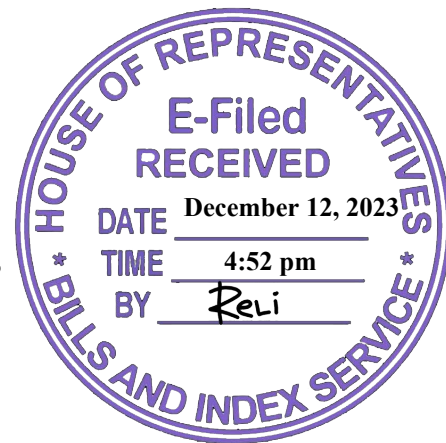




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress
Second Regular Session

HOUSE BILL NO. **9753**



Introduced by REPRESENTATIVE LORDAN G. SUAN

AN ACT
REGULATING THE COLLECTION OF CONTRIBUTIONS FROM STUDENTS, TEACHERS
AND PARENTS OF PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY
SCHOOLS, REPEALING FOR THIS PURPOSE REPUBLIC ACT 5546, ENTITLED, 'AN
ACT TO FURTHER AMEND REPUBLIC ACT NUMBERED FOUR THOUSAND TWO
HUNDRED SIX ENTITLED "AN ACT PROHIBITING THE COLLECTION OF
CONTRIBUTIONS FROM SCHOOL CHILDREN OF PUBLIC PRIMARY, INTERMEDIATE
AND HIGH SCHOOLS" AND REPUBLIC ACT 4206, AS AMENDED

EXPLANATORY NOTE

The collection of monetary or material contributions from students and parents has been a recurring issue in the education sector. Despite the Department of Education's No Collection Policy, parent complaints continue to fill the airwaves and flood social media channels.

We passed Republic Act 4206 in 1965, which prohibited the collection of contributions from children enrolled in public primary and intermediate schools. The law specifically prohibited "the collection of contributions for the Red Cross, Anti-Tuberculosis, Parent-Teacher Associations, School Athletic Meets, Medical and Dental Services, or for any other project or purpose, whether voluntary or otherwise," with the exception of the Red Cross membership drive. When Republic Act 5546 was passed in 1969, it forbade the selling of tickets and the collection of contributions, voluntary or otherwise, from students and teachers of public and private schools, colleges, and universities. Instead of specifically identifying the prohibited collection drives, it used the term "contributions in any form whatsoever." It also included membership in the Boy Scouts and Girl Scouts as an added exemption from the coverage of the law.

Looking at the different memoranda and orders issued by DepEd, we found out that it allows voluntary school contributions (VSCs) for the following:

Membership Fee/Contribution	Amount/Learner	Reference
Boy Scouts of the Philippines	P50.00	DM 513, S. 2009
Girl Scouts of the Philippines	P50.00	DM 235, S. 2009
Phil. National Red Cross	P50.00	DM 330, S. 2009

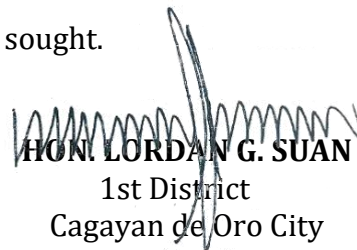
Anti-TB Fund Drive	P5.00	DM 31, S. 2001
Parents-Teachers Association	A reasonable amount to be determined by PTA's GA	DO 54, S. 2009
School Publication	P60.00 for elementary P90.00 for high school	DO 19, S. 2008
Membership in Student Org.	Based on existing school policies	DO 48, S. 2009

- Based on DepEd Order No. 013, S. 2022 & DepEd Memo No. 143, S. 2016
Some of these voluntary contributions may be in violation of the provisions of RA 5546, which expressly prohibits contributions "voluntary or otherwise, for any project or purpose" other than those stated.

Another point of contention is the PTA's voluntary membership dues and fund-raising collection, as outlined in Article VII, Section 26 of the Omnibus Guidelines on the Regulation of Parent-Teacher Association Operations (DepEd Order No. 13, S. 2022). PTAs, according to DepEd, are not subject to the prohibition because they are organizations of parents and RA 5546 solely addresses the prohibition of collecting from students and teachers.

This measure intends to repeal RA 4206, as amended, and RA 5546, in order to create a clear regulation on the collection of fees and contributions in public and private elementary and secondary schools, as well as provide a legislation that is relevant and responsive to the needs of the time.

In light of the preceding, this bill's approval is fervently sought.


HON. LORDAN G. SUAN
1st District
Cagayan de Oro City



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

Nineteenth Congress
Second Regular Session

HOUSE BILL NO. **9753**

Introduced by REPRESENTATIVE LORDAN G. SUAN

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

AN ACT
REGULATING THE COLLECTION OF CONTRIBUTIONS FROM STUDENTS, TEACHERS
AND PARENTS OF PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY
SCHOOLS, REPEALING FOR THIS PURPOSE REPUBLIC ACT 5546, ENTITLED, ‘AN
ACT TO FURTHER AMEND REPUBLIC ACT NUMBERED FOUR THOUSAND TWO
HUNDRED SIX ENTITLED "AN ACT PROHIBITING THE COLLECTION OF
CONTRIBUTIONS FROM SCHOOL CHILDREN OF PUBLIC PRIMARY, INTERMEDIATE
AND HIGH SCHOOLS" AND REPUBLIC ACT 4206, AS AMENDED.

SECTION 1. This Act shall be known as the “School Collection Regulation Act of 2023”.

SECTION 2. Definition of Terms. For this Act, the following terms are defined as follows:

- a.) Compulsory Contribution refers to a mandatory or forced payment or service for the achievement of a purpose, which usually entails a penalty or repercussion for non-compliance.
- b.) Compulsory Solicitation refers to the obligatory act of asking something from someone.
- c.) Fund-raising Activity refers to a concerted endeavor to collect monetary contributions for a project, initiative, or cause.
- d.) Miscellaneous Fee refers to a payment required for the incidental expenses incurred while availing the services provided by the school.
- e.) Tuition Fee refers to the payment made to cover academic and teaching expenses.
- f.) Voluntary Contribution refers to money, material, or service that is freely made or rendered without pressure or coercion.
- g.) PTA refers to the Parent-Teacher Association, a school-based organization of parents under the guidance of the school head or principal whose main purpose is to actively engage and cooperate in the implementation of

- 1 school programs and projects for the benefit of the school and the
2 students.
- 3 h.) School Publication refers to a medium of communication produced and
4 published by the students, like a newspaper, journal, yearbook, or
5 magazine.
- 6 i.) Student Organization refers to an association or group of students
7 organized based on level, interests, advocacy, goal, or persuasion.
8

9 **SECTION 3. *Compulsory Contribution.*** All forms of compulsory contributions for
10 whatever reason or purpose from students, teachers, and parents of public and private
11 elementary and secondary schools by any person or entity are hereby prohibited.
12

13 **SECTION 4. *Compulsory Solicitation or Fund-raising Activities.*** All forms of compulsory
14 solicitation or fund-raising activities for whatever project or purpose imposed on
15 students, teachers, and parents of public and private elementary and secondary schools
16 by any person or entity are hereby prohibited.
17

18 **SECTION 5. *Tuition and Other Fees.*** Tuition, laboratory, and miscellaneous fees may be
19 collected from students as a requirement for enrollment in private elementary and
20 secondary schools to ensure the school's viability. Provided, however, that such
21 expenses are disclosed in the assessment form prior to enrollment. Furthermore, failure
22 to pay the outstanding amount of such fees shall not deny the student the right to take
23 an exam, participate in school activities, or be promoted to the next grade or level.
24

25 Tuition, laboratory, and miscellaneous fees shall not be permitted in public elementary
26 and secondary schools due to governmental policy of free public education.
27

28 **SECTION 6. *Voluntary Contribution.*** Voluntary contributions for school activities or
29 school improvements may be solicited from or offered by the students or parents of
30 private elementary and secondary schools.
31

32 At any moment during the school year, no voluntary donations shall be collected or
33 solicited from public kindergarten, Grade I, Grade II, Grade III, or Grade IV students.
34 Voluntary donations may be solicited from public school students from Grade V to High
35 School, but only on the third (3rd) month after school begins and only for the following
36 membership and charitable causes:
37

- | | | |
|--------|---------------------------------|--------------------------------|
| 38 a.) | Boy Scouts of the Philippines | Php50.00 per student |
| 39 b.) | Girl Scouts of the Philippines | Php50.00 per student |
| 40 c.) | Philippine Red Cross | Php50.00 per student |
| 41 d.) | Anti-TB Fund Drive | Php20.00 per student |
| 42 e.) | School Publication | Php100.00 per student |
| 43 f.) | Student Organization Membership | Php20.00 per student applicant |
- 44

45 All voluntary contributions shall not in any way affect or become part of the student's
46 academic standing.
47

48 **SECTION 7. Uniform and School ID.** Uniform and school identification (ID) fees in
49 private elementary and secondary schools shall be included in each student's
50 assessment fee.

1
2 School uniforms shall not be required in public elementary and high schools.

3
4 School IDs shall be compulsory in all public elementary and secondary schools. The
5 school shall provide an ID for each student and pay the cost of its production.
6

7 **SECTION 8. *Parent-Teacher Association.*** The Parent-Teacher Association (PTA) is
8 recognized as a crucial platform for active partnership and collaborative engagement
9 between parents, teachers, and the community to implement school programs for the
10 benefit of students.

11
12 The PTA may undertake fund-raising activities and implement programs for the school
13 and the students. The solicitation or collection of contributions from a member parent
14 for projects, programs, and activities shall be voluntary only.
15

16 **SECTION 9. *Penal Provision.*** Any educational institution or person who violates the
17 provisions of this Act shall be punished by a fine of Fifty Thousand Pesos (Php50,000)
18 or imprisonment of one month and one day to six months, or both, at the discretion of
19 the court. If the violation is committed by a private educational institution, the Secretary
20 of Education, at his discretion, shall, in addition to the above penalty, suspend, revoke,
21 or otherwise cancel the authority to operate such educational institution.
22

23 **SECTION 10. *Implementing Rules and Regulations.*** Within thirty (30) days from the
24 promulgation of this Act, the Department of Education shall formulate the necessary
25 rules and regulations for its effective implementation.
26

27 **Section 11. *Separability Clause.*** If any provision of this Act is declared invalid or
28 unconstitutional, the provisions not hereby affected shall remain in full force and effect.
29

30 **Section 12. *Repealing Clause.*** All laws, decrees, orders, rules and regulations or parts
31 thereof, inconsistent with or contrary to the provisions of this Act are repealed,
32 amended or modified, accordingly.
33

34 **Section 13. *Effectivity.*** This Act shall take effect fifteen (15) days after its publication in
35 the Official Gazette, in a newspaper of general circulation, or on a website provided for
36 by law.

Approved,