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SENATE  
S. No. 1561

RECORDED BY: *ju*

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article 14, Section 1, provides that:

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.

With regard to public elementary and high school education, it provides in Article 14, Section 2 that:

The State shall:

(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;

Even though there is a constitutional declaration as regards free public elementary and high school education, there have been various reports that there are some public school teachers and principals who still refuse to admit students and release report cards and other documents for clearance purposes in public schools for failure of the students to pay miscellaneous and other fees. Although the Department of Education has already issued various department orders reiterating that such practice is prohibited, it seems like some teachers and principals are not afraid of the administrative consequences for violating the Department of Education's order.

Therefore, in order to ensure that we have a truly free public elementary and high school education, there should a be law which would effectively deter teachers and principals from refusing to admit students and release report cards and other documents for clearance purposes based on the sole ground of non-payment of miscellaneous and other fees.\*

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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\* This bill was originally filed in the Thirteenth Congress, Third Regular Session.

SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )



Senate  
Office of the Secretary

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SENATE  
S. No. 1561

RECEIVED BY: *fic*

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Introduced by Senator Miriam Defensor Santiago

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1 AN ACT

2 PENALIZING THE REFUSAL TO ENROLL STUDENTS OR TO RELEASE REPORT  
3 CARDS AND OTHER DOCUMENTS IN PUBLIC ELEMENTARY AND SECONDARY  
4 SCHOOLS FOR FAILURE TO PAY MISCELLANEOUS AND OTHER FEES

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

5 SECTION 1. *Short Title.* - This Act shall be known as the "Anti-Student Extortion Act."

6 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to  
7 establish and maintain a system of free public education in the elementary and high school  
8 levels. This Act aims to pursue this policy by penalizing teachers and principals who refuse to  
9 admit students and to release report cards and other documents for clearance purposes for non-  
10 payment of miscellaneous and other fees.

11 SECTION 3. *Offense.* - Any public elementary or secondary school teacher, principal, or  
12 agent of such teachers and principals who shall require the payment of miscellaneous and/or  
13 other fees for school admission, enrolment, or the release of report cards, test results, or other  
14 documents shall be guilty of the offense of student extortion.

15 SECTION 4. *Penalties.* - Any person who commits any of the unlawful acts mentioned in  
16 the next preceding section shall be punished with imprisonment of not less than six (6) months  
17 and not more than one (1) year, or a fine of not less than five thousand pesos (P5,000.00) nor  
18 more than ten thousand pesos (P10,000.00), or both, at the discretion of the court.

1           SECTION 5. *Separability Clause.* - If any provision or part thereof is held invalid or  
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
3 valid and subsisting.

4           SECTION 6. *Repealing Clause.* - Any law, presidential decree or issuance, executive  
5 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent  
6 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

7           SECTION 7. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
8 publication in at least two (2) newspapers of general circulation.

Approved,