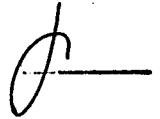


21 JAN 21 P3:55

SENATE

S. B. NO. 2010

RECEIVED



Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT
PROHIBITING EDUCATION INSTITUTIONS FROM WITHHOLDING
THE OFFICIAL RECORDS OF STUDENTS BY REASON OF NON-
PAYMENT OF TUITION AND OTHER SCHOOL FEES, AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

Many Filipino children have been forced to stop attending school due to poverty. When parents or guardians could no longer support the education expenses of their children, including daily allowances and transportation costs, the option is to enroll to another school with minimal expense, if not totally stop schooling. However, most schools do not release the students' official records if the student cannot pay the school fees in full or fails to settle financial obligations with the school.

Unfortunately, this inability to secure the required school record forces the student to stop school altogether, until he/she has enough funds to pay his/her outstanding obligations. This, in turn, results in the delay in the education of the student, which further delays his/her entry into the labor force.

Under current rules of the Department of Education (DepEd),¹ transferees from public and private schools in the Philippines who failed to submit their school records during early registration or upon enrollment will only be temporarily enrolled until the submission of required documents on or before August 31st of the current year. Only upon complete submission of the documentary requirements will the learner be tagged as officially enrolled. Otherwise, the student will not be officially promoted to a higher grade level. The concerned student will also not be recognized in the event that he/she attains the qualifying average and other criteria for academic honors.

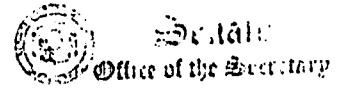
¹ DepEd Order No. 03, s. 2018, Re: Basic Enrollment Policy (January 26, 2018).

This bill seeks to reiterate the State policy to provide education to our children and youth, by ensuring that their school records will not be withheld by reason of non-payment of school fees. Under this bill, a student who has unpaid balance from the school only needs to submit a promissory note to the school, committing to pay the unpaid amount within a reasonable period. This bill also seeks a balance to between upholding the right of the youth to education, and the right of school owners to reasonable returns on their investment.

Thus, the passage of this bill is earnestly sought.


SENATOR JOEL VILLANUEVA

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



21 JAN 21 P3:55

SENATE

S. B. NO. 2010

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Introduced by Senator JOEL VILLANUEVA

AN ACT
PROHIBITING EDUCATION INSTITUTIONS FROM
WITHHOLDING THE OFFICIAL RECORDS OF STUDENTS BY
REASON OF NON-PAYMENT OF TUITION AND OTHER
SCHOOL FEES, AND FOR OTHER PURPOSES

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-Withholding of
2 *Student Records Act.*"
3
4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State
5 to give priority to education to foster patriotism and nationalism, accelerate
6 social progress, and promote total human liberation and development.
7
8 **SEC. 3. Unlawful Practice.** – It shall be unlawful for any education institution
9 in the country to withhold or otherwise cause, directly or indirectly, the delay in
10 the release of the official records of the students by reason of non-payment, in
11 part or in full, of tuition and/or other school fees.
12
13 **SEC. 4. Obligation of Students, Parents, and Guardians.** – Students who
14 have enrolled in any education institution who wish to obtain their academic
15 records, appropriate certifications or other pertinent documents for whatever

1 purpose, but are financially-incapable to settle, in part or in full, their tuition
2 and/or other school fees, shall be allowed to obtain their academic records,
3 appropriate certifications or other pertinent documents upon the execution of a
4 promissory note or other equivalent document in favor of the school covering
5 the unpaid obligation.

6
7 The promissory note, which shall indicate the purpose of obtaining the
8 academic records, appropriate certifications or other pertinent documents from
9 the education institution, may be signed and executed solely by the student if
10 such student is 21 years or older. If the student is above 18 years old but below
11 21 years old, the promissory note shall be signed and executed by the student,
12 coupled with the written conformity of the parents guaranteeing the
13 performance of the obligation of the student with regard to any unpaid
14 obligations to the education institution. If the student is a minor, the promissory
15 note shall be signed and executed by at least one of the parents or the legal
16 guardian of the student. Provided, That nothing herein shall prohibit the parties
17 from agreeing to release the school records and other documents of the student
18 without any promissory note or similar document.

19
20 **SEC. 4. Penalties.** – Any officer or employee of the education institution
21 responsible for releasing the official records of the students who violates any
22 provisions of this Act shall be punished with a fine of not less than Ten
23 Thousand Pesos (Php10,000.00) but not more than Fifty Thousand Pesos
24 (Php50,000.00) or imprisonment on not less than one (1) month but not more
25 than six (6) months, or both, at the discretion of the Court.

26
27 Any education institution found to have violated provisions of this Act
28 shall be administratively punished with suspension or cancellation of its permit
29 to operate by the Department of Education (DepEd), the Technical Education
30 and Skills Development Authority (TESDA), or the Commission on Higher
31 Education (CHED) and pay an administrative fine of not less than Fifty
32 Thousand Pesos (Php50,000.00) but not more than One Hundred Thousand
33 Pesos (Php100,000.00)

1 **SEC. 5. Implementing Rules and Regulations.** – DepEd, TESDA, and CHED,
2 in coordination with relevant agencies and sectors, shall promulgate the
3 implementing rules and regulations as may be necessary to carry out the
4 provisions of this Act.

5
6 **SEC. 6. Separability Clause.** – If any portion or provision of this Act is
7 subsequently declared invalid or unconstitutional, other provisions hereof which
8 are not affected thereby shall remain in full force and effect.

9
10 **SEC. 7. Repealing Clause.** – All other laws, acts, presidential decrees,
11 executive orders, presidential proclamations, issuances, rules and regulations,
12 or parts thereof which are contrary to or inconsistent with any of the provisions
13 of this Act are hereby repealed, amended, or modified accordingly.

14
15 **SEC. 8. Effectivity.** – This Act shall take effect fifteen (15) days after its
16 publication in the Official Gazette or in a newspaper of general circulation.

17
18 **Approved,**