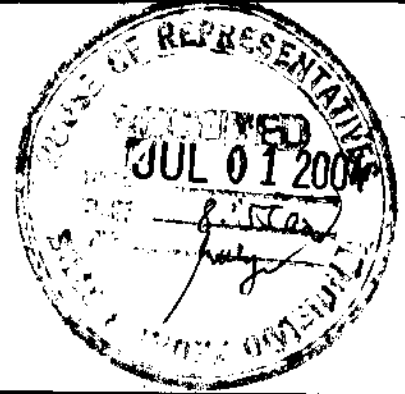


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
FIRST REGULAR SESSION

HOUSE BILL NO. 17



Introduced by **HONORABLE EDCCEL C. LAGMAN**

EXPLANATORY NOTE

It is indisputable that the development of a nation is in the hands of its people. As Professor Frederick Harbison of Princeton University correctly pointed out :

Human resources . . . constitute the ultimate basis for wealth of nations. Capital and natural resources are passive factors of production; human beings are the active agents who accumulate capital, exploit natural resources, build social, economic and political organizations, and carry forward national development. Clearly, a country which is unable to develop the skills and knowledge of its people and to utilize them, effectively in the national economy will be unable to develop anything else.

Needless to stress, manpower development through education deserves to be given premium by the State. Hence, Section 1, Article XIV of the Constitution mandates the State to " . . . protect and promote the right of all citizens to quality education at all levels and ... take appropriate steps to make such education accessible to all."

Students equipped with a nationalist and relevant education are an invaluable moving force in a progressive social transformation. It is, however, lamentable that on many campuses obtaining conditions hinder effective acquisition of relevant knowledge and skills as students rights are violated with impunity.

This proposed Magna Carta of Students, therefore, seeks to respect, protect and fulfill the rights of students in the secondary, post-secondary, graduate and post-graduate courses.

Among the salient features of this bill are:

1. Student representation in the governing board and other policy-making bodies of the school;
2. Creation of a multi-sectoral School Fee Board;
3. Right to organize and run an autonomous student council or government;
4. Right to publish and circulate an independent school paper;
5. Right to admission without undue discrimination;
6. Right to take periodic examinations even if a student has not paid the amount due provided it does not exceed two installments;
7. Non-militarization of the campus;
8. Right to due process in disciplinary proceedings;
9. Right to adequate academic and welfare services consistent with the economic capacity of the school;
10. Criminalization of violations of the rights guaranteed in the **Magna Carta of Students**.

Despite the good intentions of the aforementioned provisions, it is deplorable that the Magna Carta of Students has been assailed due to deliberate misinformation and baseless fears.

Contrary to the claims of ultra-militant student groups, the creation of the **School Fee Board** will not institutionalize tuition increases. What it will institutionalize is democratic and genuine consultation in order to prevent unjustified school fee increases. If the school owners cannot present valid documents to justify proposed fee increases then the School Fee Board has the right to deny their proposal. The board is tasked to deliberate on school fee "adjustments" which could be a proposal either to hike or roll back the fees.

Ultra-militant students should understand that Congress cannot legislate against or prohibit school fee increases which are subject to market forces or economic variables beyond the control of lawmakers.

The fear of ultra-militant students that the establishment of one supreme or central student council on one campus seeks to abolish local college councils is absolutely unfounded. The local college councils will continue to co-exist with the supreme or central student council. The bill even provides that the student representative in the governing board shall be the chairman of the student council or any designated representative chosen by the heads of various local college student councils.

Students, according to radical campus activists, do not need laws or legislators for students to protect and promote their rights and welfare. The **Magna Carta of Students** is not for the very few radical campus activists. It is for the overwhelming majority of students many of whom are not even aware of their rights. Moreover, the bill does not only guarantee the exercise of these rights. It imposes criminal sanctions on their violations.

The **Magna Carta of Students** will penalize the violators of the rights of all students -- whether radical, moderate or uninvolved. It will make democracy on the campus a reality for the benefit of all students and other sectors of the academic community.

To allay the fears of school administrators and parents, the **Magna Carta of Students** will not breed a class of student warriors.

There is campus unrest if students' rights are transgressed.

There is campus unrest when students are summarily dismissed; when peaceful student assemblies are forcefully or violently dispersed; when student leaders are arrested without justifiable cause; when school policies adversely affecting students are unilaterally formulated and arbitrarily imposed on the students; when students are not allowed to organize student councils and are prohibited from publishing school papers; when tuition and other school fees are exorbitantly increased without prior consultation with students and their parents; when student activists are truncheoned, beaten up and detained inside the school's security detachment; when military detachments are installed on the campuses.

The **Magna Carta of Students** envisions an academic community free of all these violations that trigger student mass protests. With the exercise of students' rights protected and respected, peace and harmony will reign on the campus.

Accordingly, approval of this measure is earnestly sought.



EDCEL C. LAGMAN

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AN ACT
PROVIDING FOR A MAGNA CARTA OF STUDENTS

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

SECTION 1. **Title.** - This Act shall be known as the Magna Carta of Students.

CHAPTER I

GENERAL PRINCIPLES

SEC. 2. **Declaration of Policy.** - It is the policy of the State to protect and promote the physical, mental, spiritual, intellectual and social well-being of the youth. Toward this end, educational institutions shall inculcate in them patriotism and nationalism, encourage critical and creative thinking, strengthen ethical and spiritual values and teach the rights and duties of citizenship.

The State shall promote the right of all citizens regardless of sexual orientation, age, creed, socio-economic status, physical condition, political or other affiliation to relevant and quality education at all levels.

The State shall protect and promote the rights of students to enable them to participate actively and effectively in the democratic processes of effecting progressive and developmental changes in society.

SEC. 3. **Guiding Principles.** - This Act declares the following as basic guiding principles:

(a) The educational system being the principal institutional mechanism for imparting knowledge and developing skills shall be given priority attention and support by the government.

(b) Education is a right and not a mere privilege. It is therefore the responsibility of the State to provide quality education accessible to all.

(c) Student organizations enhance democratic processes on the campus. Membership and active participation in student organizations, alliances and federations which promote and protect students' rights and welfare and/or contribute to national development shall be guaranteed by the State and school authorities.

(d) Student organizations shall not be subject to rules and regulations that unduly hamper their activities and are prejudicial to their objectives and interests.

(e) Student councils/governments being the most representative of the studentry and the highest expression of student power on the campus shall have the right to participate in the formulation of school policies directly affecting students.

(f) Student publications shall serve as a principal medium for free expression, dissemination of information, and interaction among the different sectors of the academic community.

(g) With their democratic rights guaranteed, students can serve as a potent and cogent force in the country's nationalist social transformation.

SEC. 4. Definition of Terms. - As used in this Act, the following terms shall mean:

(a) "Student" - any person enrolled in school in the secondary, post secondary tertiary, graduate and postgraduate levels, including those enrolled in vocational and technical education.

(b) "School" - any private, public or government-run and funded academic educational institution offering any or all courses in the above-mentioned levels.

(c) "School campus" - the totality of all contiguous or proximate buildings, grounds and other facilities designated by the school authorities as areas or facilities for the use of their students.

(d) "Governing Board" - the highest policy making body of the school such as: Board of Directors, Trustees or Regents.

(e) "Student Council/Government" - the body representing the whole student population in one school or school campus whose officers are annually elected at large by the whole student population pursuant to its constitution and by-laws, if any.

(f) "Council of Leaders" - the body composed of the heads of various student organizations chaired by the President/Chairman of the Student Council.

(g) "Tuition" - the fee representing direct costs of instruction, training and other related activities, and the use of school facilities. The term "other school fees" refers to fees which cover other necessary costs supportive of instruction, including but not limited to medical and dental, athletic, library, laboratory, and Citizens Army Training (CAT) or Citizens Military Training (CMT) fees.

CHAPTER II

RIGHT TO ADMISSION AND QUALITY EDUCATION

SEC. 5. Admission. - (a) No student shall be denied admission to any school on account of his/her physical handicap, socio-economic status, political or religious beliefs, sexual orientation or membership in student organizations, nor shall pregnant students, certified reformed drug abusers and those suffering from the acquired immune deficiency syndrome be discriminated against.

Failure of or refusal by a student to sign waiver documents prepared by the school administration shall not constitute a ground for his/her non-admission.

(b) A student shall have the right to freely choose his/her fields of study subject to existing curricula and to continue his/her course up to graduation except in case of academic deficiency or violation of disciplinary regulations which do not infringe upon the exercise of students' rights.

SEC. 6. Right to Competent Instruction and Relevant Quality Education. - Every student shall have the right to competent instruction and quality education relevant to his/her personal and cultural development and that of the nation.

There shall be at least one student representative in the body or committee which screens incoming faculty members. He/she or they shall be regularly elected and endorsed by the Student Council to the school official authorized to appoint the members of the screening body or committee.

Students shall have the right to make a written evaluation of the performance of their teachers toward the end of the school term.

SEC. 7. Right to Adequate Welfare Services and Academic Facilities. - It shall be the responsibility of the school administration to provide the students with adequate welfare services and academic facilities relative to the financial capacity of the school.

School authorities shall endeavor to provide free annual physical check-up to students. It shall be the responsibility of school authorities to provide students with adequate laboratory, library, research, recreation and physical education facilities.

It shall be the responsibility of the school administration to promptly notify students concerned of letters and other communications it receives in behalf of the students.

CHAPTER III

RIGHT TO ORGANIZE

SEC. 8. Right to Organize Among Themselves. - Unity and collective effort being fundamental to the realization of common goals and the promotion and protection of common interests, the State recognizes the right of students to organize among themselves.

The right of students to form, assist, or join any organization, alliance or federation for their physical, intellectual, moral, cultural, civic, spiritual and political interests shall not be abridged. Pursuant thereto, the practice of making students sign waiver documents which state that they are not members of and will not join a specified organization before being allowed to enroll is hereby prohibited.

SEC. 9. Student Council/Government. - The State shall ensure the existence of democratic and autonomous student councils/governments. Pursuant thereto, there shall be one supreme/central student council/government for each school campus which shall be given recognition by the schools, colleges and universities concerned. It shall have its own set of officers elected in annual popular elections. Every student council/government shall have the right to determine its policies and programs on student activities subject to its duly ratified charter or constitution and to school rules and regulations provided the same do not infringe on the rights guaranteed by this Act.

SEC. 10. Accreditation of and Granting of Privileges to Student Organizations. - No unreasonable requirements shall be imposed on student organizations seeking recognition.

Accreditation shall be granted upon the submission by the organization concerned of its (1) concept paper and constitution, and (2) a formal letter addressed to the student council stating the organization's intent to be accredited.

At the tertiary level, the student council in coordination with the school student affairs office shall take charge of the accreditation of student organizations. The guidelines concerning accreditation shall be formulated jointly by the student council and the council of leaders composed of the heads of the different student organizations. The student council shall oversee the implementation of these guidelines and mediate in instances of conflicts.

There shall be no discrimination in the assignment of school facilities and the granting of other privileges to student organizations. The school administration shall endeavor to provide, free of charge, a hall or building to house the offices of the different student organizations within the premises of the school.

Excessive charges for the use of school facilities shall be prohibited. Whenever possible, the school administration shall allow student organizations to use school facilities free of charge.

SEC. 11. Coordination of Student Organizations' Activities. - All on and off campus activities of student organizations shall be coordinated by the student council/government.

The Committee on Elections (COMELEC) constituted to conduct the election of the officers of the student council/government shall be composed solely of bona fide students of the school. The conduct of the student council election shall be held in coordination with the student affairs office.

SEC. 12. Prohibition Against the Use of Force and Exaction of Excessive Fees. - All campus organizations shall be prohibited from using force in the initiation of and exacting excessive fees from their members as well as in their other student activities.

CHAPTER IV

RIGHT TO PARTICIPATE IN POLICY MAKING

SEC. 13. Participation in Policy-Making Process. - (a) There shall be a student representative in the Governing Board of the school. The chairman/president of the student council or any designated representative chosen by the heads of various local college student councils shall be the student representative and shall have the same rights as those of a regular member; provided, that his/her privileges shall be limited to reimbursements for actual expenses incurred in attending meetings. The same rights shall be granted to the secondary level.

The students shall also be represented in other policymaking bodies which directly affect their welfare; especially in curriculum drafting, review and revision, student discipline, and academic standards. The representatives shall be designated by the student council.

(b) Representatives of national student organizations shall actively participate and possess voting powers in the formulation of national policies by governmental agencies on matters affecting students' rights and welfare including tuition.

SEC. 14. Students' Initiative and Referendum. - The student council/government through a majority vote of all its members shall have the right to initiate the formulation, modification or rejection of a school policy affecting the students. The proposition for the formulation, modification or rejection of a school policy affecting the students shall be submitted to and approved by a majority of the votes cast by all the bona fide students of the school in a referendum called for the purpose.

SEC. 15. Right to File an Appeal. - The student council/government through a majority vote of all its members shall have the right to file an appeal on a decision of any policymaking body subordinate to the governing board. Such appeal shall be filed with the governing board.

The student council/government with the same requisite number of votes referred to in the previous paragraph may file a motion for reconsideration on any decision of the governing board.

In case of any decision unfavorable to the students, the Student Council may file an appeal with the Department of Education (DepEd), the Technical Education and Skills Development Authority (TESDA) and the Commission on Higher Education (CHED), insofar as the secondary, post-secondary technical-vocational, and tertiary students, respectively, are concerned.

All appeals and motions for reconsideration referred to in the previous paragraph must be filed within thirty (30) calendar days from date of notice of decision.

SEC. 16. On the Matter of School Fees. - Within thirty (30) days from the start of a school year the governing board of every school shall create a body to be known as the School Fee Board which shall study, conduct consultation and thereafter recommend on tuition and other school fee adjustments. At the tertiary level this body shall be composed of an equal number of representatives from the administration, academic and nonacademic

personnel, parents/guardians, students and alumni associations. These representatives shall choose a chairperson from among themselves. Greater representation shall be given to parents than to students in the secondary level.

In justifying any tuition and/or school fee increase before the School Fee Board, the school concerned shall be required to present the school's financial statements for the last five (5) years immediately preceding the proposal for such increase. Refusal of the school administration to show its books and records for inspection by the School Fee Board shall mean automatic denial of its proposal for increases.

The School Fee Board shall not act on a proposal to increase school fees unless the students and their parents are consulted at least one hundred twenty (120) days before the school year, semester or term in which the increase is to be effected.

In the event the decision of the School Fee Board is not favorably acted upon by the school governing board, the latter's decision may be appealed by any affected member of the school community to the appropriate education agencies within (30) days from date of notice of decision.

No student or parent shall be required to sign any contract or agreement respecting adjustments in tuition and other fees as a condition for enrollment or for any other purpose.

For purposes of this section, "Consultation" shall mean dissemination of adequate information relative to tuition and other school fees, the increases thereof, objections thereto, or the justifications therefor and shall include but not be limited to the holding of meetings and hearings as may be necessary to ventilate the tuition and other fee issues. Pursuant thereto, all meetings or hearings conducted for consultation purposes shall be properly documented and circulated.

CHAPTER V

RIGHT TO FREE EXPRESSION AND INFORMATION AND RIGHT TO ACADEMIC FREEDOM

SEC. 17. Right to be Informed. - The right of the students to information on matters directly or indirectly affecting their welfare shall be recognized. Access to official records and other pertinent documents and papers pertaining to official acts, transactions or decisions shall be afforded the students subject only to reasonable regulations that may be imposed such as time for examining the documents and other papers to prevent loss or damage of the same.

SEC. 18. Freedom of Expression. - Subject to existing laws, students shall have the right to freely express their views and opinions. They shall have the right to peaceably assemble and petition the government and school authorities for the redress of their grievances. Pursuant thereto, no school regulation shall be imposed violating or abridging the students' right to assembly.

Students shall have access to print and broadcast media in their information activities. They shall also have the right to print, circulate and/or mount leaflets, newsletters, posters, wall news, petitions and such other materials. Pursuant thereto, the school authorities shall ensure the provision of facilities such as bulletin boards for the mounting of the aforementioned materials.

School authorities may designate a certain area on every campus as a freedom park where students, can freely discuss issues directly and indirectly affecting them.

SEC. 19. Student Publications. - Students shall have the right to publish student newspapers and other similar publications, print in their pages materials which they deem in pursuance of their academic freedom and freedom of expression in accordance with Republic Act No. 7079, otherwise known as the "Campus Journalism Act of 1991." Pursuant

thereto, no individual who is not a staff member of the student publication shall determine its content. The role of the faculty adviser in a student newspaper shall be limited to technical guidance.

The selection of the student editor-in-chief and his/her staff shall be made by annual fair and competitive examinations to be administered by an impartial Board of Judges.

The editorial staff shall observe the ethics of professional journalism. It shall be the responsibility of the editorial staff to ensure that the student paper is not used for purposes contrary to law.

The editor/editorial staff shall, unless sooner removed for cause and with due process, be assured of security of tenure for the duration of his/her/its prescribed term.

SEC. 20. Academic Freedom. - Students' academic freedom shall consist of, but not limited to, the following rights:

- (a) To conduct researches in connection with academic work, and to freely discuss and publish their findings and recommendations;
- (b) To conduct inquiry within the campus in curricular and extracurricular activities;
- (c) To choose a field of study and to pursue the quest for truth; to express their opinion on any subject of public or general concern which directly or indirectly affects the students or the educational system;
- (d) To invite off-campus speakers or resource persons to student-sponsored assemblies, fora, symposia, and other activities of similar nature;
- (e) To express contrary interpretations or dissenting opinions inside and outside the classroom;
- (f) To participate in the drafting of a new curriculum and in the review or revision of the old;
- (g) To participate in the drafting and/or revising of the student handbook which shall include the school rules and regulations, a copy of which shall be furnished the students upon admission to the school; and
- (h) To be free from any form of indoctrination leading to imposed ideological homogeneity.

CHAPTER VI

RIGHT TO DUE PROCESS IN DISCIPLINARY PROCEEDINGS

SEC. 21. Right to Due Process. - (a) A student subject to disciplinary proceedings shall have the right to defend himself, to be heard and to present evidence on his behalf before an impartial body. There shall be a Student Disciplinary Board to be composed of one (1) representative from the school administration, two (2) faculty members, and two (2) students to conduct investigations into and decide on cases of student violations of disciplinary standards. Both the faculty and the student representatives shall be endorsed by the student council/government.

(b) The blacklisting, expulsion, suspension and other such disciplinary sanctions that may be taken against a student shall not be valid unless the following rights have been observed and accorded the student:

- (1) The right to be informed in writing of the nature and cause of the accusation against him/her;
- (2) The right to confront witnesses against him/her and to full access to the evidence in the case;
- (3) The right to defend himself/herself and to be defended by a representative or counsel of his/her choice, adequate time being given him/her for the preparation of his/her defense;
- (4) The right to a hearing before the Student Disciplinary Board;
- (5) The right against self-incrimination; and

(6) The right to appeal adverse decisions of the Student Disciplinary Board to the governing board and ultimately to the appropriate education agencies.

(c) The decision in any disciplinary proceeding must be rendered on the basis of relevant and substantial evidence presented at the hearing, or at the least contained in the record and disclosed to the student affected.

The deciding body must act on its own independent consideration of the facts of the case. The body should, in all controversial questions, render its decision in such a manner that the issues involved, and the reasons for any decision rendered are made clear to the student.

(d) Disciplinary sanctions shall be corrective rather than punitive or penal in nature. The gravity of disciplinary sanctions must be proportionate to the seriousness of the violation committed.

The Office of the Guidance Counselor of the respective schools in consultation with the Student Disciplinary Board shall publish on a periodic basis acts which are deemed violative of school rules and regulations and the corresponding disciplinary sanctions: Provided, That such rules and regulations do not violate the rights guaranteed herein and under the Constitution.

CHAPTER VII

OTHER RIGHTS

SEC. 22. Right Against Unreasonable Searches and Seizures. - Every student shall be free from any form of unreasonable search and seizure. Except for the following instances no search or seizure of a student shall be deemed valid:

(a) Searches made at the point of ingress and egress by authorized personnel of the school;

(b) Searches and seizures of illegal article or articles falling in the plain view of duly authorized personnel;

(c) Searches and seizures of articles that are illegal, discovered inadvertently by duly authorized personnel;

(d) Searches made when the student is about to commit, is committing or has just committed a crime or a serious infraction of the school's rules and regulations;

(e) Searches made with a valid search warrant.

Articles seized in violation of the hereinabove provided rights shall not be used as evidence against the student in any disciplinary action that may be brought against him/her.

SEC. 23. Access to School Records and Issuance of Official Certificates. - Subject to the provision of the following section, every student shall have access to his/her own school records, the confidentiality of which the school shall maintain. He/She shall have the right to be issued official certificates, diplomas, transcripts of records, grades, transfer credentials and other similar documents within thirty (30) days from the filing of request and accomplishment of all pertinent requirements.

SEC. 24. Unpaid Tuition Fees and Examinations. - No student shall be prohibited from taking a periodic or final examination because of unpaid tuition and other school fees not exceeding two (2) installments under the established terms of payment prescribed by the school concerned and approved by the appropriate education agency.

Students with delinquent fees permitted to take an examination shall nevertheless be subject to the right of the school concerned to withhold the release or issuance of such students' school records or of the documents mentioned in the preceding section or to deny such students admission to the next succeeding semester or year until the prior delinquencies are fully paid.

SEC. 25. Security of Tenure. - It shall be the right of students to finish their entire courses of study in a given school, except in cases of academic deficiency or violation of disciplinary regulations.

In cases wherein the school authorities refuse to allow a student to enroll for the subsequent semester or year due to the causes hereinabove stated, the student may appeal such ruling to the appropriate education agency

SEC. 26. Prohibition Against Involuntary Contributions. - Except those approved by their own student organizations, all involuntary contributions shall be prohibited.

SEC. 27. Collection of Student Paper and Student Council Fees. - The school administration shall assist the student paper staff and the student council/government, in their financial needs through the collection of student paper and student council fees from the students.

The student paper fees shall be held in trust for their unhampered use in the publication of the student paper.

The full amount of student council fees shall be turned over to the student council within fifteen (15) days from the assumption of office of the Student Council officers.

SEC. 28. Privacy of Communication. - The privacy of communication and correspondence among students shall remain inviolable.

SEC. 29. Scholarship Grants and Privileges. - Opposition to school policies inimical to students' interest shall not be a ground for denying or withdrawing scholarship grants and privileges to deserving students.

SEC. 30. Right to Adequate and Safe Housing/Dormitory Facilities. - The State and the respective school authorities shall endeavor to provide the students adequate, safe and clean housing facilities.

SEC. 31. Prohibition Against Militarization of the School Campus. - The pursuit of academic excellence and exercise of academic freedom can be attained only in an atmosphere free from fear and unreasonable restraint. Pursuant thereto, no military detachment shall be installed on the school campus.

Military elements and/or policemen in uniform or in plain clothes and school security forces shall not interfere with student activities, particularly peaceful mass actions, inside the school campus.

SEC. 32. Firearms Ban. - Students shall not be allowed to carry firearms inside the school campus.

They shall be required to deposit such firearms with the school security force prior to their entry to the school premises.

CHAPTER VIII

FINAL PROVISIONS

SEC. 33. Rules and Regulations. - Within ninety (90) days from the approval of this Act, the DepEd, TESDA, and CHED together with the representatives of national student organizations, representatives of school administrations and the National Youth Commission (NYC) shall promulgate the necessary rules and regulations to implement the provisions of this Act.

SEC. 34. Administration and Enforcement. - National student organizations and student councils/governments shall have the right to report to and demand an investigation from the appropriate education agency into any act or acts committed by school authorities and/or administrations violative of their right as provided in this Act. As such, they shall have the right to an impartial speedy resolution of the issue.

Upon finding by the appropriate education agency that a particular school administration has willfully and repeatedly infringed on the rights provided herein, it shall cause the suspension or cancellation of the license to operate of said erring school. To protect the interests of the students, the State shall, during the period of suspension or upon the cancellation of license, and unless restrained by the proper Court, take over the operation of the school.

SEC. 35. Penal Provisions. - Any person who shall willfully interfere with, restrain or coerce any student in the exercise of his/her rights guaranteed by this Act, or who shall in any other manner commit any act to defeat any provision of this Act, shall, upon conviction, be punished by a fine of not less than Ten Thousand (P10,000.00) Pesos nor more than Fifty Thousand (P50,000.00) Pesos or by imprisonment for not less than one year nor more than five years, or both such fine and imprisonment at the discretion of the Court.

If the offender is an educational institution, or any juridical person, the penalty shall be imposed upon the President, Treasurer, Secretary or any person or officer responsible for the violation. If the offender is an alien, he shall, after service of sentence, be deported immediately without further proceeding in the Bureau of Immigration (BI). If the offender is a public officer or employee, the Court shall, in addition to the penalties hereinabove provided, order his dismissal from the government service.

In this regard, the CHED, and the TESDA shall be empowered to investigate into the violations of this Act or the rules and regulations issued thereunder and for this purpose shall have the power to issue summons, writs, orders, subpoena and subpoena duces tecum to secure the attendance of witnesses and the production of documents in connection with the charges presented to the appropriate body.

In addition to the penalties herein provided, the license to operate of the school concerned may be suspended or canceled by the DepEd, TESDA, or CHED in accordance with Section 35 of this Act. The decision of these education agencies may be appealed to the proper court.

SEC. 36. Separability Clause. - If any provision of this Act is declared invalid, the remainder thereof not affected thereby shall continue to be in full force and effect.

SEC. 37. Repealing Clause. - All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 38. Effectivity. - This Act shall take effect upon its approval.

Approved,