



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5463



Introduced by HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.

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

EXPLANATORY NOTE

The 1987 Constitution¹ provides 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 education accessible to all.

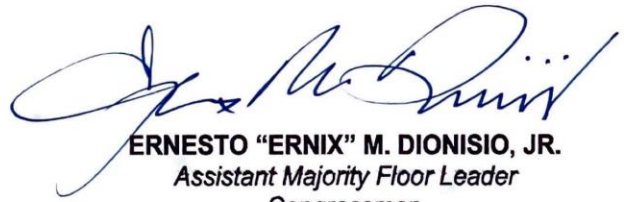
It is the duty of the State to ensure that every Filipino has access to free and quality education.

It is the current practice in our country that students who failed to settle their tuition and other school fees will not be allowed to take their periodic, preliminary, midterms or final examinations. It must be emphasized that every Filipino student must have access to education and must not be hindered from taking any examination thereof on the reason that such student failed to pay the school.

This bill seeks to impose a penalty to educational institutions that practices the “no permit, no exam” policy. There are other modes wherein educational institution can ensure payment from the students, but it should not involve them hindering such student from taking their examinations.

In view of the foregoing, the immediate passage of this bill is necessary.

¹ Section 1, Article XIV, 1987 Constitution.

A handwritten signature in blue ink, appearing to read 'Ernesto M. Dionisio, Jr.', with a stylized flourish at the end.

ERNESTO "ERNIX" M. DIONISIO, JR.

Assistant Majority Floor Leader

Congressman

First Congressional District of Manila



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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 “No Permit, No Exam Act.”

Section 2. Declaration of Policy. – It is the policy of the State to ensure the accessibility of quality education and, towards this end, to exercise reasonable regulation of education institutions. It is hereby declared unlawful for any educational institution, whether private or public, to prohibit any student from taking any examination, including but not limited to the mid-term or final examination, due to non-payment of tuition and other school fees.

Section 3. Coverage. – This Act shall cover all educational institutions, whether public or private, primary, secondary, post-secondary, technical-vocational institutes, and higher educational institutions, including local colleges and universities.

Section 4. Rights of Students. – Students shall have the right to take periodic school examinations, including but not limited to mid-term or final examinations, notwithstanding the existence of unpaid financial obligations to the school.

Section 5. Rights of Schools. – The school authorities shall have the right to refuse issuance of school clearance to students with financial obligations to the school until all previous delinquencies are fully paid.

Section 6. Unlawful Act. – In recognition of the rights of the students to take the school examinations, the following acts by educational institutions shall be considered unlawful:

- (a) Disallowing students with due and unpaid tuition and other school fees from taking any examination, including but not limited to mid-term or final examination.
- (b) Requiring the students to secure a permit from the school authorities to take school examinations, including but not limited to mid-term or final exams, prior to the administration of the periodic examinations; 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.
- (d) Automatically dropping a student from all subjects upon failure to settle their unpaid balances before their final examinations.

Section 7. Penalties. – Any school 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 6 of this Act shall be punished by a fine of not less than Twenty Thousand pesos (PHP 20,000.00) but not more than Fifty Thousand pesos (PHP 50,000.00), Fines collected from erring schools shall be put into a special fund that shall be used for scholarships administered by Department of Education (DepEd), Commission on Higher Education (CHED), and Technical Education and Skills Development Authority (TESDA).

Section 8. Implementing Guidelines. – The DepEd, CHED, and TESDA, shall promulgate the implementing guidelines necessary to enforce the objectives of this Act.

Section 9. Separability Clause. – If, for any reason or reasons, any part of the provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 10. 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 11. Effectivity. – This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

Approved,