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Philippine Court Orders Some Students to Retake Nursing Test

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Hoping to end the controversy around an examination scandal that caused some to question the competency of the Philippines' nursing graduates, an appellate court in Manila has ordered a "selective retake" of the national licensing test that was given in June.

The Court of Appeals ruled on Friday that only students who had attended one of three test-review centers where questions and answers were divulged would have to retake the examination. Students who had not attended those centers and had passed the examination should be immediately awarded their nursing licenses, the court said in an opinion written by Associate Justice Vicente Veloso.

"Having found, based on unrefuted evidence, that there was no widespread leakage, and absent any preponderant evidence on who specifically benefited therefrom, a 'retake' will be too drastic a pill for the examinees to absorb," Justice Veloso wrote.

The court said it was beyond the scope of its powers to identify who had cheated and who had not. It ordered the executive branch to determine precisely who would have to retake the licensing examination.

The four-month-old scandal has added to concerns about ensuring the academic quality of nursing education in the Philippines, where new programs have mushroomed in recent years to meet world demand (*The Chronicle*, January 7, 2005). Several countries have refused to hire anyone who took the tainted examination, and the recent decision by the National Council of State Boards of Nursing, in the United States, not to offer the American nursing test in Manila was blamed on the scandal. Manila had bid to be one of the accredited international testing sites for that examination.

The controversy began when rumors of cheating emerged shortly after the nursing examination was given in the Philippines in June. Some 42,000 nursing graduates sat for the test, and more than 17,000 passed.

A committee of the Philippine Senate held hearings on the allegations of cheating, and several students testified that "sample" questions and answers shown at a Manila test-review center had appeared on the actual test a few days later.

In an effort to mediate the harm done by the leaks, the Professional Regulation Commission recalculated the test, excluding or lowering the value of more than 100 questions. That decision caused an outcry from those who had initially passed but then failed the test, based on the new scoring values.

It also raised hackles because the leaked answers appear to have come from commission members, and critics believed the panel was in no position to alter the results. (Investigators believe that the president of the Philippine Nursing Association, who owned one of the review centers, and two members of the licensing commission's Board of Nursing had given students the answers in order to raise the centers' profiles.)

Frustrated by the pace of the government's response, a group of nursing colleges and students in August asked the Court of Appeals to throw out the commission's recomputation. One of the petitioners, Marco Antonia Sto. Tomas, vice-president of the Association of Deans of the Philippine Colleges of Nursing, said it was imperative that all examinees retake the test because "there's no other way to redeem the credibility."

That group criticized Friday's decision, stating that a partial retake would not go far enough. On Monday, it filed a motion for reconsideration by the Court of Appeals, stating that "the integrity of the examination remains in question."

The office of the Philippine president, which initially ordered that everyone retake the test and then rescinded that decision, said it would abide by the court's ruling. The Department of Labor and Employment, however, said on Monday it would not permit new nurses to take their oaths and receive their licenses until it was certain the case would not be appealed.

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