

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

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 2747



INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

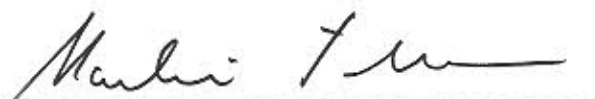
The alarming state of the economy aggravated by the instability of our country's political climate troubles the people in many ways. It may be one major problem that had greatly hampered the advancement of quality and accessible education.

As tuition and other school fees continue to increase both in public and private schools, it is very difficult for most students, especially their parents, to make good on their obligations to pay tuition fees on time. And this is disheartening since failure to do such would mean being prevented by the school administrators from taking mid-term or final examinations.

The situation, indeed, runs counter to the pronouncements of the fundamental law which provides, "that the State shall protect and promote the right of all citizens to quality and accessible education" and the State in recognition of the complimentary roles of public and private institution in the educational system "shall exercise reasonable supervision and regulation of all educational institutions."

Hence, this bill hopes to help students on their quest for knowledge by declaring it unlawful for any public or private school, to disallow any student from taking any periodic or final exam for mere failure to pay tuition fees in time, while providing for penalties for violation of such policy.

In view of the foregoing, consideration of this bill is urgently sought.


MARCELINO "MARCY" R. TEODORO
Representative
1st District, City of Marikina

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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 EXAMINATIONS
DUE TO UNPAID TUITION AND OTHER SCHOOL FEES

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

SECTION 1. Short Title. – This Act shall be known as the "Anti-'No Permit, No Exam' Act of 2013".

SEC. 2. Declaration of Policy. – It is hereby declared unlawful for any technical-vocational (tech-voc) institute or higher education institution (HEI), whether public or private, to disallow any student of post-secondary and higher education from taking any midterm or final examination due to nonpayment of tuition and other school fees under the established terms of payment prescribed by the concerned educational institution and approved by the Technical Education and Skills Development Authority (TESDA) and the Commission on Higher Education (CHED), respectively.

SEC. 3. Coverage. – This Act shall cover all public and private post-secondary tech-voc institutes and HEIs, including local colleges and universities.

SEC. 4. Right of Students. – Students of post-secondary and higher education shall have the right to take the midterm or final examinations notwithstanding the existence of unpaid financial obligations to the school.

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

SEC. 6. Rights of Schools. – The school authorities shall have the following rights against students with financial obligations, which remain due and unsettled to their schools:

- (a) To withhold the release of the grades of a student with delinquent account until the unpaid tuition and other school fees plus interest charges are fully paid;

- (b) To deny admission or enrolment of any student having unsettled tuition or other school fees at the next succeeding semester classes, in the case of higher education, or at the next succeeding short-term course, in the case of post-secondary tech-voc education, as the case may be, until the previous delinquencies are fully paid; and
- (c) To refuse issuance of school clearance to students with financial obligations to the school until all previous delinquencies are fully paid.

SEC. 7. Unlawful Acts. – In recognition of the students' right to take their midterm and final examinations, the following acts by tech-voc institutes and HEIs shall be considered unlawful:

- (a) Disallowing students with due and unpaid tuition and other school fees from taking the midterm or final examination;
- (b) Requiring the students to secure a permit to take the midterm or final examination from the school authorities prior to the administration of midterm periodic or final examination; and
- (c) Compelling the students to pay upon enrollment a down payment or first installment equivalent to more than thirty percent (30%) of the total amount of tuition and other school fees for the entire semester or duration of the course.

SEC. 8. Penalties. – Any HEI or tech-voc institute official or employee, including deans, coordinators, advisers, professors, instructors and other concerned individuals found guilty of violating any of the unlawful acts enumerated in Section 7 of this Act shall be punished by a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos (P50,000.00).

SEC. 9. Implementing Guidelines. – The TESDA and the CHED shall promulgate the implementing guidelines necessary to enforce the objectives of this Act.

SEC. 10. Separability Clause. – If any provision or part of this Act is held invalid or unconstitutional, the other sections or provisions hereof shall not be affected thereby and shall remain in force and effect.

SEC. 11. Repealing Clause. – All laws, presidential decrees, executive orders, proclamations, issuances, administrative orders, rules and regulations contrary to or inconsistent with any provision of this Act are hereby amended, repealed or modified accordingly.

SEC. 12. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved,