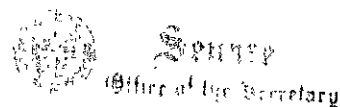


FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

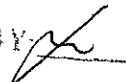
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SENATE

Senate Bill No. 2992

RECEIVED BY 

Introduced by SENATOR MANNY B. VILLAR

EXPLANATORY NOTE


To most Filipino parents, education is the single most precious inheritance they can pass on to their children. Even to the poorest of families, they consider it their fundamental obligation to send their children to school, in hopes that one day, the educated children can elevate their family's way of life to a level that is decent and comfortable. It is typical for families then, especially those in the rural areas, to mortgage a piece of their land or homes, and even sell a few of their possessions in order that their children could study in the big city where most schools are. In short, parents sacrifice so much in the name of their child's education.

Unfortunately for students and their parents, schools can be quite exacting when it comes to tuition, and this could not be any more apparent than during examinations. While we understand that tuition and other fees are necessary for schools to provide the service required of them, there will be instances when parents/students are unable to pay on time.

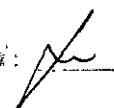
The proposed legislation seeks to prohibit public/private higher education institutions (HEIs) and technical-vocational schools from enforcing the "No Permit, No Exam" policy which essentially denies students the right to take examinations that weigh greatly on their final grades. Parents and students alike have endured in silent agony for so long under this seemingly unfair practice.

Notwithstanding the issuance of Memorandum Order (CMO) 02 series of 2010 by the Commission on Higher Education in January 2010, which urge some degree of flexibility towards students with unsettled accounts, many schools still brazenly ignore it.

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


MANNY VILLAR

SENATE
S.B. No. 2992


Secretary

Introduced by SENATOR MANNY VILLAR

AN ACT
PENALIZING THE IMPOSITION OF A 'NO PERMIT, NO EXAM' POLICY
THAT PROHIBITS STUDENTS OF POST-SECONDARY AND HIGHER
EDUCATION FROM TAKING THEIR MIDTERM 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:

1 **SECTION 1. Short Title.** – This Act shall be known as the “Anti’ No Permit, No
2 Exam’ Act of 2011”.

3
4 **SECTION 2. Declaration of Policy.** – It is hereby declared unlawful for any
5 technical-vocational (tech-voc) institute or higher education institution (HEI), whether public
6 or private, to disallow any student of post-secondary and higher education from taking any
7 midterm or final examination due to nonpayment of tuition and other school fees under the
8 established terms of payment prescribed by the concerned educational institution and
9 approved by the Technical Education and Skills Development Authority (TESDA) and the
10 Commission on Higher Education (CHED), respectively.

11
12 **SECTION 3. Coverage.** – This Act shall cover all public and private post-secondary
13 tech voc institutes and HEIs, including local colleges and universities.

14
15 **SECTION 4. Right of Students.** – Students of post-secondary and higher education
16 shall have the right to take the midterm or final examinations notwithstanding the existence
17 of unpaid financial obligations to the school.

18
19 **SECTION 5. Obligation of Students.** – The students and/or their parents, unless
20 waived by the school authorities concerned, shall be obligated to pay an interest for the
21 unpaid tuition and other school fees, which shall not be more than six percent (6%) per
22 annum, computed from the date of the examination taken by the students until the date
23 when the overdue and unpaid tuition and other school fees are fully liquidated.

24
25 **SECTION 6. Right of Schools.** – The school authorities shall have the following
26 rights against students with financial obligations, which remain due and unsettled to their
27 schools:

- 28
29 (a) To withhold the release of the grades of a student with delinquent account until
30 the unpaid tuition and other school fees plus interest charges are fully paid;
31 (b) To deny admission or enrollment of any student having unsettled tuition or other
32 school fees at the next succeeding semester classes, in the case of higher
33 education, or at the next succeeding short-term course, in the case of post-
34 secondary tech-voc education, as the case may be, until the previous
35 delinquencies are fully paid; and
36 (c) To refuse issuance of school clearance to students with financial obligations to
37 the school until all previous delinquencies are fully paid.

1 **SECTION 7. Unlawful Acts.** – In recognition of the students' right to take their
2 midterm and final examinations, the following acts by tech-voc institutes and HEIs shall be
3 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 (b) Requiring the students to secure a permit to take the midterm or final
8 examination from the school authorities prior to the administration of midterm or
9 periodic or final examination; and
- 10 (c) Compelling the students to pay upon enrollment a down payment or first
11 installment equivalent to more than thirty percent (30%) of the total amount of the
12 tuition and other school fees for the entire semester or duration of the course.
13

14 **SECTION 8. Penalties.** – Any HEI or tech-voc institute official or employee,
15 including the deans, coordinators, advisers, professors, instructors and other concerned
16 individuals found guilty of violating any of the unlawful acts enumerated in Section 7 of this
17 Act shall be punished by a fine of not less than Twenty Thousand Pesos (P20,000.00) but
18 not more than Fifty Thousand Pesos (P50,000.00).
19

20 **SECTION 9. Implementing Guidelines.** – The TESDA and the CHED shall
21 promulgate the implementing guidelines necessary to enforce the objectives of this Act.
22

23 **SECTION 10. Separability Clause.** – If any provision or part of this Act is held
24 invalid or unconstitutional, the other sections or provisions hereof shall not be affected
25 thereby and shall remain in force and effect.
26

27 **SECTION 11. Repealing Clause.** – All laws, presidential decrees, executive orders,
28 proclamations, issuances, administrative orders, rules and regulations contrary to or
29 inconsistent with any provision of this Act are hereby amended, repealed or modified
30 accordingly.
31

32 **SECTION 12. Effectivity Clause.** – This Act shall take effect fifteen (15) days after
33 its publication in a newspaper of general circulation.
34

35 Approved,
36
37