



Republic of the Philippines
Department of Education

JAN 15 2024

DepEd ORDER
No. **001**, s. 2024

REVOCATION OF DEPED ORDER NO. 023, S. 2023

(Assumption of Authority of the Department of Education Over the 14 Public Schools
Affected by the Supreme Court Decision in G.R. No. 235316)

**PURSUANT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY
OF MAKATI, THE CITY OF TAGUIG, AND THE DEPARTMENT
OF EDUCATION**

To: Undersecretaries
Assistant Secretaries
Bureau and Service Directors
Regional Directors
Schools Division Superintendents
Public Elementary and Secondary School Heads
All Others Concerned

1. In line with the final and executory Supreme Court Decision in the **Municipality of Makati vs. Municipality of Taguig (G.R. No. 235316)**, the Department of Education (DepEd), in coordination with the Cities of Makati and Taguig, has prepared for transition of the management of the 14 public schools within the EMBO barangays, from DepEd Makati City to DepEd Taguig City.

2. In cognizance of the need to provide a safe and enabling environment for learners, teachers and personnel, the Department issued on August 16, 2023 **DepEd Order (DO) No. 023, s. 2023** titled **Assumption of Authority of the Department of Education Over the 14 Public Schools Affected by the Supreme Court Decision in G.R. No. 235316**, thereby placing the 14 schools under direct supervision of the Office of the Secretary, pending the development of a transition plan.¹

3. The Memorandum of Agreement (MOA) entered into by the City of Makati, the City of Taguig, and the Department provides that DepEd Taguig City and Pateros shall manage and operate the 14 schools, subject to specific issues and appeals that shall be left to the final determination of the appropriate authorities.

4. Pursuant to said MOA, DO 023, s. 2023 is revoked. Beginning January 1, 2024, the management of the following 14 schools is officially turned over to DepEd Taguig City and Pateros:

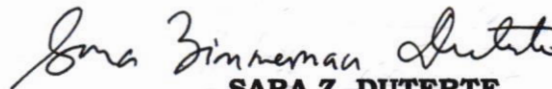
- a. Makati Science High School
- b. Comembo Elementary School
- c. Rizal Elementary School
- d. Pembo Elementary School
- e. Benigno "Ninoy" S. Aquino High School
- f. Tibagan High School
- g. Fort Bonifacio Elementary School
- h. Fort Bonifacio High School

¹ Section 3, Department Order No. 023, s. 2023.



- i. Pitogo Elementary School
- j. Pitogo High School
- k. Cembo Elementary School
- l. East Rembo Elementary School
- m. West Rembo Elementary School
- n. South Cembo Elementary School

5. A copy of the MOA is provided in the Enclosure.
6. All existing orders, memoranda, and other related issuances inconsistent with this Order are repealed, rescinded, or modified accordingly.
7. This Order shall take effect immediately after its publication on the DepEd website. This shall be registered with the Office of the National Administrative Register (ONAR) at the University of the Philippines Law Center (UP LC), UP Diliman, Quezon City.
8. Immediate dissemination of and strict compliance with this Order is directed.


SARA Z. DUTERTE
Vice President of the Republic of the Philippines
Secretary of the Department of Education

Digitally signed
by Duterte Sara
Zimmerman
Date: 2024.01.15
09:12:39 +08'00'

Encl.:
As stated

Reference:
DepEd Order (No. 023, s. 2023)

To be indicated in the Perpetual Index
under the following subjects:

CHANGE
LEARNERS
OFFICIALS
POLICY
PROGRAMS
SCHOOLS
SUPERVISION
TEACHERS



(Enclosure to DepEd Order No. **001**, s. 2024)



MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement is made and entered into by and between:

CITY OF MAKATI, an entity created under Republic Act 7854, with address at JP Rizal Street, Barangay Poblacion, Makati City, Metro Manila, represented in this act by its Mayor, Hon. Mar-Len Abigail Binay – Campos, by virtue of a Resolution issued by the Sangguniang Panlungsod of Makati City, hereinafter referred to as Makati City.

- and -

CITY OF TAGUIG, an entity created under Republic Act 8487, with address at Gen. Luna St., Barangay Tuktukan, Taguig City, represented in this act by its Mayor, Hon. Maria Laarni Cayetano, by virtue of a Resolution issued by the Sangguniang Panlungsod of Taguig, hereinafter referred to as Taguig City.

- and -

DEPARTMENT OF EDUCATION, an agency of the Republic of the Philippines, with address at DepEd Complex, Meralco Avenue, Pasig, Metro Manila, represented in this act by the Secretary of Education, the Honorable Sarah Duterte, concurrently Vice President of the Republic of the Philippines, hereinafter referred to as the DEPED.

WITNESSETH: That

WHEREAS, by virtue of the Decision dated December 01, 2021 of the Honorable Supreme Court in G.R. No. 235316 entitled "Municipality of Makati vs. Municipality of Taguig", confirmed that ten (10) barangays in Parcels 3 & 4 of Psu-2031 are part of the territory of Taguig City.

WHEREAS, several public schools located within the said area were previously administered by DEPED Makati Division.

WHEREAS, Makati City maintains that the Supreme Court decision does not vest ownership of the school land, building, facilities and equipment in favor of Taguig but only provides that said schools are within the territorial jurisdiction of Taguig City.

WHEREAS, Taguig City on the other hand asserts that by virtue of the above-mentioned Supreme Court decision and other applicable laws, ownership of the school land, building, and facilities, and equipment belong to Taguig City and/or the DEPED.

WHEREAS, the impasse created by conflicting positions of Makati City and Taguig City towards the ownership of the land and school facilities prevents the orderly transition of the operation of the subject schools from DEPED Makati Division to DEPED Taguig-Pateros Division .

WHEREAS, the parties have agreed that the issue of ownership of the school land, building, facilities, and equipment should be left to the final determination by the courts.

WHEREAS, it is vital that the educational services being extended to the students in the afore-mentioned schools remain uninterrupted pending resolution of the conflicting positions of Makati City and Taguig City and the DEPED has brokered an interim solution to ensure the continued provision of education services without necessarily having the City of Makati and the City of Taguig abandoning their respective positions above.

WHEREAS, the parties have agreed to conclude the transition process by executing this Memorandum of Agreement.

NOW THEREFORE, for and in consideration of the foregoing premises, it is hereby agreed as follows:

1. Subject to the terms of this Agreement, DEPED Taguig-Pateros Division shall continue to manage and operate the following schools including their land, buildings, facilities, and equipment beginning January 1, 2024, to wit:

PITOGO ELEMENTARY SCHOOL
PITOGO HIGH SCHOOL
SOUTH CEMBO ELEMENTARY SCHOOL
CEMBO ELEMENTARY SCHOOL
MAKATI SCIENCE HIGH SCHOOL*
WEST REMBO ELEMENTARY SCHOOL
FORT BONIFACIO ELEMENTARY SCHOOL*
FORT BONIFACIO HIGH SCHOOL*
EAST REMBO ELEMENTARY SCHOOL
TIBAGAN HIGH SCHOOL
COMEMBO ELEMENTARY SCHOOL
BENIGNO AQUINO HIGH SCHOOL
PEMBO ELEMENTARY SCHOOL
RIZAL ELEMENTARY SCHOOL*

(*subject to the decision of DEPED on the appeal of Makati City to retain operation of the school)

2. The DEPED shall allow DEPED Taguig-Pateros Division to operate the subject schools to ensure the continuity of the education of the students affected.



3. The parties shall abide by the final determination of the court on the issue of ownership. This Agreement shall be deemed modified to conform with said final determination.
4. Effective January 1, 2024 all expenses for utilities (electricity, water, etc.), security and janitorial services for the subject schools shall be for the account of DEPED/ Taguig City.
5. This Agreement shall not in any manner be construed as an abandonment or waiver of the respective positions of Makati City and Taguig City vis-à-vis the ownership of the school land, building, facilities and equipment subject of this Agreement.

IN WITNESS WHEREOF, the parties have signed this Memorandum of Agreement this ____ day of November 2023.

CITY OF MAKATI

By:


HON. MAR-LEN ABIGAIL BINAY-CAMPOS
City Mayor

CITY OF TAGUIG

By:


HON. MARIA LAARNI CAYETANO
City Mayor

DEPARTMENT OF EDUCATION

By:


HON. SARA Z. DUTERTE
Secretary of Education
Vice President, Republic of the Philippines



Signed in the Presence of: