

## REPUBLIC ACT NO. 10609

### 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:*

**Section 1. Short Title.** – This Act shall be known as the "Protection of Students' Right to Enroll in Review Centers Act of 2013".

**Section 2. Declaration of Policy.** – 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 complementary 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 (HEIs) in relation to the right of students to choose their review centers.

**Section 3. Coverage.** – This Act shall cover all public and private HEIs, including local colleges and universities, offering courses that require professional licensure examinations.

**Section 4. 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, which are not part of the curriculum, in a review center of the HEI's choice;
- (2) Making such review classes a prerequisite for graduation or completion of the course;
- (3) Forcing students to enroll in a review center of the school's choice, and to pay the corresponding fees that include transportation and board and lodging; and
- (4) 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 in a review center of the HEI's choice.

**Section 5. Penalties.** – Any HEI official or employee, including deans, coordinators, advisers, professors and other concerned individuals found guilty of violating any of the unlawful acts enumerated in Section 4 of this Act shall suffer the penalty *prision correccional* or imprisonment from six (6) months and one (1) day to six (6) years and a fine of Seven hundred fifty thousand pesos (₱750,000.00). He/She shall also be suspended from his/her office and his/her professional license revoked.

In addition, the Commission on Higher Education (CHED) may impose disciplinary sanctions against an 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 6. 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 7. *Separability Clause.*** – Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

**Section 8. *Repealing Clause.*** – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, administrative memoranda, rules and regulations inconsistent with the provisions of this Act are hereby amended, modified or repealed accordingly.

**Section 9. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its publication the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

(Sgd.) **JINGGOY EJERCITO ESTRADA**  
Acting Senate President

(Sgd.) **FELICIANO BELMONTE JR.**  
Speaker of the House of Representatives

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on December 8, 2010 and June 5, 2013, respectively.

(Sgd.) **EMMA LIRIO-REYES**  
Secretary of the Senate

(Sgd.) **MARILYN B. BARUA-YAP**  
Speaker General  
House of Representatives

Approved: AUG 23 2013

(Sgd.) **BENIGNO S. AQUINO III**  
*President of the Philippines*