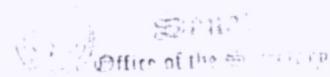


**EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session***

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**SENATE**

'19 JUL 11 P1:19

**S. No. 361**

RECEIVED BY [Signature]

**INTRODUCED BY SENATOR RISA HONTIVEROS**

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**AN ACT  
PROVIDING FOR A NATIONAL FRAMEWORK FOR STUDENTS' RIGHTS AND  
WELFARE**

**EXPLANATORY NOTE**

Education is an essential bulwark of democracy. It is the primary institution where young members of society develop their physical, moral, spiritual, intellectual, and social well-being. It is where patriotism and civic consciousness are instilled and where idealism is nourished. It is important in ensuring that all Filipinos are able to participate fully in nation-building. Hence, the right to education is guaranteed to all Filipinos in the 1987 Constitution as well as in several international human rights instruments, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child.

The right to education is key to youth empowerment. Despite this, repressive school policies curtail the full enjoyment of this right. Deregulated fee increases, campus journalism censorship, lack of independent student representation, campus militarization, outright prohibition and restriction of the right to organize and the right to free speech, and other oppressive measures have been historically and continuously implemented in our schools, impeding academic freedom, violating fundamental rights.

With the lack of a national policy to uphold and defend the rights and interests of students, campuses may cease to be a space for genuine education. Students are in danger of being alienated from democratic processes and their role in nation-building may be compromised. Schools should provide a climate conducive for both learning and empowerment. Thus, there is a need to protect students from an educational system that violates their rights and neglects their welfare.

This proposed legislation will recognize, promote, and protect the rights and freedoms of students enshrined in the Constitution and various human rights instruments inside and outside campuses. It will provide minimum standards for consultation regarding tuition and other school fees increase. It will penalize students' rights violations and will provide mechanisms for a meaningful participation in decision-making processes in crafting and formulating policies affecting students.

Protecting the rights and welfare of students is an integral part of the guarantee to the full enjoyment of the right to education. In view of the foregoing considerations, the enactment of this bill is earnestly sought.

  
**RISA HONTIVEROS**

**Senator**

SENATE  
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**AN ACT  
PROVIDING FOR A NATIONAL FRAMEWORK FOR STUDENTS' RIGHTS AND  
WELFARE**

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

1       Section 1. *Short Title.* – This Act shall be known as the "Students' Rights and  
2       Welfare Act of 2019."

3       Sec. 2. *Declaration of Policy.* – Pursuant to Article II, Section 1 of the 1987  
4       Philippine Constitution, which makes it an obligation of the State to prioritize education,  
5       science and technology, arts, culture and sports with the end of fostering patriotism and  
6       nationalism, accelerating social progress, and promoting total human liberation and  
7       development, to Article III of the Constitution which guarantees the fundamental rights  
8       of every Filipino citizen; and in accordance with State obligations under international  
9       agreements, including the *International Convention on Civil and Political Rights*,  
10      *International Convention on Economic and Social Rights*, the *Universal Declaration on*  
11      *Human Rights*, *International Convention on the Rights of the Child*, *Convention on the*  
12      *Elimination of All Forms of Discrimination Against Women*, it is hereby declared a policy  
13      of the State to protect and promote the welfare of Filipino students.

14      Pursuant to Article XIV, Sections 1 and 5(1) of the Constitution, the State hereby  
15      recognizes its obligation to protect and promote the right of all citizens to quality  
16      education at all levels, shall take appropriate steps to make education accessible to all,  
17      and guarantees the enjoyment of academic freedom in all institutions of higher  
18      learning.

19      Towards this end, the State:

- 1           a) Recognizes that education is a right and as such it can only be exercised  
2           and enjoyed fully when rights and welfare of students and young  
3           Filipinos are promoted and protected.
- 4           b) Acknowledges that education is essential to the full participation of  
5           Filipinos in nation-building. It is also essential in instilling nationalism,  
6           critical and creative thinking, and values necessary to promote civil  
7           liberties, human rights, and fundamental freedoms.
- 8           c) Affirms that students have the right to meaningful participation in  
9           decision-making processes inside and outside educational institutions,  
10          especially in the crafting and formulation of policies directly affecting  
11          them. The promotion of this right to participate is an integral part of the  
12          nation's democratic processes.
- 13          d) Affirms that the fundamental right to expression of students shall be  
14          unabridged and autonomous from the influences of educational  
15          institutions.
- 16          e) Affirms the students' right to organize, which encompasses the right to  
17          establish student organizations, student unions, and student councils  
18          and governments.

19          Sec. 3. *Definition of terms.* – As used in this Act:

- 20          a) "*School*" refers to a private, public or government-run and funded  
21          institution for learning in all levels of education. For purposes of this Act,  
22          the term shall include institutions for vocational and technical education  
23          but excludes those institutions for enhanced basic education. A school is  
24          comprised of the studentry, administration, faculty, and non-faculty  
25          personnel.
- 26          b) "*School campus*" refers to areas designated by the school administration  
27          for use by students, which shall include, but are not limited to, facilities,  
28          contiguous or proximate buildings, and the school grounds.
- 29          c) "*Student*" refers to any person enrolled in a particular school, as the  
30          latter is defined in subparagraph (a) of this Section.
- 31          d) "*Governing board*" refers to the highest policy-making body of the  
32          school such as a Board of Directors, Regents, or Trustees.
- 33          e) "*Student council*" or "*student government*" is the collective term to refer  
34          to the representatives of students in a school or of students in different  
35          independent units of a school, college, or university. A designated  
36          student population annually elects members of the student council or of

the student government at large following election rules in the charter or constitution of the student council or the student government.

f) "Council of leaders" refers to a duly constituted body composed of the heads of all, or almost all, student organizations in a school. The chairperson or the president of the student council or student government, or any student duly elected by the members of the council of leaders shall preside over the council of leaders.

g) "Tuition" refers to amounts paid for the privilege to receive education in a school.

h) "Other school fees" refer to fees other than tuition. These include library and athletic fees, laboratory fees, entrance fees, National Service Training Program fees, student council or student government fees, graduation fees, medical and dental fees, and other similar fees.

*Sec. 4. Right against discrimination in educational institutions.* – No student shall

15 be denied admission or dropped from the rolls of an institution, punished with  
16 disciplinary action, given mandatory counseling, or denied welfare services,  
17 scholarships, and other student privileges solely on the basis of physical handicap,  
18 socio-economic status, political and religious beliefs, sexual orientation, gender identity  
19 or expression or membership in organizations.

*Sec. 5. Right to competent instruction and accessible, quality, relevant education.*

21 – Students have the right to accessible, competent, holistic, quality, and relevant  
22 education that is essential to personal development and to the development of the  
23 nation. Students shall also take part in teacher performance assessments through  
24 written evaluations at the end of each school term. The conduct of such assessments  
25 shall be the obligation of the school administration.

26 Sec. 6. *Right to organize.* – The right of students to form, assist, or join  
27 organizations, alliances, or federations shall not be abridged.

28 The student council or the student government and the council of leaders shall  
29 formulate guidelines for the accreditation of student organizations. Such guidelines shall  
30 be implemented by the office of student affairs, in coordination with the student council  
31 or student government, which shall adopt a mechanism to resolve issues that may be  
32 raised in the accreditation process.

33 The accreditation requirements shall not unduly restrict the right of students to organize  
34 and may include submission of documentary requirements such as, but not limited to, a

1 written application for accreditation, a copy of the constitution and by-laws of the  
2 organization, a general plan of action or list of activities, list of incumbent officers, and  
3 a list of members.

4 Accredited student organizations shall coordinate with the office of student affairs for  
5 on- and off-campus activities. The school shall provide, free of charge, a hall or building  
6 within the school campus where a student organization may establish its office or  
7 permanent meeting area. Furthermore, the school administration shall allow student  
8 organizations to use school facilities for their activities free of charge.

9         *Sec. 7. Right to establish a student council or government.* – There shall be a  
10 student council or student government recognized in every school, university or college,  
11 as the case may be.

12             a) In schools, universities, or colleges where there is no existing student  
13             council or student government, the following procedure shall be  
14             followed in establishing the student council or student government:

15             A constitution or charter of the student council or student government  
16             resulting from a consultative process involving the council of leaders and  
17             representatives of unaffiliated students shall be adopted. The  
18             constitution or charter shall be formally adopted after its ratification by  
19             at least two-thirds (2/3) of the designated student population. It shall  
20             contain provisions on the structure, functions, and responsibilities of the  
21             student council or student government.

22             Every student council or student government shall have the right to  
23             determine its policies and programs on student activities subject to the  
24             provisions of its charter or constitution and in consonant with school  
25             rules and regulations: *Provided*, that the latter does not infringe on the  
26             basic rights and freedoms of students.

27             The election of the members or officers of the student council or the  
28             student government shall be conducted by an independent commission  
29             on elections which shall ensure that such elections are honest, orderly,  
30             and peaceful. The members of commission of elections shall be chosen  
31             from a list of nominees from members of the council of leaders. The  
32             school concerned shall ensure that the commission on elections has  
33             sufficient funds to carry out its mandate.

1                   b) In schools, universities, or colleges where there are existing student  
2                   councils or student governments, student representation shall still be  
3                   lodged in the duly-elected student councils or student governments.

4                   The existing procedure for the election of members of student councils  
5                   or student governments shall be retained and enforced as long as it  
6                   conforms to the provisions of this Act. Otherwise, the existing procedure  
7                   shall have transitory effects until the designated student population has  
8                   adopted a new charter or constitution consistent with the provisions of  
9                   this Act. Such adoption shall be among the primary activities of the  
10                  existing student council or student government.

11                  A "*student council or student government fee*" may be collected from students to  
12                  finance the operations of the student council or student government, the amount of  
13                  which shall be determined by the student council or student government in consultation  
14                  with the student body and should be consistent with the student council or student  
15                  government's general plan of action or list of activities for a specific term. The school  
16                  administration shall facilitate the collection of the student council or student  
17                  government fee and shall turn over the collected amount to the student council or  
18                  student government within fifteen (15) days after the start of the semester or school  
19                  period. The student council or student government shall release a financial report at the  
20                  end of its term. To take effect, a proposal to increase the student council or student  
21                  government fee shall require a vote of simple majority by the designated student  
22                  population.

23                  No policy restricting the right of student councils or student governments to join  
24                  federations or alliances of student councils shall be imposed by the school  
25                  administration.

26                  Sec. 8. *Right against campus militarization.* – Students have the right to an  
27                  academic environment free from fear and surveillance from military and police agents  
28                  and instruments.

29                  Prior notification shall be given by a commander of an AFP or PNP unit intending to  
30                  conduct any military or police operations in any part of a school campus, to the school  
31                  president, dean, or their respective officers-in-charge in the event of their absence,  
32                  when the situation so warrants.

33                  Except in cases of hot pursuit and similar occasions of emergency, or in cases defined  
34                  in the next succeeding paragraph, or ordinary transit through a school campus, no

1 member of the AFP or PNP shall enter the premises of a school. Whenever requested by  
2 law enforcers, the appropriate school officials shall extend the necessary assistance in  
3 the enforcement of the law within school premises.

4 Whenever the president, dean, or their respective officers-in-charge is of the opinion  
5 that the assistance of the AFP or PNP is indispensable to the maintenance of security,  
6 peace and order within campus premises, the said official shall inform in writing the  
7 head of the AFP or PNP unit in the area and the latter shall promptly dispatch such  
8 assistance as may be warranted by the circumstances.

9 In case the request for assistance is granted, only uniformed members of the AFP or  
10 PNP with proper identification shall be allowed entry into the campus concerned.

11 Members of the AFP or PNP shall not interfere with peaceful protest actions by students  
12 within school premises. The pertinent school officials shall be deemed responsible for  
13 the behavior of their students, faculty, and employees in such activities.

14 Sec. 9. *Right to publish a student newspaper and other similar publications.* – In  
15 accordance with Republic Act No. 7079 or the "Campus Journalism Act of 1991,"  
16 students shall have the right to publish a student newspaper and other similar  
17 publications.

18 The editorial staff of the student paper shall be comprised of students. The editorial  
19 staff will have a faculty adviser who has the role of providing technical assistance.

20 The selection of the student editor-in-chief and the members of the editorial staff shall  
21 be conducted annually through fair and competitive examinations to be administered by  
22 an impartial board of judges, which shall be comprised of professional journalists,  
23 representatives, from the faculty, and students.

24 Ethics in journalism shall be observed by the editorial staff. It shall be the responsibility  
25 of the editorial staff to ensure that the student paper is not used for purposes contrary  
26 to law.

27 Unless sooner removed for cause and with due process, the editor-in-chief and editorial  
28 staff shall have security of tenure for the duration of his/her prescribed term.

29 The student publication shall be financially autonomous from the school administration.  
30 A "student publication fee" shall be collected from the students and shall be held in  
31 trust by the school administration. No policy shall be imposed by the school  
32 administration to hamper the access of the editorial staff to such fund, subject to  
33 existing school regulations in the disbursement of funds. The school administration shall

1 also be prohibited from using such fund. At the end of each term, the editorial board  
2 shall publish a financial statement.

3 Sec. 10. *Right to adequate welfare services and academic facilities.* – The school  
4 administration shall endeavor to provide the following services:

- 5 a) Health services for students with at least one (1) functioning clinic and a  
6 registered nurse to provide basic care for common ailments;
- 7 b) Legal assistance in cases involving the exercise and enjoyment of rights  
8 and freedoms provided in this Act;
- 9 c) Counseling;
- 10 d) Adequate laboratory, library, research, recreation, and physical  
11 education facilities;
- 12 e) Effective communications system to ensure that students are promptly  
13 notified and informed;
- 14 f) Adequate, safe, and clean board and lodging facilities, such as  
15 dormitories, inside the school campus. In case the school has no in-  
16 campus dormitories, the school administration and the student council  
17 or student government shall be required to accredit or recommend out-  
18 of-campus dormitories where students are encouraged to stay.

19 Sec. 11. *Representation in the school's highest policy-making body.* – There shall  
20 be a student representative in the highest policy-making body of the school. The  
21 selection process for the student representative will be formulated by the student  
22 council or student government but adopted through a referendum among the students.

23 The student representative shall have the same rights as the other members of the  
24 governing board: *Provided*, that no monetary compensation shall be given to the  
25 student representative except as reimbursement of actual and necessary expenses  
26 incurred in attending meetings and representing the governing board.

27 Sec. 12. *Right to information.* – The right of students to information on matters  
28 affecting their welfare shall be recognized.

29 At the minimum, students shall have access to the following documents:

- 30 a) Official school acts embodying school policies;
- 31 b) The school's annual budget information, including pertinent  
32 transactions; and
- 33 c) Any other document that involves the rights and welfare of the students.

1 Any student who wishes to obtain information from the school administration shall  
2 simply forward a written request through mail or through electronic means to the  
3 assigned custodian of the requested information or document.

4 Sec. 13. *Right to freedom of expression.* – Students shall have the right to freely  
5 express their views and opinions. They shall have the right to peaceably assemble and  
6 petition the government and school authorities for the redress of their grievances. No  
7 school regulation shall be imposed violating or abridging the student's right to  
8 assembly.

9 Students shall have access to print and broadcast media in their activities. They shall  
10 also have the right to print, circulate, and/or mount leaflets, newsletters, posters, wall  
11 news, petitions, and such other materials. School authorities shall ensure the provision  
12 of facilities such as bulletin boards.

13 Sec. 14. *Academic freedom.* – Students' academic freedom shall consist of, but  
14 not limited to, the following rights:

- 15 a) To conduct researches in connection with academic work, and to freely  
16 discuss and publish their findings and recommendations;
- 17 b) To conduct inquiry within the campus in relation to curricular and  
18 extra-curricular activities;
- 19 c) To choose a field of study and to pursue the quest for truth;
- 20 d) To express their opinion on any subject or public or general concern  
21 which directly or indirectly affects the students of the educational  
22 system;
- 23 e) To invite off-campus speakers or resource persons to student-  
24 sponsored assemblies, forums, symposia, and other similar activities;
- 25 f) To express contrary interpretations or dissenting opinions inside and  
26 outside the classroom;
- 27 g) To participate in the drafting of a new curriculum and in the review or  
28 revision of the old through consultations and membership in working  
29 groups;
- 30 h) To participate in the process of revising the student handbook and  
31 school rules and regulations. A copy of the existing student handbook  
32 will be given to students upon admission to the school; and
- 33 i) To decide and choose actions according to personal and political  
34 beliefs, and be free from the imposition of any thought, ideology, or  
35 principle.

1 Sec. 15. *Rights on Academic Procedure.* -

2 a) *Syllabus.*

3 A syllabus should clearly define and reflect the contents of the  
4 curriculum. The course syllabus shall be provided to students before  
5 the start of classes to ensure that students are guided throughout the  
6 school term.

7 b) *Class requirements and measures for evaluation.*

- 8 a. Criteria for grading should be formal and appropriately  
9 quantified.
- 10 b. Mere absences from scheduled classroom lectures should  
11 not be the sole basis for grading: *Provided*, that a maximum  
12 number of absences shall be prescribed.
- 13 c. A student shall have the right to do make-up work in the  
14 event that requirements were not accomplished because of  
15 excusable inability to be physically present.

16 c) *Class performance.*

17 Students have a right to know their class performance data from  
18 submitted papers, quizzes, long or short examinations and other  
19 similar class requirements.

20 d) *Consultations.*

21 Members of the school faculty shall have regular consultation hours  
22 and make themselves available to discuss relevant student concerns.  
23 These hours should be made known to the students at the beginning  
24 of the term.

25 Sec. 16. *Right to due process.* – The right of a student to due process shall be  
26 observed and respected especially during disciplinary proceedings.

27 There shall be an independent student disciplinary board to be composed of one (1)  
28 representative from the school administration, two (2) faculty members, and two (2)  
29 students: *Provided*, that the representatives shall have the written endorsement of the  
30 student council or student government.

31 The board shall conduct investigations and decide student disciplinary cases following  
32 the adopted guidelines for the proceedings. The representative from the administration  
33 shall sit in the board for five (5) years, the representative from the faculty for three (3)  
34 years, and the representative from the students for one (1) year.

1 Blacklisting, expulsion, suspension, and other disciplinary sanctions that may be  
2 imposed against an erring student shall be imposed only if the following rights have  
3 been observed and accorded the student:

- 4 a) To a hearing before the board, which includes the right to present  
5 one's case and submit evidence in support thereof;
- 6 b) Against self-incrimination;
- 7 c) To be defended by a representative or counsel of choice, adequate  
8 time being given for the preparation of the defense;
- 9 d) To have the decision rendered on the evidence presented at the  
10 hearing, or at least contained in the record and disclosed to the parties  
11 affected;
- 12 e) To appeal adverse decisions of the student disciplinary board to the  
13 governing board and ultimately to the appropriate education agencies;
- 14 f) To have the deciding body, in all controversial questions, render its  
15 decision in such a manner that the issues involved and the reasons for  
16 any decision rendered are made clear to the student;
- 17 g) To confidentiality; and
- 18 h) Any other rights as afforded and guaranteed to an accused under the  
19 Constitution.

20 Subject to existing laws, a decision on a case filed before a student disciplinary board  
21 shall be resolved within three (3) months after the filing of such a case or complaint.

22 The office of the guidance counselor of the concerned school, in consultation with the  
23 student disciplinary board, shall publish on a periodic basis a list of acts that violate  
24 school rules and regulations and their corresponding disciplinary sanctions: *Provided*,  
25 that such rules and regulations do not violate the rights guaranteed herein and under  
26 the Constitution.

27 Sec. 17. *Right against illegal searches and seizures.* – Except for the following,  
28 any other form of search and seizure shall be unreasonable and illegal:

- 29 a) Searches made with a valid search warrant;
- 30 b) Searches made at the point of ingress and egress by a person  
31 authorized by the school;
- 32 c) Seizure of articles deemed illegal under existing laws falling in the plain  
33 view of duly confiscating authority; and

- 1                   d) Searches and seizures made when the student is about to commit, is  
2                   committing, or has just committed a crime or a serious infraction of  
3                   school rules and regulations.
- 4     Articles seized in violation of this Section shall be deemed fruits of an unlawful search  
5     and seizure and therefore cannot be used as evidence against the student in any  
6     disciplinary action.

7                 *Sec. 18. Access to school records and issuance of official certificates.* – Students  
8     shall have access to their own school records, and have the right to be issued official  
9     certificates, diplomas, copies of transcript of records, copies of grades, documents  
10    required as transfer credentials, and other similar documents within thirty (30) days  
11    from the filing of a written request together with other reasonable requirements.

12   The school shall strictly maintain the confidentiality of all school records.

13               *Sec. 19. Right to privacy.* – The right of students to the privacy of their  
14    communication and correspondence is affirmed and shall remain inviolable. This right to  
15    privacy also extends to the following:

- 16               a) The public use of a student's name or likeness;  
17               b) A student's private affairs, including seclusion or solitude;  
18               c) Personal circumstances, whether facts or otherwise, especially those  
19               which are, from the point of view of the student, will cause him  
20               embarrassment when made public; and  
21               d) That information which might put any person in false light and destroy  
22               good repute.

23               *Sec. 20. Ban on Firearms.* – No person shall carry firearms or explosives in school  
24    campuses except if such person has the necessary permit to carry such firearm issued  
25    by appropriate government authorities by reason of his obligation to ensure peace and  
26    security of the school campus, such as that of a member of the Philippine National  
27    Police.

28               *Sec. 21. School fees and other tariffs.* – Contributions which do not pertain to the  
29    tuition or other fees, as well as to other fees allowed to be collected in this Act, shall  
30    *prima facie* be considered unnecessary and shall be prohibited from being collected.

31   To comply with student requests for information as provided in Section 18 of this Act,  
32   schools are prohibited from imposing fees beyond the actual cost of reproducing school

1 records, official certificates, copies of transcript of records, copies of grades, and other  
2 documents required as transfer credentials.

3 No increase in tuition or other school fees shall be allowed unless:

- 4 a) A notice of increase specifying the particular fee to be increased is  
5 publicly announced and posted in conspicuous locations a year prior  
6 before the proposed increase is planned to take effect. The council of  
7 leaders and the student council or student government shall be directly  
8 notified about the proposed increase.
- 9 b) At least one (1) public meeting was held where students, the council of  
10 leaders, and the student council or student government has an open  
11 discussion with the school administration as regards the proposed  
12 increase. The head of the governing board shall be present during this  
13 public meeting. Parents of students may be allowed to attend. The  
14 conduct of the public meeting shall not be interpreted as denying the  
15 students a continuous consultation process as regards the proposed  
16 increase.
- 17 c) All documents pertaining to the proposed increase is made available to  
18 the student council or student government.
- 19 d) The presentation of a counterproposal or position of the student  
20 representative to the governing board has been conducted.

21 Sec. 22. *Implementing rules and regulations.* – The Department of Education,

22 Commission on Higher Education, Technical Education and Skills Development  
23 Authority, Commission on Human Rights, in coordination with the National Youth  
24 Commission, representatives of national student organizations and representatives of  
25 school administrations shall promulgate the necessary rules and regulations to  
26 implement the provisions of the Act within ninety (90) days from the approval of this  
27 Act.

28 Sec. 23. *Administrative bodies and remedies.* – The CHED, DepEd, and TESDA

29 are hereby vested with powers necessary to investigate and impose administrative  
30 penalties to ensure the enforcement of this Act. Any student, member of a student  
31 council or student government, or a national organization of student councils or student  
32 governments, or youth organization may file written complaints before the CHED,  
33 DepEd, and TESDA.

- 1           a) Upon a finding that a school is guilty of violating rights guaranteed  
2           under this Act, either CHED, DepEd, or TESDA, as the case may be, may  
3           cause the suspension or revocation of the license or permit to operate of  
4           any school, college, or university.
- 5           b) The order of suspension or revocation of license or permit to operate  
6           may carry with it a fine of not less than two hundred thousand  
7           Philippine pesos (Php 200 000.00) but not more than five hundred  
8           thousand Philippine pesos (Php 500 000.00).
- 9           c) If the person violating the provisions of this Act is a student or student  
10          organization, the CHED, DepEd, or TESDA, may issue a recommendation  
11          for the suspension or expulsion of the student or the suspension or  
12          revocation of the accreditation of the school organization.

13           Sec. 24. *Penal Provisions.* – Any person who shall willfully interfere with, restrain,  
14          or coerce any student in the exercise and enjoyment of rights guaranteed by this Act  
15          shall, upon conviction, be punished by imprisonment for not less than one (1) year but  
16          not more than five (5) years, or a fine of not less than fifty thousand Philippine pesos  
17          (Php 50 000.00) but not more than one hundred thousand Philippine pesos (Php 100  
18          000.00), or both, at the discretion of the court.

19          If the offender is a juridical person, the penalty shall be imposed upon the president,  
20          treasurer, secretary or any officer or person responsible for the violation. If the offender  
21          is a public officer or employee, the Court shall, in addition to the penalties above, order  
22          his or her dismissal from government service.

23          Refusal of any government official, including those working in state colleges and  
24          universities, whose duty includes investigating or acting on any complaint for a violation  
25          of this Act to perform his or her duty shall be considered as gross negligence on the  
26          part of such official who shall suffer the appropriate penalty under civil service laws,  
27          rules, and regulations.

28          Any student whose rights have been violated as stipulated in this Act may file  
29          independent civil case for damages against the offending persons, natural or juridical.  
30          He or she shall be exempt from filing fees.

31           Sec. 25. *Annual Report.* – The CHED, DepEd, and TESDA shall monitor the  
32          implementation of this Act and shall submit an annual report of the results of its  
33          monitoring to the Office of the President and to the Philippine Congress.

1           Sec. 26. *Separability Clause.* – If, for any reason, any part, section, or provision  
2 of this Act is held invalid or unconstitutional, the remaining provisions not affected  
3 thereby shall continue to be in full force and effect.

4           Sec. 27. *Repealing Clause.* – All laws, decrees, executive orders, proclamations,  
5 rules and regulations, and other issuances, or part or parts thereof, including  
6 inconsistent provisions of the *Education Act of 1982*, which are inconsistent with the  
7 provisions of this Act, are hereby repealed, amended, or modified accordingly.

8           Sec. 28. *Effectivity Clause.* – This Act shall take effect immediately after the  
9 completion of its publication in the Official Gazette or at least two (2) newspapers of  
10 general circulation.

*Approved,*