


FIFTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
First Regular Session

SENATE  
OFFICE OF THE SECRETARY

10 JUL 12 AM 7:28

SENATE

Senate Bill No. 1115

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INTRODUCED BY HON. MANNY VILLAR

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#### EXPLANATORY NOTE

It is the policy of the State to give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development. It is further provided in Section 1, Article XIV of the Constitution 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 education accessible to all."

Pursuant to the aforecited State policy, this Bill proposes to establish Tuition Fee Rationalization Council, a multisectoral body that shall serve as the highest policy-making body on matters pertaining to tuition fee rates and other increases or adjustments in school fees. The bill aims to promote affordable access to quality education by rationalizing and/or reasonably regulating tuition fee rates and increases in all education institutions including other fees.

In view of the foregoing, the immediate approval of this bill is hereby urged.

  
MANNY VILLAR

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**AN ACT**  
**RATIONALIZING AND REGULATING TUITION AND OTHER SCHOOL FEES**  
**IN ALL HIGHER AND BASIC EDUCATION INSTITUTIONS, CREATING A**  
**TUITION FEE RATIONALIZING COUNCIL, AND FOR OTHER PURPOSES**

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

1 SECTION 1. *Title.* – This Act shall be known as the “Tuition Fee Rationalization  
2 Act.”  
3

4 SECTION 2. *Declaration of Policies and Objectives.* – Section 1, Article XIV of  
5 the 1987 Constitution mandates the protection and promotion of the right of all citizens  
6 to quality and affordable education at all levels and that the State shall take appropriate  
7 steps to make such education accessible to all. Section 13 Article II, further recognizes  
8 the role of the youth in nation-building and shall promote and protect their physical,  
9 moral, spiritual, intellectual and social well-being. In view of these, the following are  
10 hereby declared the objectives of this Act:  
11

- 12 (a) To promote affordable access to quality education by rationalizing and/or  
13 reasonably regulating tuition fee rates and increases in all education  
14 institutions including other fees;  
15 (b) To provide all education institution with accredited programs greater flexibility  
16 and autonomy in tuition fee rate fixing and/or tuition fee increase  
17 adjustments;  
18 (c) To establish an Tuition Fee Rationalization Council which is envisioned to be  
19 an multisectoral body that shall serve as the highest policy-making body on  
20 matters pertaining to tuition fee rates and other increases or adjustments in  
21 school fees; and  
22 (d) To provide an effective and rational mechanism for fixing the tuition fee rate  
23 and adjustments in other school fees in all education institutions including  
24 those to be adopted by the boards of State universities and colleges that is  
25 acceptable to concerned stakeholders taking into account socioeconomic  
26 and other considerations and safety nets.  
27

28 SECTION 3. *Coverage.* – (a) Tuition fees – As a general rule, public and private  
29 academic and technical institutions shall be allowed to impose tuition fee increases  
30 and/or adjustments without prior consultations, on incoming freshmen students in the

1 secondary and tertiary level, and in the first and fifth grade in the elementary level only.  
2 There shall be no tuition fee increases and/or adjustments in all other year levels.  
3

4 The tuition fee increases which may be allowed to be imposed shall not exceed  
5 fifteen percent (15%) of prevailing rates: *Provided, however,* That any proposed tuition  
6 fee increase and/or adjustment in excess of the stipulated percentage affecting not only  
7 the segment of students stated above by all other year levels including those to be  
8 imposed by the State universities and colleges shall be subject to the approval of the  
9 National Tuition Fee Rationalization Council and/or its regional council having  
10 jurisdiction and on a case-to-case basis.  
11

12 (b) Other school fees – The amount of other school fees to be collected from  
13 students in the freshmen level of the secondary and tertiary institutions, and from the  
14 first grade and fifth in the elementary level shall in no way be more than twenty five  
15 percent (25%) of the amount collected as tuition fee for the semester to which the  
16 student is currently enrolled: *Provided, further,* That an imposition of more than fifteen  
17 percent (15%) in tuition fees and twenty five percent (25%) in the case of miscellaneous  
18 fees may be allowed after the concerned schools shall have conducted thorough  
19 consultations and hearings, and after the examination of financial records and the  
20 determination of the distinct requirements and conditions of school shall have been  
21 assessed by the Council.  
22

23 (c) Exemptions – Schools and/or courses classified under Level III Accreditation  
24 duly recognized by the Commission on Higher Education (CHED), the Department of  
25 Education (DepEd) and the Technical Education and Skills Development Authority  
26 (TESDA) as the case may be, and whose categorization standards are duly affirmed by  
27 the major association of private and State institutions shall enjoy autonomy in fixing the  
28 rates of their tuition fees and/or any rate increase or adjustment with respect to the  
29 accredited programs/courses only and subject to minimal and reasonable guidelines  
30 from the Council.  
31

32 SECTION 4. *Definition of Terms.* – As used in this Act, the following terms shall  
33 mean:  
34

- 35 (a) "*Student*" shall refer to any person enrolled in school in the elementary,  
36 secondary and tertiary levels including those enrolled in vocational and  
37 technical education.  
38 (b) "*School*" shall refer to any academic educational institution of learning, public  
39 or private, offering any or all courses in the above mentioned levels.  
40 (c) "*Board*" shall refer to the governing board of the school, such as the board of  
41 directors, trustees or regents, which represents its highest policy-making  
42 body.  
43 (d) "*Council*" shall refer to the tuition Fee Rationalization Council which shall  
44 serve as the highest policy-making body on matters pertaining to tuition and  
45 other school fees and which shall have regional counterparts responsible for  
46 efficient rate fixing and determination.  
47 (e) "*Tuition*" shall refer to the fee representing direct costs of instruction, training  
48 and other related activities, and the use of school facilities.  
49 (f) "*Other school fees*" shall refer to fees which cover other necessary costs  
50 supportive of instruction, including but not limited to medical and dental,  
51 athletic, library, laboratory, and citizens military training (CMT) fees.  
52 (g) "*Tertiary*" shall refer to the higher learning level after high school which  
53 includes those offering baccalaureate degrees or four (4) to five (5)-year  
54 courses and/or technical-vocational programs.  
55 (h) "*Secondary*" shall pertain to the middle segment in the educational system  
56 comprising a four-year program after attendance from elementary or grade  
57 school level.

- 1 (i) "Grade School" shall pertain to the level of education which constitutes the  
2 four (4) years of primary learning and two (2) or three (3) years of  
3 intermediate training usually for children with age levels of 6-13 years.  
4 (j) "Level III Accreditation" shall refer to the classification conferred to an  
5 institution and/or any of its programs/courses by a recognized accrediting  
6 body based on certain quality indicators and standards duly recognized by  
7 the DepEd, the CHED or the TESDA as the case may be, and prescribed by  
8 the national accrediting arm of the major association of private and State  
9 instructions.

10  
11 SECTION 5. *Establishment of the National Tuition Fee Rationalization Council*  
12 *(NTFRAC) and its Regional Counterpart.* – Within thirty (30) days after the effectivity of  
13 this Act, the NTFRAC shall be constituted by the following: the Chair of the CHED or  
14 the Secretary of the DepEd as co-chair, the Director-General of the TESDA as vice-  
15 chair, and with the following as members: representatives of the House of the  
16 Representatives' Committee on Higher and Technical Education and the Committee on  
17 Basic Education and Culture, the Senate's Committee on Education, the National  
18 Economic and Development Authority (NEDA), and the Philippine Association of the  
19 State Universities and Colleges; one (1) representative each from these sectors:  
20 parents, legitimately recognized students' organizations leading associations of private  
21 higher and basic education institutions, major aggrupation of technical institutions,  
22 faculty associations as well as other sectors which may be deemed indispensable by  
23 the Council

24  
25 A Regional Tuition Fee Rationalization Council (RTFRAC) shall also be  
26 established in all the regions of the country and those membership shall include the  
27 DepEd, the CHED, the TESDA and NEDA regional directors, and representatives from  
28 the provincial school boards, faculty associations, student councils, parents-teachers  
29 association (PTA), from the association of private schools and from a recognized  
30 association of state institutions.

31  
32 The manner and procedure of selecting and appointing representatives and/or  
33 members of the Council from the different sectors other than those directly identified  
34 shall be made jointly by the Chairperson of the CHED, the Secretary of the DepEd, and  
35 the Director-General of the TESDA based on a criteria that shall be instituted for the  
36 purpose.

37  
38 SECTION 6. *Office and Expenditure.* – Every member of the Council shall serve  
39 in an *ex-officio* capacity without compensation from the government except for travel  
40 and other actual expenses incurred in the performance of their duties and  
41 responsibilities.

42  
43 SECTION 7. *Administration and Enforcement.* – After due investigation and  
44 proper observance of due process, any person, natural or juridical, found willfully  
45 violating any provisions of this Act and its implementing rules, shall be subjected to the  
46 appropriate administrative sanctions, including the suspension or revocation of the  
47 school's license to operate, disqualification from enjoying tuition fee rate increases or  
48 adjustment, and/or the imposition of reasonable penalties and administrative fines.

49  
50 SECTION 8. *Penal Provisions.* – Any person who shall willfully violate or commit  
51 any act intended to defeat any provision of this Act and its implementing rules, shall  
52 upon conviction, be punished by a fine not less than Fifty thousand pesos (P50,000.00)  
53 nor more than One hundred thousand pesos (100,000.00) or imprisonment not less  
54 than one (1) year nor more than five (5) years, or both at the discretion of the court.  
55

1 Any school found likewise to have violated the provisions of this Act and its  
2 implementing rules shall be fined the amount of not less than Five hundred thousand  
3 pesos (P500,000.00) but not more than One million pesos (P1,000,000.00).

4 Pursuant thereto, the DepEd, the CHED, and the TESDA shall be empowered to  
5 investigate violations of this Act as well as the implementing rules and regulations and  
6 other issuances appurtenant thereto, and for this purpose shall have the power to issue  
7 summons, writs, orders, *subpoena and subpoena duces tecum* to secure the  
8 attendance of witnesses and the production of documents in connection with the  
9 charges presented.

10  
11 SECTION 9. *Implementing Rules and Regulations.* – Upon the approval of this  
12 Act and within sixty (60) days after the Council have been constituted, the Council shall  
13 formulate the implementing rules and regulations (IRR) to implement the provisions of  
14 this Act. Public hearings and consultations may be conducted to facilitate the drafting  
15 of the IRR.

16  
17 SECTION 10. *Separability Clause.* – If any provision of this Act or any portion  
18 thereof is declared unconstitutional by a competent court, other provisions shall not be  
19 affected thereby.

20  
21 SECTION 11. *Repealing Clause.* – Any provision of laws, orders, agreements,  
22 rules or regulations, including the provisions of the various charters of State colleges  
23 and universities contrary to and inconsistent with this Act are hereby repealed,  
24 amended or modified accordingly.

25  
26 SECTION 12. *Effectivity.* – This Act shall take effect upon its approval.

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28  
29 Approved,