

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



'22 JUL 13 P 3 :00

**SENATE**

RECEIVED BY: \_\_\_\_\_

S. No. 524

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Introduced by **SENATOR CYNTHIA A. VILLAR**

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**AN ACT**

**PENALIZING THE IMPOSITION OF A "NO PERMIT, NO EXAM" POLICY OR ANY SUCH POLICY THAT PROHIBITS STUDENTS OF POST-SECONDARY AND HIGHER EDUCATION FROM TAKING THEIR MIDTERM OR FINAL EXAMINATIONS, OR OTHER SIMILAR ASSESSMENTS DUE TO UNPAID TUITION AND OTHER SCHOOL FEES**

EXPLANATORY NOTE

To most Filipino parents, education is the most precious inheritance they can pass on to their children. They consider it important to send their children to school, and this comes with hope that the educated children can help in improving their quality of life to a level that is more comfortable. In the Philippine setting, it is not peculiar that families mortgage a piece of their lands or homes, and even sell a few of their possessions in order that their children could pursue college or tertiary education. In short, it is typical for Filipino parents to sacrifice so much so that their children could get quality education.

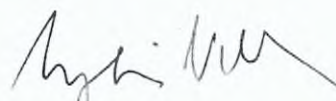
It is a good thing that Republic Act No. 10931 or the Universal Access to Quality Tertiary Education Act, which institutionalizes free tuition and exemption from other fees in state universities and colleges (SUCs), and local universities and colleges (LUCs) in the Philippines was enacted. The law was passed to give underprivileged Filipino students a better chance to earn quality higher education.

However, not all children get to attend public schools, universities and colleges (SUCs). Some modest families send their children to private schools. And at times, these schools can be quite exacting when it comes to tuition, and this becomes more apparent during examinations. While families understand that tuition and other fees are necessary for schools to provide the service required of them, they encounter unavoidable circumstances at times when they could not meet the obligation to pay the tuition fee on time. And while CHED has issued a Memorandum Order requiring colleges and universities to provide a Student Affairs and Services (SAS) office that will provide its students a package of services, including guidance and counseling, career and job placement, economic enterprise development and scholarship and financial assistance, it does not categorically prohibit the "no permit, no exam policy" and so this does not effectively stop schools from practicing it.

Sometime in 2013, we were quite distressed when we heard about a promising student in a premier state university who allegedly committed suicide because she was not allowed to take her college examination due to her inability to pay the school fees. To my mind, this could have been avoided, if only we have in place a more considerate policy towards students undergoing financial difficulties.

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 unless tuition fee payments are updated. Parents and students, who are facing financial difficulties, time and again suffer emotional stress under this seemingly unfair practice.

It is therefore recommended that the foregoing bill be approved.

  
CYNTHIA A. VILLAR

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*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 2022".

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

11           Sec. 3. *Coverage.* – This Act shall cover all public and private educational  
12 institutions including primary, secondary and post-secondary HEIs and TVIs.

1           Sec. 4. *Right of Students.* – Students shall have the right to take the midterm  
2 or final examinations notwithstanding the existence of unpaid financial obligations to  
3 the school.

4           Sec. 5. *Obligation of Students.* – The students and/or their parents, unless  
5 waived by the school authorities concerned, shall be obligated to pay an interest for  
6 the unpaid tuition and other school fees, which shall not be more than six percent  
7 (6%) per annum, computed from the date of the examination taken by the students  
8 until the date when the overdue and unpaid tuition and other school fees are fully  
9 liquidated.

10          Sec. 6. *Rights of Schools.* – The school authorities shall have the following  
11 rights against students with financial obligations, which remain due and unsettled to  
12 their schools:

- 13           a) To withhold the release of the grades of a student with delinquent  
14           account until the unpaid tuition and other school fees, plus interest  
15           charges, are fully paid;
- 16           b) To deny admission or enrolment of any student having unsettled  
17           tuition or other school fees at the next succeeding semester classes, in  
18           the case of higher education, or at the next succeeding short-term  
19           course, in the case of post-secondary technical-vocational education,  
20           as the case may be, until the previous delinquencies are fully paid; and
- 21           c) To refuse issuance of school clearance to students with financial  
22           obligations to the school until all previous delinquencies are fully paid.

23          Sec. 7. *Unlawful Acts.* – In recognition of the students' right to take their  
24 midterm and final examinations, the following acts by educational institutions shall  
25 be considered unlawful:

- 26           a) Disallowing students with due and unpaid tuition and other school fees  
27           from taking the midterm or final examination;



- 1           b)     Requiring the students to secure a permit to take the midterm or final  
2                   examination from the school authorities prior to the administration of  
3                   midterm periodic or final examination; and
- 4           c)     Compelling the students to pay upon enrollment a down payment or  
5                   first installment equivalent to more than thirty percent (30%) of the  
6                   total amount of tuition and other school fees for the entire semester or  
7                   duration of the course.

8           Sec. 8. *Penalties.* – Any school official, including deans, coordinators,  
9     advisers, professors, instructors and other concerned individuals found guilty of  
10    violating any of the unlawful acts enumerated in Section 7 of this Act shall be  
11    punished by a fine of not less than Twenty Thousand pesos (P20,000.00) but not  
12    more than Fifty Thousand pesos (P50,000.00).

13          Sec. 9. *Implementing Guidelines.* – Within sixty (60) days from the effectivity  
14    of this Act, the DepEd, CHED and TESDA shall promulgate the implementing  
15    guidelines necessary to enforce the objectives of this Act.

16          Sec. 10. *Separability Clause.* – If any provision or part of this Act is held  
17    invalid or unconstitutional, the other sections or provisions hereof shall not be  
18    affected thereby and shall remain in force and effect.

19          Sec. 11. *Repealing Clause.* – All laws, presidential decrees, executive orders,  
20    proclamations, issuances, administrative orders, rules and regulations contrary to or  
21    inconsistent with any provision of this Act are hereby amended, repealed or modified  
22    accordingly.

23          Sec. 12. *Effectivity.* – This Act shall take effect after fifteen (15) days following  
24    its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,