

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

COMMITTEE REPORT NO. **304**

Submitted by the Committee on Higher and Technical Education on **20 OCT 2010**

Re: House Bill No. **3546**

Recommending its approval, in substitution of House Bill Nos. 1417 & 2844

Sponsors: Representatives Juan Edgardo M. Angara & Teodoro A. Casiño

Mr. Speaker:

The Committee on Higher and Technical Education, to which were referred:

House Bill No. 1417, introduced by Rep. Pryde Henry A. Teves, entitled:

"AN ACT TO PENALIZE UNIVERSITIES OR COLLEGES IN FORCING AND MANDATING STUDENTS UNDER COURSES THAT REQUIRE BOARD EXAMS TO ENROLL IN A REVIEW CENTER UPON THE SCHOOL'S PERSONAL CHOICE AND DISCRETION," and

House Bill No. 2844, introduced by Reps. Teodoro A. Casiño, Nery Javier Colmenares, Raymond V. Palatino, Dante Antonio L. Tinio, Rafael V. Mariano, Luzviminda C. Ilagan and Emerenciana De Jesus entitled:

"AN ACT PROTECTING THE RIGHT OF STUDENTS OF COURSES REQUIRING LICENSING EXAMINATIONS TO ENROLL IN REVIEW CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF,"

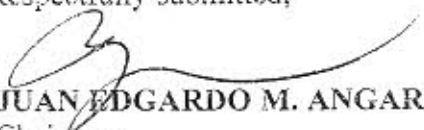
has considered the same and recommends that the attached House Bill No. **3546**,
entitled:

"AN ACT
PROTECTING THE RIGHT OF STUDENTS ENROLLED IN COURSES REQUIRING
LICENSING EXAMINATIONS TO ENROLL IN REVIEW CENTERS OF THEIR CHOICE"

be approved in substitution of House Bill Nos. 1417 and 2844 and with Representatives Teodoro A. Casiño, Nery Javier Colmenares, Pryde Henry Teves, Raymond V. Palatino, Dante

Antonio L. Tinio, Rafael V. Mariano, Luzviminda C. Ilagan and Emerenciana De Jesus and Juan Edgardo M. Angara as authors thereof.

Respectfully submitted,



JUAN EDGARDO M. ANGARA
Chairman
Committee on Higher &
Technical Education

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

Republic of the Philippines
House of Representatives
Quezon City

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 3546

Introduced by Representatives Teodoro A. Casiño, Nery Javier Colmenares, Pryde Henry A. Teves, Raymond V. Palatino, Antonio L. Tinio, Rafael V. Mariano, Luzviminda C. Ilagan, Emerenciana A. De Jesus and Juan Edgardo M. Angara

AN ACT
PROTECTING THE RIGHT OF STUDENTS ENROLLED IN COURSES
REQUIRING PROFESSIONAL LICENSING EXAMINATIONS TO ENROLL IN
REVIEW CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF

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

- 1 **SECTION 1. *Short Title.*** This Act shall be known as "Protection of Students'
2 Right to Enroll in Review Centers Act of 2010."
- 3 **SEC. 2. *Declaration of Policy.*** It is the declared policy of the State to promote
4 and protect the right to education as enshrined in the Philippine Constitution.
5 While the State recognizes the complementary roles of public and private
6 institutions in the enhancement and strengthening of the educational system, it
7 is also the responsibility of the state to ensure the protection of students
8 against possible abuses by Higher Educational Institutions (HEIs) in relation to
9 the right of students to choose their review centers.
- 10 **SEC. 3. *Coverage.*** This Act shall cover all public and private HEIs, including
11 local colleges and universities, offering courses that require professional
12 licensure examinations.

1 **SEC. 4. Unlawful Acts.** In recognition of the student's freedom to choose
2 his/her review center, the following acts by HEIs shall be considered unlawful:

- 3 1. Compelling students enrolled in courses requiring professional
4 examinations to take review classes, which are not part of the curriculum,
5 in a review center of the HEI's choice;
- 6 2. Making such review classes a prerequisite for graduation or completion
7 of the course;
- 8 3. Forcing students to enroll in a review center of the school's choice, and to
9 pay the corresponding fees that include transportation and board and
10 lodging; and
- 11 4. Withholding the transcript of scholastic records, diploma, certification or
12 any essential document of the student to be used in support of the
13 application for the professional licensure examinations so as to compel
14 the students to attend a review center of the HEI's choice.

15 **SEC. 5. Penalties.** Any HEI official or employee, including deans, coordinators,
16 advisers, deans, professors and other concerned individuals found guilty of
17 violating any of the unlawful acts enumerated in Section 4 of this Act shall
18 suffer the penalty of *prision correccional* or imprisonment from six (6) months
19 and one (1) day to six (6) years and a fine of Seven Hundred Fifty Thousand
20 Pesos (P750,000.00). He/She shall also be suspended from his/her office and
21 his/her professional license be revoked.

22 In addition, the Commission on Higher Education (CHED) may impose
23 disciplinary sanctions against a HEI official or employee violating this Act
24 pursuant to Section 13 of Republic Act No. 7722, otherwise known as the
25 Higher Education Modernization Act of 1994.

(2) Forcing the students to enter into a stipulation by means of subscribing into a sort of a package deal that comprises of the school's own selection of review center, transportation and board and lodging while the students are left with no option but to provide the required payment.

(3) Forcing students to take review class unless it is part of the school's curriculum.

Section 4. Penalties – Any person violating Section 3 of this Act including coordinators, advisers, deans, professors and other concerned individual shall be penalized by a fine of 750,000 and an automatic suspension from his/her office or revocation of his/her professional license.

Section 5. Repealing Clause – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, administrative memorandum, rule or regulation contrary to or inconsistent with the provisions of this Acts hereby repealed, modified or amended accordingly.

Section 6. Effectivity Clause – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 2844

Introduced by Reps. TEDDY A. CASIÑO, NERI JAVIER COLMENARES,
RAYMOND V. PALATINO, ANTONIO L. TINIO, RAFAEL V. MARIANO,
LUZVIMINDA C. ILAGAN and EMERENCIANA A. DE JESUS

EXPLANATORY NOTE

The controversial nursing board exam of 2006 brought to the fore not only the problem of cheating conducted by some nursing review centers but other irregularities as well.

Among these are the exorbitant fees collected by nursing schools for the inclusion of board exam review sessions in their curriculum. In many cases, these fees are collected as a requirement for graduation. A common practice in courses requiring professional licensing examinations is for students to be forced to pay for review sessions in a particular review center of the school's choice. These review sessions are often counted as required subjects, with corresponding units that have to be earned.

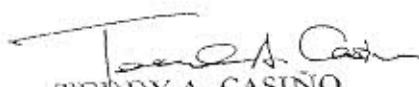
While it is imperative to ensure that students pass their board exams, an exclusive partnership between a nursing school and a review center is unnecessary and often results in a collusion to charge higher, unjustifiable fees from students and their parents. This is especially true in a situation where students are not given the chance to choose review centers that are more accessible and affordable to them. In the first place, review courses are supposed to be optional and do not form part of the curriculum.

This bill aims precisely to protect the rights of students to choose their own review centers. Any school which compels its students to take board review classes or study in a particular review center will be penalized and their permit to operate revoked. Also, the withholding of any essential scholastic document by the school to pressure the students into enrolling in a particular review center will be deemed unlawful.

Filed last Congress as House Bill no. 2380 and later substituted and approved on Third Reading as House Bill no. 6841, this legislation unfortunately did not become a law due to the absence of a counterpart bill in Senate.

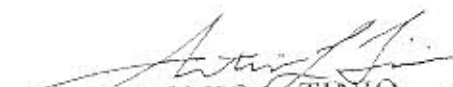
Immediate passage of this bill is earnestly sought.

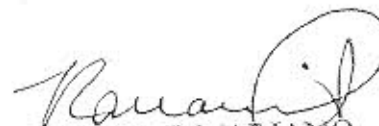
Approved.

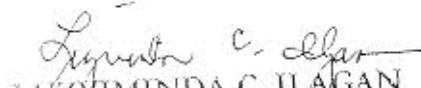

TEDDY A. CASINO
Bayan Muna Party-list

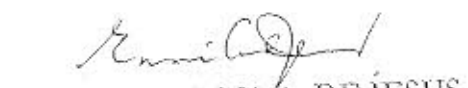

NERI JAVIER COLMENARES
Bayan Muna Party-list


RAYMOND V. PALATINO
Kabataan Party-list


ANTONIO C. TINIO
ACT Party-list


RAFAEL V. MARIANO
Anakpawis Party-list


LUZVIMINDA C. ILAGAN
Gabriela Women's Party


EMERENCIANA A. DE JESUS
Gabriela Women's Party

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 2844

Introduced by Reps. TEDDY A. CASIÑO, NERI JAVIER COLMENARES,
RAYMOND V. PALATINO, ANTONIO L. TINIO, RAFAEL V. MARIANO,
LUZVIMINDA C. ILAGAN and EMERENCIANA A. DE JESUS

AN ACT
PROTECTING THE RIGHT OF STUDENTS OF COURSES REQUIRING
PROFESSIONAL LICENSING EXAMINATIONS TO ENROLL IN REVIEW
CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF

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

SECTION 1. *Declaration of Policies.* It is the declared policy of the State to promote and protect the right to education as enshrined in the Philippine Constitution. While the State recognizes the complimentary roles of public and private institutions in the enhancement and strengthening of the educational system, it is also the responsibility of the state to ensure the protection of students against possible abuses by Higher Educational Institutions in the interest of profit.

SECTION 2. *Coverage.* This Act shall cover all public and private HEIs, including local colleges and universities, offering courses that require professional licensure examinations.

SECTION 3. *Unlawful acts.* In recognition of the student's freedom to choose his/her review center, the following acts by HEIs shall be considered unlawful:

1. Compelling students enrolled in courses requiring professional examinations to take review classes in a review center of the HEI's choice;
2. Making such review classes as prerequisites for graduation or completion of the course; and
3. Withholding the transcript of scholastic records, diploma, certification or any essential document of the student to be used in support of the application for the professional licensure examinations so as to compel the students to attend a review center of the HEI's choice.

SECTION 4. Penalties. Any HEI official or employee found guilty of violating any of the unlawful acts enumerated in Section 3 of this Act shall suffer the penalty of *prison correctional* or imprisonment from six (6) months and one (1) day to six (6) years.

In addition, the Commission on Higher Education (CHED) may impose disciplinary sanctions against a HEI official or employee violating this Act pursuant to Section 13 of Republic Act No. 7722, otherwise known as the Higher Education Modernization Act of 1994.

SECTION 5. Implementing Rules and Regulations. The CHED shall be tasked to issue the implementing rules and regulations of this Act within thirty (30) days after this law takes effect.

SECTION 6. Separability Clause. Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SECTION 7. Repealing Clause. All laws, rules and regulations inconsistent with the provisions of this Act are hereby amended, modified or repealed accordingly.

Section 8. Effectivity Clause. This act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth (15th) Congress
First Regular Session

House Bill No. 1417

Introduced by HON. PRYDE HENRY A. TEVES

AN ACT TO PENALIZE UNIVERSITIES OR COLLEGES IN FORCING AND
MANDATING STUDENTS UNDER COURSES THAT REQUIRE BOARD EXAMS TO
ENROLL IN A REVIEW CENTER UPON THE SCHOOL'S PERSONAL CHOICE AND
DISCRETION

EXPLANATORY NOTE

Education is for improving the lives of others and for leaving your community and world better than you found it.

-Marion Wright Edelman.

Article II, Section 13 of the 1987 Constitution provides that the government recognizes the vital role of the youth in nation building, and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

The different officials understand the importance of education in molding the youth's character and values. As a corroboration and evidence with the aforementioned principle, the government allocates most of our yearly budget in education, science and technology. We cannot

by the fact that education is the most basic key for social progress and total human liberation and development.

Schools, more importantly the colleges and universities, are endowed with great responsibility and duty to promote an incessant development and preservation of learning. The excellent quality and attributes of the coordinators, advisers, deans and professors will be reflected and measured with the kind of students that they are capable of producing. But what if corruption and gluttony starts with the school's administrators and officials? It may sound absurd but this happens in the real world.

There are cases where universities and colleges are performing things that are entirely opposite to their ideal purpose i.e. to take full advantage of their authority and perceive their undertaking like a business rather than as a profession.

This bill is concluded to penalize universities and colleges in forcing and mandating students under courses that require board exams like Nursing, Accountancy, Engineering and others to enroll in a review center upon the school's personal choice and discretion. Some universities and colleges compel their students to submit into a contract by means of subscribing into a sort of a package deal that includes the school's own selection of review center, transportation and board and lodging while the students are left with no choice but to give the necessary payment. In this method, the schools are dealing and tying up with different review centers in order to get any percentage of payment from a particular student.

This kind of action should be immediately prevented in order to bail out schools from being prone to corruption and dirty transactions. The school shall be a location for knowledge and wisdom development and must be deprived from being an establishment of dishonesty and cheating. With the aid of this law, the right of the students to enjoy the gift of democracy by way of choosing their own review class will be put into assurance.

For this reason, passage of this bill is earnestly sought.


PRYDE HENRY TEVES

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth (15th) Congress
First Regular Session

House Bill No. 1417

Introduced by HON. PRYDE HENRY A. TEVES

AN ACT TO PENALIZE UNIVERSITIES OR COLLEGES IN FORCING AND
MANDATING STUDENTS UNDER COURSES THAT REQUIRE BOARD EXAMS TO
ENROLL IN A REVIEW CENTER UPON THE SCHOOL'S PERSONAL CHOICE AND
DISCRETION

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

Section 1. Short Title. – This act shall be referred to as “Protection of Students’ Right Act of 2010”.

Section 2. Declaration of Policy. – The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs. The State shall give priority to education as it provides an indispensable effect in the economy’s position.

Section 3. Prohibited Acts. –

- (1). Compelling the students to enroll at a review center chosen by the school.

SECTION 4. Penalties. Any HEI official or employee found guilty of violating any of the unlawful acts enumerated in Section 3 of this Act shall suffer the penalty of *prison correctional* or imprisonment from six (6) months and one (1) day to six (6) years.

In addition, the Commission on Higher Education (CHED) may impose disciplinary sanctions against a HEI official or employee violating this Act pursuant to Section 13 of Republic Act No. 7722, otherwise known as the Higher Education Modernization Act of 1994.

SECTION 5. Implementing Rules and Regulations. The CHED shall be tasked to issue the implementing rules and regulations of this Act within thirty (30) days after this law takes effect.

~~SECTION 6. Repealing Clause. All laws, decrees, executive orders, administrative orders, resolutions, and other issuances of the Commission on Higher Education, the Department of Education, and the Office of the President of the Philippines that are inconsistent with the provisions of this Act are hereby amended, modified or repealed accordingly.~~

Section 8. Effectivity Clause. This act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

Approved,

FACT SHEET

Substitute Bill to House Bill Nos. 1417 & 2844

AN ACT PROTECTING THE RIGHT OF STUDENTS ENROLLED IN COURSES REQUIRING PROFESSIONAL LICENSING EXAMINATIONS TO ENROLL IN REVIEW CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Introduced by: Reps. TEODORO A. CASIÑO & PRYDE HENRY A. TEVES

Committee Referral: COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

Committee Chairperson: JUAN EDGARDO M. ANGARA

Objectives:

- To protect the right of students to choose which review center to enroll in for preparation for the licensure examinations.
- To eliminate the practice of some schools of compelling their graduates to enroll in a particular review center and withholding their scholastic documents if they refuse to do so.

Key Provisions:

- Protects the right of students to enroll in review centers of their choice by enumerating the acts which are considered violative of students' rights.
- Provides penalties for violations of the unlawful acts enumerated therein.
- Covers all public and private HEIs, including local colleges and universities, offering courses that require professional licensure examinations.

Related Laws:

- Batas Pambansa 232 (Education Act of 1982)
- Republic Act 8292 (Higher Education Modernization Act of 1994)
- RA 7722 (CHED Charter)

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

MINUTES OF THE MEETING OF THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION
HELD ON SEPTEMBER 15, 2010 (WEDNESDAY), 9:36 A.M., CONFERENCE ROOMS 1 & 2, R.V.
MITRA BLDG., HOUSE OF REPRESENTATIVES, QUEZON CITY

I. CALL TO ORDER

Rep. Juan Edgardo M. Angara, Chair of the Committee on Higher and Technical Education (CHTE) and the Presiding Officer, called the meeting to order at 9:40 A.M.

II. ROLL CALL

Upon motion of Rep. Luis R. Villafuerte, duly seconded by Rep. Mark Aeron H. Sambar, the Committee dispensed with the roll call.

III. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Likewise, the Committee dispensed with the reading of the minutes of the August 25, 2010 meeting and approved the same.

IV. ACKNOWLEDGMENT OF GUESTS/RESOURCE PERSONS

Upon instructions of the Presiding Officer, the Committee Secretary acknowledged the guests and resource persons from the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), Coordinating Council of Private Educational Associations (COCOPEA), Philippine Association of Colleges and Universities (PACU) and officials from the Camarines Sur Polytechnic College.

V. CONSIDERATION OF THE FOLLOWING LOCAL BILLS:

The Committee proceeded to discuss various local measures pertaining to state universities and colleges (SUCs) and technical-vocational (tech-voc) schools.

Rep. Angara informed the Committee Members that the measures for deliberation have been approved on third reading during the 14th Congress. He explained that as a rule, it would be smooth sailing for the bills since they had gone through extensive deliberations in the past unless there are vehement objections.

At this juncture, Rep. Villafuerte moved for the omnibus approval of bills on the establishment or renaming of SUCs, conversion into SUCs and establishment of technical-vocational training centers. Thereafter, the body approved the following: **HB 735**, which calls for the establishment of a state college in the City of Talisay, Province of Cebu to be known as the Talisay City State College (Rep. Eduardo R. Gullas); **HB 200**, which seeks to separate the Camarines Sur Polytechnic College – Naga City Campus (formerly Bicol College of Arts and Trades) in the City of Naga, Province of Camarines Sur from the Camarines Sur Polytechnic College in Nabua, Camarines Sur and to convert it into a state college to be known as the Bicol State College of Applied Sciences and Technology (Rep. Villafuerte); **HB 1768**, which proposes to convert the Catanduanes State Colleges in the Province of Catanduanes into a state university to be known as the Catanduanes State University (Rep. Cesar V. Sarmiento); **HB 1814**, which converts the Negros State College of Agriculture (NSCA) in the City of Kabankalan, Province of Negros Occidental into a state university to be known as the Central Philippine State University (CPSU) (Reps. Mercedes K. Alvarez, Ignacio T. Arroyo Jr. & Alfredo Abelardo B. Benitez); **HB 1922**, which converts the Cordova Public College in

the Municipality of Cordova, Province of Cebu into a state college to be known as the Cordova State College of Science and Technology (Rep. Gabriel R. Quisumbing); **HB 2113**, which converts the Quirino State College (QSC) in the Municipality of Diffun, Province of Quirino into a state university to be known as the Quirino State University (QSU) and integrates therewith the Quirino Polytechnic College (QPC) in the Municipality of Cabarroquis and Maddela Institute of Technology (MIT) in the Municipality of Maddela, both municipalities located in the Province of Quirino (Rep. Dakila Carlo E. Cua); and **HB 2632**, which seeks to convert the Iloilo State College of Fisheries into a state university to be known as the Iloilo State University of Fisheries, Science and Technology and integrates thereto the Western Visayas College of Science and Technology's Barotac Nuevo and Dumangas Campuses and the Passi Trade School (Rep. Ferjanel G. Biron).

The body also approved the renaming of the Southern Philippines Agribusiness and Marine Aquatic School of Technology (SPAMAST), into Davao Del Sur State College (DSSC), as contained in **HB 799**, filed by Rep. Marc Douglas C. Cagas IV.

As regards the approved tech-voc bills, these include **HB 751**, which provides for the establishment of a Technical Education and Skills Development Center in the City of San Jose Del Monte, Bulacan), and **HB 1395**, which provides for the establishment of the Technical Education and Skills Development Authority (TESDA) Training and Accreditation Center in the City of Cagayan De Oro Located at Barangay Camaman-an. The two bills were authored by Rep. Arturo B. Robes and Rep. Rufus B. Rodriguez, respectively.

Upon motion of Rep. Villafuerte, duly seconded, the body further approved **HB 1863** authored by Rep. Arnulfo P. Fuentesbella. The bill proposes to rationalize the Board of Regents of the Partido State University, amending for the purpose Republic Act No. 9029 (Creating the Partido State University).

VI. CONSIDERATION OF THE FOLLOWING MEASURES: 1) HB 112 - AN ACT STRENGTHENING THE LADDERIZED INTERFACE BETWEEN TECHNICAL-VOCATIONAL EDUCATION AND TRAINING (TVET) AND HIGHER EDUCATION (Rep. N. Gonzales); AND 2) HB 836 - AN ACT STRENGTHENING THE LADDERIZED INTERFACE BETWEEN TECHNICAL-VOCATIONAL EDUCATION AND TRAINING (TVET) AND HIGHER EDUCATION (Rep. Villar); AND HB 1503 - AN ACT STRENGTHENING THE LADDERIZED INTERFACE BETWEEN TECHNICAL-VOCATIONAL EDUCATION AND TRAINING (TVET) AND HIGHER EDUCATION (Rep. Teodoro)

Prior to the sponsorship speech of Majority Leader Neptali M. Gonzales II, the Committee Chair informed the Committee Members that the ladderized education bill has been approved on third reading by the previous Congress, but has remained pending with the Senate. Once again, he reminded the body that by tradition, there should only be one hearing on the bill.

When called to sponsor his bill, Rep. Gonzales stated that every Filipino dreams of finishing his or her studies for the reason that the avenues for advancement would be plenty for a person armed with a solid education. However, he said, a large percentage of graduates from colleges and universities who are filled with hopes of gainful employment and advancement usually find out that there are a few jobs related to their course of choice.

Rep. Gonzales stressed that a stop-gap or long-term measure is needed to eliminate the problem of structural unemployment or job-skill mismatch in the industry. This, he said, can be solved by institutionalizing the ladderized education program that allows those who are studying in or have graduated from technical-vocational (tech-voc) courses to earn a college degree to ensure opportunities for employment.

The author of HB 112 further stated that the ladderized education program was introduced in the educational system through Executive Order 358, which was signed on September 14, 2004. He explained that the bill seeks to provide avenues for the advancement of students and workers in education and career by creating a seamless and borderless education system that allows mobility in terms of flexible entry and exit in the educational system. He further said that the proposed law provides tech-voc graduates to obtain a college degree by earning equivalent credits from his tech-

voc course. Through this mechanism, he continued, the principle of access to education enshrined in the Constitution is made available to all.

Expressing his support to the bill, Rep. Villafuerte stated that the bill should be approved immediately because it addresses a very significant gap in the education system. This bill, he said, will help solve the education-job mismatch that the country is experiencing.

Rep. Bernadette Herrera-Dy, who seconded the motion of Rep. Villafuerte, underscored the need to fast-track the approval of the bill after noting that the ladderized education program was not fully implemented by the previous CHED Chair despite the fact that there is already an executive order. If it becomes a law, she said, no department or agency can stop its implementation.

On the part of the resource persons, CHED Director Felizardo Francisco posed no objection to the provisions of the measure. He assured the body that the CHED will coordinate with TESDA in the implementation of the program to straighten out some areas pertaining to qualifications of faculty members, trainers, curriculum design, and training delivery, among others.

Likewise, TESDA Executive Director Irene Isaac supported the passage of the measure. She explained that technical vocation and education training (TVET) by itself is a viable career option, but added that ladderized education provides TVET trainees and workers with opportunities for career and educational progression. She further said that the program will also facilitate the establishment of a seamless and borderless education system that allows mobility in terms of flexible entry and exit into the educational system.

With no further comments nor objection, the Chair declared the bill consolidating HBs 112, 836 and 1503 approved for reporting out, with Reps. Villafuerte, Herrera-Dy, Alvarez, Pryde Henry Teves, Sambar, Linabelle Ruth R. Villarica and Maximo B. Rodriguez as co-authors.

VII. CONSIDERATION OF HB 1417 – AN ACT TO PENALIZE UNIVERSITIES OR COLLEGES IN FORCING AND MANDATING STUDENTS UNDER COURSES THAT REQUIRE BOARD THAT REQUIRE BOARD EXAMS TO ENROLL IN A REVIEW CENTER UPON THE SCHOOL'S PERSONAL CHOICE AND DISCRETION (Rep. Teves); and HB 2844 – AN ACT PROTECTING THE RIGHT OF STUDENTS OF COURSES REQUIRING PROFESSIONAL LICENSING EXAMINATIONS TO ENROLL IN REVIEW CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF (Reps. Casiño, Palatino, Tinio, Mariano, Ilagan and De Jesus).

In his sponsorship speech, Rep. Teves stated that the issues mentioned in his bill have long been thoroughly discussed since the 14th Congress. He lamented that the issues concerning higher education institutions (HEIs) have become worst with the complaints that some HEIs do not just choose the review centers where students will enroll, but also the airlines that will transport the students and the dormitories where the students will be housed during the review. He added that there were reports that some professors have formed their own review centers and compelled their students to enroll there.

The author of HB 1417 further argued that if the student's foundation is weak, he will not pass the board examination even if he attends review classes. Therefore, Rep. Teves said, the solution is for the school to be strict in its admission and retention policies so that those who have no chance of passing the course will really be rejected by the system. He added that forcing students to enroll in review centers is tantamount to requiring their parents to spend more money without guarantee of passing the board examination due to weak foundation.

Expressing alarm over the said practice of making arrangements with review centers, Rep. Teves said that it has become a racket made by unscrupulous people operating schools, including professors.

Atty. Joseph Noel Estrada, who represented the Philippine Association Colleges and Universities (PACU), lamented that there is no law regulating the establishment and operation of review centers. Explaining the predicament of schools, he said that the schools have shown their concern over the welfare of students by exercising their mandate and screening, selecting and evaluating the legitimacy of review centers in good faith.

The Committee Chair informed the resource person from PACU that there are also bills empowering the CHED to regulate the establishment and operation of review centers.

For her part, Atty. Carmelita Yadao-Sison of the CHED mentioned that the Commission already initiated the regulation of review centers by issuing a memorandum order on the matter and the review centers have started to comply with the requirements. In 2006, she continued, the CHED had issued a directive to schools that they should not compel their students to enroll in review centers preferred by them, but by students. She related that the CHED had intervened in many cases where students had complained of being forced to enroll in review centers of the school's choice or their transcripts and other school records were withheld for failure to enroll in review centers chosen by the schools. However, she said, the Supreme Court ruling that the CHED has no jurisdiction over review centers prevented the Commission from pursuing its initiatives.

Moreover, Atty. Yadao-Sison noted that under the bill, the schools can exercise their autonomy if the review classes are part of the curriculum. Hence, she said, the students are made aware right from the start that they have to attend review classes.

Rep. Teves remarked that there is no problem if the review classes will form part of the curriculum because the parents will be aware before enrollment that they will have to shell out money for review classes, which are usually paid on a per unit basis.

This prompted the Committee Chair to state that if the review classes are made part of the curriculum, then the CHED can lay down the guidelines since it has jurisdiction over schools. Thereafter, the Committee decided to approve the bills following the motion made by Rep. Alvarez, duly seconded by Rep. Daryl Grace J. Abayon.

Meanwhile, Rep. Casiño informed the Committee Members that HB 2844 was the bill that was approved on third reading during the 14th Congress. He recommended that the new provisions introduced in the bill of Rep. Teves be added to his bill. He also expressed hope that the consolidated bill will be the first to be reported out by the Committee.

At this juncture, the Presiding Officer assured Rep. Casiño that the measure will be reported out immediately.

IV. CONSIDERATION OF HB 1504 – AN ACT GRANTING DISCOUNTS TO UNDERPRIVILEGED COLLEGE STUDENTS ON BASIC AND EDUCATION SERVICES (Rep. Teodoro)

Despite the absence of the author of HB 1504, the Committee decided to hear the comments of the various stakeholders.

Ms. Celia O. Carlos, chairperson for national affairs of the Drugstore Association of the Philippines (DSAP), lauded the intent of the bill. However, she informed the body that drugstores are experiencing difficulties with the passage of Expanded Senior Citizens Act because there is a 20 percent discount for senior citizens, the value-added tax cannot be passed on to them because the total discount reaches 28.57 percent. She said the drugstores are losing money because of their small mark-up. Aside from senior citizens and persons with disability, Ms. Carlos informed the body that public school teachers and underprivileged college students are also wishing to get discounts. She expressed her sentiment that drugstores are being legislated out of business.

Nevertheless, Ms. Carlos emphasized that there is no problem with giving discounts for as long as the discounts will go back to drugstore owners through tax credits. She explained that in a tax deduction, for every one peso discount that drugstore owners will give, only 30 centavos will be given back to them by the government while the 70 centavos will come from their own pockets. She appealed to the lawmakers to allow the grant of tax credits instead of tax deduction unless the discounts will apply only to generic drugs which are a lot cheaper than the branded medicines. By doing this, she said, the government can promote the use of generic alternatives and at the same time, help the local pharmaceutical industry.

At this point, the Committee Chair reiterated that the tax aspect is beyond the jurisdiction of the CHTE. He informed the resource person that the measure will be referred to the Committee on Ways and Means for approval of the tax provision of the bill.

Mr. Napoleon Imperial, who represented the National Economic and Development Authority (NEDA), informed the Committee that the agency will submit a formal position paper to the body. In the meantime, he expressed his objection to the definition of 'underprivileged' in the bill. He remarked that said definition is considered extravagant or too high at the level of P100,000.00 family income ceiling. He pointed out that based on the 2006 Family Income Expenditure Survey (FIES), the said income level already belongs to families in the sixth income level. This means, he continued, that the bill will have as beneficiaries more than half of all the families with college students in the Philippines. Still using the 2006 FIES data, Mr. Imperial pointed out that the NEDA estimates a subsidy incidence of approximately P120 million per year from the proposed five percent discount on food establishments, medicines, textbooks, school supplies and tuition fees. He projected that P80 million of this subsidy would come from the tuition fee discounts. For this reason, he urged the body to check the FIES data and to adjust the definition of certain technical terms based on inflationary level and statistical considerations.

However, when asked by Rep. Casiño to cite the gross annual income that could be considered by NEDA as a determining factor for a student to qualify as underprivileged, Mr. Imperial could not give a definite answer. He requested the Committee to give him time to consult the National Statistical Coordinating Board to determine the annual income based on the 2006 FIES.

In relation to this, Rep. Casiño stressed that it was deliberate on the part of the author not to mention poor students because the poor have a very technical definition according to incomes. He stated that majority of poor families cannot even send their children to college. He pointed out that being underprivileged is definitely above the poverty rate because majority of families who live below the poverty level cannot afford to send their children to school.

When asked by the Presiding Chair to comment on the bill, Atty. Julito Vitriolo of the CHED lauded the objectives of the bill. However, he underscored the need to determine the cut-off rate of the threshold income level to ensure that the students will not only get discounts, but their chances of finishing their studies will be high.

Likewise, he informed the body that the CHED scholarship programs use the P300,000.000 income level as the cut-off rate for the reason that the success rates of students will be affected if the income threshold is lowered. He maintained that while students may be able to get scholarships and discounts, it is also possible that they cannot continue their studies because of certain difficulties. Hence, he underscored the importance of sustainability and provision of support mechanisms. He added that the implementation mechanism of the bill should be studied further to determine how many of the 2.6 million students in higher education will get the discounts.

The Committee Chair noted that the bill is very important and timely. However, he stated that while the bill provides benefits to underprivileged students, it also has limitations such as when the student fails in the majority of subjects or stops schooling for one year.

Atty. Vitriolo said the schools can submit the list of qualified students since they have the records of students who are qualified. An ID system or some kind of database can also be utilized, he added.

Agreeing with the Committee Chair, Rep. Tinga suggested that the measure cover not only underprivileged college students, but all students as well.

On the part of the COCOPEA, Executive Director Patricio Dionio promised to submit a position paper to the Committee.

Upon motion of Rep. Casiño, duly seconded by Rep. Ma. Georgina De Venecia, the Committee decided to create a technical working group (TWG) to hear the positions of the other stakeholders and to thresh out the issues raised concerning the bill.

V. OTHER MATTERS

The Committee Chair announced the designation of the Chairs of the following subcommittees: Rep. Casiño, Subcommittee on Technical Vocational Education and Skills Development; Rep. Villarica, Subcommittee on Private higher Education; Rep. Eulogio "Amang" R. Magsaysay, Subcommittee on Teachers and Non-Teaching Personnel's Welfare; Rep. Emil L. Ong,

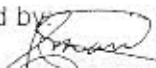
Subcommittee on Student's welfare; Rep. Aurora E. Cerilles, Subcommittee on Distance Learning and Alternative Methods of Education; Rep. Loreto Leo S. Campos, Subcommittee on LGU-Operated Tertiary/Post-Secondary Educational Institutions; Rep. Franklin P. Bautista, Subcommittee on Scholarships; and Rep. Teodoro, Subcommittee on Oversight.

The Chair further stated that he is the Chair of the Subcommittee on State Universities and Colleges.

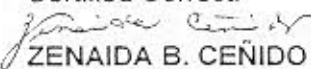
VI. ADJOURNMENT

There being no other matters to be discussed, the meeting was adjourned at 11:13 A.M.

Prepared by


FRANCES MELANIE U. MAURICIO
Supervising Legislative Staff Officer II

Certified Correct:


ZENaida B. CEÑIDO
Committee Secretary, CHTE

Noted by

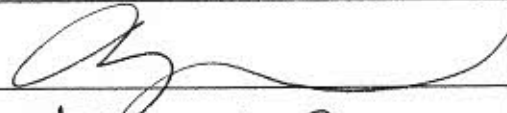
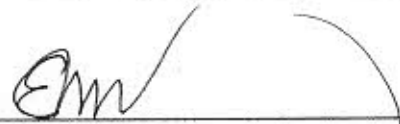
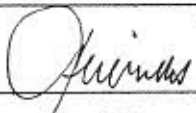
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REP. JUAN EDGARDO M. ANGARA
CHTE Chair/ Presiding Officer

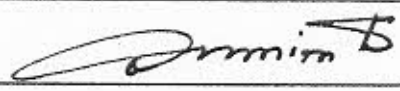
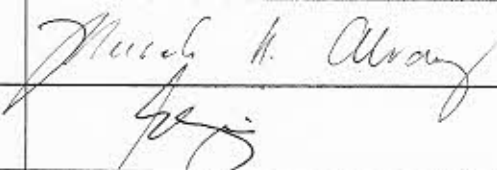
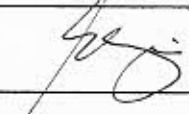
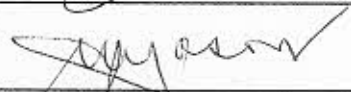
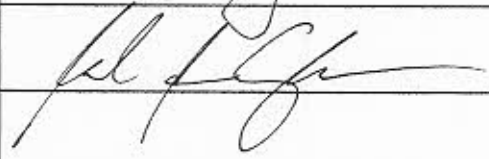
1) COMMITTEE REPORT ON THE SUBSTITUTE BILL TO HOUSE BILL NOS. 1417 & 2844 - *An Act Protecting the Right of Students Enrolled in Courses Requiring Licensing Examinations to Enroll in Review Centers of Their Choice; and*

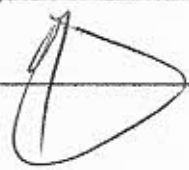
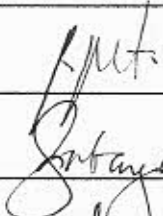
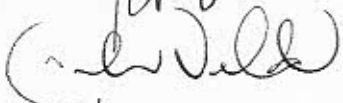
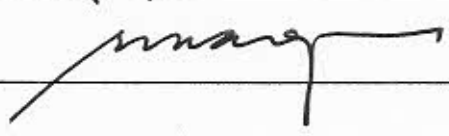
2) COMMITTEE REPORT ON HB 2697 with amendments - *An Act Changing the Name of Lazi Agricultural School in Barangay Tigbawan, Municipality of Lazi, Province of Siquijor into Lazi Technical Institute*

for the Members of the Committee on Higher & Technical Education:

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Rep. Christopher S. Co	
Rep. Jorge T. Almonte	

Rep. Mariano C. Piamonte	<i>M.P. - 7</i> (NO PART)
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Rep. Diosdado "Dato" M. Arroyo	
Rep. Victor F. Ortega	
Rep. Maria Milagros "Mitos" H. Magsaysay	
Rep. Ignacio T. Arroyo, Jr.	
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