criteria and qualifications embodied in the guidelines. This leads to a master list of endorsed grantees. Then, it is the Commissioner from the Region who will recommend the regional master list to the Commission En Banc (CEB) through OECH, upon notice to the Office of the Executive Director (OED) that it must be included in the CEB agenda.

It is the Commission En Banc therefore which finally decides on the master list and immediately thereafter, from the date of the recommendation of the CEB, the OECH shall cascade the information to the respective Regional Directors. It is the latter who shall cause the fast and efficient notification to the qualified grantees. The Regional Director directs the convening of the awardees by the Provincial Office, as the case may be for the orientation. Notices of orientation should also be furnished to OECH and the concerned Commissioner. The rules on selection and screening are also stipulated in Section 9 of the same administrative order.

### **Other Philippine Laws on IP Education**

The General Appropriations Act (GAA) is among the most crucial legislative enactments that Congress annually passes. The GAA is the law that specifies the annual expenditure program of the national government and all governmental instrumentalities. These expenditure outlines are inclusive of all financed state projects that are supposed to be funded out of government funds for the given cycle. It is the Department of Budget and Management (DBM) who oversees appropriations under the GAA.

Section 16 of RA 8545 (Expanded Government Assistance to Students and Teachers in Private Education Act) orders that the amount needed to implement the programs shall be provided for in the annual General Appropriations Act and that all funds appropriated for the purpose shall be constituted as a trust fund to be administered by the State Assistance Council, which shall be directly and automatically released to the different regional offices of the Department of Education.

JMC No. 2014-1 of SUCs, CHED, DSWD, DBM and DOLE specified that Two Billion Five Hundred Million Pesos (Php 2,500,000,000.00) shall be used for tertiary education (ESGP-PA) of poor but highly qualified and deserving students who belong to an indigent family under the National Household Targeting System for Poverty Reduction (NHTS-PR). It is the

DSWD which identifies these individuals and other informal sector families. Potential student-grantees shall be enrolled in SUCs in course offerings aligned with the priorities of the government.

Likewise, the slot allocation for the NCIP-EAP assistance grant shall be dependent on the approved budget of the program for the current fiscal year. Slots allocation by province shall be decided by the Commission based on the zero based allocation formula as determined based on population size of ICCs/IPs and other development indicators that the Commission, upon advice of the OECH, may deem appropriate for consideration.<sup>30</sup>

Financial aid is classified into two varieties, based on the criteria through which the financial aid is awarded: merit-based or need-based. Those grants or scholarships that are awarded by the college or university and those awarded by outside organizations are merit-based. Typically, merit-based scholarships are typically awarded for outstanding academic achievements. Meanwhile, need-based financial aid is awarded on the basis of the financial need of the student.

The National Postsecondary Aid Survey (NPSAS) revealed that Scholastic Aptitude Test (SAT) scores have an impact on the size of institutional need-based financial aid because students who obtained high SAT score with low family income tends to receive higher institutional need-based grants than those who obtained low SAT scores with low family income. The survey results further posted a conclusion that an institutional need-based awards are less considerate to the need and are instead more considerate to academic value. Hence, with the cost of tuition and other fees that are annually increasing, low-income students tend to find it hard to pay for their education. With the effort to help students in meeting the high costs of tertiary education, more schools have increased their merit-based scholarship grants to students who has outstanding academic position, school organization involvement or has contribution in athletic field.<sup>31</sup>

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<sup>30</sup> Section 13, NCIP-Administrative Order No. 05, S.2012. Guidelines of 2012 on the Merit-Based Scholarship (NCIP-MBS) and Educational Assistance (NCIP-EA) Program.

<sup>31</sup> *Supra*, Note 2.

The state of Columbia has a record of attracting among the most socio-economically diverse undergraduate student populations among peer institutions through commitment to need-blind admissions.<sup>32</sup> As a matter of fact in the United States, need-blind admissions do not consider a student's financial need. There is a college admission policy in which when deciding admission, the admitting institution does not consider an applicant's financial situation. Prior to the recent overhaul in public universities' funding under the Duterte administration, many colleges and universities are unable to offer financial programs to their admitted students to the extent that most of such schools admit all students on a "need-blind basis". This means that they tend to end up not being able to offer the students with sufficient aid for them to meet their needs in pursuing school.<sup>33</sup>

Subsequently, the CHED continues to provide the poor and deserving Filipinos the opportunities to quality higher education as articulated in its Long Term Development Plan provisions for "Access and Equity" as they organized and continued to implement scholarship programs as well as grants-in-aid and loan programs for students in need. The financial benefits for each academic year of StuFAPs is P30,000 for Full Merit Program, P7,500 for Half Merit Program, P15,000 for Private Education Student Financial Assistance (PESFA), P6,000.00 up to P12,000 for Tulong Dunong based on tuition and other fees of HEIs and P15,000 for Study Now Pay Later Plan. The details of qualifications, requirements and procedures were based on CHED Memorandum Order No. 13 Series of 2014.

Under the aforesaid program, the chosen student to receive a grant under the Expanded SGP-PA receives up to a maximum of Sixty Thousand Pesos (P60,000) per academic year or Thirty Thousand (P30,000) as grant per semester. This type of grant is designed to address the expenses of students in terms of tuition and other school fees, academic and extra-curricular expenses; as well as their budget for textbooks; rental expenses for boarding houses; transportation to and from school; clothing allowances; admission/entrance fees; health and other valid related education expenses and support services to complete the student-grantee's degree program.<sup>34</sup>

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<sup>32</sup> Columbia News. (2013) "Columbia News-Financial Aid" retrieved from [https://www.college.columbia.edu/cct/archive/fall13/around\\_the\\_quads1](https://www.college.columbia.edu/cct/archive/fall13/around_the_quads1).

<sup>33</sup> Kiley, K. (2012). "Need and Want" Inside Higher Ed. Retrieved from <http://www.insidehighered.com/news/2012/10/30/colleges-rethink-need-blind-admissions-favor-meeting-need>.

<sup>34</sup> CHED Selection of Expanded Students' Grant-in-Aid Program for Poverty Alleviation (ESGP-PA) per Joint Memorandum Circular No. 2014-1.

The DOST-SEI scholars on the other hand, has privileges to enjoy which includes financial benefits for school fees, book allowance, transportation expenses, clothing allowance, group health and accident insurance and monthly living allowance. The tuition and other school fees is based on the Statement of Account/Bill/Official Receipt. But these incurred expenses should not to exceed P10,000 per semester for students who enrolled in schools with semestral schedule and not to exceed P8,000 per trimester for those enrolled in schools with trimester schedule. For prescribed textbooks and essential school supplies, it is to be released as outright grant at P10,000 per academic year. The transportation expenses cover one actual economy round trip fare per academic year from permanent residence to the place of study (for those studying outside of home province). The amount of P500 earmarked for the Physical Education uniform is part of the grant which the student receives during the first semester but only on their first year only. Monthly living allowance during actual study, for 10 or 11 months' duration of an academic year is given at P4,000 or P5,000 per month.<sup>35</sup>

Section 15 of NCIP Administrative Order No. 05 stipulates that the financial benefit that shall accrue to the grantee shall be P10,000 per semester or tri-mester, which shall be divided into tuition and miscellaneous fees (P8,000) and book allowance (P2,000), provided however, that in the case of insufficiency of funds or any justifiable reason, the NCIP Regional Office may recommend a decrease to the Commission En Banc which when approved shall be implemented accordingly.

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<sup>35</sup> DOST Science Education Institute. S&T Scholars Handbook AY 2014-2015. Available at <https://www.sei.dost.gov.ph/index.php/downloads>.

## CONCLUSION

**E**ducational assistance of various agencies has its' distinctive purpose and bases to adequately deliver its program hence the brief discussion and presentation of NCIP-Educational Assistance Program (NCIP-EAP) objectives and policies. The NCIP-EAP is conceptualized to assist deserving indigenous peoples' youths to pursue appropriate education through financial assistance and facilitation of academic endeavors. Ideally, the financial assistance covers tuition fee, books and living allowance of every individual grantee.

The NCIP-EAP's objective is to primarily invest in human capital by granting educational assistance to deserving indigenous peoples' youth who seek the opportunity and qualify for higher education and to further empower them to become self-reliant and capacitated to meaningfully contribute to the promotion of their well-being, of their communities and to nation-building.

Specifically, the educational assistance program was designed to: (a) make available, accessible, and meaningful educational assistance opportunities to underprivileged but deserving indigenous peoples; (b) to motivate the indigenous peoples' youth who are qualified for the educational assistance to acquire higher degree of education; (c) to develop pride in their culture and traditions and be able to contribute to the recognition and promotion of the rights and well-being of the indigenous cultural communities/indigenous peoples; (d) to encourage qualified indigenous peoples' youth to undergo college education in priority and relevant courses that can be of significant help in their ancestral domains; (e) to develop academically or technically prepared and socially responsible indigenous peoples who can be depended upon as leaders within or outside of their communities and the nation as a whole; (f) to instill to the indigenous peoples to value and appreciate education as liberating and empowering tool in responding to IP community needs; and (g) to provide the indigenous peoples with various skills and capacities to contribute their share to nation-building.

The right of indigenous peoples is enshrined in 1987 Philippine Constitution, Indigenous Peoples Rights Act (IPRA), and numerous international human rights instruments. This paper will emphasize that



IP communities have the right to be granted and attended with efficient and continuous means for improvement of their economic and social conditions. As the statutes and international law provide, the state shall guarantee the right to ICCs/IPs to government's basic services which shall include education.

Moreover, Section 46(c), Chapter VII of the IPRA elaborated that the National Commission on Indigenous Peoples (NCIP) through the Office of Education Culture and Health (OECH) is mandated to administer and implement all educational assistance programs and other educational rights intended for indigenous peoples in coordination with DepEd and CHED.

Finally, the policies to strengthen the transparency and accountability in the implementation of the program should be established as this will enable the NCIP in meeting the developmental objective of the program and that is, to improve the over-all quality of life and efficiency of the ICCs/IPs thru increased access to educational opportunities.

**BIBLIOGRAPHY****Primary Sources****Laws, Administrative Rules and Regulations, and Court Rules**

1987 Constitution of the Republic of the Philippines

Republic Act no. 8371 or the Indigenous Peoples Rights Act

CHED Memorandum Order No. 13, Series of 2014 or the Revised Guidelines for the Implementation of StuFAPs, Effective AY 2014-2015

DOST Science Education Institute. S&T Scholars Handbook AY 2014-2015. Available at <https://www.sei.dost.gov.ph/index.php/downloads>.

Joint Memorandum Circular No. 2014-1 of the CHED Selection of Expanded Students' Grant-in-Aid Program for Poverty Alleviation (ESGP-PA)

NCIP-Administrative Order No. 05, S.2012. or the Guidelines of 2012 on the Merit-Based Scholarship (NCIP-MBS) and Educational Assistance (NCIP-EA) Program

**Treaties and International Convention**

International Labor Organization (2007). *The Road to Empowerment and Strengthening the Indigenous Peoples Rights Act: Old Ways, New Challenges*

United Nations Declaration on the Rights of the Indigenous Peoples (2007)

United Nations Human Rights (2009). "Annual Report of Committee on Economic, Social and Cultural Rights

United Nations Educational, Scientific and Cultural Organization (UNESCO) Publication (1990)

### Journal Articles

Bacani, Louis. (2014) "CHED Lists In-demand, Priority College Courses Until 2018" retrieved from <https://www.philstar.com/campus/2014/05/26/1307196/ched-lists-demand-priority-college-courses-until-2018> on May 26, 2014.

Barett, Angeline (2006). "The Concept of Quality in Education: A review of the international literature on the concept of quality in education." Department for International Development, United Kingdom

Diaz, Rhey Mark (2015). "DAVAO: It's History, Culture, Politics, Economy and Progress." Indigenous Peoples of Davao retrieved from <http://davaohistoryph.bogspot.com> on February 2016

Halili, Riza (2014). "Assessment of Student Financial Assistance Programs (StuFAP) Policies, Procedures and Control Mechanisms." Philippine Institute for Development Studies

Kantrowitz, Mark. (2003) "The Distribution of Grants and Scholarships by Race". Student Aid Policy Analysis available at <https://pdf4pro.com/view/student-aid-policy-analysis-the-distribution-of-1af20d.html> on September 2, 2011

Kiley, K. (2012). "Need and Want" Inside Higher Ed. Retrieved from <http://www.insidehighered.com/news/2012/10/30/colleges-rethink-need-blind-admissions-favor-meeting-need>.

McDougall, Gay (2009). United Nations Forum on Minority Issues. United Nation Human Rights. Retrieved from <https://digitallibrary.un.org/record/649643?ln=en>

Michael S. McPherson & Morton Owen Schapiro (2002) The Blurring Line Between Merit and Need in Financial Aid, Change: The Magazine of Higher Learning, 34:2, 38-46, DOI: 10.1080/00091380209601844

Padilla, Stephen Norries (2012). "An Inclusive Education that Respects Indigenous Cultures". Philippine Daily Inquirer.

**Miscellaneous**

Columbia News. (2013) "Columbia News-Financial Aid" retrieved from [https://www.college.columbia.edu/cct/archive/fall13/around\\_the\\_quads1](https://www.college.columbia.edu/cct/archive/fall13/around_the_quads1).

HOPE International Development Agency. "Building Family Ties. Retrieved from <http://www.hopeinternational.com>

Kalindogan (2012)."IP Education: Ensuring Sustainable Future for the Indigenous Peoples." The 7th Annual Kalindogan Young Leaders Congress

NCIP Coffee Table Book 1, Region XI, 2021