

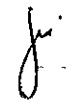
SIXTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
Second Regular Session )



'14 JUL 21 P2 32

SENATE

Senate Bill No. 2318

RECEIVED BY: 

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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**AN ACT**  
**PENALIZING THE IMPOSITION OF "NO PERMIT, NO EXAM" POLICY THAT**  
**PROHIBITS STUDENTS OF POST-SECONDARY AND HIGHER EDUCATION**  
**FROM TAKING THEIR MIDTERM OR FINAL EXAMINATIONS DUE TO**  
**UNPAID TUITION AND OTHER SCHOOL FEES**

**EXPLANATORY NOTE**

Pursuing and attaining college education is one of the greatest achievements of an individual. Parents would strive hard to support the education of their children who believe that it will provide better employment opportunities for them. Education gives them a sense of hope and inspiration which will eventually help uplift their economic and living condition.

However, there are instances when parents do not have available cash to pay for the tuition fees of their children. It is unfortunate that a number of educational institutions implement a no permit, no exam policy such that students were not allowed to take the exam without paying first the tuition fees.

This bill seeks to prohibit public/private post-secondary, technical vocational schools and higher education institutions (HEIs) from implementing the "No Permit, No Exam" policy. For students who failed to pay the tuition fees prior to the scheduled examination, they shall be required to pay a minimal interest of 6% for the balance or unpaid tuition fees.

This measure was previously filed by Sen. Manny Villar in the 15<sup>th</sup> Congress. The immediate passage of this bill is earnestly sought.

  
JINGGOY EJERCITO ESTRADA  
Senator

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*[Handwritten signature]*

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

- 1 **SECTION 1. Short Title.** – This Act shall be known as the “**Anti No-Permit, No-**  
2 **Exam Act of 2014**”.  
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4  
5 **SEC. 2. Declaration of Policy.** – It is hereby declared unlawful for any technical-  
6 vocational (tech-voc) institute or higher education institution (HEI), whether public  
7 or private, to disallow any student of post-secondary and higher education from  
8 taking any midterm or final examination due to nonpayment of tuition and other  
9 school fees under the established terms of payment prescribed by the concerned  
10 educational institution and approved by the Technical Education and Skills  
11 Development Authority (TESDA) and the Commission on Higher Education  
12 (CHED), respectively.  
13  
14  
15 **SEC. 3. Coverage.** – This Act shall cover all public and private post-secondary  
16 tech voc institutes and HEIs, including local colleges and universities.  
17  
18  
19 **SEC. 4. Right of Students.** – Students of post-secondary and higher education  
20 shall have the right to take the midterm or final examinations notwithstanding the  
21 existence of unpaid financial obligations to the school.  
22  
23  
24 **SEC. 5. Obligation of Students.** – The students and/or their parents, unless  
25 waived by the school authorities concerned, shall be obligated to pay an interest  
26 for the unpaid tuition and other school fees, which shall not be more than six  
27 percent (6%) per annum, computed from the date of the examination taken by  
28 the students until the date when the overdue and unpaid tuition and other school  
29 fees are fully liquidated.  
30

1 **SEC. 6. *Right of Schools.*** – The school authorities shall have the following rights  
2 against students with financial obligations, which remain due and unsettled to  
3 their schools:

4  
5 (a) To withhold the release of the grades of a student with delinquent account  
6 until the unpaid tuition and other school fees plus interest charges are fully  
7 paid;

8  
9 (b) To deny admission or enrollment of any student having unsettled tuition or  
10 other school fees at the next succeeding semester classes, in the case of  
11 higher education, or at the next succeeding short-term course, in the case  
12 of post-secondary tech-voc education, as the case may be, until the  
13 previous delinquencies are fully paid; and,

14  
15 (c) To refuse issuance of school clearance to students with financial  
16 obligations to the school until all previous delinquencies are fully paid.  
17

18  
19 **SEC. 7. *Unlawful Acts.*** – In recognition of the students' right to take their  
20 midterm and final examinations, the following acts by tech-voc institutes and  
21 HEIs shall be considered unlawful:

22  
23 (a) Disallowing students with due and unpaid tuition and other school fees  
24 from taking the midterm or final examination;

25  
26 (b) Requiring the students to secure a permit to take the midterm or final  
27 examination from the school authorities prior to the administration of  
28 midterm or periodic or final examination; and,

29  
30 (c) Compelling the students to pay upon enrollment a down payment or first  
31 installment equivalent to more than thirty percent (30%) of the total  
32 amount of the tuition and other school fees for the entire semester or  
33 duration of the course.  
34

35  
36 **SEC. 8. *Penalties.*** – Any HEI or tech-voc institute official or employee, including  
37 the deans, coordinators, advisers, professors, instructors and other concerned  
38 individuals found guilty of violating any of the unlawful acts enumerated in  
39 Section 7 of this Act shall be punished by a fine of not less than Twenty  
40 Thousand Pesos (P20,000.00) but not more than Fifty Thousand Pesos  
41 (P50,000.00).  
42

43  
44 **SEC. 9. *Implementing Guidelines.*** – The TESDA and the CHED shall  
45 promulgate the implementing guidelines necessary to enforce the objectives of  
46 this Act.  
47

48  
49 **SEC. 10. *Separability Clause.*** – If any provision of this Act shall at any time be  
50 found to be unconstitutional or invalid, the remainder thereof not affected by such  
51 declaration shall remain in full force and effect.  
52

53  
54 **SEC. 11. *Repealing Clause.*** – All laws, decrees, rules or regulations inconsistent  
55 with the provisions of this Act are hereby repealed or modified accordingly.  
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1 **SEC. 12. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days  
2 following its complete publication in two (2) newspapers of general circulation.  
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8 *Approved,*