

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



SENATE
Office of the Secretary

'19 AUG 13 P 4 :04

SENATE

S. No. 904

RECEIVED

Introduced by SENATOR RAMON BONG REVILLA, JR.

AN ACT

PENALIZING THE IMPOSITION OF A "NO PERMIT, NO EXAM" POLICY OR ANY SUCH POLICY THAT PROHIBITS STUDENTS OF POST-SECONDARY AND HIGHER EDUCATION FROM TAKING THEIR MIDTERM OR FINAL EXAMINATION OR OTHER SIMILAR ASSESSMENTS DUE TO UNPAID TUITION AND OTHER SCHOOL FEES

EXPLANATORY NOTE

In our culture, education is the most precious inheritance most Filipino parents believe they can pass on to their children for the benefit of their own future. No matter which social class you belong in the society, education is considered important. Especially to the lower class, it gives them hope that their educated children can help improve the quality of life of their families.

Unfortunately for students and their parents, schools can be quite exacting when it comes to tuition, and this could not be any more apparent than during examinations. While families understand that tuition and other fees are necessary for schools to provide the service required of them, they encounter unavoidable circumstances at times when they could not meet the obligation to pay the tuition fee on time. And while CHED has issued a Memorandum Order requiring colleges and universities to provide a Student Affairs and Services (SAS) office that will provide its students a package of services, including guidance and counseling, career and job placement, economic enterprise development and scholarship and financial assistance, it does not categorically prohibit the "no permit, no exam policy" and so this does not effectively stop schools from practicing it.

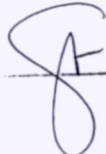
Prohibiting students from taking examinations solely because of the non-payment of tuition and/or other school fees is a violation of the rights of students to education. The State has the urgent duty to protect these rights and provide students with the means to access quality education. Hence, this measure seeks to protect the rights of students and aims to provide schools with adequate protection to ensure the payment of tuition and other school fees.

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


RAMON BONG REVILLA, JR.

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TUITION AND OTHER SCHOOL FEES**

*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 "Anti-No Permit, No
2 Exam Act of 2019"

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

9 Sec. 3. *Coverage.* – This Act shall cover the following educational institutions:

- 10 a) Private elementary schools;
11 b) Private secondary schools;
12 c) Public and private post-secondary technical -vocational institutes; and
13 d) Public and private Higher Education institutions (HEIs), including local colleges.

14 Sec. 4. *Right of Students.* – Students of post-secondary and higher education
15 shall have the right to take their midterm or final examinations, or other similar

1 assessments, notwithstanding the existence of unpaid financial obligations to the
2 school.

3 *Sec. 5. Obligation of Students.* – The students and/or their parents, unless
4 waived by the school authorities concerned, shall be obligated to pay an interest
5 for the unpaid tuition and other school fees, which shall not be more than five
6 percent (5%) per annum, computed from the date of the examination taken by
7 the students until the date when the overdue and unpaid tuition and other school
8 fees are fully liquidated.

9 *Sec. 6. Right of Schools.* – The school authorities shall have the following rights
10 against students with financial obligations, which remain due and unsettled to their
11 schools:

- 12 a) To withhold the release of the grades or a student with delinquent account
13 until the unpaid tuition and other school fees plus interest charges are fully
14 paid;
- 15 b) To deny admission or enrolment of any student having unsettled tuition or
16 other school fees at the next succeeding semester classes, in the case of
17 higher education, or at the next succeeding short-term course, in the case
18 of post-secondary technical-vocational education, as the case may be, until
19 the previous delinquencies are fully paid;
- 20 c) To refuse issuance of school clearance to students with financial obligations
21 to the school until all previous delinquencies are fully paid.

22 *Sec. 7. No Permit, No Exam Policy.* – Schools shall be prohibited from adopting
23 a "No Permit, No Exam Policy", which limits the right to every student to take
24 examinations notwithstanding the existence of unpaid financial obligations to the
25 school. Provided, That the parents or legal guardian of the student provide a
26 promissory note, addressed to the school, indicating the amount and the date of
27 payment. The school shall reserve the right to pursue the recovery of the unpaid
28 tuition fees through proper court action where civil rights and liabilities may be
29 judicially established and collected. This shall not prohibit the student, parents, or
30 legal guardians to seek informal means of resolving tuition fee disputes or enter into
31 an agreement with the school before proceeding to court.

32 *Sec. 8. Prohibited Acts.* – The following acts shall be prohibited:

1 a) Disallowing students with due and unpaid tuition and other school fees from
2 taking examinations or providing a different schedule of exam from the rest of
3 the student body; and

4 b) Requiring the students to secure a special permit to take the examinations from
5 the school authorities prior to the administration of examinations.

6 Sec. 9. *Penalties.* – Any educational institution official or employee, including
7 deans, coordinators, advisers, professors, instructors, principals, teachers and other
8 concerned individuals found guilty of violating any of the unlawful acts enumerated in
9 Section 7 of this Act shall be punished by a fine of not less than Fifty Thousand Pesos
10 (PhP 50,000.00) but not more than One Hundred Thousand Pesos (PhP 100,000.00).

11 Sec. 10. *Implementing Guidelines.* – The Department of Education (DepEd),
12 Technical Education and Skills Development Authority (TESDA) and Commission on
13 Higher Education (CHED) shall issue the rules and regulations necessary to implement
14 the provisions of this Act within sixty (60) days from the date of its approval.

15 Sec. 11. *Separability Clause.* – If any provision or part of this Act is held invalid
16 or unconstitutional, the other sections or provisions hereof shall not be affected
17 thereby and shall remain in force and effect.

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

22 Sec. 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
23 publication in any two (2) newspapers of general circulation.

24
25 *Approved,*