

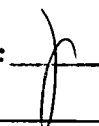
SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



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SENATE

S. B. No. 1029

RECEIVED BY: 

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INTRODUCED BY SENATOR ANA THERESIA "RISA" HONTIVEROS  
BARAQUEL

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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.

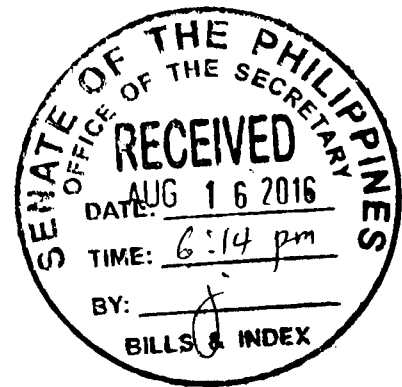
This proposed legislation will recognize, promote, and protect the rights and freedoms of students enshrined in the Constitution and various human rights instruments inside and outside campuses. It will provide minimum standards for consultation regarding tuition and other school fees increase. It will 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.

*as Amended - Baraquiel*  
ANA THERESIA "RISA" HONTIVEROS BARAQUEL

*Senator*

SEVENTEENTH CONGRESS OF THE )  
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BARAQUEL

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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 Welfare Act*  
2 *of 2016.*"

3

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

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

19 Towards this end, the State:

- 20 a) Recognizes that education is a right and as such it can only be exercised and enjoyed  
21 fully when rights and welfare of students and young Filipinos are promoted and  
22 protected.
- 23 b) Acknowledges that education is essential to the full participation of Filipinos in  
24 nation-building. It is also essential in instilling nationalism, critical and creative  
25 thinking, and values necessary to promote civil liberties, human rights, and  
26 fundamental freedoms.
- 27 c) Affirms that students have the right to meaningful participation in decision-making  
28 processes inside and outside educational institutions, especially in the crafting and

1 formulation of policies directly affecting them. The promotion of this right to  
2 participate is an integral part of the nation's democratic processes.

- 3 d) Affirms that the fundamental right to expression of students shall be unabridged and  
4 autonomous from the influences of educational institutions.  
5 e) Affirms the students' right to organize, which encompasses the right to establish  
6 student organizations, student unions, and student councils and governments.

7  
8 **SECTION 3. *Definition of terms.*** – As used in this Act:

- 9 a) "*School*" refers to a private, public or government-run and funded institution for  
10 learning in all levels of education. For purposes of this Act, the term shall include  
11 institutions for vocational and technical education but excludes those institutions for  
12 enhanced basic education. A school is comprised of the studentry, administration,  
13 faculty, and non-faculty personnel.  
14  
15 b) "*School campus*" refers to areas designated by the school administration for use by  
16 students, which shall include, but are not limited to, facilities, contiguous or  
17 proximate buildings, and the school grounds.  
18  
19 c) "*Student*" refers to any person enrolled in a particular school, as the latter is defined in  
20 subparagraph (a) of this Section.  
21  
22 d) "*Governing board*" refers to the highest policy-making body of the school such as a  
23 Board of Directors, Regents, or Trustees.  
24  
25 e) "*Student council*" or "*student government*" is the collective term to refer to the  
26 representatives of students in a school or of students in different independent units  
27 of a school, college, or university. A designated student population annually elects  
28 members of the student council or of the student government at large following  
29 election rules in the charter or constitution of the student council or the student  
30 government.  
31  
32 f) "*Council of leaders*" refers to a duly constituted body composed of the heads of all, or  
33 almost all, student organizations in a school. The chairperson or the president of the  
34 student council or student government, or any student duly elected by the members  
35 of the council of leaders shall preside over the council of leaders.  
36  
37 g) "*Tuition*" refers to amounts paid for the privilege to receive education in a school.  
38  
39 h) "*Other school fees*" refer to fees other than tuition. These include library and athletic  
40 fees, laboratory fees, entrance fees, National Service Training Program fees, student  
41 council or student government fees, graduation fees, medical and dental fees, and  
42 other similar fees.

43  
44 **SECTION 4. Right against discrimination in educational institutions.** – No student  
45 shall be denied admission or dropped from the rolls of an institution, punished with  
46 disciplinary action, given mandatory counseling, or denied welfare services, scholarships, and  
47 other student privileges solely on the basis of physical handicap, socio-economic status,

1 political and religious beliefs, sexual orientation, gender identity or expression or  
2 membership in organizations.

3

4 **SECTION 5. *Right to competent instruction and accessible, quality, relevant***  
5 ***education.*** – Students have the right to accessible, competent, holistic, quality, and relevant  
6 education that is essential to personal development and to the development of the nation.  
7 Students shall also take part in teacher performance assessments through written evaluations  
8 at the end of each school term. The conduct of such assessments shall be the obligation of  
9 the school administration.

10

11 **SECTION 6. *Right to organize.*** – The right of students to form, assist, or join  
12 organizations, alliances, or federations shall not be abridged.

13 The student council or the student government and the council of leaders shall formulate  
14 guidelines for the accreditation of student organizations. Such guidelines shall be  
15 implemented by the office of student affairs, in coordination with the student council or  
16 student government, which shall adopt a mechanism to resolve issues that may be raised in  
17 the accreditation process.

18 The accreditation requirements shall not unduly restrict the right of students to organize and  
19 may include submission of documentary requirements such as, but not limited to, a written  
20 application for accreditation, a copy of the constitution and by-laws of the organization, a  
21 general plan of action or list of activities, list of incumbent officers, and a list of members.

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

27

28 **SECTION 7. *Right to establish a student council or government.*** – There shall be a  
29 student council or student government recognized in every school, university or college, as  
30 the case may be.

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

34

35 A constitution or charter of the student council or student government resulting from  
36 a consultative process involving the council of leaders and representatives of  
37 unaffiliated students shall be adopted. The constitution or charter shall be formally  
38 adopted after its ratification by at least two-thirds (2/3) of the designated student  
39 population. It shall contain provisions on the structure, functions, and responsibilities  
40 of the student council or student government.

41

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

1 The election of the members or officers of the student council or the student  
2 government shall be conducted by an independent commission on elections which  
3 shall ensure that such elections are honest, orderly, and peaceful. The members of  
4 commission of elections shall be chosen from a list of nominees from members of  
5 the council of leaders. The school concerned shall ensure that the commission on  
6 elections has sufficient funds to carry out its mandate.

- 7  
8 b) In schools, universities, or colleges where there are existing student councils or  
9 student governments, student representation shall still be lodged in the duly-elected  
10 student councils or student governments.

11  
12 The existing procedure for the election of members of student councils or student  
13 governments shall be retained and enforced as long as it conforms to the provisions  
14 of this Act. Otherwise, the existing procedure shall have transitory effects until the  
15 designated student population has adopted a new charter or constitution consistent  
16 with the provisions of this Act. Such adoption shall be among the primary activities  
17 of the existing student council or student government.

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

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

31  
32 **SECTION 8. *Right against campus militarization.*** – Students have the right to an  
33 academic environment free from fear and surveillance from military and police agents and  
34 instruments.

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

39 Except in cases of hot pursuit and similar occasions of emergency, or in cases defined in the  
40 next succeeding paragraph, or ordinary transit through a school campus, no member of the  
41 AFP or PNP shall enter the premises of a school. Whenever requested by law enforcers, the  
42 appropriate school officials shall extend the necessary assistance in the enforcement of the  
43 law within school premises.

44 Whenever the president, dean, or their respective officers-in-charge is of the opinion that the  
45 assistance of the AFP or PNP is indispensable to the maintenance of security, peace and  
46 order within campus premises, the said official shall inform in writing the head of the AFP

1 or PNP unit in the area and the latter shall promptly dispatch such assistance as may be  
2 warranted by the circumstances.

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

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

8

9 **SECTION 9. *Right to publish a student newspaper and other similar publications.* –**

10 In accordance with Republic Act No. 7079 or the “*Campus Journalism Act of 1991*,” students  
11 shall have the right to publish a student newspaper and other similar publications.

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

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

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

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

22 The student publication shall be financially autonomous from the school administration. A  
23 “*student publication fee*” shall be collected from the students and shall be held in trust by the  
24 school administration. No policy shall be imposed by the school administration to hamper  
25 the access of the editorial staff to such fund, subject to existing school regulations in the  
26 disbursement of funds. The school administration shall also be prohibited from using such  
27 fund. At the end of each term, the editorial board shall publish a financial statement.

28

29 **SECTION 10. *Right to adequate welfare services and academic facilities.* –** The  
30 school administration shall endeavor to provide the following services:

31 a) Health services for students with at least one (1) functioning clinic and a registered  
32 nurse to provide basic care for common ailments;

33 b) Legal assistance in cases involving the exercise and enjoyment of rights and freedoms  
34 provided in this Act;

35 c) Counseling;

36 d) Adequate laboratory, library, research, recreation, and physical education facilities;

37 e) Effective communications system to ensure that students are promptly notified and  
38 informed;

39 f) Adequate, safe, and clean board and lodging facilities, such as dormitories, inside the  
40 school campus. In case the school has no in-campus dormitories, the school  
41 administration and the student council or student government shall be required to  
42 accredit or recommend out-of-campus dormitories where students are encouraged to  
43 stay.

1 **SECTION 11. *Representation in the school's highest policy-making body.*** – There  
2 shall be a student representative in the highest policy-making body of the school. The  
3 selection process for the student representative will be formulated by the student council or  
4 student government, but adopted through a referendum among the students.

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

9  
10 **SECTION 12. *Right to information.*** – The right of students to information on matters  
11 affecting their welfare shall be recognized.

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

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

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

19  
20 **SECTION 13. *Right to freedom of expression.*** – Students shall have the right to freely  
21 express their views and opinions. They shall have the right to peaceably assemble and  
22 petition the government and school authorities for the redress of their grievances. No school  
23 regulation shall be imposed violating or abridging the student's right to assembly.

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

28  
29 **SECTION 14. *Academic freedom.*** – Students' academic freedom shall consist of, but not  
30 limited to, the following rights:

- 31 a) To conduct researches in connection with academic work, and to freely discuss and  
32 publish their findings and recommendations;  
33 b) To conduct inquiry within the campus in relation to curricular and extra-curricular  
34 activities;  
35 c) To choose a field of study and to pursue the quest for truth;  
36 d) To express their opinion on any subject or public or general concern which directly  
37 or indirectly affects the students of the educational system;  
38 e) To invite off-campus speakers or resource persons to student-sponsored assemblies,  
39 forums, symposia, and other similar activities;  
40 f) To express contrary interpretations or dissenting opinions inside and outside the  
41 classroom;  
42 g) To participate in the drafting of a new curriculum and in the review or revision of the  
43 old through consultations and membership in working groups;



- 1 h) To participate in the process of revising the student handbook and school rules and  
2 regulations. A copy of the existing student handbook will be given to students upon  
3 admission to the school; and  
4 i) To decide and choose actions according to personal and political beliefs, and be free  
5 from the imposition of any thought, ideology, or principle.  
6

7 **SECTION 15. *Rights on Academic Procedure.***

8 a) *Syllabus.*  
9

10 A syllabus should clearly define and reflect the contents of the curriculum. The  
11 course syllabus shall be provided to students before the start of classes to ensure that  
12 students are guided throughout the school term.  
13

14 b) *Class requirements and measures for evaluation.*  
15

- 16 1) Criteria for grading should be formal and appropriately quantified.  
17 2) Mere absences from scheduled classroom lectures should not be the sole basis for  
18 grading: *Provided*, that a maximum number of absences shall be prescribed.  
19 3) A student shall have the right to do make-up work in the event that requirements  
20 were not accomplished because of excusable inability to be physically present.  
21

22 c) *Class performance.*  
23

24 Students have a right to know their class performance data from submitted papers,  
25 quizzes, long or short examinations and other similar class requirements.  
26

27 d) *Consultations.*  
28

29 Members of the school faculty shall have regular consultation hours and make  
30 themselves available to discuss relevant student concerns. These hours should be  
31 made known to the students at the beginning of the term.  
32

33 **SECTION 16. *Right to due process.*** – The right of a student to due process shall be  
34 observed and respected especially during disciplinary proceedings.

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

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

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

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

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

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

24  
25 **SECTION 17. *Right against illegal searches and seizures.*** – Except for the following,  
26 any other form of search and seizure shall be unreasonable and illegal:

- 27 a) Searches made with a valid search warrant;
- 28 b) Searches made at the point of ingress and egress by a person authorized by the  
29 school;
- 30 c) Seizure of articles deemed illegal under existing laws falling in the plain view of duly  
31 confiscating authority; and
- 32 d) Searches and seizures made when the student is about to commit, is committing, or  
33 has just committed a crime or a serious infraction of school rules and regulations.

34 Articles seized in violation of this Section shall be deemed fruits of an unlawful search and  
35 seizure and therefore cannot be used as evidence against the student in any disciplinary  
36 action.

37  
38 **SECTION 18. *Access to school records and issuance of official certificates.*** – Students  
39 shall have access to their own school records, and have the right to be issued official  
40 certificates, diplomas, copies of transcript of records, copies of grades, documents required  
41 as transfer credentials, and other similar documents within thirty (30) days from the filing of  
42 a written request together with other reasonable requirements.

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

1 **SECTION 19. *Right to privacy.*** – The right of students to the privacy of their  
2 communication and correspondence is affirmed and shall remain inviolable. This right to  
3 privacy also extends to the following:

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

10  
11 **SECTION 20. *Ban on Firearms.*** – No person shall carry firearms or explosives in school  
12 campuses except if such person has the necessary permit to carry such firearm issued by  
13 appropriate government authorities by reason of his obligation to ensure peace and security  
14 of the school campus, such as that of a member of the Philippine National Police.

15  
16 **SECTION 21. *School fees and other tariffs.*** – Contributions which do not pertain to the  
17 tuition or other fees, as well as to other fees allowed to be collected in this Act, shall *prima*  
18 *facie* be considered unnecessary and shall be prohibited from being collected.

19 To comply with student requests for information as provided in Section 18 of this Act,  
20 schools are prohibited from imposing fees beyond the actual cost of reproducing school  
21 records, official certificates, copies of transcript of records, copies of grades, and other  
22 documents required as transfer credentials.

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

- 24 a) A notice of increase specifying the particular fee to be increased is publicly  
25 announced and posted in conspicuous locations a year prior before the proposed  
26 increase is planned to take effect. The council of leaders and the student council or  
27 student government shall be directly notified about the proposed increase.
- 28 b) At least one (1) public meeting was held where students, the council of leaders, and  
29 the student council or student government has an open discussion with the school  
30 administration as regards the proposed increase. The head of the governing board  
31 shall be present during this public meeting. Parents of students may be allowed to  
32 attend. The conduct of the public meeting shall not be interpreted as denying the  
33 students a continuous consultation process as regards the proposed increase.
- 34 c) All documents pertaining to the proposed increase is made available to the student  
35 council or student government.
- 36 d) The presentation of a counterproposal or position of the student representative to  
37 the governing board has been conducted.

38  
39 **SECTION 22. *Implementing rules and regulations.*** – The Department of Education,  
40 Commission on Higher Education, Technical Education and Skills Development Authority,  
41 Commission on Human Rights, in coordination with the National Youth Commission,  
42 representatives of national student organizations and representatives of school  
43 administrations shall promulgate the necessary rules and regulations to implement the  
44 provisions of the Act within ninety (90) days from the approval of this Act.

1 **SECTION 23. *Administrative bodies and remedies.*** – The CHED, DepEd, and  
2 TESDA are hereby vested with powers necessary to investigate and impose administrative  
3 penalties to ensure the enforcement of this Act. Any student, member of a student council  
4 or student government, or a national organization of student councils or student  
5 governments, or youth organization may file written complaints before the CHED, DepEd,  
6 and TESDA.

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

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

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

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

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

35  
36 **SECTION 25. *Annual Report.*** – The CHED, DepEd, and TESDA shall monitor the  
37 implementation of this Act and shall submit an annual report of the results of its monitoring  
38 to the Office of the President and to the Philippine Congress.

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

1 **SECTION 27. *Repealing Clause.***- All laws, decrees, executive orders, proclamations, rules  
2 and regulations, and other issuances, or part or parts thereof, including inconsistent  
3 provisions of the *Education Act of 1982*, which are inconsistent with the provisions of this  
4 Act, are hereby repealed, amended, or modified accordingly.

5

6 **SECTION 28. *Effectivity Clause.*** - This Act shall take effect immediately after the  
7 completion of its publication in the Official Gazette or at least two (2) newspapers of general  
8 circulation.

9

10 Approved,