

13TH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

'04 JUN 30 P6:57

SENATE

RECEIVED BY: Alta

S. No. 545

INTRODUCED BY HON. MANUEL B. VILLAR JR.

EXPLANATORY NOTE

This Bill seeks to protect graduates of courses requiring board, bar or any licensing examination from being compelled to take review classes in the same educational institution he or she graduated from.

Many student-graduates decry certain objectionable practices by educational institutions offering courses requiring board, bar or any licensing examination. One of these practices is to compel the graduate to take review classes in the same educational institution of which he or she is a graduate under pain of delaying the release of transcripts or scholastic records. Considering the Constitutional provisions on the protection and promotion of education, it would be better to enhance and strengthen the same by granting these graduates the right to freely choose the educational institutions wherein they would take their review classes.

It is toward this goal of strengthening and enhancing the Constitutional provisions on the protection and promotion of education that this Bill is being proposed.

Approval of this Bill is recommended.


MANUEL B. VILLAR, JR.

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OFFICE OF THE SECRETARY

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S. No. 545

INTRODUCED BY HON. MANUEL B. VILLAR JR.

AN ACT PROHIBITING EDUCATIONAL INSTITUTIONS WHICH OFFER COURSES REQUIRING PROFESSIONAL EXAMINATIONS FROM COMPELLING THEIR GRADUATES TO TAKE REVIEW CLASSES AND/OR PRE-LICENSURE EXAMINATIONS IN THE EDUCATIONAL INSTITUTION OF WHICH HE IS A GRADUATE AND PROVIDING PENALTIES THEREFOR

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

SECTION 1. Any provision of existing laws, rules and regulations to the contrary notwithstanding, it shall be unlawful for any educational institution offering courses/programs requiring professional licensure examinations from compelling their graduates to take review classes and/or pre-licensure examinations or refresher courses in the educational institution of which the student is a graduate.

It shall also be unlawful for the said institution to withhold the transcript of scholastic record, diploma, certification or any essential document in support of the application for the professional licensure examination of the graduate if he does not take review classes and/or pre-licensure examinations in the educational institution of which he is a graduate.

The provisions of the preceding paragraphs notwithstanding, only the officers and agents of the educational institution who have participated in or those who have perpetrated, whether solely or in concert/conspiracy with each other, authorized or ratified the acts prohibited herein shall be held criminally and/or civilly liable.

SEC. 2. Any violation of this Act shall be punished with a fine of not less than Ten thousand pesos (P10,000.00) nor more than Twenty thousand pesos (P20,000.00) or imprisonment of not

less than three (3) months nor more than one (1) year, or both such fine and imprisonment at the discretion of the court.

Any provision of law to the contrary notwithstanding, any criminal offense punished in this Act shall be under the jurisdiction of the Municipal or Metropolitan Trial Court.

SEC. 3. The Commission on Higher Education (CHED), the Technical Education Skills and Development Authority (TESDA) or other governmental education agency/authority shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 4. All laws or statutes, inconsistent with or repugnant to, the provisions of this Act shall be repealed or amended accordingly.

SEC. 5. This Act shall take effect upon its approval.

Approved,