

FOURTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
First Regular Session

SECRETARY  
7 OCT 1915

SENATE

RECEIVED BY



Senate Bill No. 1827

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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 aforesaid 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  
2 Rationalization Act."

3  
4 SECTION 2. *Declaration of Policies and Objectives.* – Section 1, Article XIV  
5 of the 1987 Constitution mandates the protection and promotion of the right of all  
6 citizens to quality and affordable education at all levels and that the State shall take  
7 appropriate steps to make such education accessible to all. Section 13 Article II,  
8 further recognizes the role of the youth in nation-building and shall promote and  
9 protect their physical, moral, spiritual, intellectual and social well-being. In view of  
10 these, the following are 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  
16 flexibility 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  
19 be an multifectoral body that shall serve as the highest policy-making  
20 body on matters pertaining to tuition fee rates and other increases or  
21 adjustments in school fees; and  
22 (d) To provide an effective and rational mechanism for fixing the tuition fee  
23 rate and adjustments in other school fees in all education institutions  
24 including those to be adopted by the boards of State universities and  
25 colleges that is acceptable to concerned stakeholders taking into account  
26 socioeconomic and other considerations and safety nets.

27  
28 SECTION 3. *Coverage.* – (a) Tuition fees – As a general rule, public and  
29 private academic and technical institutions shall be allowed to impose tuition fee  
30 increases and/or adjustments without prior consultations, on incoming freshmen  
31 students in the secondary and tertiary level, and in the first and fifth grade in the

1 elementary level only. There shall be no tuition fee increases and/or adjustments in  
2 all other year levels.

3  
4 The tuition fee increases which may be allowed to be imposed shall not  
5 exceed fifteen percent (15%) of prevailing rates: *Provided, however,* That any  
6 proposed tuition fee increase and/or adjustment in excess of the stipulated  
7 percentage affecting not only the segment of students stated above by all other year  
8 levels including those to be imposed by the State universities and colleges shall be  
9 subject to the approval of the National Tuition Fee Rationalization Council and/or its  
10 regional council having 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  
14 the first grade and fifth in the elementary level shall in no way be more than twenty  
15 five percent (25%) of the amount collected as tuition fee for the semester to which  
16 the student is currently enrolled: *Provided, further,* That an imposition of more than  
17 fifteen percent (15%) in tuition fees and twenty five percent (25%) in the case of  
18 miscellaneous fees may be allowed after the concerned schools shall have  
19 conducted thorough consultations and hearings, and after the examination of  
20 financial records and the determination of the distinct requirements and conditions  
21 of school shall have been assessed by the Council.

22  
23 (c) Exemptions – Schools and/or courses classified under Level III  
24 Accreditation duly recognized by the Commission on Higher Education (CHED), the  
25 Department of Education (DepEd) and the Technical Education and Skills  
26 Development Authority (TESDA) as the case may be, and whose categorization  
27 standards are duly affirmed by the major association of private and State institutions  
28 shall enjoy autonomy in fixing the rates of their tuition fees and/or any rate increase  
29 or adjustment with respect to the accredited programs/courses only and subject to  
30 minimal and reasonable guidelines from the Council.

31  
32 SECTION 4. *Definition of Terms.* – As used in this Act, the following terms  
33 shall 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,  
39 public 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  
41 of directors, trustees or regents, which represents its highest policy-  
42 making 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  
45 and other school fees and which shall have regional counterparts  
46 responsible for efficient rate fixing and determination.  
47 (e) “*Tuition*” shall refer to the fee representing direct costs of instruction,  
48 training 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  
57 grade 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  
8 by the national accrediting arm of the major association of private and  
9 State instructions.

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

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

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

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

42 SECTION 7. *Administration and Enforcement.* – After due investigation and  
43 proper observance of due process, any person, natural or juridical, found willfully  
44 violating any provisions of this Act and its implementing rules, shall be subjected to  
45 the appropriate administrative sanctions, including the suspension or revocation of  
46 the school's license to operate, disqualification from enjoying tuition fee rate  
47 increases or adjustment, and/or the imposition of reasonable penalties and  
48 administrative fines.  
49

50 SECTION 8. *Penal Provisions.* – Any person who shall willfully violate or  
51 commit any act intended to defeat any provision of this Act and its implementing  
52 rules, shall upon conviction, be punished by a fine not less than Fifty thousand  
53 pesos (P50,000.00) nor more than One hundred thousand pesos (100,000.00) or  
54 imprisonment not less than one (1) year nor more than five (5) years, or both at the  
55 discretion of the court.  
56  
57

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  
3 thousand pesos (P500,000.00) but not more than One million pesos  
4 (P1,000,000.00).

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

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

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

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

26  
27 SECTION 12. *Effectivity.* – This Act shall take effect upon its approval.  
28  
29

30 Approved,