


'19 JUL 10 A9:12

SENATE

Senate Bill No. 311

RECEIVED BY: 

Introduced by Senator Juan Miguel F. Zubiri

**AN ACT
PROHIBITING A "NO PERMIT, NO EXAM" POLICY OR ANY SUCH POLICY
THAT PREVENTS STUDENTS OF ANY EDUCATIONAL INSTITUTION FROM
TAKING THEIR EXAMINATIONS DUE TO UNPAID TUITION AND OTHER
SCHOOL FEES**


EXPLANATORY NOTE

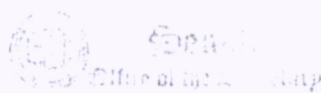
Article XIV, Section 1 of the Philippine Constitution states that "the State shall protect and promote the right of all citizens to quality education and shall take appropriate steps to make such education accessible to all."

This bill upholds this right especially in cases where students are not allowed to take exams or attend classes due to non-payment or late payment of tuition fees and other school fees. This bill seeks to prohibit such act and penalizes educational institutions found to have committed such practice.

No one can deny that school tuition fees have been going on a steady rise. Considering the other expenses a family has to spend on, it has become difficult for some parents to pay for their children's tuition fee on time. No child should be denied his or her right to education due to financial troubles. It is the hope of this bill to ease the worry of parents with respect to their children's education and ultimately protect every student's right to education as they continue to learn, grow, and participate in and outside of school.

In view of the foregoing, the approval of this bill is earnestly sought.


JUAN MIGUEL F. ZUBIRI



SENATE

Senate Bill No. 311

RECEIVED BY:

Introduced by Senator Juan Miguel F. Zubiri

AN ACT
PROHIBITING A "NO PERMIT, NO EXAM" POLICY OR ANY SUCH POLICY
THAT PREVENTS STUDENTS OF ANY EDUCATIONAL INSTITUTION FROM
TAKING THEIR EXAMINATIONS DUE TO UNPAID TUITION AND OTHER
SCHOOL FEES

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

SECTION 1. Short Title. – This Act shall be known as the "Banning a No Permit, No Exam Policy Act."

SEC. 2. Declaration of Policy. – It shall be the policy of the State to protect and promote the right of all the citizens to quality education at all levels. The State shall take appropriate steps to make such education accessible to all. Thus, it is hereby declared unlawful for any educational institution, whether public or private to disallow any student from taking any examination due to non-payment of tuition and other school fees.

SEC. 3. Coverage. – This Act shall cover the following educational institutions:

- (a) Private elementary schools;
- (b) Private secondary schools;
- (c) Public and private post-secondary technical-vocational institutes; and
- (d) Public and private Higher Education Institutions (HEIs), including local colleges and universities.

SEC. 4. No Permit, No Exam Policy. – Schools shall be prohibited from adopting a "No Permit, No Exam Policy," which limits the right of every student to take examinations notwithstanding the existence of unpaid financial obligations to the school. *Provided,* That the parents or legal guardian of the student provide a promissory note, addressed to the school, indicating the amount and the date of payment.

1 The school shall reserve the right to pursue the recovery of the unpaid tuition fees
2 through proper court action where civil rights and liabilities may be judicially established
3 and collected. This shall not prohibit the student, parents, or legal guardians to seek
4 informal means of resolving tuition fee disputes or enter into an agreement with the
5 school before proceeding to court.

6 **SEC. 5. *Prohibited Acts.*** – The following acts shall be prohibited:

- 7 a) Disallowing students with due and unpaid tuition and other school fees from taking
8 examinations or providing a different schedule of exam from the rest of the student
9 body; and
10 b) Requiring the students to secure a special permit to take the examinations from the
11 school authorities prior to the administration of examinations.

12 **SEC. 6. *Penalties.*** – Any educational institution official or employee, including
13 deans, coordinators, advisers, professors, instructors, principals, teachers, and other
14 concerned individuals found guilty of violating any of the unlawful acts enumerated in
15 Section 7 of this Act shall be punished by a fine of not less than Twenty Thousand Pesos
16 (P20,000.00) but not more than Fifty Thousand Pesos (P50,000.00).

17 **SEC. 7. *Implementing Rules and Regulations.*** – The Department of
18 Education (DepEd), Technical Education and Skills Development Authority (TESDA) and
19 Commission and Commission on Higher Education (CHED) shall issue the rules and
20 regulations necessary to implement the provisions of this Act within sixty (60) days from
21 the date of its approval.

22 **SEC. 8. *Separability Clause.*** – If any provision or part of this Act is held invalid
23 or unconstitutional, the other sections or provisions hereof shall not be affected thereby
24 and shall remain in force and effect.

25 **SEC. 9. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
26 proclamations, issuances, administrative order, rules and regulations contrary to or
27 inconsistent with any provision of this Act are hereby amended, repealed or modified
28 accordingly.

29 **SEC. 10. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
30 its publication in any two (2) newspapers of general circulation.

31 *Approved,*