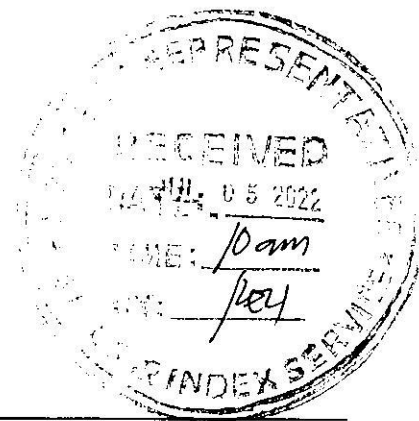


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. **1160**



Introduced by **KABATAAN PARTY-LIST Rep. Raoul Dannel A. Manuel**

AN ACT PENALIZING THE IMPOSITION OF A 'NO PERMIT, NO EXAM' POLICY OR ANY SUCH POLICY THAT PROHIBITS STUDENTS FROM TAKING THEIR PERIODIC OR FINAL EXAMINATIONS DUE TO UNPAID TUITION AND OTHER SCHOOL FEES

EXPLANATORY NOTE

The Philippine Constitution proclaims 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 such accessible to all." However, despite this constitutional provision, education remains to be elusive to its citizens. More than six (6) million Filipino youth are unable to enroll due to the skyrocketing cost of education.

The economic conditions in the Philippines remain dire and bleak; salaries and wages of parents remain stagnant while prices of basic commodities continue to rise. It is understandable that parents cannot pay tuition at the start of the school year and struggle to meet deadlines for staggered payments. Adding burden to parents and students, schools—more commonly in private education institutions—have taken to imposing a "No Permit, No Exam" policy which prohibits students with arrears from taking their midterm or final examinations.

Such policy effectively bars unpaid students from graduating or obtaining an academic degree, regardless of how hard they have worked for it or how much they academically deserve it.

It has been repeatedly pointed out that the State is not doing enough to protect the Filipino's right to quality and accessible education. Given that the State can barely ensure quality public education, it has also not sufficiently exercised its regulatory role among private schools, as Article XIV, Section 4 of the Constitution provides:

The State recognizes the complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.

In view of the foregoing, the passage of this bill is earnestly sought.


REP. RAOUL DANNIEL A. MANUEL
Kabataan Party-list

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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-No Permit, No Exam Act of
2 2019."
3

4 **SECTION 2. Declaration of Policy.** — It is the policy of the State to ensure the
5 accessibility of quality education and, towards this end, to exercise reasonable regulation of
6 education institutions.
7

8 It is hereby declared unlawful for any education institution, including primary, secondary,
9 higher education institution (HEI), and technical-vocational (tech-voc) institute, whether public
10 or private, to disallow any student from taking any midterm or final examination due to non-
11 payment of tuition and other school fees.
12

13 **SECTION 3. Coverage.** — This Act shall cover all education institutions, whether public
14 or private, primary, post-secondary tech-voc institutes and HEIs, including local colleges and
15 universities.
16

17 **SECTION 4. Right of Students.** — Students shall have the right to take the midterm or
18 final examinations notwithstanding the existence of unpaid financial obligations to the school.
19

20 **SECTION 5. Right of Schools.** — The school authorities shall have the right to refuse
21 issuance of school clearance to students with financial obligations to the school until all
22 previous delinquencies are fully paid.
23

24 **SECTION 6. Unlawful Acts.** — In recognition of the students' rights to take their midterm
25 and final examinations, the following acts by educational institutions shall be considered
26 unlawful;
27

- 28 (a) Disallowing students with due and unpaid tuition and other school fees from taking the
29 midterm or final examination;
30

1 (b) Requiring students to secure a permit to take the midterm or final examination the
2 school authorities prior to the administration of midterm periodic or final examination;
3 and
4

5 (c) Compelling students to pay upon enrollment a downpayment or first installment
6 equivalent to more than thirty percent (30%) of the total amount of tuition and other
7 school fees for the entire semester or duration of the course.
8

9 **SECTION 7. Penalties.** — Any school official or employee, including deans,
10 coordinators, advisers, professors, instructors, and other concerned individuals found guilty of
11 violating any of the unlawful acts enumerated Section 6 of this Act shall be punished by a fine
12 of not less than Twenty Thousand Pesos (P20,000.00) but not more than Fifty Thousand
13 Pesos (P50,000.00)
14

15 Any school administration found guilty of violating any of the unlawful acts enumerated
16 in Section 6 of this Act shall be punished by a fine of not less than One Hundred Thousand
17 Pesos (P100,000.00) but not more than One Million Pesos (P1,000,000.00).
18

19 Fines collected from erring schools shall be put into a special fund that shall be used for
20 scholarships.
21

22 **SECTION 8. Implementing Rules and Regulations.** — The Department of Education
23 (DepED), the Commission on Higher Education (CHED), the Technical Education and Skills
24 Development Authority (TESDA), and the National Union of Students of the Philippines, in
25 consultation and close coordination with student representatives, shall promulgate the
26 implementing rules and regulations necessary to enforce the objectives of this Act.
27

28 **SECTION 9. Separability Clause.** - If any part or provision of this Act is held
29 unconstitutional or parts thereof, other provisions hereof which are not affected thereby shall
30 continue to be in full force and effect.
31

32 **SECTION 10. Repealing Clause.** - All laws, decrees, orders, rules and regulations or
33 other issuances or parts thereof, inconsistent with the provisions of this Act are hereby
34 repealed or modified accordingly.
35

36 **SECTION 11. Effectivity.** - This Act shall take effect fifteen (15) days after its publication
37 in two (2) national newspapers of general circulation.
38

39
40 *Approved,*