



Republic of the Philippines

House of Representatives

Batasan Hills, Quezon City
Nineteenth Congress
First Regular Session

HOUSE BILL NO. **3142**



Introduced by Representative **Florencio Gabriel "Bem" G. Noel** and Representative **Josephine Veronique "Jaye" Lacson-Noel**

EXPLANATORY NOTE

Article XIV, Section 1 of the 1987 Philippine Constitution states:

"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. "

Education is the most precious inheritance most Filipino parents can pass on to their children, with the hope that this can help improve their quality of life. With this in mind, Filipino parents sacrifice so much in order to provide their children quality education.

In 2013, a freshman student who allegedly took her own life two (2) days after she was forced to put her studies on hold because she could not pay her tuition. The said student was forced to file a leave of absence for the second semester, despite her and her parents' appeal to extend the payment period for her tuition loan. ¹

The proposed bill seeks to prohibit private and public higher education institutions (HEIs), as well as technical-vocational schools from enforcing the "No Permit, No Exam" policy which essentially denies students the right to take examinations unless tuition fee payments are updated. This is intended to aide students to achieve quality education by allowing them to focus on their exams first, and worry about their tuition fees later.

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

FLORENCIO GABRIEL "BEM" NOEL

*Representative
At-Waray Partylist*

JOSEPHINE VERONIQUE "JAYE" LACSON-NOEL

*Representative
Malabon, Lone District*



Republic of the Philippines

House of Representatives

Datasan Hills, Quezon City

Nineteenth Congress

First Regular Session

HOUSE BILL NO. **3142**

Introduced by Representative **Florencio Gabriel "Bem" G. Noel** and Representative **Josephine Veronique "Jaye" Lacson-Noel**

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 EXAMINATION OR OTHER SIMILAR ASSESSMENTS 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 2022".

Sec. 2. Declaration of Policy. - It shall be the policy of the State to protect and promote the right of all the citizens to quality education at all levels. The State shall take appropriate steps to make such education accessible to all. Thus, it is hereby declared unlawful for any educational institution, whether public or private to disallow any student from taking any examination due to non-payment of tuition and other school fees.

Sec. 3. Coverage. - This Act shall cover the following educational institutions:

- a) Private elementary schools;
- b) Private secondary schools;
- c) Public and private post-secondary technical -vocational institutes; and
- d) Public and private Higher Education institutions (HEIs), including local colleges.

Sec. 4. Right of the Students. - Students of post-secondary and higher education shall have the right to take their preliminary, midterm, final examinations, or other similar assessments, 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 five percent (5%) 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. Right of the Schools. - The school authorities shall have the following rights against students with financial obligations, which remain due and unsettled:

- a) To withhold the release of the grades or 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 academic year, in the case of higher education, or deny the issuance of a certificate in the case of postsecondary technical-vocational education, as the case may be, until the previous delinquencies are fully paid;
- c) To refuse issuance of school clearance to students with financial obligations to the school until all previous delinquencies are fully paid.

Sec. 7. No Permit, No Exam Policy. - Schools shall be prohibited from adopting a "No Permit, No Exam Policy", which limits the right to every student to take examinations notwithstanding the existence of unpaid financial obligations to the school. Provided, that the parents or legal guardian of the student accomplishes an undertaking (a form to be provided by the school), addressed to the school, indicating the amount and the date of payment, and after being issued a proof of such compliance. The school shall reserve the right to pursue the recovery of the unpaid tuition fees through proper court action where civil rights and liabilities may be judicially established and collected. This shall not prohibit the student, parents, or legal guardians to seek informal means of resolving tuition fee disputes or enter into an agreement with the school before proceeding to court.

Sec. 8. Prohibited Acts. - The following acts shall be prohibited:

- a) Disallowing students with due and unpaid tuition and other school fees from taking examinations or providing a different schedule of exam from the rest of the student body; and
- b) Requiring the students to secure a special permit to take the examinations from the school authorities immediately prior to the administration of examinations.

Sec. 9. Penalties. Any educational institution official or employee, including deans, coordinators, advisers, professors, instructors, principals, teachers 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 Fifty Thousand Pesos (Php 50,000.00) but not more than One Hundred Thousand Pesos (Php 100,000.00).

Sec. 10. Implementing Guidelines. - The Department of Education (DepEd), Technical Education and Skills Development Authority (TESDA) and Commission on Higher Education (CHED) shall issue the rules and regulations necessary to implement the provisions of this Act within sixty (60) days from the date of its approval.

Sec. 11. 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. 12. Repealing Clause. - All laws, presidential decrees, executive orders, proclamations, issuances, administrative order, rules and regulations contrary to or inconsistent with any provision of this Act are hereby amended, repealed or modified accordingly.

Sec. 13. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in any two (2) newspapers of general circulation.

Approved,