

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2044

Introduced by HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

EXPLANATORY NOTE

The world is experiencing economic recession. Our country is not spared from this predicament. There is massive retrenchment. The number of unemployed escalates. Prices of commodities rise. Just recently, news came out that more than 15 % of schools increased their tuition fees. Pre-need companies are on the brink of collapse.

There are instances that students who are enrolled resulted to dropping-out because at the middle of the semester or school year, their guardians or parents are laid-off or retrenched. The latter could no longer support the daily allowances and transportation expenses of their students. The option is to enroll to another school with minimal expense, if not totally stop schooling. However, most of the schools do not release the students' official records, including but not limited to, transcript of records and certificates, if the students cannot pay in full the school fees. Thus, the students can no longer pursue their education, their hope for a better future.

As provided by the 1987 Constitution, Article XIV, Section 1: "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."

Hence, the passage of this Bill is urgently sought in order to give assistance to students and their families who are experiencing financial difficulties.



IRWIN C. TIENG



MARIANO MICHAEL M. VELARDE

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AN ACT

PROHIBITING THE WITHHOLDING OF STUDENTS' OFFICIAL RECORDS FOR
TRANSFER PURPOSES BY REASON OF NON-PAYMENT OF SCHOOL TUITION
FEES AND OTHER NECESSARY FEES, AND FOR OTHER PURPOSES

*BE IT ENACTED by the Senate and the House of Representatives of the
Philippines in Congress assembled.*

SECTION 1. Declaration of Policy. – It is hereby declared a policy of the State to give priority to education to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

Further, the State shall protect and promote the right of all citizens to quality education at all level and shall take appropriate steps to make such education accessible to all.

SECTION 2. It shall be unlawful for any school, university or college in the country to withhold or to otherwise cause, directly or indirectly, the delay in the release of the official records of the students for transfer purposes by reason of non-payment, in part or in full, of tuition fees or other necessary fees.

SECTION 3. Students who have enrolled in any school, university or college who would like to leave or who are compelled to leave the institution during the semester or school year due to indigency, financial constraints or financial reverses but cannot settle, in part or in full, the tuition fees and/ or other necessary school fees, shall be allowed to leave the school, university or college, with a right to demand the issuance of the official records and other pertinent documents upon the execution of a promissory note covering the unpaid obligation. The promissory note, executed by the guardians or parents of the students, shall be secured by either a mortgage or by a guarantee of a co-maker, who will be jointly and severally liable with the students for the unpaid obligation. Further, they must present a certificate of indigency issued by their respective local government units or proof of insolvency, as the case may be.

SECTION 4. Any officer or employee of the school, university or college responsible for releasing the officials records of the students, who violates the provisions of this Act shall be punished by a fine of not less than ten thousand pesos (P 10,000.00) but not more than fifty thousand pesos (P 50,000.00) or imprisonment of not less than one month, but not more than six months, or both such fine and imprisonment, at the discretion of the court.

SECTION 5. The Commission on Higher Education and the Department of Education shall promulgate the necessary rules and regulations to carry out the provisions of this Act.

SECTION 6. *Separability Clause.* - If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,