

**EIGHTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES**
First Regular Session

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Senate
Office of the Secretary

SENATE
S.B. NO. 571

JUL 17 P2:53

Introduced by Senator Maria Lourdes Nancy S. Binay

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 1987 Philippine Constitution provides:

"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."

Article XIV, Section 2(1) of the 1987 Philippine Constitution provides:

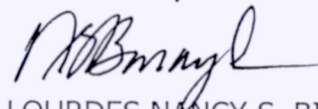
"The State shall establish, maintain, and support a complete,
adequate, and integrated system of education relevant to the needs
of the people and society."

It is no secret that a good education has the power to change a life. Filipinos
believe in a quote, "ang edukasyon ang tanging pamana ng ating mga magulang
na hindi kaylanman mawawala sa atin." Therefore, opportunity to high-quality
education is the vision and dream of every parent for their children.

However, the "No Permit, No Exam" policy enforced by schools prevents students who experience financial difficulties from taking their final exams. The "No Permit, No Exam" policy is a hindrance to their education.

The proposed bill seeks to prohibit the "No Permit, No Exam" policy in schools to ensure the provision of quality education to all while promoting the welfare of educational institutions through the establishment of measures that protect a school's right to fair payment for tuition and miscellaneous fees.

In view of the foregoing, the passage of this measure is earnestly sought.



MARIA LOURDES NANCY S. BINAY
Senator

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

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

3
4 Sec. 2. *Declaration of Policy.* – It shall be the policy of the State to protect
5 and promote the right of all the citizens to quality education at all levels. The
6 State shall take appropriate steps to make such education accessible to all. Thus,
7 it is hereby declared unlawful for any educational institution, whether public or
8 private to disallow any student from taking any examination due to non-payment
9 of tuition and other school fees.

10
11 Sec. 3. *Coverage.* – This Act shall cover the following educational
12 institutions:

- 13 (a) Private elementary schools;
14 (b) Private secondary schools;
15 (c) Public and private post-secondary technical-vocational
16 institutes; and

1 (d) Public and private Higher Education Institutions (HEIs),
2 including local colleges and universities.
3

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

10 The school shall reserve the right to pursue the recovery of the unpaid
11 tuition fees through proper court action where civil rights and liabilities may be
12 judicially established and collected. This shall not prohibit the students, parents,
13 or legal guardians to seek informal means of resolving tuition fee disputes or
14 enter into an agreement with the school before proceeding to court.
15

16 Sec. 5. *Prohibited Acts.* – The following acts shall be prohibited:

17 (a) Disallowing students with due and unpaid tuition and other
18 school fees from taking examinations or providing a
19 different schedule of exam from the rest of the student
20 body; and

21 (b) Requiring the students to secure a special permit to take
22 the examinations from the school authorities prior to the
23 administration of examinations.
24

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

1 Sec. 7. *Implementing Rules and Regulations.* – The Department of
2 Education (DepEd), Technical Education and Skills Development Authority
3 (TESDA), and Commission on Higher Education (CHED) shall issue the rules and
4 regulations necessary to implement the provisions of this Act within sixty (60)
5 days from the date of its approval.

6
7 Sec. 8. *Separability Clause.* – If any provision or part of this Act is held
8 invalid or unconstitutional, the other sections or provisions hereof shall not be
9 affected thereby and shall remain in full force and effect.

10
11 Sec. 9. *Repealing Clause.* – All laws, presidential decrees, executive
12 orders, proclamations, issuances, administrative order, rules and regulations
13 contrary to or inconsistent with any provision of this Act are hereby amended,
14 repealed or modified accordingly.

15
16 Sec. 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
17 after its publication in two (2) newspapers of general circulation.

Approved,