

[REPUBLIC ACT NO. 6139, August 31, 1970]

AN ACT TO REGULATE TUITION AND OTHER SCHOOL FEES OF PRIVATE EDUCATIONAL INSTITUTION, PROVIDING FOR THE SETTLEMENT OF CONTROVERSIES THEREON AND FOR OTHER PURPOSES.

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

SECTION 1. It is hereby declared to be the policy of his Act to regulate tuition and other fees charged by private schools in order to discourage the collection of exorbitant and unreasonable fees.

SEC. 2. Within the limits and under the circumstances set forth in this Act, the Secretary of Education shall have the authority to regulate tuition and/or other school fees that each private school, college, university or any other educational institution as defined in Act Numbered Twenty-seven hundred and six, including nurseries and kindergarten schools, may impose.

SEC. 3. Any private educational institution proposing to increase the tuition and/or other fees being charged and/or collected by it for any course shall adopt the following procedure:

- a. At least 180 days before the school year, semester, or term which the increase is to be effective, it shall serve written notice thereof on the student council or government or in case of schools or courses below the college or university level, on the Association of Parents, or in default thereof, the Parents-Teachers Association of the school concerned.

Likewise, notice of such proposal shall be sent by personal delivery or registered mail to the Director of Private Schools, copy furnished the Regional Superintendent the Bureau of Private Schools. Appropriate circulars containing the proposal shall be posted by the school administration in at least two conspicuous place within the premises of the school concerned.

The notice of the proposal to increase shall, among other things, state the following: (1) the current fees or charges and the amount of increase (2) the reason or reasons for the proposed increase (3) the semester term or school year in which the increase is proposed to take effect, and (4) a statement that if no opposition is filed until the thirtieth day from the posting of the notice, the increase shall become effective under this Act.

- b. If after such notice is made, a formal opposition against such increase is presented to the school administration within thirty days after receipt of said notice by at least a majority of the student governing body or at least twenty

per cent of the parents, in case of schools below college or university level, then the Local School Council on Fees herein created shall be convened to act on the controversy. Copy of said opposition shall be served on the Director of Private Schools who shall immediately, upon receipt, transmit said opposition to the corresponding Regional Superintendent of private schools and direct that the Local School Council on Fees be immediately organized and convened by said Regional Superintendent.

If no opposition is filed within the period above provided, the increase shall be deemed authorized.

The Local School Council on Fees shall be composed of the following: (1) one representative from the school administration to be chosen by the school concerned, two representatives from the student body to be chosen by the student council, or student government, representatives from the Association of Parents or in thereof, the Parents-Teachers Association in case of schools below the college or university level to be chosen by the said association; (3) one representative from the Faculty Club or Association; and (4) the Director of Private Schools or his authorized representative in the area who will act as Chairman. While sitting as Board and in aid of its function, said Board may issue subpoenas to compel attendance of witnesses, may administer oaths, may examine any person under oaths and may require the production of any books or papers relevant to the case.

- c. The Local School Council on Fees shall exert all efforts to negotiate, conciliate, and settle the case to the satisfaction of the interested parties. The terms of settlement agreed upon by the parties shall be final and binding, and copies of such settlement shall be sent to the Director of Private Schools and the Regional Superintendent of the Bureau of Private Schools. In the event all intra-school remedies for amicable settlement have been exhausted and no agreement has been reached, then the said Council, by a majority vote, shall decide the case at least one hundred days before the opening of the school year, semester or term in which the proposed increase is to be effected. Its decision shall take into account the objectives of all schools as provided for in Article XIV, Section five of the Constitution, the sufficiency of facilities, the nature of courses and curriculum offered, the standards maintained, the volume of enrolment, the sufficiency of faculty development program and emoluments, facilities and student conveniences installed and others, in relation to the general cost by determining the cost of essential services to be rendered to the students in the quantity and quality required to meet the standards approved by the Department of Education and by allowing a maximum of twelve per cent on net worth: *Provided, however,* That unless required by extraordinary circumstances or events, no school, college or university shall increase annual tuition fees by more than fifteen per cent of the fees collected in the preceding school year

The decision shall be in writing and shall contain a concise statement of the facts and the grounds on which the decision is based.

SEC. 4. Any party adversely affected by the decision made by the Local School Council on Fees may appeal said decision within fifteen days from receipt of the same to the Secretary of Education, who shall after giving notice and