

[EXECUTIVE ORDER NO. 423, June 25, 1997]

AMENDMENTS TO THE GUIDELINES ON THE ENTRY AND STAY OF FOREIGN STUDENTS IN THE PHILIPPINES AND THE ESTABLISHMENT OF AN INTER-AGENCY COMMITTEE FOR THE PURPOSE

WHEREAS , it is the policy of the government to continuously promote the Philippines as a center for education in the region by (i) encouraging foreign students to study in the Philippines, (ii) developing awareness of the Philippine educational system by neighboring countries, and (iii) allowing duly accepted foreign students to avail of the facilities of the Philippine educational system;

WHEREAS , an increasing number of foreigners have expressed their desire to enter and study in the Philippines, and graduate from the Philippine schools, colleges and universities;

WHEREAS , a procedure must be established to address national security and other concerns and determine the bona fide foreign students who wish to avail of the country's educational facilities;

NOW, THEREFORE, I, FIDEL V. RAMOS , President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Basic Policies and Procedure . The following policies and procedures shall be observed by all entities concerned:

A. Coverage.

(1) Only aliens who seek to stay temporarily in the Philippines solely for the purpose of taking up a course higher than high school at a university, seminary, academy, college or school duly authorized to accept foreign students and who are least eighteen years of age at the time of enrollment and have means sufficient for the education and support of study are covered under this order.

B. Acceptance of Foreign Students.

(2) Only schools whose programs are recognized by the Commission on Higher Education (CHED) shall be authorized to accept foreign students. The CHED shall prepare, at regular intervals, an updated list of such schools and forward the same to the Bureau of Immigration (BI). In the preparation of the list, the CHED and the BI shall consult each other, taking into account their respective mandates under existing laws and regulations. Copies of the list shall be furnished the BI, the Department of Foreign Affairs (DFA), the National Bureau of Investigation (NBI), the National Intelligence Coordinating Agency (NICA) and the schools authorized to admit foreign students. All schools authorized to admit foreign students shall establish a foreign students unit within their organization. To maintain its authorization, the school, through its foreign students unit, shall religiously submit,

one month after the end of each enrollment period, the acceptance/enrollment report on foreign students and a monthly status report to the BI, copy furnished the CHED and the NICA, with emphasis on whoever is missing, has transferred or dropped from the rolls. Failure to comply with the above requirements shall be a ground for cancellation by the CHED of the authority to admit foreign students.

(3) The Certificate of Eligibility for Admission (CEA) addressed to the accepting school shall be issued by the CHED only in cases where restrictions exist on enrollment of foreign students due to shortage of facilities, such as enrollment in medicine and dentistry. Once issued, the CEA shall remain valid for the duration of the course of study, provided the student attends his classes and continues to receive satisfactory grades. Not later than sixty (60) days from the effectivity of this Executive Order, the CHED shall prepare for distribution to the DFA, BI, NBI, and NICA the list of schools authorized to accept foreign students and an updated list of programs or courses with restrictions or quota in enrolling foreign students due to shortage of school facilities. Said list may be updated by the CHED from time to time as may be necessary.

(4) The CHED, in consultation with the DECS, shall provide all schools with comparative equivalencies between major foreign educational systems or programs and those of the Philippines. Should any question concerning equivalencies arise, the school concerned shall secure the comments of the CHED before accepting a foreign student for enrollment.

(5) Enrollment in any level shall require completion of the lower particular level, for example, an applicant for the tertiary or collegiate level must be a graduate of high school or its equivalent.

(6) The individual school may launch information campaigns to solicit and receive applications directly from prospective foreign students. The schools, for these purposes, may seek the assistance of the DFA and the Department of Tourism.

(7) The foreign student communicates directly with the school and complies with the school's institutional requirements, which shall include the submission of the following documents:

a) Original copy of the student's Personal History Statement duly signed by him both in English and in his national alphabet accompanied by his personal seal, if any, and containing among others, his left and right hand thumbprints and a 2x2-inch photograph on plain white background taken not more than six months prior to submission.

b) Documentary proof of adequate financial support to cover expenses for the student's accommodation and subsistence, as well as school dues and other incidental expenses;

d) Scholastic records duly authenticated by the Philippine Foreign Service Post located in the student applicant's country of origin or legal residence;

(8) The school, satisfied with the student's compliance with its requirements, shall issue a Notice of Acceptance (NOA) to the student and submit a duplicate copy thereof to the DFA, together with a certified true copy of the CHED's CEA, when necessary, the original copy of the student's personal history statement, copies of the student's scholastic records and proof of the student's financial capacity/support.

These documents shall be hand carried to the DFA by the school's designated liaison officer under a cover letter on the school's official stationery signed by the school's registrar and stamped with the school's official dry seal requesting that a student visa be issued to the person named therein. A copy of the NOA issued to the student and the CHED's CEA, when applicable, shall be furnished by the school to the CHED and the BI.

(9) The DFA indorses the documents to the Philippine Foreign Service Post located in the student's country of origin or legal residence for the issuance of the student visa after ascertaining the student's identity and admissibility under existing DFA regulations.

C. Issuance of Visas.

(10) Foreign students whose applications for student visas are approved are required to secure their visas from the Philippine Foreign Service Post in their country of origin or legal residence, regardless of where they are at the time of application.

Conversion from other visa category to that of a student visa shall not be permitted.

(11) The Philippine Foreign Service Post shall notify, in writing, the student of the receipt of the documents and require him to appear in person before a Consular Officer for interview and compliance with consular requirements. In addition to the documents transmitted to the post by the DFA, the following requirements shall be submitted by the student to the Consular Officer:

a) Original copy of the school's NOA containing a clear impression of the school's dry seal;

b) Original copy of the CEA issued by the CHED, if enrolled in courses or programs where restrictions may exist due to shortage of facilities, as in Medicine or Dentistry;

c) Police Clearance issued by the national police authorities in the student's country of origin or legal residence, authenticated by the Philippine Foreign Service Post having consular jurisdiction over the place; and

d) Medical Health Certificate issued by an authorized physician including standard-size chest x-ray;

The consular office shall not assume the task of determining the student's scholastic fitness for the program applied for and shall issue the student visa as soon as all the requirements are accomplished. A notice of visa issuance shall be furnished by the DFA to the school, the CHED, the BI, the NBI and the NICA as soon as it receives a report to this effect from the issuing post. The Foreign Service Post shall then forward a copy of all the foreign student's documents to the CHED for filing. Said documents shall be made available to the BI, NBI and NICA whenever necessary.

D. Arrival and Stay in the Philippines.

(12) Upon arrival in the Philippines, the student, as part of the requirements for processing his entry, shall report immediately to the accepting school and shall enroll only in the school which issued his NOA. The school shall reassess the