

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 321



Introduced by **KABATAAN PARTY-LIST Representative Sarah Jane I. Elago,**
ACT TEACHERS PARTY-LIST Representative France L. Castro,
BAYAN MUNA PARTY-LIST Representatives Carlos Isagani T. Zarate,
Ferdinand Gaite and Eufemia C. Cullamat,
and GABRIELA WOMEN'S PARTY Representative Arlene D. Brosas

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.

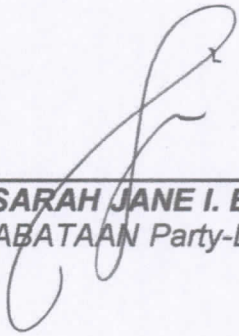
The economic conditions in the Philippines remains dire and bleak; salaries and wages of parents remain stagnant while prices of basic commodities continue to rise. It is understandable that parents cannot pay tuition at the start of the school year and struggle to meet deadlines for staggered payments. 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.


Approval of this bill is earnestly sought.



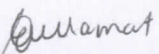
Rep. **SARAH JANE I. ELAGO**
KABATAAN Party-List



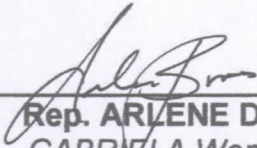
Rep. **CARLOS ISAGANI T. ZARATE**
BAYAN MUNA Party-List



Rep. **FERDINAND GAITE**
BAYAN MUNA Party-List



Rep. **EUFEMIA C. CULLAMAT**
BAYAN MUNA Party-List



Rep. **ARLENE D. BROSAS**
GABRIELA Women's Party



Rep. **FRANCE L. CASTRO**
ACT Teachers Party-List

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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

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 2019."

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 education institution, including primary,
secondary, higher education institution (HEI), and technical-vocational (tech-voc)
institute, whether public or private, to disallow any student from taking any midterm
or final examination due to non-payment of tuition and other school fees.

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

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

SECTION 5. Right 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.

1 **SECTION 6. *Unlawful Acts.*** — In recognition of the students' rights to take
2 their midterm and final examinations, the following acts by educational institutions
3 shall be considered unlawful:
4

- 5 (a) Disallowing students with due and unpaid tuition and other school fees from
6 taking the midterm or final examination;
7
8 (b) Requiring students to secure a permit to take the midterm or final examination
9 the school authorities prior to the administration of midterm periodic or final
10 examination; and
11
12 (c) Compelling students to pay upon enrollment a downpayment or first
13 installment equivalent to more than thirty percent (30%) of the total amount of
14 tuition and other school fees for the entire semester or duration of the course.
15

16 **SECTION 7. *Penalties.*** — Any school official or employee, including deans,
17 coordinators, advisers, professors, instructors, and other concerned individuals
18 found guilty of violating any of the unlawful acts enumerated Section 6 of this Act
19 shall be punished by a fine of not less than Twenty Thousand Pesos (₱20,000.00)
20 but not more than Fifty Thousand Pesos (₱50,000.00)
21

22 Any school administration found guilty of violating any of the unlawful acts
23 enumerated in Section 6 of this Act shall be punished by a fine of not less than One
24 Hundred Thousand Pesos (₱100,000.00) but not more than One Million Pesos
25 (₱1,000,000.00).
26

27 Fines collected from erring schools shall be put into a special fund that shall
28 be used for scholarships.
29

30 **SECTION 8. *Implementing Rules and Regulations.*** — The Department of
31 Education (DepED), the Commission on Higher Education (CHED), the Technical
32 Education and Skills Development Authority (TESDA), and the National Union of
33 Students of the Philippines, in consultation and close coordination with student
34 representatives, shall promulgate the implementing rules and regulations necessary
35 to enforce the objectives of this Act.
36

37 **SECTION 9. *Separability Clause.*** - If any part or provision of this Act is held
38 unconstitutional or parts thereof, other provisions hereof which are not affected
39 thereby shall continue to be in full force and effect.
40

41 **SECTION 10. *Repealing Clause.*** - All laws, decrees, orders, rules and
42 regulations or other issuances or parts thereof, inconsistent with the provisions of
43 this Act are hereby repealed or modified accordingly.
44

45 **SECTION 11. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
46 publication in two (2) national newspapers of general circulation.
47

48
49 *Approved,*