

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB NO. 1407

Introduced by **Rep. Roseller L. Barinaga**

EXPLANATORY NOTE

This bill seeks to prohibit the practice among Institutions of Higher Learning that promotes blatant commercialization of higher education.

The proposed bill prohibits admitting schools (that are under so-called Institutions of Higher Learning) to impose on and require students to re-take and/or re-enroll subjects/courses that have already been taken and passed from other previous school just because these were taken and passed from previous school. In other words, Institutions of Higher Learning should define the clear parameters and put a strong basis upon which students should be required to re-take or re-enroll such subjects/courses, otherwise violators will be dealt with accordingly.

The bill is aimed at protecting the interest and welfare of students who are most often the victims of unscrupulous judgments of school authorities who are perceived to have clear commercial interests at increasing the number of enrollees per subject/course.

The bill prescribes specific requirements to govern evaluation of subjects/courses already taken by students. These include among others:

a) Are the number of units of subject/courses taken previously at the other school equivalent to the number of units of subject/courses being offered or required in the current school where the student intends to enroll?

b) Are the descriptive title the same from those being offered or required by the admitting school? and,

c) Will the Registrar of the admitting school issue a certification to the effect that the subjects/courses in question are in any way the same, in outline and in content, to the subjects/courses being offered and/or required by the admitting school?

It is for this reason that passage of this bill is sought.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

HB NO. 1407

Introduced by **Rep. Roseller L. Barinaga**

AN ACT

PRESCRIBING FOR A SYSTEM OF CREDITING THE UNITS OF ACADEMIC COURSES OFFICIALLY ENROLLED AND PASSED BY A TRANSFERRING STUDENT TO THE INSTITUTION OF HIGHER LEARNING WHERE HE INTENDS TO ENROLL

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

SECTION 1. *Short Title.* This Act shall be cited as the "*Borderless Course Credit Act of 2004*".

SEC. 2. *Definition.* For purposes of this Act, *Institution of Higher Learning* refers to either private or government-owned and supervised-academic institutions which offer either certificate, diploma and/or baccalaureate courses or degrees.

SEC. 3. *Coverage.* This Act covers both private and government-owned and supervised-academic institutions which offer either certificate, diploma and/or baccalaureate courses or degrees including State Universities and Colleges.

SEC. 4. *Earn of credits.* In case a student transfers from one (1) Institution of Higher Learning to another, whether private or government-/supervised-, the admitting school, after thorough evaluation of concerned student's official record, shall credit all subjects/courses enrolled and passed by a transferring student: *Provided, however*, That the following basic requirements are met:

(1) The transferring student, whose subjects/courses applied for credit in the other school where he intends to study, has officially passed in said subjects/courses;

(2) The subjects/courses applied for credit shall have at least the same unit equivalence in the curriculum of the transferred school;

(3) "Grade Withheld" (GW) and "Incomplete" (INC) are not considered for credit unless, the student has cleared such remarks from his previous school and such have been officially given at least passing marks.

SEC. 5. *Subjects/courses differing in unit equivalence*. For subjects/courses which differ in unit equivalence, the previously enrolled and passed subjects/courses may be credited only if such have either higher credit units or the same credit unit as that of the school where he intends to study.

SEC. 6. *Diagnostic examination*. Credit of subjects/courses, as stipulated in Sections 5 and 6 of this Act, shall be made only with basic and minor subjects/courses. In order to earn credits for particular major subjects/courses, a student is required to take and pass a school-prepared diagnostic examination to determine his comprehension of such.

SEC. 7. *Prohibition*. The admitting school is hereby prohibited to impose on any student to re-take and/or re-enroll the subjects/courses that he/she has already enrolled and passed from other previous school: *Provided*, That the said subjects/courses that he/she has already enrolled and passed from other previous school correspond, in matter of the number of units and of descriptive title, to the subjects/courses being offered and/or required by the admitting school: *Provided, further*, That the Registrar of the admitting school issues a certification to the effect that the subjects/courses in question are not in any way the same, in outline and in content, to the subjects/courses being offered and/or required by the admitting school.

SEC. 8. *Penalties*. Any person found violating any provision of this Act shall be penalized by a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos (P50,000.00) or by imprisonment of not less than one (1) month but not over six (6) months at the discretion of the court.

If the violator is an institution, the first offense shall constitute a reprimand. The second offense shall consist of a fine of Twenty thousand pesos (P20,000.00) per subject/course being denied of credit. The third offense shall consist of a fine of Fifty thousand pesos (P50,000.00) per subject/course being denied of credit and of permanent revocation of permit to operate and closure of the school.

In case the violator is a government-owned and supervised Institution of Higher Learning, the head or dean of the college or department or school or institute and the registrar of said Institution of Higher Learning shall be held liable for administrative violation charges. Penalties shall range from One twenty (120) days suspension without pay to absolute disqualification and termination of service depending on the magnanimity and frequency of violation.

SEC. 9. *Repealing Clause*. All existing policies of Institutions of Higher Learning inconsistent with the provisions herein is hereby declared void and invalid.

SEC. 10. *Effectivity*. This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines, whichever comes earlier.

Approved.