



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION

CHED MEMORANDUM ORDER (CMO)

No. 49
Series of 2006

**SUBJECT: IMPLEMENTING RULES AND REGULATIONS
GOVERNING THE ESTABLISHMENT AND OPERATION
OF REVIEW CENTERS AND SIMILAR ENTITIES IN THE
PHILIPPINES PURSUANT TO EXECUTIVE ORDER NO.
566**

In accordance with the mandates of Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994," and pursuant to the pertinent provisions of **Executive Order No. 566** and other pertinent rules and regulations, the attached **IMPLEMENTING RULES AND REGULATIONS GOVERNING THE ESTABLISHMENT OF REVIEW CENTERS AND SIMILAR ENTITIES IN THE PHILIPPINES** is hereby promulgated by the Commission for the guidance and compliance of all.

Approved this 3rd day of November, 2006 in the City of Pasig.


CARLITO S. PUNO
Chairman

IMPLEMENTING RULES AND REGULATIONS GOVERNING THE ESTABLISHMENT AND OPERATION OF REVIEW CENTERS AND SIMILAR ENTITIES IN THE PHILIPPINES

RULE I

TITLE

Rule 1. Title. – These Rules shall be known as the *“Implementing Rules and Regulations Governing the Establishment and Operation of Review Centers and Similar Entities in the Philippines”*.

RULE II

PURPOSE

Rule 2. Purpose. – These Rules are hereby promulgated to prescribe the system of regulation, policies, standards, procedures, criteria and guidelines for the implementation of Executive Order No. 566, otherwise known as *“Directing the Commission on Higher Education to Regulate the Establishment and Operation of Review Centers and Similar Entities”*.

RULE III

STATEMENT OF POLICY

Rule 3. Statement of Policy.

- 3.1. The Commission on Higher Education recognizes the role that review centers play on the performance of graduates of higher education institutions specifically, in the outcomes of licensure examinations and eventually, on the competencies and provision of quality service by graduates entering the professions;
- 3.2. The performance of the review centers, if left unregulated and unsupervised, will be adversely affected and the provision of supplemental educational service may lead to the deterioration of quality and unethical practices thus, detrimental to the students or enrollees in these review centers;

- 3.3. Pursuant to Executive Order No. 566, the Commission on Higher Education adopts a policy to preserve and protect the right of all enrollees in review centers and shall standardize and/or improve the quality and comparability of review programs of review centers in order to safeguard the quality and integrity of licensure examinations and to facilitate the continuing development of human resource base that will be responsive to both local and international market demands for qualified and competent professionals.

RULE IV

DEFINITION OF TERMS

Rule 4. Definition of Terms. To properly carry out with the use of certain language/term specifically applied in these Rules, the following are defined for this purpose:

- 4.1. **REVIEW CENTER** – refers to a center operated and owned by a duly authorized entity pursuant to these Rules intending to offer to the public and/ or to specialized groups whether for a fee or for free a program or course of study that is intended to refresh and enhance the knowledge or competencies and skills of reviewees obtained in the formal school setting. The term review center as understood in these rules shall also embrace the operation or conduct of review classes or courses provided by individuals whether for a fee or not.
- 4.2. **ESTABLISHMENT** – refers to the act of incorporating and/or registering with the Securities and Exchange Commission (SEC) the entity intending to operate as a review center or to offer a review class or course.
- 4.3. **REVIEW COURSE**– refers to the set of non-degree instructional program of study and/or instructional materials/module, offered by a school with a recognized course/program requiring licensure examination, that are intended to merely refresh and enhance the knowledge or competencies and skills of reviewees.
- 4.4. **REVIEWEES** – refer to enrollees or participants in a review class or course
- 4.5. **REVIEWERS** – refer to those providing instructions, lectures, seminars, mentoring and similar activities in the review center or review class/course who are duly qualified and/or licensed to practice the profession in their respective fields.

- 4.6. **REGISTRATION** – refers to the process of obtaining an authorization in the form of a permit from the CHED to operate a review center or conduct review courses/classes after compliance with the conditions and minimum requirements/standards stipulated under these Rules and other pertinent laws, rules and regulations.
- 4.7. **ACCREDITATION** - refers to the process of undergoing an assessment by a CHED recognized accrediting agency through the peer-evaluation process using standards and criteria much greater than the minimum requirements stipulated in this order.
- 4.8. **SIMILAR ENTITIES** – the term refer to other review center providing review or tutorial services in areas not covered by licensure examinations review centers including but not limited to college entrance examinations, Civil Service examinations, tutorial services in specific fields like English, Mathematics and the like.

RULE V

SCOPE AND COVERAGE

Rule 5. Scope and Coverage. As a general rule, this set of policies and guidelines shall cover review centers/classes/courses already existing upon the approval of these Rules and those that will be established in the future covering academic programs requiring licensure examinations. The policies, guidelines and rules herein set forth shall define the scope, procedures, the extent of regulation as well as the mechanics of registration of review centers with the CHED. Notwithstanding, the promulgation of these Rules, the CHED shall not be precluded from issuing supplemental guidelines for the registration of similar entities or other related concerns not otherwise covered under the present IRR.

RULE VI

GENERAL PRINCIPLES

Rule 6. General Principles.

- 6.1. A review center shall be established only upon the written favorable authority of the Commission on Higher Education (CHED) and after conducting evaluation and assessment. Only applicants that have fully complied with all the conditions and requirements for the operation of a review center or the conduct of review classes shall be granted an authority or permit to operate a review center or to offer review courses.

- 6.2. As a general rule, review centers/ review classes conducted outside of the approved course curriculum by authorized entities shall be open to students from other schools. Likewise, students or reviewees shall not be restricted in the exercise of their freedom to choose which review center they want to enroll in.
- 6.3. HEIs enjoy academic freedom and nothing in these rules shall prohibit them from including or integrating in the appropriate curriculum review subjects with the corresponding credits as requirement for graduation.
- 6.4. It shall be prohibited and a violation of these Rules and Executive Order No. 566 for any entity to make advertisements or announcements referring to the operation of review centers or review courses when no permit has been given.

RULE VII

IMPLEMENTING GUIDELINES AND PROCEDURES

Rule 7. Implementing Guidelines and Procedures.

7.1 AUTHORITY TO ESTABLISH AND OPERATE

Only CHED recognized, accredited and reputable HEIs may be authorized to establish and operate review center/course by the CHED upon full compliance with the conditions and requirements provided herein and in other pertinent laws, rules and regulations. In addition, a consortium or consortia of qualified schools and/or entities may establish and operate review centers or conduct review classes upon compliance with the provisions of these Rules.

7.2 CATEGORIES OF APPLICANTS

Applicants who desire to establish and operate a review center or to conduct review classes covering educational programs with licensure examinations may be classified into two (2) categories:

- a. Schools, colleges or universities established/created by the State, or by operation of law, or private HEIs granted recognition by the Commission on Higher Education (CHED);

- b. Consortium/consortia of qualified HEIs and PRC recognized Professional Association.

7.3 REQUIREMENTS

- a) Submission of a Petition/ Application for Permit one-year before the intended operation of the review center/classes;
- b) Submission of feasibility study for the review programs /courses/modules being applied for which shall include, among others, a justification of the need and relevance of the proposed review course/center/module; the general and specific purpose/s, the fundamental subjects of the review, description of contents/topics of the subjects for the review, methodology to be used by the reviewer, number of hours to be devoted to each subject, evaluation methods;
- c) Articles of Incorporation and By-laws, duly certified and registration document showing registration of the HEI with the Securities and Exchange Commission (SEC) of the Philippines;
- d) If a school, evidence that it has a duly recognized program given by the CHED or the Board Resolution in the case of SUCs;
- e) Curricula, review course modules/courses /programs of study and syllabus of fundamental subjects for review showing the topics/contents/areas covered by licensure examinations;
- f) Proof of Competence and Capability of the school to operate a review center;

To include, among others, the following:

- 1) List of reviewers and their qualifications
- 2) Profile/ curriculum vitae of Administrators/Director/Reviewers of the Proposed Review Centers
- 3) Schedule of Review and other Fees charged
- 4) List of facilities and relevant support services
- 5) Appropriate site/venue
- 6) Notarized financial statements
- 7) Organizational set-up and staffing of the review centers which will manage the review program



- g) Sworn Statement of Undertaking by the head of the HEI that it has complied with the required standards ; that the review courses are of high quality; the operation of the review center/review classes conduct of shall be maintained on high ethical standards; and no conflict or potential conflict of interest exists with respect to the officials or owners of the review center with any government entity or instrumentality.

RULE VIII

GENERAL APPLICATION PROCEDURES AND GUIDELINES

Rule 8. General Application Procedures and Guidelines.

8.1 APPLICATION FOR PERMIT. The school shall be covered by the following general application procedures and guidelines for the grant of permit or registration:

The issuance of permit to **operate a review center/** review courses shall be governed by the following general conditions/procedures:

- a) The school/entity shall submit a Petition/Application in writing with the CHED Regional Office at least one year before the intended date of offering of the review course program, including the submission of the requirements pursuant to these Rules.
- b) The Director-in-Charge of Review Centers with the CHED Central Office shall evaluate the documents and recommend to the Chairman, when appropriate, the conduct ocular inspection by the concerned CHED Regional Office. Thereafter, the Commission en Banc upon the recommendation of the Director in-charge with the regulation of review centers shall act upon the application for Permit to Operate a Review Center or a Permit to Conduct Review Classes.
- c) In case of State colleges and universities, the petition/application shall be accompanied by a copy of their charters and in the case of private colleges and universities, an authentic or authenticated copy of certificate of registration issued by the SEC and an authentic or authenticated copy of the Government Recognition issued by CHED in the course where the intended review shall be conducted.



- d) In all cases, if the Petitioner/applicant is found to be qualified for the issuance of permit, it shall be required to pay an evaluation fee of PHP 100,000.00 to cover all the expenses for evaluation.

8.2 SPECIFIC APPLICATION PROCEDURES


A. FORM OF APPLICATION

1. **Form of Application** . The Application for Permit shall be in the form of a Petition and shall contain a caption setting forth the name of the Commission on Higher Education, the name of the Petitioner school/entity and the description of the petition.
2. **Number of copies of petition.** - Every petition or other pleadings, motions or other papers required by these rules to be filed before the Commission shall be made in seven (7) legible copies.
3. **Mode of Filing.** - The filing of the application shall be coursed to the concerned Regional Office of the CHED either by personal delivery or by registered mail. If the filing is made by personal delivery, the receiving clerk shall promptly and legibly stamp on the face of the first page of the application the exact date and time it was received and filed and thereafter affix his initials.

If the filing is by registered mail, the date of mailing stamped by the post office of origin, shall be considered as the date of filing. The envelope or a portion thereof showing the date of mailing and registry stamp containing the application, motion and other papers shall be attached thereto. The date of actual receipt shall also be legibly stamped or indicated on the first page of the pleading.

When a petition does not have the complete annexes or the required number of copies the same shall not be received and shall be deemed not a valid application. The petitioner shall be required to complete the annexes or file the necessary number of copies of the petition before the application is docketed for further action.

4. **Other Modes of Filing.** – Application/petitions, motions and other papers sent by ordinary mail, by private messengerial services, or by any mode other than personal delivery or registered mail, shall be deemed filed only on the date and time they are actually received. The date and time of actual receipt shall be stamped and signed by the receiving clerk.



5. **Docket and Assignment of Number.** - Upon the filing of the application or petition, the receiving clerk shall docket the same and assign to it a number. The numbering of the application/petition must be consecutive according to the date they are received.

B. CONTENTS OF APPLICATION/PETITION

1. **Petition.** – A qualified applicant pursuant to Rule VII, Section 7.2 above may file an application/ petition for the grant of permit to operate a review center with the Commission through the concerned Regional Office and shall be referred to as "Applicant-Petitioner".
2. **Contents of Petition.** - The petition shall contain the or juridical personality of the HEI or PRC Recognized Professional organization, timeliness of the petition, a concise statement of its purposes or justifications in support of the application and with the corresponding supporting documents and evidences of compliance with the conditions and requirements set forth herein.
3. **Filing of Petition.** - The petition shall be filed with the concerned CHED Regional Office and addressed to the Chairman, Commission on Higher Education.

C. ACTION ON THE APPLICATION/PETITION

1. **Conduct of Preliminary Conferences, Hearings and Ocular of Inspection**
 - 1.1 Upon due receipt of the Completed Petition/application, the CHED Regional Office shall within seven (7) days transmit copies of the same to the Office of the Chairman, CHED Central Office with all the supporting documents required appended thereto.
 - 1.2 The Office in charge of review centers shall review the documents submitted and if complying as to form and substance, shall recommend to the Chairman the conduct of ocular inspection by the concerned Regional Office.
 - 1.3 Upon receipt of the Order of the Chairman to conduct inspection/evaluation, the Regional Office shall conduct within thirty (30) days from receipt of such order, a Preliminary Conference and/or Hearing on the Petition including ocular inspection or cause to be inspected the premises of the review center to determine compliance with the requirements and conditions for the establishment and/or operation of the review center. The Regional RQAT and/or the necessary and qualified resource persons/consultants may be engaged for this purpose. An inspection fee shall be charged and collected by CHED in the amount of PHP 100,000.00 to cover the expenses of the inspecting team or assessors.



1.4 The Regional Office shall submit its report and recommendation to the CHED Central office within 7 days after the termination of the ocular inspection/evaluation.

The mandated period for CHED to act on the application shall be strictly observed.

1.5 If the Petitioner/applicant is found to be qualified, the Commission en Banc upon the recommendation of the Director in-charge with the regulation of review centers, may approve the application/petition and thereafter, issue or cause the issuance to the petitioner/applicant of a Permit to Operate a Review Center or a Permit to Conduct Review Classes upon payment of the required registration fee by the Petitioner/Applicant.

1.6 In case the Application is disapproved, the Commission upon meritorious and valid ground shall entertain only one Motion for Reconsideration. The MR shall be filed within an unextendible period of ten (10) days upon receipt of the Order of Denial/Disapproval.

1.7 A registration fee of P200,000.00 shall be paid by the Applicant/Petitioner before the Permit shall be released and the applicant /Petitioner deemed effectively registered as an authorized review center.

RULE IX

REVIEW CENTER CAPABILITY AND QUALITY

Rule 9. Review Center Capability and Quality. The following factors shall be major considerations, in addition to the specific applicable requirements under similar CHED regulations and those that will be issued later, in the evaluation and assessment of the school's application :

1. HUMAN RESOURCES

- a) The review course/center must have sufficient number of highly qualified experts or academicians engaged in providing the review courses at high quality and within ethical bounds. The review center must have an appropriate administrative organization and staff.
- b) Reviewers, mentors or teaching coaches should have at least a master's degree in their field of specialization and should have at least 5 years experience and training in a senior administrative field/position to ensure quality and in addition be reputable and of high integrity.



2. PHYSICAL AND FINANCIAL RESOURCES

Among others:

- a) The operator of a review center/class/course must ensure an adequate learning environment and resources for the conduct of the review.
- b) Facilities must be appropriate to the reviewee's needs and the review courses' learning requirements and must meet standards specified by the Policies and Guidelines set by the CHED. A reviewer to reviewee ratio of one(1) reviewer to Forty (40) reviewees shall be maintained at all times.
- c) Classrooms used for the conduct of review classes shall be in accordance with the Building Code and the standards adopted by the Commission for school classrooms. In addition, venues for review lectures must be well-lighted and well-ventilated or preferably air-conditioned. They should be equipped with comfortable desks, chairs, black or white boards and other visual aids. Instructional materials/handouts and reference books shall be made available to reviewees. Wash/comfort rooms and water facilities should be adequately provided.

3. TRACK RECORD

The school must possess credibility and track record in terms of overall reputation and standing in the academic community as evidenced by, but not limited to the following factors: accredited academic program of the course they will offer for review, academic programs that are either recognized as Centers of Excellence or Centers of Development. Awards and recognition received; higher than the national average passing performance in the licensure examinations; international linkages and recognition; reputation and integrity of administrators/reviewers and faculty; non-involvement in controversies such as those pertaining to unethical and/or deceitful practice tending to degrade the integrity of licensure examinations; reputation for the strict adherence to acceptable academic practices and traditions; no record of infringement of intellectual property rights, nor unfair, misleading and deceptive advertisements and/or claims, unfair trade practices.

RULE X

PERIOD OF VALIDITY OF PERMIT OF REVIEW CENTERS

Rule 10. Period of Validity of Permit of Review Centers.

- 10.1 The permit/license to operate a review center/conduct review courses/classes shall be renewable every 4 years, upon re-evaluation by the RQAT of the Regional Office. An evaluation fee of P20,000.00 shall be paid by the Review Center to cover the cost of re-evaluation.
- 10.2 The permits issued to a operate a review center/offer a review course /class shall continue to be valid for four years unless expressly revoked for valid reasons by the Commission on Higher Education pursuant to applicable laws, rules and regulations.
- 10.3 In addition, the CHED shall conduct periodic inspection/evaluation of the review centers/classes to determine if the review courses or review centers are being operated in accordance with the conditions and requirements herein set forth taking into account qualifications of reviewers, courses, training & learning resources, facilities, equipment and other relevant resources, among others.

RULE XI

BENEFITS OF REGISTRATION/ISSUANCE OF PERMIT

Rule 11. Benefits of Registration/Issuance of Permit. The issuance of a permit to review centers and their review courses of study has the following benefits:

- 11.1. It is equivalent to an imprimatur that the reviewees have taken the review course in a review center that is complying with quality standards prescribed by CHED.
- 11.2. It entitles the review center to advertise its review center and the review courses being offered and to accept reviewees.



RULE XII

SUSPENSION/REVOCAION/WITHDRAWAL OF PERMIT

Rule 12. Revocation/Withdrawal of Permit. The CHED shall revoke or cancel the permit to operate review courses and/or close the review center/class/course for valid cause pursuant to existing laws, rules, policies and regulation and after due process. The school shall be duly notified in writing by the CHED. Such causes shall include but not limited to mismanagement, deceit in the application for permit, fraud in procuring review materials, involvement in unethical practices such as the facilitation of cheating or leakage of licensure examinations, unauthorized advertisement or operation of review courses, poor performance of reviewees in the licensure examinations, infringement of intellectual property rights, misleading and deceptive advertisements and/or claims, unfair trade practices.

Rule 13. Order of Suspension of Operation. The Chairman, upon the recommendation of the Director-in-charge of Review Centers, upon receipt of a verified complaint on alleged violations by the Review Center/School of the provisions of this IRR and stating therein the request and basis for suspension of operation, shall immediately order the conduct of a fact-finding investigation to determine prima facie evidence against the said Review Center/School. Upon finding of prima facie evidence and determination of the urgency of the situation to prevent further injury to the students or reviewees, the Chairman, upon the recommendation of the Director-in-Charge, may issue an Order of Suspension of Operation, pending formal investigation over the complaint pursuant to existing rules for a period of not more than ninety (90) days only.

RULE XIII

ADVERTISEMENT

Rule 14. Advertisement.

- 14.1 Any advertisement or announcement referring to the review centers/review course or courses being offered shall be done only after the petitioner/applicant shall have obtained the required permit from the Commission on Higher Education. It shall be deemed a violation of this Order and Executive Order No. 566 for entities to make advertisements or announcements in connection with the operation of review centers or classes when no authorization or permit has been actually issued.

- 14.2 The review center shall submit to the CHED for approval the proposed advertisement and in this connection; the CHED issues from time to time specific guidelines covering the content and form review center advertisement or announcement.
- 14.3 The duly authorized advertisement shall have the phrase "**As per CHED Permit No. _____ s. _____**" as part of the advertisement in the lower portion of the material and to be printed legibly and big enough to be read by the public.

RULE XIV

TRANSITORY PROVISION

Rule 15. Transitory Provision.

- 15.1 Review centers that are existing upon the approval of Executive Order No. 566 shall have been given a grace period of up to one (1) year, to tie-up/be integrated with existing HEIs consortium of HEIs and PRC recognized Professional Associations with recognized programs under the conditions set forth in this Order and upon mutually acceptable covenants by the contracting parties. In the alternative, they may convert as a school and apply for the course covered by the review subject to rules and regulations of the CHED and the SEC with respect to the establishment of schools. In the meantime, no permit shall be issued if there is non-compliance with these conditions or non-compliance with the requirements set forth in these rules.
- 15.2 Only after full compliance with the requirements shall a Permit be given by the CHED to review centers contemplated under this Rule.
- 15.3 Failure of existing review centers to fully comply with the above shall bar them from existing as review centers and they shall be deemed as operating illegally as such. In addition, appropriate administrative and legal proceedings shall be commenced against the erring entities that continue to operate and appropriate sanctions shall be imposed after due process.

RULE XV

SANCTIONS

Rule 16. Sanctions. Any school/ review center found guilty of violating the provisions of Executive Order No. 566 and this set of rules as well as other pertinent rules and regulations shall be subject to the appropriate administrative and legal proceedings including the imposition of sanctions to include, but not limited to, the withdrawal or revocation of government recognition; phase-out or program termination in case of a school; recommendation for the withdrawal of accreditation given by private entities, or the revocation, cancellation or closure of the review center .

In addition, the appropriate civil and/or criminal actions shall be instituted against the entity and/or the officials of the review centers pursuant to applicable laws, rules and regulations.

The CHED shall enlist the assistance of the NBI, OSG, DOJ, PNP and other law enforcement bodies to effectively enforce these rules and regulations.

RULE XVI

SIMILAR ENTITIES

Rule 17. Similar Entities. The CHED shall require all entities operating like review centers but not for licensure examinations to register with the CHED and to submit documentation/information relative to their operation for purposes of inventory, data basing and classification.

Nothing in these rules shall preclude the CHED from issuing more specific rules and regulations governing such similar entities in the appropriate time in the future.

As a minimum, the similar entities shall submit to the CHED through the concerned regional office within 30 days from the publication of the CMO and the attached Rules in the Official Gazette or in a newspaper of general circulation, the following information:

- Profile of /Administrators
- Registration Papers (SEC, DTI), if any
- Address/Venue



- Organizational Structure
- List of **Staff/Personnel**/reviewers and their qualifications
- List of Facilities /Equipment
- Scope/Coverage of operation in terms of:
 - Subject-matter of review
 - Geographical spread
- List of Resource/review of Materials used
- Area of Distinctive Competence
- Vision/Mission

RULE XVII

AMENDMENTS

Rule 18. Amendments. These Rules or any portion thereof may be amended by a vote of simple majority of the Commission sitting en banc.

RULE XVIII

SEPARABILITY

Rule 19. Separability. If any provision of these Rules on the application thereof to a person or entity or circumstance is held to be invalid, the other provisions of these Rules, and the application of such provision or Rule to other persons, entity or circumstances, shall not be affected thereby.

RULE XIX

REPEALING CLAUSE

Rule 20. Repealing Clause. All issuances, rules and regulations or parts thereof that are inconsistent with these Rules are hereby repealed, amended or modified accordingly.




RULE XX

APPROVAL AND EFFECTIVITY OF THE RULES

Rule. 21. Approval and Effectivity of the Rules. These Rules shall take effect after approval by the Commission en Banc and fifteen days (15) days after complete publication in the Official Gazette or in a newspaper of general circulation.

Approved this 3rd day of November, 2006, in the City of Pasig.


CARLITO S. PUNO
CHAIRMAN

