

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3254

Introduced by: Hon. Alfredo A. Garbin, Jr., Rodel M. Batocabe and Christopher S. Co.

EXPLANATORY NOTE

The passage of this bill seeks to amend the RA 7722 or the Higher Education Act of 1994, by increasing the powers of the Commission on Higher Education (CHED) to regulate the establishment and operation of college entrance examination review centers and similar entities.

The State has the mandate to protect the right of all citizens to quality education at all levels and shall take appropriate steps to make education accessible to all (Section 1, Article XIV of the 1987 Constitution). Pursuant to this provision, the State has the obligation to ensure and promote quality education through the proper supervision and regulation of the licensure examinations given through the various Boards of Examiners under the Professional Regulation Commission.

The executive department has also recognized the necessity of regulating review centers when it issued in 2006 Executive Order No. 566 which directs CHED to regulate the establishment and operation of review centers and similar entities. However, in 2009, the Supreme Court ruled that the EO is unconstitutional and invalid as it had expanded the coverage of CHED's authority without authorizing legislation. Hence, this effort should be instigated in the legislature by first expanding the powers of CHED to regulate review centers and similar entities.

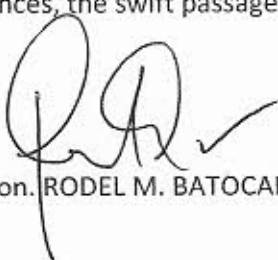
At present, there exists no regulatory framework or mechanism that oversees and administers the establishment and operation of review centers and similar entities. The recent cases of cheating, fraud, and estafa involving review centers have led to unfavorable effects to the various professions, students, professionals, and the public interest and welfare, in general.

There is a prevailing need to protect the public against substandard review centers and unethical practices committed by some review centers. This can only be achieved through a regulatory framework by the PRC, which is best equipped in enforcing the establishment and operation of review centers and similar entities.

In light of these circumstances, the swift passage of this bill is earnestly sought.



Hon. CHRISTOPHER S. CO



Hon. RODEL M. BATOCABE



Hon. ALFREDO A. GARBIN, JR.

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AN ACT AMENDING SECTION 3 AND 8 OF REPUBLIC ACT NO. 7722, OTHERWISE KNOWN AS THE
HIGHER EDUCATION ACT OF 1994, BY PROVIDING FOR THE REGULATION OF THE
ESTABLISHMENT OF REVIEW CENTERS

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

SECTION 1. Section 3 of the Republic Act No. 7722 is hereby amended to read as follows:

"Sec. 3. Creation of the Commission on Higher Education. — In pursuance of the abovementioned policies, the Commission on Higher Education is hereby created hereinafter referred to as the Commission.

The Commission shall be independent and separate from the Department of Education, Culture and Sports (DECS), and attached to the Office of the President for administrative purposes only. Its coverage shall [be both] **INCLUDE** public and private institutions of higher education, [as well as] degree-granting programs in all post-secondary educational institutions, public and private, **AND REVIEW CENTERS OFFERING COURSES FOR ENTRANCE EXAMINATIONS TO INSTITUTIONS TO HIGHER EDUCATION AND POST-SECONDARY EDUCATIONAL INSTITUTIONS.**

SECTION 2. Section 8 of the Republic Act No. 7722 is hereby amended to read as follows:

"Sec. 8. Powers and Functions of the Commission. — The Commission shall have the following powers and functions:

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(n) TO DEVELOP A FRAMEWORK FOR THE REGULATION OF REVIEW CENTERS AND SIMILAR ENTITIES OFFERING COURSES FOR COLLEGE ENTRANCE EXAMINATIONS, INCLUDING BUT NOT LIMITED TO THE FORMULATION AND ESTABLISHMENT OF POLICIES, STANDARDS, AND RULES FOR THE ESTABLISHMENT, OPERATION AND ACCREDITATION OF REVIEW CENTERS AND SIMILAR ENTITIES;

(o) TO ISSUE ACCREDITATION TO APPLICANT REVIEW CENTERS AND SIMILAR ENTITIES FOR A PERIOD OF THREE YEARS; NO REVIEW CENTER OR SIMILAR ENTITIES SHALL BE ESTABLISHED AND/OR OPERATE REVIEW CLASSES WITHOUT THE ISSUANCE OF THE NECESSARY PERMITS OR AUTHORIZATIONS TO CONDUCT REVIEW CLASSES;

1 (p) TO SUPERVISE, MONITOR, AND EVALUATE THE COMPETENCE, TRANSPARENCY,
2 PERFORMANCE, AND ETHICAL PRACTICES OF THE OPERATIONS OF REVIEW CENTERS AND
3 SIMILAR ENTITIES;

4 [n] q) promulgate such rules and regulations and exercise such other powers and functions
5 as may be necessary to carry out effectively the purpose and objectives of this Act; and

6 [o] r) perform such other functions as may be necessary for its effective operations and for
7 the continued enhancement, growth or development of higher education.

8 SECTION 3. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in
9 at least one (1) newspaper of general circulation.