

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB NO. 1413



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

EXPLANATORY NOTE

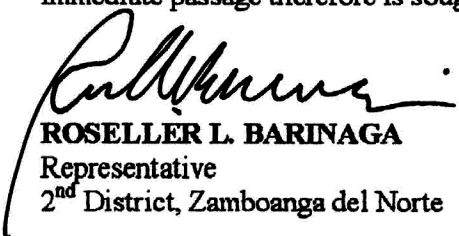
This proposed measure seeks to define "approved, certified and accredited courses/subjects" opened and/or offered by academic institutions by regulating the operations of academic institutions and their tendencies toward indiscriminate offering and/or requiring of courses/subjects to students that are unnecessary and irrelevant to the latter's academic pursuit and imposing stiffer penalty for violations corresponding thereof.

The proposal necessitates that before any academic course is opened and/or offered by any government or private academic institution proper approval, certification and/or accreditation shall be obtained from proper and authorized government agencies. The granting, however, of such approval, certification and/or accreditation does not guarantee the automatic granting of approval, certification and/or accreditation of applicant-schools to officially operate as an academic institution. Further, the license for the operation of any educational institution is treated as separate, distinct and mandatory requirement for any school prior to the application for the approval, certification and/or accreditation of academic courses.

The bill provides that any violation of the provisions therein shall be penalized correspondingly. Culpable academic institutions shall be subject to a fine of not less than Fifty thousand pesos (P50,000.00) for every month of operation without the necessary approval, certification and/or accreditation from either CHED or Dep. Ed., whichever agency is appropriate. The bill further provides the right of complainants to pursue a liability suit or demand retribution and compensatory damages against concerned school that violated the provision herein.

It is envisioned that through this measure profiteering schools that operate and/or offer academic courses/subjects without aforesaid approval, certification and/or accreditation will be regulated, if not totally eradicated.

Immediate passage therefore 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. 1413

Introduced by Rep. Roseller L. Barinaga

AN ACT

DEFINING "APPROVED, CERTIFIED AND ACCREDITED COURSES/SUBJECTS" OPENED AND/OR OFFERED BY ACADEMIC INSTITUTIONS AND IMPOSING STIFFER PENALTY FOR VIOLATIONS THEREOF

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

SECTION 1. *Short Title.* This Act shall be known as the "Courses Accreditation Act of 2004".

SEC. 2. *Declaration of Policy.* It is hereby declared the policy of the State to protect the rights of students against academic institutions that exploit their innocence, powerlessness and timidity. It is therefore its paramount responsibility to safeguard their welfare and interest and secure them from selfish and profiteering interest of such institutions. Toward this end, the State shall regulate the operations of academic institutions and their tendencies toward indiscriminate offering and/or requiring of courses/subjects to students that are unnecessary and irrelevant to the latter's academic pursuit.

SEC. 3. *Mandatory Requirement.* This Act necessitates that before any academic course is opened and/or offered by any government or private academic institution proper approval, certification and/or accreditation shall be obtained from proper and authorized government agencies. *Provided, however,* the granting of approval, certification and/or accreditation of teaching of academic courses, as necessitated herein this Section, shall not be construed as to the granting of approval, certification and/or accreditation of applicant-schools to officially operate as an academic institution. *Provided, further,* the license for the operation of any educational institution shall be a separate, distinct and a mandatory requirement for any school prior to the application for the approval, certification and/or accreditation of academic courses.

SEC. 4. *Concerned Government Agencies.* (1) The Commission on Higher Education (CHED) shall provide all schools under their respective constituted jurisdictions with necessary list of requirements for both the opening and/or opening of the school, for those

newly opened academic institutions, and for the approval, certification and/or accreditation of opened and/or offered academic courses.

(2) The Department of Education (Dep. Ed.) shall likewise prepare the necessary list of requirements for the guidance of those who wish to open and/or operate either for a primary or secondary schools.

SEC. 5. *Penalty Clause.* Any violation of the provisions herein shall be penalized correspondingly.

If the violation is committed by an academic institution, the institution concerned shall be subject to a fine of not less than Fifty thousand pesos (P50,000.00) for every month of operation without the necessary approval, certification and/or accreditation from proper and authorized government agencies; *Provided, however,* the penal provision stipulated in this paragraph shall not deprive petitioner and/or jeopardize his right to pursue a liability suit or demand retribution and compensatory damages against concerned school that violated the provision herein.

SEC. 6. *Rules and Guidelines.* The Commission on Higher Education (CHED) or the Department of Education (Dep. Ed.), whichever agency of government is concerned, shall promulgate the proper rules and regulations for the effective implementation of this Act.

SEC. 7. *Separability Clause.* If any provision of this Act is declared unconstitutional or invalid, the remainder thereof not affected thereby shall continue to be in full force and effect.

SEC. 8. *Repealing Clause.* All laws, decrees, orders, rules and regulations or other issuances inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 9. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.