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**Department of Education**  
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**2010 REVISED MANUAL OF REGULATIONS FOR PRIVATE SCHOOLS  
IN BASIC EDUCATION**

To: Undersecretaries  
Assistant Secretaries  
Bureau Directors  
Directors of Services, Centers and Heads of Units  
Regional Directors  
Schools Division/City Superintendents  
Heads, Private Elementary and Secondary Schools  
All Others Concerned

1. This Department hereby issues the enclosed "**2010 Revised Manual of Regulations for Private Schools in Basic Education**" (2010 Revised Manual for brevity) for the guidance and compliance of all concerned stakeholders in basic private education.
2. Any part or provision of the enclosed 2010 Revised Manual, which may be held invalid or declared unconstitutional, shall not affect the effectivity and efficiency of operation and implementation of the remaining parts or provision thereof.
3. Any existing Department Circulars, Orders, Memoranda, such as the 1992 Revised Manual of Regulations for Private Schools (8<sup>th</sup> Edition) issued as DECS Order No. 92, s. 1992 dated August 10, 1992, or any part thereof which are contrary to or inconsistent with any provision of the enclosed 2010 Revised Manual shall be deemed repealed or modified accordingly.
4. The enclosed 2010 Revised Manual of Regulations for Private Schools in Basic Education shall take effect beginning School Year 2010-2011.
5. Immediate dissemination of and strict compliance with this Order is hereby directed.

**MONA D. VALISNO**  
Secretary

Encl.: As stated

Reference: DECS Order: (No. 92, s. 1992)

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

CHANGE  
MANUALS  
POLICY

RULES & REGULATIONS  
SCHOOLS

MTI: Revised Manual of Regulations  
6-17-10



## **2010 REVISED MANUAL OF REGULATIONS FOR PRIVATE SCHOOLS IN BASIC EDUCATION**

### **I. GENERAL PROVISIONS**

**Section 1. Title.** This Manual shall be known as the 2010 Revised Manual of Regulations For Private Schools In Basic Education.

**Section 2. Coverage.** This Manual shall apply to all private educational institutions in basic education except as otherwise provided herein.

**Section 3. Minimum Standards or Criteria.** The standards or criteria provided in this Manual are the minimum required for government recognition, and schools may adopt higher standards or criteria consistent with laws, rules and regulations.

**Section 4. Fundamental State Policies on Education.** The following are the fundamental state policies relevant to private schools in basic education:

1. **Education For All (EFA).** The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.
2. **Complete Adequate and Integrated System of Education.** The State shall establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the people and society.
3. **Scholarship Grants, Student Loan Programs, Subsidies.** The State shall establish and maintain a system of scholarship grants, student loan programs, subsidies and other incentives which shall be available to deserving students in both public and private schools especially to the underprivileged.
4. **Alternative Learning Systems.** The State shall encourage non-formal, informal, and indigenous learning systems as well as self-learning, independent, and out-of-school study programs particularly those that respond to community needs. The State shall provide adult citizens the disabled and out-of-school youth with training in civics, vocational efficiency and other skills.
5. **Constitution as Part of Curricula.** All educational institutions shall include the study of the Constitution as part of the curricula.
6. **Inculcating Patriotism, Nationalism and Other Values.** Educational institutions shall inculcate patriotism and nationalism,

foster love of humanity, respect for human rights, appreciations of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge and promote vocational efficiency.

7. **Complementary Roles of Public and Private Institutions in the Educational System.** The State recognizes the complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.
8. **Ownership of Schools.** All private schools other than those established by religious groups and mission boards, shall be owned solely by citizens of the Philippines or corporations or associations at least sixty per centum of the capital of which is owned by such citizens.
9. **Control and Administration of Schools.** The control and administration of educational institutions shall be vested in citizens of the Philippines.
10. **Establishment of Schools for Aliens and Composition of Aliens in Enrollment.** No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one third of the enrollment in any school. Said prohibitions do not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.
11. **Exemption from Taxes and Duties.** All revenues and assets of non-stock, non-profit educational institutions used actually, directly and exclusively for educational purposes shall be exempt from taxes and duties. Likewise, subject to conditions prescribed by law, all grants, endorsements, donations or contributions used actually, directly and exclusively for educational purposes shall be exempt from tax.

Proprietary educational institutions, including those cooperatively owned, may likewise be entitled to such exemptions, subject to the limitations provided by law, including restrictions on dividends and provisions for reinvestment.

12. **Educational Policies and Programs.** The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs.
13. **Academic Freedom.** Academic freedom shall be enjoyed in all institutions of higher learning.
14. **Right to Choose a Profession.** Every citizen has a right to select a profession or course of study, subject to fair, reasonable and equitable admission and academic requirements.
15. **Right of Teachers to Professional Advancement.** The State shall enhance the right of teachers to professional advancement. Non-teaching academic and non-academic personnel shall enjoy the protection of the State.
16. **Highest Budgetary Priority.** The State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.

**Section 5. Definition of Terms.** Except as otherwise provided, the terms below shall be construed as follows:

- a. **“Government”** includes the National Government, the local governments, and all other instrumentalities, agencies or branches of the Republic of the Philippines, including government-owned or controlled corporations and their subsidiaries.
- b. **“Department”** refers to the Department of Education.
- c. **“Secretary”** refers to the Secretary of Education.
- d. **“Bureau of Elementary Education”** refers to the Bureau which is functionally assigned to pre-school and elementary levels.
  1. **“Bureau of Secondary Education”** refers to the Bureau which is functionally assigned to the secondary level.
  2. **“Bureau of Alternative Learning System”** refers to the Bureau which is functionally assigned to the alternative learning system.
- e. **“Regional Office”** refers to any of the regional offices of the Department which has jurisdiction over the school or institution concerned.

- f. "**School**" means an educational institution, private or public, undertaking educational operations with an organized group of pupils or students pursuing defined studies at defined levels, receiving instructions from teachers, usually located in a building or group of buildings in a particular physical or cyber site recognized by the State and specifically intended for educational purposes.
  - 1. Pre-School Course applies to any class below Grade I.
  - 2. Primary Course applies to Grades I to IV inclusive.
  - 3. Intermediate Course applies to Grades V to VI or VII inclusive
  - 4. Secondary Course applies to First to Fourth Year of the High School Level.
- g. "**Private School**" means a privately owned and managed institution for teaching and learning, established and authorized by the Department to operate certain educational programs in accordance with law and the prescribed policies and rules of the Department.
- h. "**Foreign or International School**", as distinguished from a Philippine private school, is one that is duly established and authorized in accordance with existing Philippine laws to operate certain educational programs which primarily and principally adhere to either universally accepted and recognized educational policies and standards or the unique differentially prescribed system of education of a particular country other than the Philippines.
  - 1. "**Integrated School**" refers to a school that offers complete basic education in one school site and has unified instructional programs.
  - 2. "**Learning Center**" may refer to a physical space to house learning resources and facilities, or it may be an area designated for convening a group of learners for the purpose of teaching. It is a venue for face-to-face learning activities and other opportunities for development and improvement of the people's quality of life.
- i. "**Government Authority**" means either a permit or recognition issued by the Department to a private school for the operation of a particular educational program.

- j. "***Educational Program***" refers to a specific course of study in any of the basic education level, that is pre-school, elementary, secondary, special education and alternative learning system with core curriculum.
- k. "***Department Policies and Rules***" refers to the minimum standards or guidelines issued or prescribed by the Department governing the establishment of a private school, the operation of its educational programs and activities, and the management of its affairs.
- l. "***School Policies and Rules***" means the internal governance system of each private school, including its own prescribed standards, as defined and approved by its governing body in accordance with law, and the applicable policies and rules of the Department.
- m. "***Members of the Community***" refers to the general membership of every private school established in accordance with law and duly authorized by the Department to operate certain educational programs or courses. The term includes, either singly or collectively, the following:
  - 1. ***Pupil*** means a child who regularly attends classes in any grade of the elementary education level, including pre-school, under the supervision and tutelage of a teacher.
  - 2. ***Student*** means any person who is regularly enrolled and engaged in formal education studies and attends classes at the secondary or higher education levels.
  - 3. ***School Personnel*** means the persons, singly or collectively, working in a private school. They are classified as follows:
    - a. "***School Head***" refers to the chief executive officer of a private school.
    - b. "***Other School Officials***" include other school officers, including teachers who are occupying supervisory positions of responsibility and are involved in policy implementation in a private school.
    - c. "***Academic Personnel***" includes all school personnel who are formally engaged in actual teaching service or in research assignments, either on full-time or part-time basis, as well as those who possess certain prescribed academic functions directly supportive of teaching, such as registrars, librarians, guidance counselors, researchers, and other similar persons. They may include school officials responsible for academic matters, and other school officials.

- d. "**Non-academic personnel**" means school personnel usually engaged in administrative functions who are not covered under the definition of academic personnel. They may include school officials.
- n. "**Formal Education**" refers to the systematic and deliberate process of hierarchically structured and sequential learning corresponding to the general concept of elementary and secondary level of schooling. At the end of each level, the learners must obtain a certification in order to enter or advance to the next level.
- o. "**Non-formal education**" refers to any organized systematic educational activity carried outside of the framework of the formal system to provide selected types of learning to a segment of the population.
- p. "**Special Education**" refers to the education of persons who are physically, mentally, emotionally, socially or culturally different from so-called "normal" individuals, such that they require modification of school practices/services to develop them to their maximum capacity. Special education provides distinct services, facilities, curricula, and instructional materials, which are geared to pupils or students who are significantly higher or lower than the average or norm, on the basis of which special treatment is called for.
- q. "**Accreditation**" means the process leading to the issuance of a certificate of accredited status by an organized body of educational institutions attesting to the quality or standards of a private school or to any of its educational programs or courses, and to the effectiveness of the management and operations of the private school offering the program as exceeding the minimum standards or criteria for government recognition as provided for in this Manual. Accreditation shall be voluntary in nature.
- r. "**Deregulation**" is a necessary consequence of voluntary accredited status whereby the Department accords to a private school certain benefits and advantages as may be provided for in this Manual and in applicable legislation. As used in this Manual, deregulation is not considered as absolute, but represents degrees in the liberalization of rules and regulations.

## II. BASIC EDUCATION

### **Section 6. Coverage.**

6.1. Basic Education encompasses early childhood, elementary and high school education as well as alternative learning systems for out-of-school

youth and adult learners and includes education for those with special needs.

6.2. Basic Education shall have five (5) main programs, namely: pre-school, elementary, secondary, special needs education and alternative learning systems.

6.3. Elementary education programs shall cover at least Grades I to VI; secondary education programs from First year to Fourth year or a total of ten (10) school years in the formal school system. Pre-school shall not be a prerequisite for enrollment of a pupil to Grade I.

6.4. To ensure proper implementation of the Education For All (EFA) policy of the government, alternative learning systems shall provide for the training needs of out-of-school youths and adults, 15 years old and above.

**Section 7. Administration.** The administration of the educational system and the reasonable supervision and regulation of all educational institutions shall be vested in the Department without prejudice, however, to the charter of any state university or college.

**Section 8. Levels in Basic Education.** Formal education shall correspond to the following levels in basic education:

- a. The first level or Elementary Education involves compulsory, formal education primarily concerned with providing basic education, and usually corresponds to a traditional six or seven grade, and in addition, pre-school programs. Such pre-school education normally consists of kindergarten schooling, but may cover other preparatory courses as well.
- b. The second level or Secondary Education is concerned primarily with continuing basic education of the elementary level and expanding it to include the learning of employable gainful skills, usually corresponding to four years of high school.

**Section 9. Curricular Programs.**

9.1. The curricular programs shall be suggestive patterns and models for the guidance of field officials and teachers. These may be enriched or modified to suit the needs of the learners and the conditions in the school and community, provided however, that any radical departure from the specified subjects and curricula shall have the approval of the Secretary of Education.

9.2 The development and organization of the curricular programs must focus on the learner's total development. The curricula shall be based on

the fundamental aims of education set forth in Article XIV Section 2 of the 1987 Philippine Constitution, B.P. Blg. 232 also known as the Education Act of 1982, and other statutes.

### ***Section 10. Major Programs in Basic Education.***

**10.1. Pre-School Education or Early Childhood Education.** It refers to the educational program/s preparatory to Grade I to develop the child in all aspects physical, social, emotional, moral and cognitive, so that he/she may be better prepared to tackle formal school works and cope with the demands of complex life.

**10.1.1. Focus of the Curriculum.** The Early Childhood Education (ECE) Learning Areas include activities that develop in each child communication skills in English and Filipino, numeracy skills, sensory perceptual skills, socio-emotional skills, motor and creative skills.

### ***10.2. Elementary Education .***

**Objectives.** For the purpose of realizing the potentials of each and every pupil in the formal education system, the following objectives of elementary education should be realized:

- a. To provide knowledge and develop the skills, attitudes and values essential to personal development and necessary for living in, and contributing to, a developing and changing social milieu;
- b. To provide learning experiences which shall increase the learner's awareness of, and responsiveness to, the changes and demands of society and prepare him/her for constructive and effective involvement;
- c. To promote and intensify the learner's knowledge of identification with, and love for the nation and the people to which he/she belongs; and
- d. To promote experiences which develop the learner's orientation to the world of work and creativity and prepare himself/herself to engage in honest and gainful work.

#### ***10.2.1. Organization of Classes.***

- a. No teacher shall have a load of more than 360 minutes of actual teaching per day unless required in the Collective

Bargaining Agreement (CBA) provided, however, that any load in excess of 360 minutes of actual teaching per day shall be given additional overtime pay of at least 25% of the regular pay, which may be increased by the CBA.

- b. The maximum daily time for classroom teaching is suggested to be 320 minutes for Grades I-II, 360 minutes for Grades III-IV and 380 minutes for Grades V-VI for regular classes.
- c. Special education classes for the highly gifted and fast learners, mentally handicapped, visually impaired, hearing impaired, learning disabled, speech defective, autistic children, children with behavior or special health problems, and physically handicapped learners may be organized by the educational institution to cater to the special needs of these children.

**10.2.2. Elementary Education Curriculum.** Private schools shall follow the following elementary education curriculum to serve as the “core” curriculum which they may augment with additional subjects and/or with additional time.

The Elementary Education Curriculum. The basic learning areas included in the elementary curricula (Philippine Elementary Learning Competencies) are the following:

- a) *Edukasyon sa Kagandahang Asal at Wastong Pag-uugali.* Character Education/Good Manners and Right Conduct or Edukasyon sa Kagandahang Asal at Wastong Pag-uugali shall be a separate learning area to be taught for 30 minutes daily for Grades I-III and 20 minutes for Grades IV-VI. The rating for CE/GMRC (Character Education/Good Manners and Right Conduct) shall be included in the determination of the General Average of the pupils.
- b) *Filipino.* The area shall provide for the development of competencies in the Filipino language specifically in speaking, reading, writing, thinking and listening.

Listening competency shall include such skills as auditory discrimination and comprehension; speaking: pronunciation, use of expressions and grammar structures; reading: vocabulary development, recognition, comprehension and study skills, and writing: handwriting skills, composition and mechanics.

Listening, speaking, reading and writing and thinking skills shall be developed in different learning situations. Literary appreciation shall be taught, among others, from Grade III-VI.

Children shall be taught appropriate literary materials such as jingles, rhymes, poems and dialogues. Filipino shall be allotted 70 minutes daily for Grades I-III and 60 minutes for Grades IV-VI.

- c) *English*. This area shall provide for the development of competencies in English specifically in listening, speaking, reading, writing and thinking.

Listening competency shall include such skills as auditory discrimination and comprehension. Speaking competency shall include pronunciation, use of expressions and grammatical structures. Reading shall include vocabulary development, recognition, comprehension and study skills. Writing shall be concerned with handwriting skills, composition and mechanics. For effective teaching, the specific skills constituting these competencies shall be developed in communication situations using many and varied materials to the point of mastery. Children shall also be taught appropriate literary materials such as jingles, rhymes, poems, dialogue, etc. suited to the grade.

- d) *Science and Health* shall aim to help the Filipino child gain functional understanding of science concepts and principles linked with real life situations. It shall also aim to help the child acquire science skills as well as scientific attitudes and values needed in solving everyday problems pertaining to health and sanitation, nutrition, food production and the environment and its conservation.

There is no Science and Health for Grades I and II but simple science and health concepts which include the child's interaction to his immediate environment. Teaching Science and Health will formally start in Grade III using English as medium of instruction. In Grades IV-VI, more complex study of Science concepts will be taken up in preparation for High School work.

Science and Health shall be allotted 40 minutes daily for Grade III and 60 minutes for Grades IV-VI.

- e) *Mathematics*. The study of Mathematics in Grades I, II and III shall include the four (4) fundamental operations, fractions,

metric and local measurements, and the use of money and their application to practical problems based on activities in real life.

In Grades IV, V, and VI, the child shall be expected, among other things, to conceptualize the meaning of ratio and scales, maps, and graphs.

In Grades V and VI, addition and subtraction of whole numbers shall no longer be included since the children are expected to have mastered the operation should had sufficient practice in the same by Grade IV. Thus, the classes in Grades V and VI shall have more time for other skills and concepts e.g., percent, ratio and proportion.

- f) *Heograpiya, Kasaysayan at Sibika (Grades I-III)* This learning area shall deal with the study of the relationship of man to society and government, his role, duties, responsibilities, rights and privileges as a citizen of his country and of the whole world as well.

It shall also include the development of moral and spiritual values, and pride in one's cultural heritage.

It shall also include the development of moral and spiritual values, pride in one's cultural heritage, proper nutrition, desirable health habits and creative self-expression, through Music, Arts and Physical Education.

*Heograpiya, Kasaysayan at Sibika (HKS) (Grades IV-VI).* This area shall be a learning package composed of History, Geography and Civics. It shall deal with the study of evolution of human society with the individuals as the central figure in this process of evolution, i.e. how people, ideas and events in the past helped shape the present; how man manages the present in order to attain a desired future; and since man is the central figure of this evolution, how he must strive to develop his human potentials to enable him to live effectively in his physical, social economic, political and cultural environment.

History shall provide a time continuum of people, problems and achievements, as well as ideas and events in the past that have influenced the present. It shall treat how changes and modifications in the structure of society brought about the emergence of new, more and varied opportunities and benefits for the development of human potential.

Geography shall provide a spatial perspective of man's physical and social environment and his ways of adapting to and managing it. It shall include physical features such as land and water forms, climate, flora and fauna, location, altitude, directions, demography and the adoption, utilization, conservation and improvement thereof.

Civics shall deal with the relationship of man and government, his role, duties and responsibilities and his rights and privileges as a citizen. Together with History and Geography, Civics shall provide many and varied experiences in which the learner shall develop feelings of pride, identity and loyalty to the country and nation transcending his pride in, identity with, and loyalty to his family, tribe or region.

- g) *Edukasyong Pantahanan at Pangkabuhayan (EPP)*. A common learning area for boys and girls shall be taught starting Grade IV. The activities shall emphasize the development of desirable work attitudes, basic work skills and habits relevant to everyday chores at home, school and community and the production of useful articles.

It shall also cover phases of work in elementary agriculture, home economics, industrial arts, retail trade and other livelihood activities designed to develop awareness of and interest in occupational jobs.

- h) *Musika at Sining*. Music shall aim to provide the child with the basic skills and appreciation of musical rhythm, melody, form, timbre, dynamics, tempo, texture and harmony. Art on the other hand, shall develop the basic skills and sense of aesthetic perception, creative expression and appreciation of our art heritage as well as the natural and man-made environment.

*Edukasyong Pagpapalakas ng Katawan (EPK)*. The physical education curriculum which starts in Grade I shall give emphasis on school sports while nurturing dances, rhythm, recreation and outdoor activities in the context of Filipino culture.

The weekly time allotment of 120 minutes for EPK may be scheduled with the 90 minutes for Music and Arts periods for the week.

### **10.3. Special Needs Education.**

**Special Needs Education.** It shall refer to the education of persons who are gifted or talented as well as those who have physical, mental, social or sensory impairment. Such group may require modifications of the school curricula, programs and special services and physical facilities to help them develop to their maximum capacity. These persons shall include the gifted/talented, the fast learners, the mentally retarded, the visually impaired, the hearing impaired, those with behavioral problems, and the orthopedically handicapped.

- a) Special Education (SPED) shall aim to develop the maximum potential of the child with special needs to enable him to become self-reliant and shall be geared towards providing him with the opportunities for a full and happy life.
- b) The ultimate goal of special education shall be the integration of learners with special needs into the regular school system and eventually in the community.
- c) The curriculum for Special Needs Education shall be based on the curriculum prescribed for the regular schools by the Department and designed to respond to the special needs of the learners.
  - c.1. *The Mentally Handicapped.* The special curriculum for the mentally handicapped shall include training in self-help skills, socialization, motor and pre-vocational and vocational skills. For the more severely retarded child, emphasis shall be on the development of self-help skills.
  - c.2. *The Hearing Impaired.* The modified curriculum for the hearing impaired shall emphasize communication and language development. The curriculum, in addition, shall include special instruction in speech and speech-reading, auditory training and rhythm. The multi-sensory approach shall be maximized and speech/speech-reading and sign language shall be encouraged in Grade I. Filipino sign language shall be used in the education of the hearing impaired.
  - c.3. *The Visually Impaired.* The modified curriculum for the visually impaired shall include sensory training, special instruction in Braille reading and writing, mathematics, orientation and mobility, Braille music, and typing.

c.4. *The Orthopedically Handicapped.* The curriculum for the physically handicapped child shall include functional exercises. Learning activities shall be creative and multi-dimensional. They shall make maximum use of all remaining sense modalities and shall provide for active participation in the learning process.

c.5. *The Children with Behavioral Problems.* The modified curriculum for children with behavioral problems shall include special activities and behavior modification techniques with emphasis on moral, civic and spiritual values as well as training in livelihood, and technical and academic skills to prepare them for the world of work.

d) The following scheme or options may be adopted for Special Needs Education program:

1. Modified curriculum shall be prescribed for regular children with certain adaptations to meet the needs of special children.
2. Special curriculum shall be prescribed for children with special needs aimed primarily at developing adaptive skills to maximize their potentials.

e) Special programs and provisions for the gifted, talented and creative talents shall be developed and maintained. These may take the following prototypes, singly or in combination:

*Acceleration* shall refer to any administrative practice designed to move gifted learners through school more rapidly than usual. Administrative practices under acceleration shall include early admission, grade skipping, advanced placement, telescoping of grade levels and credits by examination.

1. *Grade Acceleration/Grade Skipping.* A child shall skip one (1) or two (2) grades after he/she is found to be intellectually, socially and emotionally ready to move to the higher grade. Gifted pupils who will qualify in the examinations given to the top pupils in Grade IV and V shall be promoted or accelerated to the next grade.

2. *Grade Telescoping.* A pupil shall cover all the scope and sequence of a two-year curriculum in one (1) year or a three-year curriculum in two (2) years. The program shall enable identified gifted pupils to finish the Grades IV, V and VI curricula in two (2) years.

*Ability grouping* shall refer to any classification of children for instructional purposes in terms of capacity for learning and demonstrated achievement. The types of ability grouping shall be:

1. *Special Class/Self-Contained Classes.* Children identified as gifted shall be grouped by grades and shall be taught using a curriculum adapted to their abilities, interests, and needs. All the major subject areas in the special class shall be handled as far as practicable by a SPED trained teacher. Instruction in other subjects such as Music, Arts and Crafts and Science may be handled by teachers who are specialist or experts in these areas.
2. *Pull-out Program.* Under this scheme, gifted pupils shall be pulled out from their class to attend enrichment classes under a teacher who has experience in a particular subject. The gifted pupils may come from one grade level or from several different grades. Children with superior abilities in Math, Science, Visual Arts, Communication Arts or Performing Arts shall be pulled out from their classes and shall be provided with enrichment activities by teachers who have expertise in these learning areas.

*Enrichment* shall be any adaptation of the regular curriculum to provide educational experiences over and above those in the regular program. Enrichment activities do not require students to skip grades or accomplish anything earlier than usual. It may involve Saturday classes, after school services and special programs during the day in which students are placed with other gifted children in a different classroom and exposed to special and challenging activities.

#### **10.4. Secondary Education.**

**Objectives** shall be as follows:

- a. To continue to promote the objectives of elementary education; and
- b. To discover and enhance the different aptitudes and interests of the students so as to equip him with skills for productive endeavor and/or prepare him for tertiary schooling.

10.4.1. The curricular offerings of the different types of secondary schools shall be as follows:

- a. *General Secondary School* shall offer, essentially, a continuation of the elementary education program but designed both as college preparatory as well as terminal education for those who may not go to college.
- b. *General Comprehensive High School* shall offer the general secondary education program as preparatory program for college. In addition, it shall provide a variety of academic and vocational electives/courses for students to choose.
- c. *Secondary Vocational School* shall offer in addition to the general secondary program, vocational and related subjects designed to prepare students primarily for gainful employment in areas such as agriculture, fishery, trade and industry.
- d. *Special Secondary School* shall offer a high school curriculum specially designed to address the peculiar needs of special groups of students. The following schools falls under this category:
  - 1. *Science High School* shall provide, in addition to a secondary education program, additional elective Science, Mathematics and English subjects for the highly gifted students who are inclined towards the sciences.
  - 2. *Science and Technology High School (STHS)* shall equip highly qualified learners with knowledge, skills and attitudes relative to science and technology.
  - 3. *Science High School and Science and Technology School*. The Science High School shall have an enriched Science, Mathematics and English curriculum in addition to the standard requirements of the secondary education curriculum. Emphasis shall be placed on computer literacy with typing skills and basic computer application in the first and second years and the standard industrial

skills in the third and fourth years for the technology and Home Economics.

- a) Mathematics in the fourth year shall include Analytical Geometry and Elementary Calculus.
  - b) English shall include Speech and Drama in the First year and Technical and Essay Writing in the Second Year.
  - c) Earth Science/Environmental Science and Physics shall be subjects in the third year, while Chemistry shall be a subject in the Fourth Year.
4. *School for the Handicapped* shall be a school for children who may be visually impaired, hearing impaired, mentally retarded, or orthopedically handicapped.

**10.4.2. The General Secondary Curriculum.** Private schools shall comply with the following General Secondary Curriculum as core curriculum in secondary education which may be augmented by additional subjects and/or by additional time for classroom instruction.

The basic subjects included in the secondary education curriculum shall be the following:

#### A. Makabayan Subjects

*Araling Panlipunan* shall be a multi-discipline subject dealing with geography, history, government, economics, development of civilization and culture of the Philippines, Asia and the World.

1. *Araling Panlipunan I (Kasaysayan at Pamahalaan ng Pilipinas)* shall focus on the geographical attributes that affect history and culture. It shall also deal with the study of Philippine government, Constitution and contemporary issues like population, environmental concerns, human rights and policies on foreign relations.
2. *Araling Panlipunan II (Pag-aaral ng mga Bansang Asyano)* shall deal with the study of geography, history, government and growth of civilization and culture of our Asian neighbors.
3. *Araling Panlipunan III (Kasaysayan ng Daigdig)* shall deal with the origin of the earth and human being leading to the growth of civilization. The focus of the study is Europe, World War I and II, and its causes and effects.

The growth of nations and the present global concerns like human rights, ecological balance, population and conflicts shall also be part of the topics discussed in the subject.

4. *Araling Panlipunan IV (Ekonomiks)* shall emphasize the fundamental principles of economics as applied to current, social and economic concerns. Macro and micro economics shall be the focus of the study. Included shall be topics on the different economic sectors and their role in the development and progress of the country. Integrated in the subject shall be the laws on taxation, land reform, and population concerns.

*Technology and Livelihood Education (TLE)* shall provide classroom and practical work experiences in the four (4) component areas: Home Economics, Industrial Arts, Agriculture and Fishery Arts and Entrepreneurship.

1. *Home Economics* shall cover home and family living, housing and family economics, foods and applied nutrition and basic clothing. Practical work experiences shall include managing the household, caring for the sick, preparing and processing of food, simple sewing and other allied courses.
2. *Agriculture and Fishery Arts* shall deal with the study of plants, animals and fish production. Practical work experiences shall cover application of technology in animal care, garden work, and fish culture, and capture and preservation.
3. *Industrial Arts* shall include drafting, woodworking, electricity, refrigeration, auto-mechanics, metal-works, handicrafts, electronics and other industrial activities found in the community. Practical work shall emphasize application of technology in the processing of materials, repair and maintenance of tools and equipment, fabrication of useful materials, articles, and in servicing appliances.
4. *Entrepreneurship* shall deal with the principles, practices, management, processes, procedures of putting up a business enterprise and the preparation for work using computer as a tool to facilitate operations in various entrepreneurial and office management activities.

*Edukasyong Pangkatawan, Kalusugan at Musika. (Music, Arts, PE and Health)* this subject shall consist of three (3) components namely: Physical Education, Health and Music in first to third year levels. Arts and Music shall be integrated in the first and second year levels. Citizens Army Training (CAT) shall be a component in the fourth year. Although each component shall have its own set of concepts and strategies, all lessons shall be designed to complement, relate with and enhance one another. The medium of instruction shall be English.

1. Physical Education shall be divided into four (4) units: Physical Fitness, individual, dual sports, team sports and dancing. It also includes sports officiating and sports management.
2. Health Education shall emphasize Health Services, Personal Health, Population Education, Safety Education, First Aid, Drug Education, Disease Education, Mental Health, Aging and Death, Consumers Health Education and Community Health.
3. Music shall deal with musical elements and music of different periods.
4. Arts shall give a better understanding of and sensitivity to Philippine art forms as well as those of other cultures.
5. Citizenship Advancement Training (CAT) shall train fourth year students to serve and defend the country whenever necessary. In lieu of CAT, students may choose Community Service.

*Edukasyon sa Pagpapahalaga (Values Education)* shall aim to develop skills for rational thinking and value judgment in order to effect behavior change in the student. It shall use experiential learning approach and shall revolve around four (4) concepts: Pagpapahalaga sa Sarili (Valuing Self), Pakikipagkapwa (Valuing Others), Pagkamakabansa (Valuing One's Country), and Pagkamaka-Diyos (Valuing God). Values development shall be integrated in all subjects in the curricula.

*B. Mathematics* shall include the following components: Algebra, Geometry, and Statistics. The concepts shall be arranged in increasing degree of difficulty. The concepts in arithmetic shall be

included in the First Year and those of trigonometry, in the Fourth Year.

C. *Science and Technology shall cover the following:*

1. *Science and Technology I (General Science).* It shall present basic concepts in Physics, Biology, Chemistry and Earth Science.
2. *Science and Technology II (Biology and Technology).* It shall develop understanding of man's living world and his interaction and relationship with the environment. It shall also present biological problems related to food production, health, reproduction, heredity and conservation.
3. *Science and Technology III (Chemistry and Technology).* It shall study the properties of materials to determine their application to daily life. It shall also investigate the chemical changes undergone by matters and how these shall link to the environment and to society.
4. *Science and Technology IV (Physics and Technology).* It shall study the concepts, principles and theories of physics and their application to daily life. It shall treat of concept as basis for the interpretation and understanding of the physical phenomena.

D. *English* – The Secondary English program shall emphasize the development of critical thinking skills and communicative interactive competence. It shall also focus on Philippine, Asian, British-American and World Literature. It shall aim to develop the four (4) macro skills such as listening, speaking, reading and writing. Grammatical structure and language functions are integrated in the teaching of these skills.

E. *Filipino* shall aim to develop critical thinking and communicative competence (the competency to use appropriate Filipino in various communicative situations). It shall also aim to develop the four macro (4) skills of listening, speaking, reading and writing, to inculcate a sense of pride in one's cultural heritage, develop desirable values and Filipino identity. Philippine literature shall be one of the areas in the study of literature that will include the literature of Asia, Europe, America and the World's masterpieces.

### III. THE DEPARTMENT OF EDUCATION

**Section 11. Authority, Accountability and Responsibility.** The Department of Education is vested with authority, accountability and responsibility for ensuring access to, promoting equity in, and improving the quality of basic education.

**Section 12. Head of the Department.** The Department is headed by a Secretary of Education assisted by such Undersecretaries and Assistant Secretaries as may be provided for by law.

**Section 13. Powers, Duties and Responsibilities of the Secretary.** The Secretary of the Department of Education shall exercise overall authority and supervision over the operations of the Department.

**National Level.**

In addition to his/her powers under existing laws, the Secretary of Education shall have authority, accountability and responsibility for the following:

1. Formulating national educational policies;
2. Formulating a national basic education plan;
3. Promulgating national educational Standards;
4. Monitoring and assessing national learning outcomes;
5. Undertaking national educational research and studies;
6. Enhancing the employment status, professional competence, welfare and working conditions of all personnel of the Department; and
7. Enhancing the total development of learners through local and national programs and/or projects.

**Section 14. Organization.** The Department is organized into two (2) major structural components, namely: the Central Office and the Field Offices.

**Section 15. The Central Office.** Is composed of the Office of the Secretary, Service Offices, Bureaus and Centers.

**Section 16. Major Services.** The major services of DepEd Central Office are the following;

1. Administrative - It shall be responsible for providing services related to, supplies and equipment and shall take charge of collection and disbursement of funds, security and custodial work.
2. Financial Management - shall provide and/or assist budgetary, financial, and management matters.
3. Human Resource Development - shall develop and administer a personnel program which shall include: selection and placement; classification and pay, career development, performance evaluation, employee relation and welfare. It shall also act on matters concerning attendance, leaves, appointments promotions and other personnel transactions; and shall develop and implement an integrated plan for staff development of personnel in the central and the field offices.
4. Planning - shall develop annual, short-term, medium-term and long-term plans of the Department in accordance with the Department's objectives and goals.
5. Legal – It shall exercise the following functions:
  - provide legal advice to the Secretary, Undersecretaries/Assistant Secretaries and Chief of Bureaus/Centers/Services/Divisions of the Department;
  - interpret laws and rules affecting the operation of the Department;
  - prepare and review contracts/MOAs and instruments to which the Department or any of its bureaus, agencies or offices is a party and interpret provisions therein;
  - prepare action/endorsement on complaints, letters, communications, etc. assigned to it by law and rules or by the Secretary;
  - prosecute and investigate administrative cases/complaints filed against employees of the Department and prepare report/decisions thereon;
  - review decisions/resolutions on appealed cases to the Department and prepare decision/resolution thereon;
  - prepare legal opinions for the Secretary and issue clearances/certificates of no pending administrative cases/charges;
  - prepare resolution on petition for correction of name/date/place of birth in school records;
  - determine and designate next of kin of deceased DepEd employees/teachers of unpaid wages, salaries, and accumulated leaves and retirement benefits;
  - prepare action on Articles of Incorporation and By-Laws of private educational institutions and request for tax exemption and duty – free importation of educational materials, equipment, etc.;

- assist the Solicitor General in representing the Department or its official in court litigations and pass upon claims for benefits under Section 699, Revised Administrative code, as amended by P.D. 626; and
- perform such other functions as may be provided/authorized by law, rules and regulations.

**Section 17. Bureaus of the Department.** The Bureaus of the Department comprise of the following:

1. Bureau of Elementary Education shall perform the following functions:
  - a. Conduct studies and formulate, develop, and evaluate programs and educational standards for elementary education including preschool;
  - b. Undertake studies necessary for the preparation of prototype curricular designs, instructional materials, and teacher training programs for elementary education including preschool; and
  - c. Formulate guidelines to improve pre-elementary and elementary school physical plants and equipment, and general management of these schools.
2. Bureau of Secondary Education shall perform the following functions:
  - a. Conduct studies and formulate, develop and evaluate programs and educational standards for secondary education;
  - b. Develop curricular designs, prepare instructional materials, and prepare and evaluate programs to update the quality of the teaching and non-teaching staff at the secondary level;
  - c. Formulate guidelines to improve the secondary school physical plants and equipment, and general management of these schools.
3. Bureau of Alternative Learning System (BALS) shall perform the following functions:
  - a. Address the learning needs of the marginalized groups of the population including the deprived, depressed and undeserved citizens;
  - b. Coordinate with various agencies for skills development to enhance and ensure continuing employability, efficiency, productivity, and competitiveness in the labor market;

- c. Ensure the expansion of access to educational opportunities for citizens of different interest, capabilities, demographic characteristics and socio-economic origins and status; and
- d. Promote certification and accreditation of alternative learning programs both formal and informal in nature of basic education.

The Divisions in the BALS shall be as follows:

1. Literacy Division – shall be responsible for establishment of a more systematic, effective and efficient program implementation for the basic level alternative (nonformal and informal) education throughout the country. It shall provide for the development of a more appropriate curriculum, learning resources, and other related activities for the basic literacy needs, functional education, critical life skills and values development of out-of-school children (below 15), youth (15-24) and adults (above 24) nationwide.
2. Continuing Education Division – shall provide Out-of-School Youth and Adults continuing learning opportunities and experience after the acquisition of basic literacy. It shall be designed to improve a viable alternative to the existing formal education structure. It is intended to address the needs of the Out-of-School Youth and Adults who can not avail of formal schooling.
3. Staff Development Division – shall strengthen the institutional and staff capacities of the Bureau of Alternative Learning System (BALS) and field levels in designing, managing and evaluating Alternative Learning System (ALS) programs and projects.

**Section 18. The Centers of the Department.** The Centers of the Department each headed by a Director comprise of the following:

1. *The National Education Testing and Research Center (NETRC)* – The NETRC shall undertake educational research, evaluation and assessment to determine the effectiveness of the educational system.
2. *School Health and Nutrition Center (SHNC)* – The SHNC shall perform the following functions:

- a. Plan, direct and coordinate the Integrated School Health and Nutrition Program;
  - b. Assist in the formulation and promulgation of rules and regulations pertaining to health services in education;
  - c. Provide guidelines for the school feeding program; and
  - d. Establish inter/intra agency linkages to strengthen program implementation.
3. *Educational Development Projects Implementing Task Force (EDPITAF)* EDPITAF shall perform the following functions:
  - a. Supervise and implement foreign-assisted development projects; and
  - b. Implement other development projects as may be assigned by the Secretary.
4. *National Science Testing Instrumentation Center (NSTIC)* – The NSTIC shall perform the following functions:
  - a. Develop prototype science teaching implement and materials such as using indigenous materials and locally available technology and adopted to approved curriculum user's manual;
  - b. Develop and prescribe standards for science teaching equipment and materials;
  - c. Provide training programs for science teachers; and
  - d. Assist the private sectors in developing its capability to mass-produce the prototype science teaching equipment developed by the Center.
5. *Instructional Materials Council Secretariat (IMCS)* - The IMCS shall perform the following functions:
  - a. Formulate and adopt policies, guidelines and priorities for the development and production of textbooks, supplementary and reference books, and other instructional materials for use in public elementary and secondary schools consistent with the curricula, courses of study and relevant policies established by DepEd; and
  - b. Adopt criteria and standards for the fair and objective evaluation of textbook manuscripts and other instructional materials submitted for its review and consideration and for the procurement of these materials.
6. *National Educators Academy of the Philippines (NEAP)* – NEAP shall perform the following functions:

- a. Formulate policies, standards and guidelines relevant to human resources development thrust;
- b. Develop continuing human resource development programs for school managers, potential educational leaders and teachers;
- c. Promote synergic partnership and linkage with center of excellence, local and international, from both government and non-government sectors;
- d. Provide continuing assessment and evaluation mechanism to insure quality training and development; and
- e. Strengthen the capacity of the network of educational learning centers through a systematic exchange and delivery of educational innovativeness.

**Section 19. DepEd Field Offices.** They consist of Regional Offices, Division Offices and Public Schools.

**19.1. Regional Office** – it is composed of provincial and city schools division and it has a Director, an Assistant Director and an office for programs, promotion and support, planning, administrative and fiscal services. DepEd Regional Office are as follows:

Region I – San Fernando City, La Union. It is composed of (13) divisions.

1. Pangasinan I
2. Laoag City
3. Ilocos Norte
4. Ilocos Sur
5. Pangasinan II
6. San Carlos City
7. Urdaneta City
8. La Union
9. Vigan City
10. Alaminos City
11. Candon City
12. San Fernando City
13. Dagupan City

Region II – Tuguegarao City, Cagayan. It is composed of (8) divisions.

1. Quirino
2. Batanes
3. Cagayan
4. Isabela
5. Nueva Vizcaya
6. Tuguegarao City
7. Cauayan City
8. Santiago City

Region III – San Fernando City, Pampanga. It is composed of (17) divisions.

1. Nueva Ecija
2. Tarlac City
3. Tarlac
4. San Jose del Monte City
5. Bulacan
6. Cabanatuan City
7. Pampanga
8. Balanga City
9. Olongapo City
10. Angeles City
11. Aurora
12. Muñoz Science City
13. Malolos City
14. Gapan City
15. Zambales
16. Bataan
17. San Fernando City

Region IV-A – Karangalan Elementary School, Karangalan Village, Cainta, Rizal. It is composed of (14) divisions.

1. Calamba City
2. Cavite City
3. Cavite
4. Laguna
5. Lucena City
6. Lipa City
7. Quezon
8. Antipolo City
9. Sta. Rosa City
10. Rizal
11. Batangas Province
12. Batangas City
13. Tanauan City
14. San Pablo City

Region IV-B – Meralco Ave., Cor. St. Paul Road, Pasig City. It is composed of (7) divisions.

1. Palawan
2. Marinduque
3. Oriental Mindoro
4. Occidental Mindoro
5. Puerto Princesa City
6. Romblon
7. Calapan City

Region V – Rawis, Legaspi City. It is composed of (13) divisions.

1. Legaspi City

2. Camarines Norte
3. Sorsogon City
4. Masbate
5. Camarines Sur
6. Sorsogon
7. Tabaco City
8. Naga City
9. Albay
10. Catanduanes
11. Iriga City
12. Ligao City
13. Masbate City

Region VI – Iloilo City. It is composed of (18) divisions.

1. La Carlota City
2. Antique
3. San Carlos City
4. Silay City
5. Roxas City
6. Capiz
7. Aklan
8. Bacolod City
9. Bago City
10. Cadiz City
11. Guimaras
12. Iloilo
13. Iloilo City
14. Kabankalan City
15. Negros Occidental
16. Sagay City
17. Passi City
18. Escalante City

Region VII – Lahug, Cebu City. It is composed of (19) divisions.

1. Bohol
2. Cebu
3. Cebu City
4. Dumaguete City
5. Lapu-lapu City
6. Mandaue City
7. Negros Oriental
8. Siquijor
9. Toledo City
10. Talisay City
11. Bais City
12. Bayawan City
13. Danao City
14. Tagbilaran City
15. Tanjay City
16. Bogo City
17. Carcar City

18. Guihulngan City
19. Naga City

Region VIII – Government Center, Candahug, Palo, Leyte. It is composed of (10) divisions.

1. Northern Samar
2. Eastern Samar
3. Biliran
4. Tacloban City
5. Samar
6. Southern Leyte
7. Leyte
8. Calbayog City
9. Ormoc City
10. Maasin City

Region IX – Airport Road, Tiguma, Pagadian City. It is composed of (8) divisions.

1. Zamboanga del Norte
2. Dapitan City
3. Dipolog City
4. Pagadian City
5. Zamboanga City
6. Zamboanga del Sur
7. Zamboanga Sibugay
8. Isabela City

Region X – Don Gregorio Pelaez Sports Complex, Velez St., Cagayan de Oro City. It is composed of (13) divisions.

1. Misamis Oriental
2. Cagayan de Oro City
3. Bukidnon
4. Camiguin
5. Iligan City
6. Gingoog City
7. Lanao del Norte
8. Misamis Occidental
9. Ozamis City
10. Oroquieta City
11. Tangub City
12. Valencia City
13. Malaybalay City

Region XI – F. Torres St., Davao City. It is composed of (9) divisions.

1. Davao del Norte
2. Compostella Valley Province
3. Davao City
4. Davao del Sur

5. Davao Oriental
6. Digos City
7. Panabo City
8. Tagum City
9. Samal City

Region XII – Carpenter Hill, Koronadal City. It is composed of (9) divisions.

1. General Santos City
2. Cotabato City
3. Cotabato
4. Saranggani
5. South Cotabato
6. Sultan Kudarat
7. Koronadal City
8. Kidapawan City
9. Tacurong City

Region XIII (CARAGA) – J. Rosales St., Butuan City. It is composed of (9) divisions.

1. Agusan del Norte
2. Agusan del Sur
3. Butuan City
4. Siargao
5. Surigao City
6. Surigao del Norte
7. Surigao del Sur
8. Bislig City
9. Dinagat Island

National Capital Region – Misamis St. Bago Bantay, Quezon City. It is composed of (16) divisions.

1. Marikina City
2. Manila
3. Caloocan City
4. Valenzuela City
5. Muntinlupa City
6. Pasay City
7. Malabon
8. Mandaluyong City
9. Taguig City - Pateros
10. Makati City
11. Las Piñas City
12. Parañaque City
13. Pasig City
14. San Juan City
15. Navotas City
16. Quezon City

Cordillera Administrative Region (CAR) – Wangal, La Trinidad, Benguet. It is composed of (7) divisions.

1. Abra
2. Apayao
3. Baguio City
4. Benguet
5. Ifugao
6. Kalinga
7. Mt. Province

Autonomous Region of Muslim Mindanao (ARMM) – Cotabato City. It is composed of (11) divisions.

1. Lanao del Sur I-A
2. Lanao del Sur II-A
3. Lanao del Sur II-B
4. Lanao del Sur I-B
5. Maguindanao
6. Sulu I
7. Sulu II
8. Tawi-tawi
9. Basilan
10. Marawi City
11. Lamitan City

## 19.2. Powers, Duties and Responsibilities of a Regional Director.

There shall be as many regional offices as may be provided by law. Each regional office shall have a director, an assistant director and an office staff for program promotion and support, planning, administrative and fiscal services.

Consistent with the national educational policies, plans and standards, the regional director shall have authority, accountability and responsibility for the following:

1. Defining a regional educational policy framework which reflects the values, needs and expectations of the communities they serve;
2. Developing a regional basic education plan;
3. Developing regional educational standards with a view towards bench-marking for international competitiveness;
4. Monitoring, evaluating and assessing regional learning outcomes;

5. Undertaking research projects and developing and managing region wide projects which may be funded through official development assistance and/or other finding agencies;
6. Ensuring strict compliance with prescribed national criteria for the recruitment, selection and training of all staff in the region and divisions.
7. Formulating, in coordination with the regional development council, the budget to support the regional educational plan which shall take into account the educational plans of the divisions and districts;
8. Determining the organization component of the divisions and districts and approving the proposed staffing pattern of all employees in the divisions and districts;
9. Hiring, placing and evaluating all employees in the regional office, except for the position of assistant director;
10. Evaluating all schools division superintendents and assistant division superintendents in the region;
11. Planning and managing the effective and efficient use of all personnel, physical and fiscal resources of the regional office, including professional staff development;
12. Managing the database and management information system of the region;
13. Approving the establishment of public and private elementary and high schools and learning centers; and
14. Performing such other functions as may be assigned by proper authorities.

19.3. **Division Office.** A division shall consist of a province or a city which shall have a schools division superintendent, at least one assistant schools division superintendent and an office staff for programs promotion, planning, administrative, fiscal, legal, ancillary and other support services.

Consistent with the national educational policies, plans and standards the schools division superintendents shall have authority, accountability and responsibility for the following:

1. Developing and implementing division education development plans;

2. Planning and managing the effective and efficient use of all personnel, physical and fiscal resources of the division, including professional staff development;
3. Hiring, placing and evaluating all division supervisors and schools district supervisors as well as all employees in the division, both teaching and non-teaching personnel, including school heads, except for the assistant division superintendent;
4. Monitoring the utilization of funds provided by the national government and the local government units to the schools and learning centers;
5. Ensuring compliance of quality standards for basic education programs and for this purpose strengthening the role of division supervisors as subject area specialists;
6. Promoting awareness of and adherence by all schools and learning centers to accreditation standards prescribed by the Secretary of Education;
7. Supervising the operations of all public and private elementary, secondary and integrated schools, and learning centers; and
8. Performing such other functions as may be assigned by proper authorities.

#### **IV. RULES AND REGULATIONS GOVERNING PRIVATE SCHOOLS IN BASIC EDUCATION**

##### **A. ESTABLISHMENT OF PRIVATE SCHOOLS.**

**Section 20. Ownership of Private Schools.** Educational institutions, other than those established by religious groups and mission boards, shall be owned solely by citizens of the Philippines or corporations or associations at least sixty per centum of the capital of which is owned by such citizens. The Congress may however require increased Filipino equity participation in all educational institutions.

**Section 21. Establishment of Private Schools is Subject to Prior Approval.** The establishment of a private school shall be subject to prior approval of the Department thru its Regional Director having jurisdiction over the place where the school or branch shall be established.

**Section 22. Establishment of Private Schools shall be in accordance with Law and this Manual.** The establishment of private schools shall be pursuant to law and this Manual.

**Section 23. Incorporation of a Proposed Private School.** A private school proposed to be established must incorporate as either a non-stock or a stock educational corporation in accordance with the provisions of the Corporation Code of the Philippines. This requirement to incorporate may be waived in the case of family-administered pre-school institution.

Provided, that the minimum paid-up capital for stock educational institutions for those engaged in elementary education shall not be less than One Million Pesos (P1,000,000.00); not less than Two Million Five Hundred Thousand Pesos (P2,500,000.00) for those offering both elementary and secondary courses except existing educational institutions organized as stock corporations prior to the passage of RA 7798 which may retain their original capitalization.

A school that is established or organized as a stock corporation shall be ineligible for any form of government subsidy, incentive or assistance, except those given to individual students and teachers in the form of scholarship, student loans or other forms of subsidy as already mandated under existing laws. Government assistance to non-stock schools for educational programs shall be used exclusively for that purpose.

**Section 24. Department's Recommendation to the Securities and Exchange Commission.** The Securities and Exchange Commission shall not accept or approve the Articles of Incorporation and By-Laws of any educational institution except upon favorable recommendation of the Department.

**Section 25. Reasonable Supervision and Regulation.** All private educational institutions shall be subject to reasonable supervision and regulation by the Department.

**Section 26. Prohibition on the Establishment of Schools Exclusively for Aliens and on the Composition of Aliens.** No educational institutions shall be established exclusively for aliens and no group of aliens shall comprise more than one third of the enrollment in any school. However, said prohibitions shall not apply to schools established for foreign diplomatic personnel and their dependents and unless otherwise provided by law, for other foreign temporary residents.

## B. PERMIT AND RECOGNITION

**Section 27. Establishment and Recognition Distinguished.** The establishment of a private educational institution refers to the creation, founding, or organization of a school resulting in its legal existence as an institution.

Recognition presumes an existing school and refers to the authorization granted by the Department for the school to conduct educational programs or operations. Establishment precedes recognition.

**Section 28. Authority to Operate.** Educational institutions can undertake educational operations only when so authorized by the Department. Consistent with the national educational policies, plans and standards, the Regional Director concerned shall have authority, accountability and responsibility for approving the establishment of private pre-school, elementary and high schools and learning centers.

**Section 29. Permit and Recognition.** Government authority which may be issued for the operation of private schools in basic education shall be of two kinds: a) permit and b) recognition. A permit for each year level or course shall be effective for a period of one school year. The permit issued to a school is valid only for a specific educational program and, while issued on a school year basis shall remain valid until formally revoked by the Department. On the other hand, government recognition for each year level or course shall be for an indefinite period provided that the requirements of law, rules and standards will be satisfied.

**Section 30. Requirements for Issuance of Permit.** Request for the opening of a new school or for the operation of a new grade or year level in existing elementary and secondary schools should be submitted to the Regional Office on or before August 30 preceding the start of the school year when the school/new course is supposed to operate. Subject to the authority of the Regional Director, the division office may also accept said requests. The request shall be accompanied with a notarized feasibility study covering comprehensively the following factors, supported with sufficient evidence;

- a. Purpose and objectives of proposed school or course;
- b. Availability and adequacy of school site and building, including documents of ownership thereof, location plan, development plan, pictures, or architect's plan of building, if the same is still to be constructed;
- c. Itemized cost of the project covering the entire course in terms of site, site development, school building and quarters, classroom equipment and facilities, library, salaries of faculty, and staff and maintenance;
- d. Financial capacity of applicant, including his resources to provide the requirements for the entire course and to support its operation from year to year without depending solely on students' fees;
- e. Proposed faculty line-up and administrative and supervisory staff together with their individual Transcript of Records and evidence of willingness to join the school; and
- f. Need or demand for establishment of the school or operation of the course in the locality. If the course is already being offered in the same town or city, there must be an evidence of the following factors:

- Distance of the applicant school to the existing school
- Enrolment in the existing school
- Number of students in the same locality enrolled in schools other than in the existing school;
- Number of prospective students of applicant-school; and
- Facilities, standards, and supportive provisions for effective instruction and quality education

30.1 Failure to submit the desired feasibility study to support the request for operation shall be grounds for the outright disapproval of the same.

30.2 Existing schools that have no development plans or have not taken any positive steps or actions towards development and growth, or have not maintained satisfactory standards in their operation of duly authorized courses shall not be allowed to open new courses.

30.3 The Regional Office should evaluate requests for the opening and operation of courses at the elementary and secondary level. Subject to the authority of the Regional Director, the Division Office may also evaluate the said requests.

30.4 The permit to open and operate schools on the 1<sup>st</sup> and 2<sup>nd</sup> levels of instruction in the region shall be granted by the regional Director concerned.

30.5 Private schools granted permission to open courses on the 1<sup>st</sup> and 2<sup>nd</sup> levels of instruction should file their application for permit to operate those courses with the Regional Office on or before January 2<sup>nd</sup> preceding the opening of the school year, and prepare their facilities for the inspection, except as may otherwise be decided by the Secretary. Subject to the Secretary's authority, these schools may also file with the Division Office.

30.6 A thorough inspection of the school shall be conducted by a supervisor to determine compliance with the requirements, both in the authorized (if any) and new grade/year level. He/she shall submit a detailed and comprehensive report stating his findings. The report shall cover adequately the following information:

- a. Date of visit
- b. Course under Permit or Recognition and number of sections in each course
- c. Course applied for
- d. Site description and area in square meters, adequacy for school purposes, documents specifying ownership of land
- e. Building description
- f. Quarters and equipment

- g. Health facilities
- h. Administration and supervision: educational qualifications, experience, salaries, and tenure of office (permanent, contractual, part-time, or full-time) of school head and administrative and supervisory officials
- i. Faculty: list of faculty members for existing course and courses applied for
- j. Financial position
- k. Admission credentials
- l. How the school apportioned increases in tuition and other fees
- m. Quality of instruction; observation; deficiencies noted
- n. Retirement plan for its teachers and other personnel
- o. Observation on implementation of deficiencies noted
- p. Application and inspection fees: amount paid; official receipt number and date of issue
- q. Evaluation: Summary of findings, strong points, and deficiencies noted
- r. Recommendations strictly based on findings during the visit and existing standards and regulations

30.7 Private schools should own sites adequate for their own buildings, for physical education and athletics, military training and recreation, and also for vocational education where this course is required in the curriculum. Its size, nature, location and accessibility must adequately serve the purpose of the school. It should be free from noise, unpleasant odors and dust, and should be sufficiently far from cockpits, dancing halls, bowling alleys, movie houses, markets, garbage dumps, funeral parlors, cemeteries, heavy traffic highway, jails, railroad yards, and manufacturing and industrial establishments.

30.8 Ideally, the areas of school sites shall be as follows:

- a. One half (.5) hectare for a school with an enrolment of 50 or less students;
- b. One (1) hectare for a school with an enrolment of 50 to 1,000 students;
- c. Two (2) hectares for a school with an enrolment of 1,000 to 2,000 students;
- d. Three (3) hectares for a school with an enrolment of 2,000 to 3,000 students; and
- e. The same ratio should be maintained for enrolment in excess of 3,000.

30.9 Prior to issuance of permit, the school shall comply with the following:

- a. Situated far from traffic, neighbors and fire hazards so that necessary instruction and study can be carried on without undue interference from neighbors or traffic and so arranged that the classroom work going on in one will not interfere with those going on in the other classrooms, study rooms, laboratory rooms or library;
- b. Planned and so constructed that in case of fire, typhoon, earthquake, all students can evacuate the building promptly and safely;
- c. Provided with fire escapes, fire extinguishers and other safety devices;
- d. Provided with satisfactory toilet facilities, separate for students and faculty by gender;
- e. Adequately and properly lighted and ventilated;
- f. Contains sufficient space, furniture and fixtures for the general needs of the administrative staff, faculty and students;
- g. Not used in any manner for private residence or for other purposes that might interfere directly or indirectly in the proper functioning of the school;
- h. Accessible and suitable administrative office, faculty rooms and library;
- i. Adequate space for student/personnel services;
- j. Sufficient space for Home Economics and other vocational courses;
- k. The doors of the classrooms and laboratory rooms lead or open outwards towards the corridors; and
- l. In case of a two (2) or more story building, at least two (2) stairs with a minimum width of two (2) meters shall be provided subject, however, to other government regulations. Ramps shall be provided for students with special needs (BP 344 Accessibility Law)

30.10 The Regional Director shall sign the permit for the Secretary of Education. The permit shall cover the period of one school year. In issuing a permit, the Regional Director shall observe the following:

30.10.1 No permit shall be issued to a private school unless it has submitted a school bond the amount of which shall be fixed by the Secretary.

30.10.2 The Government Permit issued to a school is valid only for a specific educational program, and while issued on a school year basis, shall remain valid until revoked for cause.

30.10.3 The Regional Director shall furnish the Secretary of Education, before the opening of classes, a list of permits issued, attaching thereto copies of permits.

**Section 31. School Advertisement.** Any advertisement or announcement referring to the programs or courses of study being offered which are in the

permit phase shall include the words "Under permit by the Department of Education."

It shall be unlawful for any school to advertise or cause the publication of any advertisement or announcement before a permit to operate is granted.

**Section 32. Grant of Recognition.** The grant of recognition for schools shall be based on its satisfactory operation during the school year, without any deficiencies in instruction, administration and/or management and on full compliance with the prescribed requirements of the course.

- a. On or before February 1<sup>st</sup>, preceding the opening of the school year, schools operating courses under a temporary permit shall file an application for recognition of those courses on the first and second level of instructions. It should be filed with the regional office. Subject to the authority of the Regional Director, the Division Office may also accept such application.
- b. There is no prescribed application form for recognition. A simple letter will do. Supporting exhibits are not necessary. However, where there are courses for recognition and courses for permit, both may be applied for in one (1) application, using the application form for the permit to operate the school.
- c. A permit to operate which has been previously issued shall continue to be valid and considered renewed during the period where the school has already applied for recognition and the Department has not officially responded, either favorably or unfavorably.
- d. The certificate of recognition granted for an educational program shall continue to be valid unless a written revocation shall have been issued by the Department.
- e. Where grant of recognition of courses on the first and second level of instruction (elementary and secondary education) is desired, the Schools Superintendent shall submit to the Regional Director his report and recommendation on the Processing Checklist Form together with the supervisor's report and the applicants' application paper. Grant of Recognition shall be decided by the Regional Director. The Regional Office shall furnish copies of recognition issued to the school concerned and the Office of the Superintendent.

**Section 33. Effects of Recognition.** The issuance of a Certificate of Recognition to a school for a particular educational program/course of study shall have the following effects:

- a. It transforms the Permit to permanent authority for the school to operate the course.

- b. It entitles the school to give the students who have completed the course a certificate, title, diploma, or degree; and
- c. It entitles graduates of recognized courses to all the benefits and privileges enjoyed by graduates of similar programs in all schools authorized by the government.

**Section 34. Revocation/Withdrawal of Recognition.** The closure of any program or course offered by a school may either be;

- a. Voluntary, when the school for valid cause and on its own initiative chooses to terminate or close any of its programs or courses offered, provided such closure is undertaken at the end of a school term, and provided further that the school remains obliged to furnish the necessary transfer credentials and records to the students affected by the closure, or
- b. Involuntary, when the closure or termination is ordered by the Department through the revocation/withdrawal of the permit or certificate of recognition previously issued for the program or course.

Any action regarding revocation/withdrawal of the Certificate of Recognition must be for valid cause pursuant to existing laws and Department regulations and after due process, and shall be subject to the approval of the Regional Director. The valid causes must cite the specific instances of grave violations of Department regulations.

The school must be informed by the Department in writing, by registered mail, of the substantial deficiencies or causes for proposed revocation, and shall be required to explain and/or otherwise remedy the deficiencies or violations within a reasonable period.

Revocation may be done only after re-inspection and reevaluation to determine the school's performance in providing efficient, quality and relevant educational services. Revocation is done only with due process after failure of the school concerned to correct the deficiencies and/or explain satisfactorily the violations within a reasonable period.

The Certificate of Recognition may be revoked after due process if the circumstances so warrant, or reverted to a Permit to operate for a period of one school year, for any of the following causes, without prejudice to instituting appropriate actions and imposing appropriate sanctions against the responsible school officials;

- a. Fraud or deceit committed by the school in connection with the application to the Department for Government Permit or Government Recognition.
- b. Unauthorized operation of a new school or branch, or a new program or course of study, or major components thereof.
- c. Violation of DepEd Orders or regulations

Within sixty (60) days after receipt by the school of the notice of revocation from the Department, the school may file a request for reconsideration, indicating its responses to the specific adverse findings of the Department which led to the revocation.

**Section 35. Automatic Cancellation of Recognition.** Government recognition not operated for more than one (1) school year is deemed automatically cancelled.

**Section 36. Reopening Under Permit Status.** A school with a cancelled recognition caused by its failure to operate for more than one (1) school year may reopen under permit status provided, however, that the department rules and prescribed standards have been complied with by the school concerned.

**Section 37. Transfer of School to Another Location.** The government recognition of a school which is transferred to another location is deemed cancelled: Provided however, that the government recognition may be retained, as an exception if the new site and campus school buildings and quarters are found to be much better than the former, and if all other standards have been satisfactorily maintained.

**Section 38. Change of Ownership.** As a rule, a school which changed ownership is considered a new school and the course recognition issued to the former owner shall be deemed cancelled. In such case, the new owner has to apply for and secure from the Department a new permit or recognition.

**Section 39. Punishable Violations.** Operation of schools and educational programs without authorization, and/or operation thereof in violation of the terms of recognition, are declared punishable violations subject to the penalties provided in Batas Pambansa Blg. 232.

**Section 40. Restoration of a Revoked Recognition.** A revoked government recognition for a private school may be restored when the basis for such revocation no longer exists, all requirements having been met and after the school has conformed with the department rules and prescribed standards; provided, that the school concerned shall resume operations under permit status for one school year. Government recognition may be restored after one (1)

school year of satisfactory operation of the course under permit in terms of administration and management, instruction and all other requirements of the Department.

### C. ESTABLISHMENT OF BRANCH AND NIGHT CLASSES; CLOSURE OF SCHOOLS

**Section 41. Establishing Branch School.** In line with the Constitutional mandate for the State to take appropriate steps to make quality education accessible to all, the Department encourages educational institutions to establish branches all over the country which shall be considered part of the corporate identity of the educational institution originally recognized by the Department. Accordingly, there is no need for a school branch to incorporate or to have a separate corporate identity for the establishment of a school branch. Educational institutions shall still secure approval from the Regional Director concerned to operate a branch school

However, the privilege of establishing a branch within the same city or municipality without need for prior approval shall not be applicable for the National Capital Region or its component cities and municipalities.

A school facility shall be considered a branch where (1) a separate site and attendance educational facilities such as building and classrooms specifically for the school have been established, (2) the branch is offering educational programs which are also offered in the main school, and (3) the courses offered in the branch are not restricted to a special clientele such as employees of a company, but are open to the qualified general public.

A school facility shall be considered an extension class where it possesses the characteristics of a school branch as above, with the exception that (1) administrative and support facilities mentioned are not available at the site, but merely the classrooms; (2) enrollment in an extension class is restricted to a special clientele, and not available to the general public; and (3) such extension classes are temporary in nature. Prior notice given to the Department on the intention to hold extension classes will be sufficient.

The school may at its discretion apply as a separate educational institution rather than as a branch: As such, the applicant therefore shall meet the requirements for the establishment of a new school.

**Section 42. Guidelines for the Operation of Night Classes.** The following conditions should be met in the operation of night school classes:

42.1 Night school classes should be operated only in schools that operate recognized/authorized day classes.

42.2 They should be operated only in schools with adequate lighting facilities in the classrooms and the school premises. The school should provide maximum security measures for students, teachers and school administrators.

42.3 The school should be accessible to transportation.

42.4 Only qualified students should be allowed to enroll. They should have:

- A certificate of graduation from elementary school, or
- A certificate of the Philippine Educational Placement Test (PEPT) results

42.5 Students in night secondary schools should be self-employed or employed by other people during the greater portion of the day. A certificate of employment duly signed by the students' employer, indicating the nature of the work, should be required before enrolment.

42.6 The Technology and Home Economics (THE) requirements may be fulfilled in the students' places of work subject to proper supervision and evaluation by the THE teacher. The evaluation should include a brief narrative report which should be recorded and submitted to the principal in properly accomplished grading sheets.

42.7 All curriculum requirements governing the day classes should apply to the night secondary classes. Night secondary classes should be offered for five (5) years.

42.8 Night high school classes must be adequately and efficiently administered and supervised by a qualified high school principal, or a qualified school head teacher/department head official or a secondary school teacher who may be designated as officer-in-charge of the night classes.

42.9 The school should have a librarian who will serve the night classes and will make available all library facilities provided for the day students.

42.10 Prompt and regular attendances of students must be enforced in night high school classes.

42.11 Teaching load of teachers should not be more than 12 hours a week and require not more than three (3) preparations.

42.12 Enrolment should not be less than 20 and not more than 40 students in a class.

42.13 The budget should be properly itemized and should include the salaries/honoraria of qualified teachers, principals and school officials/personnel directly involved in its operation and maintenance.

42.14 For private secondary schools, tuition fees must be collected from each student, the amount of which shall be in accordance with existing rules and regulations.

42.15 Night classes should begin not earlier than 4:30 in the afternoon and end not later than 9:30 in the evening.

42.15.1 Secondary schools operating night classes should submit their five-year night class program to the Office of the Regional Director not later than April 30 before the start of the new school year.

42.15.2 Secondary schools already operating night classes prior to SY 2000-2001 have to go on with their present curriculum until all the old students have graduated. First year students in SY 2000-2001 onwards shall be covered by the provisions in this section.

**Section 43. Closure of Schools.** The closure of any program or course offered by a school may be either:

- a. Voluntary, when the school for valid cause and on its own initiative chooses to terminate or close any of its programs or courses offered, provided such closure is undertaken at the end of a school term and provided further that the school remains obliged to furnish the necessary transfer credentials and records to the students affected by the closure, or
- b. Involuntary, when the closure or termination is ordered by the Department through the revocation/withdrawal of the permit or certificate of recognition previously issued for the program or course.

43.1 Withdrawal/Revocation of Recognition – any action regarding withdrawal/revocation of recognition must:

- a. Be for valid cause pursuant to existing law;
- b. Observe due process where the school concerned, through its head, must be informed by the Regional Director in writing by registered mail, of the deficiencies and required to explain the violation within a reasonable period; and
- c. Be due to failure of the school concerned to correct the deficiencies, and/or to explain satisfactorily the violation after having been given a reasonable period to do so.

43.2 A private school which has not been granted government recognition after more than five (5) renewal permits may be subject for closure.

43.3 The Regional Director, after a thorough investigation and recommendation of the Schools Division Superintendent, may declare a private school temporarily closed when:

- a. No students are enrolled therein;
- b. The school buildings are destroyed or have been declared dangerous to life;
- c. The entire school building and site houses refugees from calamities; and
- d. There is no peace and order in the community.

43.4 The Regional Director shall close any private school that will be found to be operating without any permit or recognition. In closing such schools, the Regional Director may seek the assistance of any officers of the law.

Such decisions of the Regional Director should be immediately submitted to the Secretary.

**Section 44. *Dissolution of a School.*** The dissolution and subsequent liquidation of a school shall conform in any case to the provisions of the Corporation Code of the Philippines on the dissolution of corporations.

#### **D. ESTABLISHMENT OF A FOREIGN OR INTERNATIONAL SCHOOL**

**Section 45. *Establishment of a Foreign or International School.*** A foreign or international school may be established in the Philippines for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.

**Section 46. *Use of the word “Foreign” or “International” or Name of a Foreign Country.*** Only a school established for foreign diplomatic personnel and their dependents and for other foreign temporary residents shall be allowed by the Department to use as part of the name of the school the word “Foreign” or “International” or the name of a foreign country.

**Section 47. *Manner of Establishing a Foreign or International School.*** A foreign or international school may be established through legislation or by applying to any foreign or international school the same terms and conditions or requirements governing the grant of government authority to operate a pre-

school, elementary or secondary course or a year level therein subject to the condition that the school is established for foreign diplomatic personnel and their dependents and for other foreign temporary residents. It will be allowed by the Department to use the school calendar and curricular program in basic education of a foreign country subject to limitations or regulations that the Secretary may impose.

**Section 48. Foreign Temporary Resident.** A foreign temporary resident in the Philippines shall be allowed to study in a private school as well as in a foreign or international school provided that he/she has a student visa granted by the Bureau of Immigration.

**Section 49. Enrollment of Filipino Students in Foreign or International School.** A foreign or international school established for foreign diplomatic personnel and their dependents and for other foreign temporary residents may accept the enrollment of Filipino students; provided: that the group of Filipino students shall not comprise more than the limit to be set by the Department; provided further, that the study of the Philippine Constitution shall be part of the Curricula for Filipino students in such schools; provided also, that they shall inculcate Filipino patriotism and nationalism, foster love of humanity, respect for human rights and appreciation of the role of Filipino national heroes in the historical development of the country, teach the rights and duties of Philippine citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge and promote vocational efficiency; and provided lastly that an elementary or secondary student from a foreign or international school may transfer to a private or public school subject to the guidelines of the Department.

**Section 50. Control and Administration of a Foreign or International School by Aliens.** A foreign or international school established for foreign diplomatic personnel and their dependents and for other foreign temporary residents may be under the control and administration of aliens who have the necessary visa from the Bureau of Immigration and working permit from the Department of Labor and Employment.

## E. ADMINISTRATION

**Section 51. Governing Body.** Every private school shall have a governing board which shall exercise general supervision, have exclusive control and direction of all funds, prescribe policies, make rules and regulations and establish practices consistent with law for the governance and direction of the school.

Trustees of educational institutions organized as non-stock corporations shall not be less than five (5) nor more than fifteen (15). For institutions

organized as stock corporations, the number and term of directors shall be governed by the provisions of the Corporation Code on stock corporations.

The control and administration of educational institutions shall be vested in citizens of the Philippines. Trustees or directors of educational institutions shall possess at least a bachelor's degree.

**Section 52. Rights of School Administrator.** Subject to the limitation prescribed by law and the policies and regulations of the school's governing board, the rights of the administrator of a private school shall be:

- a. To plan, organize, and implement school policies and strategies of action as may be necessary to carry out the objectives of the school;
- b. To implement the development program of the school based on the budgetary provisions approved by the governing board.
- c. To exercise administrative jurisdiction over the school and its operations in order to maintain peace and harmony in the realization of its approved objectives;
- d. To determine whom to admit as students, based on fair, reasonable and equitable admission and academic requirements, whom to appoint as school personnel, what to teach, subject to the condition that the core curriculum issued by DepEd shall be complied with and what instructional materials and facilities to provide;
- e. To adopt and enforce such measures, rules and standards as may be necessary to maintain discipline among students, teaching and other personnel of the school subject to reasonable regulations and supervision of the Secretary or his duly authorized representative; and
- f. To avail of the assistance of subordinate officials or personnel in the implementation of the school management policies.

**Section 53. Duties and Accountabilities of School Administrator.** Subject to the limitations prescribed by law and policies and regulations of the school's governing board, the duties and accountabilities of the administrator of a private school shall be:

- a. To respect the authority of the school's governing board as well as the rights of the other members of the school community;
- b. To plan, organize, and implement policies and strategies of action so that each component unit of the school can direct its efforts toward the attainment of its approved objectives;
- c. To implement the policies and decisions of the school's governing board for the orderly, efficient, and effective management of the school;
- d. To provide a healthy and wholesome school environment conducive to effective learning;
- e. To exercise the due diligence expected of a good father of a family in the management of the school so as to prevent any damage or injury to life or property inside or outside the school campus; and

- f. To see to the financial viability of the school and to cause payment of its obligations when they become due.

**Section 54. Chief Executive Officer.** The person charged with the overall administration and management of each private school shall be known as President, Rector, Director or Principal or such other title as may be provided for in the organization thereof. As chief executive officer of the school, the President, Rector, or Principal shall be recognized as the school heads in relation to the Secretary or his duly authorized representative.

**Section 55. Qualifications of the School Head.** The school head, including his assistants, if any, shall possess such appropriate educational qualifications as may be prescribed by the Secretary and shall have adequate experience in school administration or management, or equivalent, at the time of his appointment.

The school head must (1) be a Filipino citizen, (2) possess at least a master's degree or a professional license requiring at least a bachelor's degree; (3) have adequate teaching experience, managerial competence and technical expertise in school management, or have a background of demonstrated service and competence in his previous field of endeavor, and (4) be of good moral character.

**Section 56. Qualifications and Functions of the Principal.** The principal in the elementary and secondary levels shall hold a master's degree and should have at least five years of relevant teaching or of administrative experience.

The principal shall assist the school head in the attainment of the objectives of elementary or secondary education, and his functions and responsibilities explicitly stated by the school.

**Section 57. Powers.** In general, the school head shall have the responsibility of executing and implementing the policies and general plans laid down by the governing board of the private school and implementing the reasonable rules and regulations of the Department. The specific powers of the school head shall be defined in the by-laws of the school corporation. The authority of the school head shall be broad enough as to enable him to carry out successfully the development plan of the school, the policies of its governing board and the reasonable regulations of the Department.

**Section 58. Term of Office and Conditions of Employment of School Head.** The term of office, compensation, benefits, and other conditions of employment of the school head of each private school, including his assistants, if any, shall be defined in and secured by a contract or appointment, which shall be the subject of agreement by and between the parties in consonance with law and the rules and standards of the school.

Unless exempted for certain valid reasons by the Secretary, the school head or his assistants, if any, shall serve on a full-time capacity.

**Section 59. Qualifications of School Supervisory Official.** A personnel of private schools assigned with supervisory instructional functions in the different levels of instruction shall have the following minimum qualifications which shall be duly supported by valid credentials:

1. Principal of kindergarten, elementary school - master of arts in education, or equivalent, with three years of successful teaching experience in the elementary grades or equivalent; and
2. Principal of secondary schools – Master of Arts in education, or equivalent, with three years of successful teaching experience in the high school or equivalent.
3. School personnel charged with supervisory academic functions in vocational/technical schools or courses shall possess appropriate educational qualifications as may be prescribed and at least one year of successful experience in the work regularly assigned to them.

The Secretary shall issue through regulation the guidelines on equivalencies of qualifications of school supervisory personnel, based on pertinent experience and number of curricular years for the completion of each course, among others.

**Section 60. Conditions of Employment of a School Supervisory Official.**- The terms of office, functions, responsibilities, compensations, benefits, and other conditions of employment of school supervisory officials in each private school shall be defined in and secured by their appointments or contracts which shall be the subject of agreement by and between the parties in consonance with law, or the school rules and regulations.

**Section 61. Qualifications and Functions of the Registrar.** The registrar shall hold a bachelor's degree and have at least three (3) years of training or experience in the servicing and maintenance of student academic records and related school work.

The Registrar shall be responsible for the school records of pupils and students, and his functions and responsibilities explicitly stated by the school. Unless otherwise indicated by the school, the Registrar shall be the principal contact person of the Department.

Every private school shall preserve and maintain the integrity and confidentiality of its pupils/students records. The issuance of pupils/students records shall be done by the Registrar in accordance with law and the regulations contained in this Manual.

## **F. PERSONNEL**

**Section 62. School Recruitment Policy.** Each private school shall have a policy on recruitment, selection and appointment of its school personnel, subject to the salary and qualification standards and other conditions of employment as provided for by law in this Manual, and such other regulations issued by the Secretary.

Every private school shall promote the improvement of the economic, social and professional status of all its personnel.

In recognition of their special employment status and their special role in the advancement of knowledge, the employment of teaching and non-teaching academic personnel shall be governed by such rules as may from time to time be promulgated in coordination with one another by the Department of Education and the Department of Labor and Employment.

Conditions of employment of non-academic, non-teaching school personnel, including compensation, hours of work, security of tenure and labor relations, shall be governed by the appropriate labor laws and regulations.

**Section 63. Probationary Period; Regular or Permanent Status.** A probationary period of not more than three years in the case of the school teaching personnel and not more than six months for non-teaching personnel shall be required for employment in all private schools. A school personnel who has successfully undergone the probationary period herein specified and who is fully qualified under the existing rules and standards of the school shall be considered permanent.

**Section 64. Security of Employment.** Stability and Security of employment shall be assured all private personnel as provided for under this Manual and other applicable laws. School personnel shall be provided with a contract or appointment in accordance with their employment status in the school.

**Section 65. Labor Organization.** The recognition of labor organizations in any school shall be governed by the provisions of the Labor Code and subject to regulation and supervision by the Department of Labor and Employment.

**Section 66. Full-Time and Part-Time School Employment.** As a general rule, all private schools shall employ full-time school personnel. An applicant shall be eligible for a full-time employment in a private school whenever he has the minimum qualifications prescribed in this Manual, has no other remunerative employment requiring regular working hours elsewhere, and whose services to the extent of at least eight hours during each working day are available during the entire time the school operates.

The employment of part-time school personnel shall be reckoned in terms of the needs of the school and/or the availability of qualified applicants.

**Section 67. Full-time and Part-time School Personnel; Ratio of.** The ratio in the employment of part-time and full-time school teaching personnel in all private schools shall be issued through regulation by the Secretary, based on the nature of the course-offerings, qualifications for teaching, and full-time equivalents, among others.

The ratio in the employment of school non-teaching personnel, except the school head and other school supervisory officials, shall be determined by each private school on the basis of the nature as well as needs of the services therein.

Each private school shall keep official records of all its school personnel.

**Section 68. Rights of School Teaching Personnel.** Subject to the limitations prescribed by law and the school policies and regulations, the rights of a teaching personnel of a private school shall be:

- a. To be respected in his rights as a teacher and as a citizen by his school superiors, peers, and students;
- b. To be formally apprised of the specific terms and conditions of his employment, and to be paid his salary and other benefits as they become due and payable;
- c. To be secured in his employment in the school after he has successfully passed the prescribed probationary period therein;
- d. To determine and give the ratings of his students with objectivity and guided by the norms of the teaching profession;
- e. To bring to the attention of the proper school authority any matter affecting his employment in consonance with fairness, justice, and ethics;
- f. To impose reasonable disciplinary action or sanctions on minor cases of misbehavior of students during the class hours, or during non-class hours when he is officially designated or appointed as a school representative;
- g. To seek the truth, to inquire, discover, publish, and teach the truth in his area of competence, without undue interference, except as may be imposed by the ethics or standards of his discipline;
- h. To be formally informed of his performance rating at least once every school term, based on the generally accepted evaluation techniques and procedures, and in the event of adverse findings, to be afforded a reasonable time within which to improve himself in his performance;
- i. To be informed of any complaint against him, to be heard by himself or by counsel in any administrative investigation, to present evidence for his defense, to confront and cross-examine witnesses, to be informed of the decision, and to appeal to proper authorities;

- j. To form, or join, or not to join, organizations for the advancement of his professional as well as economic interests as may be recognized by the school administration;
- k. To pursue higher formal studies in line with the approved programs of development of the school; and
- l. To recommend changes in the policies, programs, organization and management of the school.

**Section 69. Duties of a School Teaching Personnel.** Subject to the limitations prescribed by law and the school policies and regulations, the duties of a school teaching personnel of a private school shall be:

- a. To teach subjects or perform school assignments effectively, observe regular attendance in his work, and give fair and just ratings to his students on the basis of prescribed standards;
- b. To recognize and respect the rights of his school superiors, co-workers and students;
- c. To teach by precepts and example in terms of excellence and personal integrity;
- d. To refrain from discussing matters outside the scope of his course or discipline inside the classroom;
- e. To broaden and update his competence through reading professional and scientific publications and journals, and when appropriate through purposeful participation in local and national meetings, seminars, conferences, workshops, and other similar fora;
- f. To share his expertise toward the expansion of the frontiers of knowledge in his profession through researches, creative writings, and active participation in professional and educational conferences;
- g. To assist in every way feasible the school administration and his co-workers in all activities aimed at improving and strengthening the operations and programs of the school;
- h. To conscientiously fulfill the terms and conditions of his employment for the period of time agreed upon and to give the school administration a reasonable time to assign his replacement when he decides to terminate his relationship with the school;
- i. To avoid any professional or personal action or activity which may result in economic loss or legal and social embarrassment of his/ school;
- j. To state clearly, when giving out public statements, whether he speaks as an official representative of his school or as an individual citizen; and
- k. To enforce the reasonable rules, standards, and policies of his school with objectivity and to maintain at all times good discipline among his students inside or outside the classroom.

**Section 70. Minimum Qualifications of a School Teaching Personnel.** The school teaching personnel in pre-school, elementary and secondary level of

basic education in all private schools shall possess appropriate educational qualifications and must pass the Licensure Examination for Teacher (LET).

- a. The minimum educational qualification for school teaching personnel in the kindergarten and elementary levels shall be a bachelor's degree in education.
- b. The school teaching personnel in the secondary level of instruction shall have the following minimum educational qualifications:
  - 1) For academic subject – a bachelor's degree in education, or equivalent, or a bachelor's of arts, with such additional number of professional education subjects as may be required, to teach largely in their major or minor fields of concentration.
  - 2) For vocational subjects - a graduate of any bachelor's degree, with knowledge of the vocational courses to be taught.

**Section 71. Appointment of School Personnel.** The selection and appointment of school personnel shall be the responsibility of the governing board of each private school. The designation, qualifications, salary rate, date of effectivity, and other terms and conditions of employment shall be specified in the appointment or contract of each school personnel in accordance with the provisions of this Manual, or its implementing rules, and the policies and standards of the school. The appointment or contract of each school personnel shall be signed by the school head, or his duly authorized representative, and the school personnel concerned.

**Section 72. Contract or Appointment.** All school personnel shall be given each a contract or appointment, as the case may be, which shall define in specific terms the stipulations and conditions of employment with the private school in accordance with law, school policies, and the provisions of any applicable collective bargaining agreement. School personnel under temporary status shall each be provided with a written contract, with a period of at least one school term which may be renewed for a similar period subject to the agreement of the parties. School personnel under permanent status, either part-time or full-time, shall each be provided with a written appointment for an indefinite period which shall be deemed subsisting and effective, unless otherwise terminated in accordance with law and the existing rules and policies of the school.

The contract or appointment signed and acknowledged by the parties in the event of any dispute relative to the terms and conditions of employment shall be taken as the law between them, unless the agreement is contrary to law, public policy, morals, or good customs.

**Section 73. Transfer of School Teaching Personnel.** It shall be prohibited for any school teaching personnel, whether temporary or permanent, to terminate

his employment, desist from complying with his written commitment, or transfer to another school during the school term or during the effective period of his contract or appointment, except when the termination, desistance, or transfer has the prior approval of the school head or as allowed in this Manual. It shall likewise be prohibited for any school teaching personnel, whether temporary or permanent, to teach in another school, unless such employment has the prior approval of the school head of the school wherein he is regularly employed and subject to the limitation on subject-load.

Any violation of this provision shall subject the erring school personnel to such appropriate disciplinary sanctions as may be imposed by the private school in accordance with such regulations as may be prescribed by the Secretary, and without prejudice to any right of action of the school as provided for by law.

**Section 74. Grievance Machinery.** Every private school shall provide for amicable internal procedures or remedies, including provisions for voluntary arbitration, as a preferable measure in the settlement of any issue, dispute or grievance arising from employment relations.

**Section 75. Removal, Reduction in Salary or Suspension of School Personnel.** Removal, reduction in salary, or suspension without pay of school personnel under permanent status of private school shall be for cause and after due process as provided for in this Manual, its implementing rules, and the policies and regulations of the school. Any removal, reduction in salary, or suspension without pay of school personnel under permanent status in violation of the provisions of this Manual shall be null and void.

Removal, reduction in salary, or suspension without pay of school personnel under temporary status shall be subject to such regulations as may be promulgated by the Secretary to prevent circumvention of the right of such personnel to be secured in their employment as defined in their agreements. Any temporary school personnel who has been removed in violation of the regulations issued by the Secretary, or as provided for in the school rules, or in any applicable agreements, may be reinstated or paid his back salaries computed from the time it was withheld from him and for the rest of the period provided for in his contract, at the option of the school.

**Section 76. Termination of Employment by the School Administration.** School personnel of private schools under permanent status may be removed, reduced in salary, or suspended without pay for the following causes.

- a. Dishonesty, fraud, or willful breach of the trust reposed in him by the school through its duly constituted authorities;
- b. Oppression, or commission of a crime against the person of school officials, students, or any other component elements therein;
- c. Misconduct which directly or indirectly affects the integrity of the school;

- d. Neglect of duty, or inefficiency;
- e. Notoriously disgraceful or immoral conduct;
- f. Violation of Reasonable school rules, or willful disobedience of a reasonable order of the school authorities in connection with his work;
- g. Improper or unauthorized solicitation or collection of contributions from, or selling of tickets or materials, to students and school personnel;
- h. Conviction of a crime involving moral turpitude; or
- i. Other causes analogous to the foregoing as may be provided for in the regulations prescribed by the Secretary, or in the school rules, or in collective bargaining agreements.

**Section 77. Safeguard in Disciplinary Procedures.** School personnel employed under permanent status in all private schools shall enjoy the following safeguards in any disciplinary proceedings against them, which may result in suspension without pay, reduction in salary, or termination of employment:

- a. The right to be informed in writing of the specifications of the complaint;
- b. The right to answer in writing the complaint;
- c. The right to speedy disposition of the case and full access to the evidence;
- d. The right to defend himself, or through counsel of his choice, with adequate time for preparation of his defense; and
- e. The right to be informed of the decision in writing and to appeal to proper authorities.

**Section 78. Period of Appeal.** School personnel under permanent status in all private schools who are removed, reduced in salary, or suspended without pay as a result of a disciplinary proceeding may appeal to the Secretary or his duly authorized representative, within fifteen days from the date of receipt of a copy of the decision. In the absence of an appeal in writing within the reglementary period herein provided, the decision of the school shall be final and executory.

**Section 79. Limitation of Penalty.** In meting out sanctions, penalties shall be imposed for like offenses, and no private school personnel shall be penalized more than once for the same offense. An admonition or a warning shall not be considered a penalty.

**Section 80. Preventive Suspension.** The school head of a private school may preventively suspend a school personnel who is under investigation, if the charge against him involves dishonesty, oppression, grave misconduct, neglect in the performance of duty, or if there are strong reasons to believe that he is guilty of such charges which would warrant his removal from the school. Preventive suspension of school personnel shall be exercised on the grounds and in the manner provided therein.

A preventive suspension without pay, imposed upon any school personnel shall not be more than sixty days. After the expiration of such period, he shall be

reinstated, or his suspension shall continue with provisional pay; provided that when the delay in the disposition of the case is due to the fault, negligence, or petition of the school personnel himself, the period of delay shall not be counted in computing the period of suspension herein allowed.

**Section 81. Summary Proceeding.** Subject to compliance with the requirements of due process, and the requirements that the Secretary may impose, the procedure for disciplinary action against a school personnel may be summary in nature.

**Section 82. Termination of Employment by School Personnel.**

- a. Except as otherwise provided for in this Manual, a school personnel may terminate without just cause his employment in a private school by serving a written notice on the school head at least one month in advance. The school upon whom no such notice was served may hold the school personnel liable for damages.
- b. A school personnel may terminate his relationship with a private school without serving any notice for any of the following causes:
  - 1) Serious insult on his honor and person by the school or its duly authorized officials;
  - 2) Inhuman and unbearable treatment given him by the school or its duly authorized officials;
  - 3) Commission of a crime or offense against his person or any of the immediate members of his family by the school or its duly authorized officials; or
  - 4) Other causes analogous to the foregoing.

**Section 83. Disease as Ground for Separation.** A private school, through its chief executive officer, may terminate the service of any school personnel who is found to be suffering from any disease and whose continued employment is prohibited by law or its prejudicial to his health as well as to the health of students or co-workers. In addition to other benefits as provided for by law, a school personnel who is removed from the school under this provision shall be paid separation pay equivalent at least to one month salary or to one-half month salary for every year of service, whichever is greater, a fraction of at least six (6) months being considered as one whole year.

**Section 84. Reduction of School Personnel.** Whenever reduction of school personnel becomes imperative in a private school due to unavoidable or unforeseen circumstances beyond the control of the school administration, or in case of voluntary, closure or phasing-out of the school or of any of its programs, the school personnel in the same group or class of positions shall be reasonably

compared in terms of relative fitness, efficiency, educational qualifications, and length of service and those found to be the least qualified shall be separated. The termination of employment under this Section shall entitle the school personnel affected thereby to separation pay equivalent to one month or at least one-half month salary for every year of service, whichever is higher, a fraction of at least six months being considered as one whole year.

**Section 85. Involuntary Closure of School.** The closure of a private school or course for cause as provided for in this Manual, or the cessation of operation which is found to be illegal or in violation of the regulations prescribed by the Secretary, shall entitle the school personnel affected thereby to separation pay equivalent to one month salary or to at least one-half month salary for every year of service, whichever is higher, a fraction of at least six months being considered as one whole year, and without prejudice to reinstatement or loss of seniority rights, at the option of the school personnel, in case of the reopening of the school.

**Section 86. When Employment Not Deemed Terminated.** A bonafide suspension of the operation of a private school or course for a period not exceeding one school term or the fulfillment by a school personnel of a military or civic duty shall not terminate employment. In such cases, the school shall reinstate the school personnel concerned to his former position without loss of seniority rights if he indicates his desire to resume his work not later than one month from the resumption of the operation of the school or course or from his relief from the military or civic duty.

#### **G. REMUNERATION AND COMPENSATION**

**Section 87. Salary of School Personnel; Criteria.** The salary ranges of each position or class of positions in every private school shall be specified in its school rules and regulations.

The following criteria shall be observed in the formulation of standards regarding salaries of school personnel, taking into consideration the level of school fees charged by the school:

- a. In general, the salary ranges of each position or class of positions shall be comparable with those paid for the same or similar positions in the government schools or in other occupations requiring equivalent or similar qualifications, training, and abilities.
- b. The salary ranges or their equivalent amounts shall be such to insure for the school personnel a reasonable standard of living for himself and his family; and
- c. The salary ranges for each position or class of positions shall be properly graded in order to recognize performance and merit, and the fact that the

various position or ranks in each private school require different or higher qualifications and responsibilities than others.

**Section 88. Salary Scale.** The salary scale for each position or class of positions in a private school shall provide for a gradual progression from a minimum salary by means of regular increments granted on the basis of service in the school and merit and fitness in the discharge of assignments and responsibilities therein. The progression from the minimum to the maximum of the salary scale in the school shall be for a reasonable period as defined in the school rules and regulations or in collective bargaining agreements.

**Section 89. Payment of Salary.** The salaries of school personnel in all private schools shall be paid in cash, or its equivalent in checks, cashable in the locality where the school is situated as may be agreed upon by the school administration and the school personnel concerned.

The payment of salaries shall be effected at least once every two weeks or twice a month at intervals of not exceeding sixteen days, and shall be paid directly to the school personnel or his duly authorized representative at the proper office of the school. If payment of salaries of school personnel cannot be affected on or within the time herein provided, on account of force majeure or circumstance beyond the control of the school administration, the payment thereof shall be made immediately after such force majeure or circumstance ceases.

**Section 90. Salary Deduction.** Unless with the prior consent of the school personnel concerned, no deduction shall be effected on his salary by the private school, except such equivalent amounts for his own benefit or advantage as authorized by law or regulations issued by the Secretary.

**Section 91. Prohibition Regarding Salary.** It shall be unlawful for any school official or employee of a private school to make or effect any deduction from the salaries of any school personnel for the benefit of the school or any other person as consideration of a promise of employment or retention in employment; to refuse to pay, reduce the salary, remove or in any manner discriminate against the school personnel or to make any statement, report, or record filed or kept knowing such statement, report, or record to be false in any material respect.

Any violation of this provision shall be subject to administrative sanctions.

**Section 92. Authority of the Secretary of Education; Enforcement.** The Secretary or his duly authorized representative, shall have access to the premises as well as records of every private school at any time whenever work is being undertaken therein, the right to avail of copies of necessary records, to investigate any fact or to question any school personnel or look into any condition or matter which may be essential in the determination of violations or in aid in the

enforcement of any order or regulation issued pursuant to the provisions of this Manual. The Secretary or his duly authorized representative may order and/or supervise the payment of unpaid salaries or other benefits which are due and payable to school personnel under the rules and regulations of each private school and pursuant to the provisions of this Manual.

#### **H. HOURS OF WORK AND TEACHING LOAD**

**Section 93. Regular Hours and Teaching Hours.** The regular hours of work of school personnel in all private schools shall not exceed eight hours a day.

The Normal teaching hours in the different levels of instruction shall be issued through regulation by the Secretary on the basis of course requirements and the maximum load of teaching personnel.

**Section 94. Hours Worked.** Hours worked in private schools shall include:

- a. All time during which a school personnel is required to be on duty or to be at a prescribed workplace or assignment; or
- b. All time during which he is suffered or permitted to work.

Rest periods of short duration during the working hours of each day shall be counted as hours worked.

**Section 95. Meal Period.** Subject to regulations as may be promulgated by the Secretary, it shall be the obligation of the administration of every private school to afford school personnel not less than sixty minutes time-off each day for regular meal.

**Section 96. Overtime Work.** Work in excess of eight hours a day in a private school may be performed by any school personnel, provided that he is paid for overtime work an additional compensation equivalent to his regular salary plus at least twenty-five percent thereof.

**Section 97. Rest Day.** It shall be the duty of every private school to provide school personnel a rest period of not less than twenty-four consecutive hours for every seven consecutive days. The school shall determine and schedule the weekly rest day of its school personnel, subject to the provisions of existing collective bargaining agreements and such regulations as may be issued by the Secretary of Education. The preference of the school non-teaching personnel as to his weekly rest day shall be respected by the school if the same is based on religious grounds.

**Section 98. Premium and Overtime Pay for Holiday and Rest Day.** Any school personnel performing work on holidays or on his scheduled rest days, not exceeding eight hours, shall be paid by the private school his regular salary. For

work performed in excess of eight hours on such days the additional compensation to be paid shall be equivalent to his rate for the first eight hours plus at least thirty percent thereof.

**Section 99. Undertime not Off-set by Overtime.** Undertime work in a private school on any particular day shall not be off-set by overtime work on any other day. Permission given to the school personnel to go on leave on some other day of the week shall not exempt the school from paying the additional compensation.

**Section 100. Computation of Additional Compensation.** For purposes of computing overtime and other additional remuneration, the "regular salary" of a school personnel shall include the cash salary only, without deduction on account of any facilities provided by the private school.

**Section 101. Teaching Load of School Supervisory Official.** Subject to the provisions of this manual and the rules and regulations of each private school, a qualified school personnel under the administrative or instructional supervisory staff therein may be allowed a maximum teaching load not exceeding one-half the weekly normal work-load of permanent full-time school teaching personnel.

**Section 102. Provisions Subject to Labor Code and Collective Bargaining Agreement.** Provisions in this Manual for School Personnel on their period of probation, security of employment, removal of school personnel, termination of employment, remuneration and compensation, hours of work and teaching load, benefits and other conditions of employment shall be subject to collective bargaining agreement and pertinent provisions of the Labor Code of the Philippines and its Implementing Rules and Regulations.

### **I. RETIREMENT AND OTHER BENEFITS**

**Section 103. Careerism in School Employment.** Every private school shall have a retirement plan for its school personnel under permanent status in accordance with such regulations as may be issued by the Secretary, in order to foster and enhance their career prospects in the system. Retirement benefits for part-time school personnel may likewise be provided for in accordance with the policies and rules of the schools.

**Section 104. Retirement Benefits.** Any school personnel may be retired upon reaching the retirement age established in the rules and policies, collective bargaining agreement, or other applicable employment contract in each private school. In case of retirement, the school personnel shall be entitled to receive such benefits as he may have earned under existing laws or school rules and policies, or applicable collective bargaining or other agreements.

**Section 105. Study Leave.** Any school teaching personnel may be granted a study leave for such period as may be necessary to enhance his professional

qualification, and the period availed of shall be counted for seniority and retirement purposes, subject to the rules and policies of the private school.

**Section 106. Other Benefits.** All school personnel shall be entitled to such other benefits provided for by law, in addition to those that may be authorized under the rules and policies of the private school.

#### **J. ACCREDITATION**

**Section 107. Policy and Membership.** Voluntary membership by private schools in accrediting associations shall be encouraged as a means to optimize the contribution of the private school system toward the attainment of the goals of national development.

Only private schools possessing government recognition shall be eligible for membership in accrediting associations duly recognized by the Secretary.

**Section 108. Benefits of Membership.** As a general rule, there shall be greater flexibility in the exercise of government supervision and regulation over private schools which are members of duly recognized accrediting associations as compared to non-member schools, in addition to whatever forms of financial and other assistance that may be extended to member-schools as may be provided by law or through regulation by the Secretary.

One of the benefits which may be made available for accredited schools of the appropriate level is the authority to graduate students from accredited courses or programs of study without prior approval of the Department, the conditions for which are as follows:

- a. The school head must furnish the Regional Office through the Division Office a copy of its certificates of accreditation.
- b. Within two weeks after the graduation exercise, the school shall submit to the Regional office concerned an alphabetical list of graduates by course, accompanied by a certification under oath signed by the school registrar certifying that the students therein listed (1) have complied with all the requirements of the Department, (2) were conferred their respective certificates on a specific date, (3) have complete scholastic records on file in the school, and have their Form 137 for high school, in the custody of the school. This list shall be sufficient basis for issuing special orders, if still necessary.

The school will be held fully liable for the veracity of the records without prejudice to any legal action, including revocation of government recognition, as may be called for under the circumstances.

The Department reserves the right to cancel or revoke the graduation of any student whose records are found to be fraudulent.

**Section 109. Rules and Standards.** The Secretary shall issue rules and standards for recognition of accrediting associations.

**Section 110. Delegation of Inspectorial Authority.** The Secretary may, at his discretion, consider membership in good standing of a private school in any recognized accrediting association as adequate compliance with the requirement of periodic evaluation provided for by law, provided that such delegation of visitorial authority may be made only if an accrediting association has specific provisions in its constitution and by-laws for periodic reevaluation and reaccreditations of its member-schools.

**Section 111. Certifying Agency.** For purposes of the grant of deregulated status and other benefits, the Department recognizes the Federation of Accrediting Agencies of the Philippines (FAAP) as the agency to certify, pursuant to its general or common standards, the accredited status of schools and their programs.

The accrediting agencies now federated under FAAP are hereby recognized and authorized to continue their accreditation activities. Specifically, these agencies are: (1) the Philippine Accrediting Association of Schools, Colleges and Universities, (2) the Philippine Association of Colleges and Universities Commission on Accreditation, and (3) the Association of Christian Schools and Colleges Accrediting Agency, which for brevity are commonly referred to as PAASCU, PACU-COA and ACSCAA, respectively. However, this recognition shall be without prejudice to the subsequent inclusion of such additional accrediting agencies as may be recognized by the Department.

**Section 112. Levels of Accreditation Status.** For purposes of progressive deregulation and the grant of other benefits, schools or educational programs or courses of study shall be classified into levels of accreditation, the conferment of which shall entitle the school affected to additional administrative or academic prerogatives. The benefits resulting from accreditation shall be valid only for as long as its accreditation status is current.

**Section 113. Withdrawal of Benefits of Membership in Recognized Accrediting Associations.** Any benefits granted by the Secretary to a private school by virtue of its membership in good standing in a recognized accrediting association or the authority issued to the accrediting association may be withdrawn, if after due investigation, the Secretary finds that the superior standards of accreditation on the basis of which the benefit of authority had been granted are not observed or maintained.

## **K. SCHOOL OPERATION**

### ***Title I. School Administrative Matter***

**Section 114. Standard and Change of Calendar.** The standard calendars for elementary and secondary courses in all private schools shall be issued each year by the Secretary. Any school which desires to deviate from the prescribed school calendars may submit a corresponding application to the Secretary or his duly authorized representative at least fifteen days before the opening of classes of the school term. No prior approval of the Department is needed in cases of exchange or substitution of school days for school holidays in each private school as long as the prescribed school calendar requirement is maintained and the Regional Office concerned is informed of such substitution at least a week in advance.

**Section 115. Enrolment Period and Opening of Classes.** The period and other aspects of enrolment in all private schools shall be regulated by the Secretary. All private schools shall begin classes for the school year on the first Monday of June, or the next day if that Monday is a legal holiday unless otherwise exempted by the Secretary.

**Section 116. Standard Class Periods.** Unless otherwise provided for by the Secretary, the standard periods for the elementary and secondary course shall be sixty minutes.

The Secretary shall issue through regulation the equivalent requirements for laboratory work, shop work, and the like, including the requirements in the secondary and elementary levels.

### ***Title II. Enrolment of Students***

**Section 117. Policy.** Every student has the right to enroll in any private school upon meeting its specific standards and reasonable regulations as well as the requirements prescribed by law or regulation. Except in the cases of academic delinquency and/or violation of disciplinary regulations, the student shall be presumed qualified for enrolment for the entire period he is expected to complete his course without prejudice to his right to transfer as provided for in this Manual and its implementing rules,

For enrolment purposes, the name and other personal data or circumstances of each student as officially indicated on his certificate of birth, or alien certificate of registration, if applicable, shall be strictly observed and followed.

The Secretary shall issue rules governing student records in private schools based on generally accepted practices and the provisions of this Manual.

**Section 118. Enrolment and Class Size.** The enrolment and class size in every subject of each private school shall be determined by the school taking into account the total absorption capacity of its facilities, the level of instruction, the nature of the subject, and such other factors as may be conducive to the teaching-learning process.

**Section 119. Rules for Registration.** The enrollment of pupils or students in every private school shall be conducted during the registration days indicated on the approved calendar and the pertinent procedures of the school, and subject to the following rules;

- a. When a student registers in a school, it is understood that he is enrolling for the entire school year for elementary and secondary courses.
- b. Aside from the specified registration period, a pupil or student may enroll and be admitted in accordance with the reasonable rules of the school for late enrollment but which in no case shall exceed two weeks after the opening of classes.
- c. After the two-week period above-mentioned, no further enrollment will be allowed, without prejudice however to subsequent transfer by an enrolled student from one school to another during the school year, provided the consent of both schools is obtained. As a general rule, inter-school transfers after the enrollment period are discouraged, especially in the cases of students who are expected to graduate during the school year at the secondary level of formal education.
- d. No pupil or student shall be officially enrolled unless he presents the proper school credentials on or before the end of the enrollment period for the school term.
- e. A pupil or student is deemed officially enrolled after he has submitted his appropriate admission or transfer credentials, has made an initial payment of his school fees which has been accepted by the school, and has been authorized to attend classes in the school.
- f. For purposes of enrollment, the name and other personal data or circumstances of each pupil or student as indicated on his birth certificate or alien certificate of registration, where applicable, shall prevail.

**Section 120. Right to Enroll Until Graduation.** Admission to any private school is open to all pupils and students who meet its specific standards, requirements and regulations as expressed in printed publications or other written materials. Except in cases of academic delinquency, violation of school rules and regulations, the closure of a program or course of study by the school, or the

closure of the school itself, the pupil or student who qualifies for enrollment is qualified to stay for the entire period in which he is expected to complete his course in a school, without prejudice to his right to transfer to other schools within the prescribed period.

**Section 121. Admission Credentials.** The transfer credentials required for the enrollment of a pupil or student in case of transfer at the beginning of a school year shall be;

- a. For admission into Grade 2 of the elementary course up to the fourth year of any secondary program or course, the uncancelled report card (Form 138) or its equivalent from the school last attended with the eligibility certificate indicated and signed by the authorized school official. The report card or its equivalent shall be deemed canceled upon the enrollment of the pupil or student in the subsequent grade or year, and the admitting school shall immediately request for the permanent school record (Form 137) from the school last attended.
- b. When a pupil or student is unable to present the required school record or credential indicated in subparagraph a and b, a certificate of eligibility issued by the Secretary or his duly authorized representative will be required.

**Section 122. Submission of Enrollment List.** Within forty-five days after the close of every enrollment period, every private school not otherwise exempted herein, shall submit to the Regional Office concerned (1) a list, in duplicate, of all pupils and students enrolled therein, and (2) a summary of enrollment data for the corresponding school year or term for the various programs or courses.

The enrollment list may be submitted in such form and style as may be convenient and economical for each school, provided that there be separate lists of pupils and students alphabetically arranged by grades or curriculum years for each educational program or course.

**Section 123. Special Student.** A special pupil or student may be admitted to a private school at any time during a school term, without earning credits, subject to such requirements and conditions as the school may prescribe. At the discretion of the school, a special student may be exempted from class assignments and examinations.

**Section 124. Advanced Subjects and Back Subjects.** As a general rule, a student shall not be permitted to take any advanced subject until he has satisfactorily passed the prerequisite subject or subjects.

However, in the case of students in the secondary level, the following rules shall apply:

- a. A student who has failed in any subject must enroll in the subject again, either during summer or in a succeeding school year. A student who has passed a subject need not repeat the subject.
- b. A student may enroll in not more than two subjects during the summer, either for the purpose of making up for subjects previously failed, or for earning advanced credits in other subjects.
- c. A student shall not be allowed to take any new subject unless he takes at the same time the prerequisite subject in which he failed.
- d. A student will be permitted an overload of not more than one subject during the regular school year, inclusive of subjects previously failed.

The above restrictions will not apply where the student concerned has reduced or eliminated his back subjects during the summer term.

Gifted or honor students in all levels may be permitted to take such additional advanced subjects or overload, including the summer session, as the appropriate school official may determine, based upon the previous academic performance of the student and other evidence of educational measurement.

**Section 125. Subject Load and Sequence.** The subject load and the sequence of subjects of pupils or students shall be in accordance with the approved curriculum for each program or course of study. Reasonable exemptions may be permitted in individual cases taking into account the best interest of the pupil or student and the objectives of the educational system.

**Section 126. Excess Load for Graduating Student.** A graduating high school student, may be permitted upon the discretion of the school an additional subject load in excess of the normal load specified by the school for the school year.

**Section 127. Transfer of Students and Transfer Credentials.** A pupil or student enrolled in one school is entitled to transfer to another school, provided he has no unsettled obligations with the school he was enrolled in.

Every pupil or student who applies for and is eligible to transfer should be provided by the school he is enrolled in with the appropriate transfer credentials which will entitle him to admission in another school of his choice, subject to the latter's policies and regulations on the admission of transfer students. Such credentials to be issued are as follows:

- a. For the elementary and secondary levels: The uncancelled report card (Form 138) with the certificate of eligibility to transfer duly accomplished and signed by the school head which shall be issued to the pupil or student within two weeks after filing of the application or after the close of the school year as the case may be.

**Section 128. Withholding of Credentials.** The release of the transfer credentials of any pupil or student may be withheld for reasons of suspension, expulsion or nonpayment of financial obligations or property responsibility of the pupil or student to the school. The credentials shall be released as soon as his obligation shall have been settled or the penalty of suspension or expulsion lifted.

However, if, after due inquiry, a school is found to have unjustifiably refused to issue transfer credentials or student records, the Department may issue the same without prejudice to the imposition of appropriate administrative sanctions against the school concerned.

**Section 129. Provisional Enrolment.** In meritorious cases as may be determined by the private school concerned, a student without any appropriate admission or transfer credentials may be provisionally enrolled, allowed to attend classes and to earn credits for the subject or subjects he is enrolled in during the school year. The provisional enrolment of the student shall be conditioned on the submission of his valid admission or transfer credentials on or before the last day of the school year.

Unless previously authorized by the Secretary or his duly authorized representative, a provisionally - enrolled student shall not be enrolled for the next higher grade, course or level for the next succeeding school term, if he cannot submit his valid admission or transfer credentials on or before the period specified herein, and whatever credits for the subject or subjects he may have passed shall not be recognized.

**Section 130. Invalid Enrolment.** Unless otherwise specifically authorized by the Secretary of Education, the enrolment of any student who is under a term of suspension or expulsion, or the enrolment of any student from a school or course without government authority shall not be valid.

### **Title III. Student Discipline**

**Section 131. Responsibility on Student Discipline; Limitation.** The administration of each private school shall be responsible for the maintenance of good discipline among students inside the school campus, as well as outside the school premises whenever they are engaged in authorized school activities.

No physically harmful punishment shall be applied. No disciplinary sanction shall be imposed upon any student except for valid causes as defined in the school rules and regulations, and in accordance with due process as provided for in this Manual or its implementing rules as promulgated by the Secretary.

**Section 132. Authority to Promulgate School Rules.** Each private school shall have the authority and prerogative to promulgate such reasonable norms, rules and regulations as it may deem necessary for the maintenance of good discipline, which shall be effective as of the date of their promulgation, unless otherwise specified. The school rules governing student discipline and the corresponding sanctions therefore must be clearly specified and defined in writing and made available to the students, or their parents or guardians.

**Section 133. Absences.** A pupil or student in every private school who incurs absences of more than twenty (20%) percent of the prescribed number of class or laboratory periods during the school year or term should be given a failing grade and given no credit for the course or subject. However, the school may adopt an attendance policy to govern absences of its pupils or students who belong to the upper half of their respective classes.

**Section 134. Action on Minor Offenses.** A teaching personnel or school officials, in the exercise of his right as substitute parent in relation to his students shall have the authority to impose appropriate and reasonable disciplinary measures in the interest of good order and discipline in case of minor offenses committed in his presence. When the offense committed is serious, the teaching personnel or school officials shall submit a report concerning the violation to the school head who may cause the institution to appropriate disciplinary action against the erring student, if warranted by the circumstances of the case.

**Section 135. Filing of Disciplinary Administrative Action.** When the offense committed is serious and circumstances so warrant, the school head shall cause the filing of the corresponding administrative action against the erring pupil or student. No disciplinary sanction shall be applied upon any pupil or student except for cause as defined in the rules and regulations of the school or in this Manual, and after due process shall have been observed. The punishment shall be commensurate with the nature and gravity of the offense.

**Section 136. Categories of Administrative Penalties.** The three categories of disciplinary administrative sanctions for serious offenses or violation of school rules and regulations which may be applied upon an erring pupil or student are; Suspension, Exclusion, and Expulsion.

- a. Suspension. Suspension is a penalty in which the school is allowed to deny or deprive an erring pupil or student of attendance in classes for a period not exceeding twenty (20%) percent of the prescribed class days for the school year or term.

The decision of the school on every case involving the penalty of suspension which exceeds twenty (20%) percent of the prescribed school days for a school year or term shall be forwarded

to the Regional Office concerned within ten days from the termination of the investigation of each case for its information.

- b. Preventive Suspension. A pupil or student under investigation of a case involving the penalty of expulsion may be preventively suspended from entering the school premises if the evidence of guilt is strong and the school head is morally convinced that the continued stay of the pupil or student during the period of the investigation constitutes a distraction to the normal operations of the school or poses a risk or danger to the life of persons and property in the school.
- c. Exclusion. Exclusion is a penalty in which the school is allowed to exclude or drop the name of the erring pupil or student from the school rolls for being undesirable, and transfer credentials immediately issued. A summary investigation shall have been conducted, and no prior approval by the Department is required in the imposition of the penalty.

The decision of the school on every case involving the penalty of exclusion from the rolls, together with all the pertinent papers therefor, shall be filed in the school for a period of one year in order to afford the Department the opportunity to review the case in the event an appeal is taken by the party concerned.

- d. Expulsion. Expulsion is an extreme penalty on an erring pupil or student consisting of his exclusion from admission to any public or private school in the Philippines and which requires the prior approval of the Secretary. The penalty may be imposed for acts or offenses constituting gross misconduct, dishonesty, hazing, carrying deadly weapons, immorality, selling and/or possession of prohibited drugs, such as marijuana, drug dependency, drunkenness, hooliganism, vandalism, and other serious school offenses such as assaulting a pupil or student or school personnel, instigating or leading illegal strikes or similar concerted activities resulting in the stoppage of classes, preventing or threatening any pupil or student or school personnel from entering the school premises or attending classes or discharging their duties, forging or tampering with school records or school forms, and securing or using forged school records, forms and documents.
- e. The decision of the school on every case involving the penalty of expulsion, together with the supporting papers shall be forwarded to the Regional Office concerned within ten days from the termination of the investigation of each case.

**Section 137. Summary Proceedings.** Subject to compliance with the requirements of due process and school regulations, the procedure for

disciplinary action against a student shall be summary in nature. The student shall be assisted in the proceedings by his/her parent(s) and/or by counsel.

**Section 138. Appeal.** Decision of the school officials in administrative actions against students may be appealed to the Divisions School Superintendents concerned who must resolve the appeal within fifteen (15) days from receipt of Appeal.

#### **Title IV. Transfer of Student**

**Section 139. Certificate of Eligibility to Transfer; its Significance.** Subject to the limitations provided for in this Manual, the certificate of eligibility to transfer issued to a student shall qualify him to be admitted to the school of his choice, and shall likewise serve as the statement of record of the work accomplished by him in and his clearance to transfer from the school last attended.

The issuance of the certificate of eligibility to transfer shall signify that the student is free from all financial and property responsibilities to the school last attended, that he is not under a term of suspension, and that he is fully eligible to transfer.

The rules governing transfer credentials of students in private schools shall be issued by the Secretary in accordance with generally accepted practices and the provisions of this Manual.

**Section 140. Students Under Terms of Suspension or Expulsion.** A student may not be issued his certificate of eligibility to transfer at the end of the school year when he is undergoing a penalty of suspension, or expulsion, or for failure to settle satisfactorily his financial or property obligations to the school. The certificate of eligibility to transfer, however, shall be released to the student as soon as he will finish serving the suspension or his expulsion shall have been lifted.

**Section 141. Obligation of the School Last Attended.** Once the certificate of eligibility to transfer shall have been issued to a student, upon request, it shall be the duty of the private school last attended to forward promptly to the requesting school to which the eligibility certification has been presented, the official school credentials of the student, regardless of whether it may be found that prior to or after the receipt of the request that he still has certain monetary or property obligations to the school.

**Section 142. Placement of Transferees From Foreign Countries Seeking Admission to Philippine Elementary and Secondary Schools.** Each accepting school shall have the discretion to determine the appropriate elementary grade in which to place the transferee. In general, except as otherwise indicated, the appropriate grade level should be the next curriculum

year following that completed abroad by the applicant. For example, a pupil who has completed Grade IV in a foreign school abroad should be considered for admission to Grade V here. The following guidelines shall be observed:

- a. Those who have completed the Sixth or Seventh Grade abroad are eligible for admission to the First Year of High School; however, graduates of a five-year elementary curriculum are eligible only for admission to Grade VI.
- b. Those who have completed the Eighth Grade abroad are eligible for admission to the Second Year of High School, but shall take Filipino I and Social Studies I (Philippine History and Government)
- c. Those who have completed the Ninth Grade abroad are eligible for the Third Year of High School, but shall take Filipino I and Social Studies I and then take Filipino II in the Fourth Year of High School.
- d. Those who have completed the Tenth Grade abroad are eligible for the Fourth Year of High School, but shall take Filipino I and Social Studies I. They need not take Filipino II, III or IV in order to graduate
- e. Those who have completed the Eleventh or Twelfth grades abroad may be eligible for admission to the tertiary level, depending on the course they will pursue.

**Section 143. Acceleration of Pupil/Student To Higher Grade/Year.** The accepting school shall have the discretion to accelerate their pupil to a higher Grade/Year, or conversely to a lower Grade/Year, depending upon the subsequent performance of the pupil in the accepting school. The accepting school shall also be responsible for the appropriate supplementary programs as may be necessary in order that facility in Filipino may be hastened, should it appear inadequate.

#### ***Title V. Grading System***

**Section 144. Basis for Grading.** The final grade or rating given to a pupil or student in a subject should be based solely on his scholastic performance. Any addition or diminution to the grade in a subject for co-curricular activities, attendance, or misconduct shall not be allowed, except as may otherwise be explicitly provided for by an individual school in an appropriate issuance or publication, and provided further that such adjustment is relevant to the subject content and requirements. In the elementary level, the misconduct of a pupil may affect his final grade in Character Education.

**Section 145. Requirements for Promotion.** The following requirements in the promotion or graduation of a pupil or student from any recognized educational program or course shall be observed and strictly followed by every private school:

- a. No pupil or student shall be given any school credit toward the completion of or graduation from a program or course, unless he

- has enrolled and satisfactorily fulfilled the admission requirements, faithfully and regularly attended classes, and acquired a reasonable proficiency in each subject of the approved curriculum.
- b. No pupil or student shall be permitted to take any advanced subject until he has satisfactorily passed the basic and pre-requisite subject(s), except as may otherwise be provided for in this Manual.
  - c. The final grade or rating to earn school credits and for promotion is 75% or its equivalent.
  - d. The records of attendance and subject proficiency of pupils and students for each school year or term should be filed in the school until the close of the next school year or term, for reference or examination in case of any grievance or complaint.

**Section 146. Promotion System: Elementary Level.** The system of promotion for Grade I to III in the elementary level should be flexible as to allow any pupil to be promoted to the next higher grade when, in the evaluation of the academic authorities of the school, the pupil has shown capability to undertake the required class work in the higher grade. Such promotion may take place at any time.

In Grades IV, V and VI, and in Grade VII in those instances where a school may require the completion of Grade VII before the admission of any pupil into the first year of the secondary level, the promotion of a pupil may be effected at the end of the school year on the basis of his final general average.

In special cases, a private school may promote during the school year any pupil in Grades IV to VI subject to the following conditions:

- a. The promotion shall be effected within the first four months of the school year.
- b. No promotion during the school year shall be allowed from the elementary to the secondary level.
- c. A report on every mid-term promotion should be submitted to the Regional Office concerned, within three days after the action thereon.

The final general average shall be determined by dividing by the number of subjects the sum of his cumulative ratings in the prescribed subjects of the curriculum provided he passes the basic subjects. Namely: science, mathematics, and communication arts.

**Section 147. Promotion System: Secondary Level.** In the secondary level, the cumulative grading system shall be used. The promotion of students shall be by

subject and not curriculum year. To pass any subject, a student should receive a final rating of 75% or its equivalent. A student who receives a final rating of less than 75% shall be considered failed and should repeat the subject. A school may however adopt a more restrictive promotion system which should be explicitly set forth in appropriate school issuances or publications.

### ***Title VI. Graduation***

**Section 148. Policy.** Promotion and graduation from each course in all levels of instruction shall be the responsibility of each private school. No student shall be given school credit for any subject toward the completion of a course unless he has fulfilled the preliminary requirements for entrance thereto, has attended classes, and has acquired a reasonable proficiency in each of the subjects prescribed in the course of study.

Evidence of attendance and proficiency in each subject shall be kept in the school at least until the end of the next succeeding school term for examination in case of any grievance or complaint relative thereto.

**Section 149. Authority to Graduate Student.** Except otherwise as may be allowed by regulation issued by the Secretary, no private school may issue any certificate or diploma, or confer any title or degree, upon any student until after his eligibility to graduate shall have been certified to by the Secretary or his duly authorized representative through a corresponding special order.

The Secretary shall issue the rules governing promotion and graduation of students in all private schools.

**Section 150. Special Order.** Except as may otherwise be provided for by the Department in connection with accreditation, special orders shall be required for the graduation of students from the formal secondary level in private schools. The withholding of the issuance of such special orders by the Department shall be undertaken only in connection with defects in the applications for special orders submitted by the school.

Applications for special orders shall be filed by the school with the Department at least sixty calendar days before the end of the academic year, and shall be processed by the Department and returned to the school within thirty calendar days within the receipt of such application.

No special orders will be required for elementary school graduates.

**Section 151. List of Graduates.** A list of the names of all recipients of certificates or diplomas, shall be submitted to the Secretary or his duly authorized representative, within three months following the close of the school term.

**Section 152. Graduation Honors in General.** Each private school may adopt its own criteria for the selection of students who should be awarded graduation honors in a recognized program or course, which criteria should be made known to its students.

**Section 153. Guidelines on the Selection of Honor Pupils and Students in Elementary and Secondary Schools.** If a private school fails to adopt a set of criteria, the following policies and rules shall apply in the resolution of issues relative to graduation honors in the elementary and secondary levels:

- a. Candidates for honors, at any grade or year level, shall be drawn from the top ten (10) pupils/students of the school. They must not have a final grade lower than 80% in any subject.
- b. To determine the top ten (10), pupils/students shall be ranked using the 7-3 point scheme (7 points for academic performance and 3 points for co-curricular activities) as contained in Enclosure Nos. 1 and 2.
- c. The pupils/students' grades in the previous curriculum level shall not be considered in the ranking of honors for graduating pupils/students.
- d. Only the grades in the current curriculum year shall be considered in the ranking of honor pupils/students. Transferees shall be considered in the ranking provided they are enrolled not later than the second week of classes of the current School Year.
- e. The final rating shall be computed to the three decimal places. In case of tie, candidates shall both be declared in the same honor ranking (both as valedictorians, salutatorians and so on).
- f. Achievements of pupils/students in specific academic disciplines (such as Mathematics, Science and English) and in special curricular areas (such as athletics, performing arts and campus journalism) shall be given recognition.
- g. Schools with special curriculum programs (such as special science, arts, sports, special education) and duly recognized annexes of public elementary and secondary schools, provided the annex is a complete school with all the curriculum grades/years, shall select their own set of honor pupils/students.
- h. Any member of the school selection committee must not be related within the second degree of consanguinity or affinity to any of the candidates for honors.
- i. The School Head shall be the chairman of the school selection committee composed of at least three (3) members from the teaching staff and shall make the final announcement of honor pupils/students after final results have been duly recommended and approved by the School Head and/or Schools Division Superintendent, respectively, not later than fifteen (15) days before

- the recognition/commencement rites. Candidates for honors and their advisers must be present during the open selection process.
- j. In case of protest, it shall be filed by the candidate with his/her parent or guardian to the School Head within five (5) working days from the final announcement and shall be settled by the selection committee within five (5) working days from the filing of the protest.

Enclosure No. 1 to DepEd Order No. 92, s. 2009

### **PROCEDURE IN THE RANKING OF HONOR PUPILS AND STUDENTS**

1. The following shall be used in determining the honors:

- 1.1. Academic Excellence (7 Points)

Academic excellence shall be based on the general average of all the learning areas in the curriculum year. The procedure for ranking based on academic excellence is as follows:

- 1.1.1 Compute the average of each learning area up to three decimal places.
  - 1.1.2 Get the average of the grades of all learning areas.
  - 1.1.3 Rank the candidates according to their average.
  - 1.1.4 Multiply the rank by 7 points.

**Illustration**

NAME OF CANDIDATES	AVERAGE OF GRADES IN THE LEARNING AREAS	RANK	WEIGHTED RANK
A	91.345	1	7
B	91.258	2	14
C	90.390	3	21
D	90.012	4	28
E	89.891	5	35

- 1.2. Co-Curricular Performance (3 Points)

Co-curricular performance covers the achievements of the candidates in all levels (school, division, regional, national and international), active participation in authorized student organizations or clubs, outstanding awards in recognition of the actualization of what has been learned from school, travels in relation to school work, and other civic activities.

The rating shall be based on the combined assessments of all the teachers of the candidate in the curriculum grade/year.

- 1.2.1. Get the composite rank (sum of all the ranks given by the raters) of each candidate.
- 1.2.2. Rank the candidates from the lowest to the highest sum.
- 1.2.3. Multiply the rank by 3 points.

**Illustration**

NAME OF CANDIDATES	ACTIVITIES						COMPOSITE RANK	FINAL RANK	WEIGHTED RANK
	1	2	3	4	5	6			
A	1	1	5	3.5	2	3	15.5	1.5	4.5
B	2	4	4	3.5	1	1	15.5	1.5	4.5
C	4	5	1	1	3	4	18.0	3	9
D	5	2	2	3.5	4	5	21.5	5	15
E	3	3	3	3.5	5	2	19.5	4	12

**1.3. Final Ranking**

- 1.3.1. Add the weighted ranks of the pupils or students.
- 1.3.2. Rank the sums from the lowest to the highest.

**Illustration**

NAME OF CANDIDATES	ACADEMIC EXCELLENCE	CO-CURRICULAR PERFORMANCE	TOTAL		RANK
			First	Last	
A	7	4.5	11.5		1
B	14	4.5	18.5		2
C	21	9	30.0		3
D	28	15	43.0		4
E	35	12	47.0		5

Enclosure No. 2 to DepEd Order No. 92, s. 2009

**POINTS FOR CO-CURRICULAR PERFORMANCE**

AREAS/ACTIVITIES	LEVEL OF PARTICIPATION	POINTS GIVEN			
		First	Second	Third	Participant
		Gold	Silver	Bronze	
1. Official Contests and Competitions sanctioned by a DepEd Order or Memorandum issued by the National, Regional, Division and District Offices. Schoolwide-initiated contests should be approved in writing by the School Head.	International	15	10	8	6
	National	10	8	6	4
	Regional	8	6	4	2
	Division	6	4	2	1
	District	4	2	1	.75
	School	2	1	.75	.5
AREAS/ACTIVITIES	POSITION	POINTS GIVEN			
		National	Regional	Division	School/District
2. Student Leadership (shall refer to Supreme Pupil Government (SPG) pursuant to DepEd Order No. 45, s. 2007 and Supreme Student	President/Mayor	15	12	10	8
	Vice President/Vice Mayor	12	10	8	6
	Secretary/Treasurer	10	8	6	4
	Auditor, Peace Officer,	8	6	4	2

Government (SSG) pursuant to DepEd Order No. 79, s. 2009)	Public Information Center Representative/Councilor	6	4	2	1
	COMELEC and Committee Chair and Vice Chair	4	2	1	.75
	COMELEC and Committee Member	2	1	.75	.5
	Homeroom President				1
	Other Homeroom Officers				.75
	Other Officers				.5
	<b>AREAS/ACTIVITIES</b>	<b>POSITION</b>	<b>POINTS GIVEN</b>		
3. Campus Journalism (shall be considered only if the School Paper Organization has released a publication)	Editor-In-Chief		6		
	Associate Editor		5		
	Managing Editor		5		
	Section Editor		4		
	Contributor		3		
	Others		2		
4. Officership and Membership in DepEd-established or recognized organizations (such as STEP, YECS, YES-O, Scouting) other than the SPG, SSG and School Paper. The establishment or recognition must be contained in a DepEd Order or Memorandum issued by the National, Regional, Division and District Offices. School-initiated organizations or clubs must be given recognition in writing by the School Head.	<b>LEVEL OF PARTICIPATION</b>	<b>POSITIONS/POINT GIVEN</b>			
		President or Equivalent	Vice President or Equivalent	Secretary, Treasurer and other Officers or Equivalent	Members
		International	10	8	6
		National	8	6	4
		Regional	6	4	3
		Division	4	3	2
		District	3	2	1.5
		School	2	1.5	1
					.75

Enclosure No. 2 to DepEd Order No. 92, s. 2009

### POINTS FOR CO-CURRICULAR PERFORMANCE

<b>AREAS/ACTIVITIES</b>	<b>LEVEL OF PARTICIPATION</b>	<b>POINTS GIVEN</b>
5. Participation or Attendance in DepEd- recognized seminar, camp, exchange programs, training, conference or workshop and other similar activities. Authority to conduct the seminar, camp, training, conference or workshop or other related activities must be contained in a DepEd Order or Memorandum from the national, regional, division and district offices.	International	8
	National	6
	Regional	4
	Division	3
	District	2

School-initiated similar activities must be sanctioned in writing by the School Head.	School	1
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6. Computations of points shall be cumulative. However, points for concurrent positions held in violation of existing DepEd policies shall not be considered, in which case only the position with the highest point shall be included. (Section 8, Article VIII, DepEd Order No. 79, s. 2009 on the Revised Constitution and By-Laws of the Supreme Student Governments in Secondary Schools).
7. To be considered as points, copies of all documentary and evidentiary requirements (DepEd Order, DepEd Memorandum, written authorization from the School Head, certificates, medals, trophies, plaques and others) shall be presented.
8. To be considered as points, officers in organizations seeking ranking shall present an accomplishment report verified thru certification by proper authorities.
- k. A candidate for graduation honors should take the last two curriculum years of the program or course in the school where he is to graduate, complete the entire program or course within the prescribed number of curricular years, and with no failing grade in any subject.
- I. The following factors and corresponding relative weights toward the evaluation of appropriate graduation honors, such as Class Valedictorian and Class Salutatorian or any other class distinctive academic honors, should be considered:

Quality	Weights
Scholarship (Academic and Vocational)	6
Character and Conduct	3
Co-Curricular Activities	1
<b>TOTAL</b>	<b>10</b>

- m. The ranking in Scholarship will be based on the general average of the pupils or students in the last two curriculum years of the program or course and the student with the highest average will be considered first in the consequent ranking.
- n. The ranking relative to Character and Conduct of the pupils and students should be based on the combined judgment of all the academic personnel of the graduating class.

- o. The ranking on Co-Curricular Activities should be based on performance and degree of involvement of the pupils or students in activities authorized by the school during the last two curriculum years of the program or course.
- p. In determining the final rank of each candidate, the ranking on the quality factors should be multiplied by the corresponding weight, and the sum thereof divided by 10.

**Section 154. Custody of Student Records.** School records of students in every private school shall be kept for a period of at least one year after graduation, except the official school credentials of each student which shall be preserved in perpetuity. In the event of the cessation of operation of the school due to termination of its corporate life, or for other causes, the official school credentials of students shall be surrendered to the Secretary or his duly authorized representative within the period allowed by law for winding up of business.

### **Title VII. Rights and Duties of a Students**

**Section 155. Rights of a Student.** Subject to the limitations prescribed by law and the school policies and regulations, the rights of a student of a private school shall be:

- a. To receive proper and satisfactory instruction in the course he is enrolled, in accordance with the approved educational objectives and standards of the schools;
- b. To be respected in his rights, and to be reasonably and fairly treated as a student and as a person consistent with human dignity;
- c. To form, join or lead in such student organizations or associations as may be recognized or authorized to operate by the school;
- d. To avail of the use of school facilities for his curricular as well as co-curricular activities as may be authorized by the school;
- e. To be formally apprised of any complaint against him, to be heard by himself or counsel, to present evidence for his defense, to confront and cross-examine witnesses, to be informed of the decision on his case, and to appeal the decision to proper authorities, when appropriate; and
- f. To redress of grievances against any wrong or injustice committed against him by any member of the academic community in accordance with the defined channels of authority therein.

**Section 156. Duties of a Student.** Subject to the limitations prescribed by law and the school policies and regulations, the duties of a student of a private school shall be:

- a. To obey and observe all laws and prescribed school rules and regulations;
- b. To respect proper authority, whether governmental or institutional;

- c. To uphold the aims, ideals and integrity of his school;
- d. To abide by, comply with, and maintain the prescribed academic standards of his school;
- e. To conduct himself in a proper and irreproachable manner in his relations and dealings with all members of the academic community;
- f. To observe at all times, inside or outside the classroom or school campus, the accepted principles of proper decorum and good behavior; and
- g. To meet promptly his financial and property obligations to the school.

**Section 157. Attendance and Punctuality.** Regularity of attendance and punctuality are required in all classes. A pupil/student who has been absent or has cut classes is required to present a letter of explanation from his/her parents or guardian or to bring them to school for a short conference with the section adviser or guidance counselor as the case may be.

Attendance of pupils/students in special holidays, activities relative to their religious, e.g. Ramadan, shall be allowed provided permission of the school head is sought.

157.1 Absences. A pupil/student who incurs absences of more than twenty percent of the prescribed number of class or laboratory periods during the school year or term should be given a failing grade and given no credit for the course or subject. Furthermore, the school head may at his/her discretion and in the individual case exempt a student who exceeds the twenty percent limit for reasons considered valid and acceptable to the school. Such discretion shall not excuse the student concerned from responsibility in keeping up with lesson assignments and taking examinations where indicated. The discretionary authority is vested in the school head, and may not be availed of by a student nor granted by a faculty member without the consent of the school head.

Habitual tardiness especially during the first period in the morning and in the afternoon shall not be allowed. Teachers concerned shall call for the parents of the student concerned or visit him at home.

157.2 School Uniform. A school uniform shall be prescribed for all pupils/students. Shoes are considered part of the uniform.

All students shall be required to wear the official school ID in the school campus.

The acceptable haircut for boys shall be at least one (1) inch above the ear and three (3) inches above the collar line.

**Section 158. Student Activities.** Classrooms are to be used for academic purposes only.

No group actions like boycott of classes/demonstrations against any issue, person or teacher will be allowed.

Co-curricular activities shall be subject to prior approval of the school head.

Meetings, assemblies, convocations and activities shall be held in the presence and with knowledge of the Principal, head Teacher or Guidance Counselor, Teacher or Club Adviser/Coach.

**Section 159. Campus Security.** Only bonafide students of the school shall be allowed inside the school campus.

No visitors shall be allowed inside the campus during school hours except for valid reasons. They shall be required to sign the logbook of the security service.

Teachers shall confer with parents/guardians or entertain visitors during their off period.

No students or visitors shall be allowed inside the school building and the premises after the last class period has ended except for schools with night classes.

## **L. SCHOOL SITE AND BUILDINGS**

**Section 160. Ownership.** Unless exempted by the Secretary, each private school shall own its site, or shall have a definite and feasible program for ultimate ownership thereof within a reasonable period, which should be adequate and suitable for the buildings and activities of the school.

**Section 161. Standards on School Site.** The standards on school site of private schools shall be considered, among others, on the factors of total floor in square meters, occupancy at any one time, school developmental plan, and traffic situation in school vicinity, and such other requirements as the Secretary may deem valid and reasonable to issue.

**Section 162. Limitation on School Capacity.** All private schools shall be limited in their enrolment on the basis of occupancy at any one time and total capacity of school facilities and such other factors as may be determined through regulation by the Secretary. Existing schools shall not be allowed to expand in their

enrolment unless the standards on school sites as provided for under this 2010 Manual are satisfied.

**Section 163. School Buildings.** Each private school shall likewise own its buildings, unless otherwise exempted for special reasons by the Secretary. The school buildings should be adequate and suitable for the purposes and activities of the school as required under existing laws, rules, and standards.

#### **M. LABORATORY, EQUIPMENT AND SUPPLIES**

**Section 164. Laboratory Facilities.** Private schools offering laboratory-oriented courses shall have such appropriate and suitable laboratory rooms and equipment and supplies as may be necessary for each level of instruction in accordance with the rules and standards prescribed by the Secretary.

**Section 165. Other Facilities and Supplies.** Each private school shall provide such other facilities and supplies, including teachers' cabinets, tables and chairs, blackboards, library equipment and supplies, laboratory furniture and fixtures, office equipment, modern instructional aids, athletic equipment and supplies, personnel services equipment and supplies, forms and office supplies, and such other essential requirements as may be necessary for effective instruction and efficiency in school operations.

#### **N. LIBRARY AND TEXTBOOKS**

**Section 166. School Library.** Every school shall have a library which shall vary in extent depending on the size of enrollment and which shall be established and maintained for each educational level and/ or program and administered by an educationally qualified and professionally trained librarian with provision for such number of assistants as may be necessary for the effective use of the library and its available resources.

**Section 167. Library Property.** All books in the school library shall be correspondingly stamped with the approved name of the school and properly accessioned according to any of the generally accepted or recognized systems on library management.

**Section 168. Library Holdings or Collection.** The library holdings or collection and materials should be related to the educational courses being offered in the school and the corresponding enrollment. The content of the school library should be adequate in terms of quality relative to such factors as breadth of coverage and representativeness of authorship in the various disciplines, and quantity which refers to the number book holding and reference materials which should be in proportion to the enrollment and needs of the pupils or students and the academic teaching and non teaching staff.

**Section 169. Open Shelf System.** The open shelf system is encouraged to afford pupils and students greater access to the collection of books and materials. Appropriate library facilities shall be provided and maintained for students engaged in research activities.

**Section 170. Library Requirements.** Each school shall provide for the requirements of the school library viz;

a. for Elementary Education

- (1) An adequate number of reference materials for basic learning areas, particularly English, Pilipino, Mathematics, Sibika at Kultura, Kasaysayan/Heograpiya, Science and Health.
- (2) An adequate number of general reference book, including sets of children's encyclopedia, dictionaries, atlases and almanacs.
- (3) An adequate number of sets of supplementary readers in Filipino and English for each Grade and in the vernacular for Grade II and the upper grades.
- (4) Subscriptions to newspapers, periodicals, magazines, and pamphlets in English, Filipino and in the vernacular.
- (5) Audio-Visual equipment. Materials and facilities, such as projectors, tape, cassette recorders, films slides, records, TV sets, and visual aids such as charts, maps and globes.
- (6) Professional books of recent edition in the different subject areas for teachers' references and subscriptions to professional magazines and journals.
- (7) Basic library furniture and fixtures such as reading/working/tables, chairs, card catalogs, vertical files, single and double-faced book shelves, open shelves shelf list cabinets, newspaper and magazine display racks, storage cabinets, charging desks, dictionary and atlas stands.

b. For Secondary Education

- (1) Adequate reference materials including sets of general subject encyclopedia, dictionaries (English, English - Filipino, Dialects), atlas, almanacs, fiction (30%), non – fiction (70%), books of general interest, biography books, cyclopedia, yearbook, manuals, handbooks.
- (2) Supplementary reading materials for each curriculum year.
  - (a) First Year – one set of silent readers and one set of supplementary readers consisting of twenty-six (26) copies per set of English and Filipino. Other subject

- areas should have at least four (4) supplementary, reading materials.
- (b) Second year – Two (2) sets of supplementary readers consisting of twenty-six (26) copies per set of English and Filipino. Other subject area should have at least four (4) supplementary reading material.
- (c) Third year and Fourth year – one (1) set of a collection of short stories of twenty six (26) copies per set for English and Filipino. The other subject areas should have at least four (4) supplementary reading materials.
- (3) An adequate number of subscriptions to newspapers, magazines and periodicals in English and in Filipino appropriate for the curriculum year.
- (4) An adequate number of professional books of recent edition and subscription to professional magazines and journals in each subject area for teachers' references.
- (5) Initial collection of 4,000 for an enrollment of 500 or less.
- (6) Audio-visual equipment and materials as information and learning tools, such as projector, TV sets, films, slides, tapes, records.

**Section 171. Library Administration.** The library of private secondary schools shall be administered by professionally trained full-time librarians. In small elementary and secondary schools, the library may be under the charge of a part-time librarian, subject to the approval of the Secretary or his duly authorized representative.

**Section 172. Filipino-authored Books.** Filipino-authored books and other curricular materials, if available, shall be adequately represented in private school libraries, which may be appropriately designated as Filipiniana section.

**Section 173. Change of Textbooks; Limitations.** As a general rule, all private schools shall not change their prescribed textbooks oftener than once every four years without the prior approval of the Secretary. In allowing change of textbooks before the prescribed period, the Secretary or his duly representative shall take into account, among others, the quality and reasonableness of the price as well as the pedagogical suitability of the books.

The school administration, subject to the provisions of existing laws and rules, may require its approval on the selection and adoption by any teaching personnel of textbooks for use in classroom instruction.

The sale of textbooks or other classroom materials by any school personnel to students, without the approval of the school head, shall be allowed and subject to the rules and regulations of the school.

## O. SCHOOL RECORDS

**Section 174. Contents of School Records.** The school record of any transferring pupil or student sent by one school to another should contain the final rating in each subject with the corresponding credits or the action taken thereon; in the case of the elementary level, the general average of the pupil including the quarterly rating if the pupil leaves school before completing the school year.

**Section 175. Request for School Record.** Upon submission and acceptance of the transfer credential, the school to which a pupil or student has transferred shall request in writing for the complete school records (Form 137) or transcript of records of the pupil or student from the school last attended. The latter school shall forward such records directly to the school within thirty days from receipt of the request.

The school records should not be given to the pupil or student unless authorized in writing by the school requesting for said records.

**Section 176. Release of Records.** The school records of a pupil or student under a penalty of suspension or expulsion shall not be released until the lapse of the penalty – therefore, at the discretion of the school in the case of suspension, or approval by the Secretary in the case of expulsion.

## P. METHOD OF TEACHING

**Section 177. Policy.** All private schools shall be allowed to adopt and use any acceptable method of teaching, provided that it produces the results contemplated in the approved course of study.

Teaching in all levels of instruction in private schools shall be humane, imbued with a civic and social conscience, and guided by the precept of parental love and responsibility as provided by law.

## Q. SCHOOL FINANCE

**Section 178. Policy.** It is the policy of the State that the national government shall contribute to the financial support of educational programs pursuant to the goals of education as declared in the Constitution. Towards this end, the government shall (1) adopt measures to broaden access to education through financial assistance and other forms of incentives to schools, teachers, pupils,

and students; and (2) encourage and stimulate private support to education through, among others, fiscal and other assistance measures.

**Section 179. Funding and Sourcing.** Private schools may be funded from their capital investments or equity contributions, tuition and other student fees, grants, loans, subsidies, passive investment income, and other sources.

A private school may receive any grant, legacy, donation, gift, bequest or devise from any individual, institution, corporation, foundation, trust, philanthropic organization, and research institution or organization.

Private schools may engage in any auxiliary enterprise to generate income primarily to finance their educational operations and/or to reduce the need to increase student fees.

**Section 180. Tuition and other Student Fees.** Each private school shall determine its rate of tuition and other school fees or charges. The rates and charges adopted by schools pursuant to this provision shall be collectible, and their application or use authorized, subject to rules and regulations promulgated by the Department.

**Section 181. Application and Documents Required.** Any private school which desires to revise its rates of tuition or other school fees or charges or to impose other fees or charges shall file application therefor with the Regional Director. The application shall include:

- a. Statement of the itemized current rates of tuition and other charges and the corresponding itemized proposed changes thereon, as well as the new fees or charges proposed to be imposed, and of the proposed allocation of the incremental proceeds. Such statements shall, when accomplished be under oath by the proper official (s) of the school concerned.
- b. Financial statement showing the financial status of the school duly certified by a certified public accountant.
- c. A copy of the last tax return, filed with the Bureau of Internal Revenue.

**Section 182. Limitation.** The increase in tuition or other school fees as well as new fees or charges shall be subject to the following conditions:

- a. Consultation – in any proposed increase in the rate of the tuition fee, there shall be appropriate consultations conducted by the school administration with the duly organized student government and with the parents of students; and
- b. That no increase in tuition or other school fees or charges shall be approved unless seventy (70%) per centum of the proceeds is allocated for increase in salaries or wages of the members of the faculty and all other employees of the school concerned, and the balance for institutional

development, student assistance and extension services, and return to investments: Provided, That in no case shall the return to investments exceed twelve (12%) per centum of the incremental proceeds.

## R. POLICIES AND GUIDELINES FOR THE GOVERNMENT ASSISTANCE TO STUDENTS AND TEACHERS IN PRIVATE EDUCATION AT THE BASIC EDUCATION LEVEL EFFECTIVE SY 2010-2011

**Section 183. General Guidelines.** The following general guidelines shall apply to both Education Service Contracting (ESC) and Education Voucher System (EVS) programs. Unless otherwise specified, the term *grantee* shall refer to either an ESC grantee or an EVS voucher holder. The term *grant* shall refer to either an ESC grant or an EVS voucher.

### A. Conditions Of The Education Service Contracting And Education Voucher System Grants

1. The ESC and EVS grants cover four (4) years of secondary school from 1<sup>st</sup> year to graduation. They can start only at the first year level. No new grants shall be awarded at higher year levels.
2. The grant is deemed renewed for the next school year if the student is promoted to the next year level and enrolls in the same school. Since both ESC and EVS are systems of financial assistance to the grantees, no maintaining grade shall be required for retention in this program.
3. The grant is deemed terminated for any one of the following reasons:
  - a) If the student drops out for non-health reasons in the middle of the school year
  - b) If the student has not applied for an official leave and does not re-enroll the following year
  - c) If the student is retained at the same year level or otherwise not promoted to the next higher year level
  - d) If the student is suspended for more than two (2) weeks or dismissed to expelled by the school for disciplinary violations
  - e) If the student transfers to a non-ESC or non-EVS participating school
4. For reasons of health and force majeure, a grantee may be allowed to continue enjoying the grant.
5. A grantee may apply for transfer to another ESC or EVS participating school.
6. Transfers from outside the National Capital Region (NCR) into NCR are not allowed. Transfers from NCR to participating schools outside the NCR may be allowed but the amount of the grant is reduced accordingly.

### B. Amount of ESC and EVS Grants and other Financial Matters

1. For all grantees in all regions outside NCR, the amount of the subsidy shall be Five Thousand Pesos (P5,000.00) per grantee for the entire school year.
2. For 1<sup>st</sup> year to 3<sup>rd</sup> year grantees in NCR in SY 2010-2011, the amount of subsidy shall be Ten Thousand Pesos (P10,000.00) per grantee for the entire school year. This is in recognition of the fact that private school tuition and all other fees are much higher in NCR than in the rest of the country.
3. For 4<sup>th</sup> year grantees in SY 2010-2011 in NCR, the amount of subsidy shall be Five Thousand Pesos (P5,000.00) per grantee for the entire school year.
4. If a grantee drops out or transfer to a non-participating school before July 15, 2010, then DepED shall not pay the subsidy. If a grantee transfers to another ESC or EVS participating school before the second Friday of July, then DepED shall pay the grant to the receiving school, not the school of origin.
5. If a grantee transfers to another ESC or EVS-participating school after July 15, 2010, DepED shall pay the subsidy to the school of origin. It shall be the responsibility of the grantee to settle accounts with the receiving school. For SY 2010-2011, the receiving school cannot collect payment from DepED for the late transferee/s. For statistical purposes, the student who transfers after said date shall be counted as a SY 2011-2012 grantee at the school of origin.
6. It shall be responsibility of the receiving school to report in its online school account in the FAPE website the names and other details of transferees in and out of the school concerned.

### C. Private School participation in ESC or EVS

1. Private schools desiring to participate in the Program may write a letter of intent with their contact details to their respective DepED Division Superintendents who shall in turn, endorse their letter to the concerned FAPE Regional program Coordinators, a detailed listing of the names, contact numbers and addresses is available at [www.peac-fape.org.ph](http://www.peac-fape.org.ph). They must meet all the following conditions:
  - a) The school should be recognized by the government
  - b) It must be accredited at least as Level 1 by any member of the Federation of Accrediting Agencies of the Philippines (FAAP), or has passed the FAPE Certification Program.
2. Private schools participating in ESC and EVS shall have passed the FAPE Certification Program, a brief description of which is available at [www.peac-fape.or.ph](http://www.peac-fape.or.ph). FAPE shall continue to implement its certification and re-certification process for participating and prospective

- participating schools, and shall assist these schools in assessing and continuously improving their quality.
3. A private school with permit to operate may be allowed to participate if it has been recently organized for which government recognition is not yet possible, provided it is the only private school operating in the community, and provided further, that it will eventually pass the FAPE Certification Program during the first year of participation.
  4. The private school shall have submitted its complete Basic Education Information System (BEIS) forms for SY 2010-2011 as follows: one (1) copy to the DepED Division Office and two (2) copies to the RPCom.
  5. The Private school has a functional School Improvement Plan (SIP).
  6. The private school has a Dropout Reduction program in place which shall include special counseling for ESC and EVS grantees, when needed.
  7. The private school has a School Committee composed of the school head as chairperson, the representative of the PTA, and the representative of the faculty association. This committee screens and accepts ESC and EVS grantees.
  8. The private school has a functional Faculty Club that continuously promotes the professional and personal development of the teachers.
  9. The participating private school agrees to comply with other conditions that may be imposed to improve the effectiveness of the ESC and EVS programs.

#### D. Allocation of Slots

Using national standards, DepED Office of Planning Service (OPS) shall determine the normal carrying capacity of each public secondary school. The resulting estimated number of students beyond the normal carrying capacity of each public school is herein referred to as "aisle" students. Ideally, the number of ESC and EVS grant shall be proportional (if not equal) to the number of aisle students.

1. **ESC PROGRAM.** For SY 2010-2011, first year ESC slots shall be equal to the number of first year grantees of SY 2009-2010. Additional slots shall be given to participating schools in areas where there is serious overcrowding in public secondary schools Annex B). Priority shall be accorded to FAAP accredited schools and to schools that were rated "Above Standard" in the latest DepED-FAPE Certification Program.
2. **EVS PROGRAM.** For SY 2010-2011, new EVS slots shall be allocated by the DepED OPS to the regions based on identified priority areas.

The Regional Program Committee (RPCom) shall be responsible for determining and distributing additional slot allocations per division on the basis of need, a report of such distribution of allocations shall be

forwarded to FAPE for consolidation which in turn shall render a report to DepED Central Office through the BSE on or before July 30, 2010.

#### Selection of Grantees, Reporting and Billing Arrangements for ESC

1. Participating private schools shall advertise for applicants to ESC and EVS grants in all elementary schools in their catchment areas.
2. The participating schools shall form a School Committee headed by the principal which shall be responsible for the screening and final selection of grantees. The Principal shall be responsible for orienting the grantees and their parents/guardians regarding program policies (it shall be made clear that the ESC is a government program provided for under RA 8545 or GASTPE Law).
3. The criteria for selection are as follows:
  - a) The applicant meets the admission requirements of the school.
  - b) The applicant receives a favorable assessment by the School Committee with regard to his/her parent's/guardian's commitment to support the applicant's completion of secondary education under the program, and enter into a contract with the private school concerned.
  - c) At least 60% of all grantees shall come from public elementary schools. The RPCom shall assign to the participating private schools the 40% allocation of ESC beneficiaries to graduates of private elementary schools, giving priority consideration to those students belonging to the lower middle income bracket. The distribution of the 40% allocation to private schools shall also consider situations where there are no public elementary schools within 1.5 kilometer radius, in such a case the private participating school may use its total ESC allocation for graduates of private elementary schools.
4. Participating schools shall submit electronic data on their grantees to FAPE. The school shall key in the grantee's names and other information into its school account in the ESC-EVS Online Encoding System found at [www.peac-fape.org.ph](http://www.peac-fape.org.ph). Schools are provided with a unique FAPE School ID and a password to access their school account on the website where their list of grantees is available. Electronic accomplishment of these forms shall be required on a yearly basis. A computer program will automatically generate the ESC Billing Statement that must be printed in five copies. These copies should then be signed by the School Committee members and submitted to the appropriate RPCom for processing.
5. The deadline for private schools to submit the signed ESC Billing Statements to the RPCom shall be August 15, 2010. With the help of the FAPE RPCs, the RPCom shall facilitate the review, compilation,

signing of the ESC Billing Statements and forwarding the same to FAPE in Manila not later than August 30, 2010. FAPE shall then consolidate the billing statements in batches and forward these not later than October 30, 2010 to the DepED Accounting Division for processing of payments. All valid claims received within this period shall be paid within the fiscal year. **NO CLAIMS SHALL BE RECEIVED AFTER THIS PERIOD.**

#### E. Selection Of Schools And Grantees, Reporting And Billing Arrangements For EVS

Education vouchers can be redeemed in private schools subjects to the following conditions:

1. Selection of Schools, If there is at least one FAPE-certified private school in a (three) 3 km radius, then the vouchers can be redeemed only in the FAPE-certified school.
2. If there is no FAPE-certified school within a (three) 3 km radius, then any private secondary school in that radius which has government recognition or permit to operate as described in para. C.3 above, may accept EVS grantees, provided that the school concerned shall undergo the FAPE Certification Program within the school year.
3. EVS participating schools shall also establish their school Committee and Faculty Club whose functions are similar to the ESC School Committee and the ESC Faculty Club.
4. Deadline for identifying SY 2010-2011 Voucher Recipients. For SY 2010-2011, new vouchers must be redeemed on or before the expiration date indicated in the voucher.
5. Selection of EVS Grantees
  - a) An EVS grantee must be a public elementary school graduate, PEPT passer, or ALS first year qualifier of high school age. Graduates of private elementary schools are not eligible for EVS.
  - b) Within NCR, only graduates of NCR public elementary schools can redeem or use a voucher in an NCR private secondary school, Elementary school graduates from outside NCR cannot redeem a voucher in an NCR private secondary school.
  - c) The School Committee in the participating private secondary school shall decide whether or not to accept the EVS applicant.
  - d) The School Committee shall also be responsible for orienting the grantees and their parents/guardians on the program and its rules (it shall be made clear to the grantees and their parents that the EVS is a pump-priming program of the government). The parent/guardian shall also sign at the back of the Voucher which is then kept by the school, ready for inspection by the DepEd and/or FAPE monitoring teams.

- e) If the EVS recipient is not accepted by the School Committee, then the school shall return the voucher and all documents presented to the school by the applicant. The applicant may use these documents to apply to another private school.
6. FAPE shall require the submission of electronic data on grantees of each school. The private secondary school shall key in the grantee's names and other information into its school account in the ESC-EVS Online Encoding System found at [www.peac-fape.org.ph](http://www.peac-fape.org.ph). Schools are provided with a unique FAPE School ID and a password to access their school account on the website where their lists of grantees are available. Electronic accomplishment of these forms shall be required on a yearly basis. A computer program will automatically generate the EVS Billing Statement that must be printed in five copies. These copies shall then be signed by the School Committee and submitted to the RPCom for processing.
7. The deadline for private schools to submit the signed EVS Billing Statements to the RPCom shall be August 15, 2010. With the help of the FAPE RPCs, the RPCom shall facilitate the review, compilation, signing of the EVS Billing Statements and forwarding the same to FAPE in Manila not later than August 30, 2010. FAPE shall then consolidate the billing statements in batches and forward these not later than October 30, 2010 to the DepEd Accounting for processing of payments. All valid claims received within this period shall be paid within the fiscal year. **NO CLAIMS SHALL BE RECEIVED AFTER THIS PERIOD.**

#### F. Documentation And Processing Of School Documents

1. All pertinent program forms are available at <http://peac-fape.org..ph> and must be fully accomplished electronically online at the said site.
2. For SY 2010-2011, five copies of the Billing Statement (whether for ESC or EVS) shall be signed by all members of the School Committee.
3. The school shall submit 5 copies of the Billing Statement along with the fully accomplished DepEd BEIS forms which are available at DepEd website: [www.deped.gov.ph](http://www.deped.gov.ph).

#### G. Processing Of School Claims

1. The FAPE RPC and the FAPE national Secretariat shall process school Billing Statements for ESC or EVS on a first-come, first-served basis.
2. The FAPE RPCs shall accept the signed Billing Statements (5 copies) with the fully-accomplished BEIS forms (3 copies). The documents shall be checked for accuracy and completeness before these are

- sent to the FAPE national secretariat for final checking and consolidation.
3. The FAPE national secretariat shall compare the data in the submitted school Billing Statements with the electronically-generated supporting program forms. It shall consolidate the Billing Statements on a first-come, first-served basis, and in batches, endorse these for payment to the DepED Central Office. The batch numbers indicate the priority or queuing order of payment of schools. A school may check its batch number at their own school profile at the FAPE website. The completed BEIS forms shall be sent to the DepED-OPS.

#### H. Payment of Grants through Official School Land Bank Accounts

1. DepED, through the Department of Budget and Management (DBM), shall credit to the schools' Land Bank of the Philippines (LBP) accounts, the payments for ESC, EVS, and TSS grants. This bank account must be in the official name of the school. In no case shall payment be made directly to a person, whether he or she is a grantee or a school official.
2. Sanctions for Errors and Mistakes. Overpayment to a school due to errors and mistakes in the ESC or EVS Billing Statements shall be refunded by said school to the Department of Education. Failure by the school to do so shall cause, among others, the suspension of the school privilege to admit new ESC or EVS grantees.

### **S. RULES AND REGULATIONS ON THE OPERATION OF PRIVATE PRESCHOOLS**

**Section 184. Rules and Regulations on the Operation of Private Preschools.** The recognition of the importance of preschool education in the development of children has brought about the establishment of a large number of preschool programs in the Philippines.

To safeguard and ensure the rights of Filipino children to quality education within reasonable cost, it is imperative that guidelines on the operation of preschools, which include but are not limited to the tuition fees and other fees be enforced. Further, the requirements in the prior increase in tuition fees per DECS Order No. 12, s. 1997 have not been fully observed to the detriment of both parents and pupils.

The Department of Education shall reiterate and assert its authority as stipulated in Education Act of 1982 to regulate the operation of preschools in the country.

1. DECS Order No. 107, s. 1989 re Guidelines on the Organization and Operation of Preschools, specifically on the physical environment requirement will be strictly enforced.
2. Application for permit of new schools must include information on the initial/basic tuition fees and miscellaneous fees to be charged.
3. Schools that have been operating for two (2) years or more without permit should stop their operation.
4. Regional Offices shall publish in leading newspapers the list of registered preschools on or before April of each school year.
5. Established schools must update the Division/Regional offices on their existing tuition and miscellaneous fees yearly.
6. Schools should submit to the Regional Offices accomplished application form for the tuition fee increase together with minutes of meeting with parents and agreements made.
7. Regional Directors are also empowered to recommend limits on the tuition fees increased based on existing laws and guidelines subject to the control and supervision of the Secretary.
8. Regional Offices should form a fact-finding committee which includes supervisors and legal officers to conduct a dialogue/investigation on any school's violation of Department's policy on exorbitant tuition and other fees charged. The committee must also recommend to the Secretary closure of preschools which violate the rules on the establishment of schools.
9. Regional Offices are required to designate a private school supervisor who will closely supervise and monitor preschools with or without permit.
10. Report on the monitoring and supervision must be submitted to the Bureau of Elementary Education, this Department.

**T. GUIDELINES ON OFFERING FOREIGN LANGUAGES LIKE  
SPANISH, FRENCH, AND NIPONGO (JAPANESE) AS ELECTIVE  
SUBJECTS IN THE THIRD AND FOURTH YEAR LEVELS  
OF HIGH SCHOOL.**

***Section 185. Public and Private Secondary schools are encouraged to offer foreign languages like Spanish, French and Nipongo (Japanese) as elective subjects starting SY 2009-2010.*** Schools offering said foreign languages are advised to follow these guidelines;

- a. **Subject Nomenclature.** The subject shall appear in the Student Report Card in the Third Year as Basic Spanish/French/Japanese and in the Fourth Year as Intermediate Spanish/French/Japanese;
- b. **Description.** Basic Spanish/French/Nipongo (Japanese) is designed to develop the macro skills of reading, writing, speaking, listening and viewing using simple and practical language. The objective is to enable students to use the language in day-to-day conversations. Intermediate

- Spanish/French/Nipongo 9Japanese) is designed to prepare students for more complex interactions and more formal use of the language;
- c. **Time allotment.** The subject shall be offered 120 minutes weekly;
  - d. **Unit Credits.** Being an elective, the subject shall be offered as optional for students, hence, shall not carry any unit credits;
  - e. **Assessment.** Assessment shall follow the principles for diagnostic, formative and summative assessments. Students rating shall follow the procedure and shall adopt the factors considered in the computation of the student's grade in the English subject;
  - f. **Qualification and Compensation of Teachers.** The teachers who shall handle the subject should have undergone training or preparation for teaching the subject.
  - g. **Instructional Resources and Facilities.** It is expected that the school offering the language has available classrooms, instructional materials and facilities to support the delivery of the program.

Schools are encouraged to offer any of the foreign languages initially as a pilot for two years. Appropriate adjustments shall be made on the curriculum based on the results of the monitoring and evaluation of the program.

## **U. OPERATIONAL GUIDELINES FOR PRIVATE MADARIS**

### **1.) Permit to Operate.**

- a. Application forms for Permit to Operate are available at the Division Offices of this Department. Duly accomplished forms with the complete required/supporting documents shall be submitted at the Division Office, where the applicant seeks to operate, or where the applicant's school may be located. The same shall be forwarded to the respective Regional Office for final approval of the Regional Director; and
- b. A Madrasah applying for Permit to Operate shall be required to adopt and implement the Standard Curriculum beginning Grade 1, as prescribed in the DepEd Order No. 51, s. 2004.

### **2.) Charging of Tuition Fees.**

Private Madrasah institutions are encouraged to charge reasonable tuition fees sufficient to sustain a quality basic education. DepEd, however, shall not interfere in the decisions of private Madaris operators on matters relative to the amount of tuition fees, provided that the constitution requirements under RA 6728 are compiled with.

### **3.) Incentives.**

The Schools Division Superintendents are authorized to assist private Madaris in their respective divisions, adopting the curriculum as prescribed under DepEd Order No. 51, s. 2004. Such support may be in the form of allowing or assigning one or two teachers to teach RBEC subjects, if such resources are available.

## **V. MISCELLANEOUS PROVISIONS**

### ***Section 186. Calendar of School Events and Activities for SY 2010-2011.***

The private schools may opt to deviate from this school calendar provided they do not start classes earlier than the 1<sup>st</sup> Monday of June and not later than the last day of August as provided for in R.A. 7797. However, they need to complete the minimum number of class days and notify the appropriate DepED office in advance regarding any deviation.

The core events and activities shown hereunder are expected to be observed in schools. These activities shall guide the technical assistance and progress tracking and evaluation that division and regional offices shall perform to support the work of schools.

Make up classes shall be held to compensate for localized suspensions due to typhoons and other calamities or local celebrations such as town or barangay fiestas and foundation day. The Regional Offices have the option to issue a regional school calendar to reflect their respective concerns provided that the total number of school days is maintained.

At the end of the school year, the Division Offices shall report the actual number of school days held in every school under their jurisdiction. Regional Offices shall submit not later than two weeks after the end of the school year a report on the actual number of school days in the different school divisions under their jurisdiction together with recommendations on how the policy on meeting the required number of school days can be strengthened.

### **Calendar for School Year 2010-2011**

Month	Date	No. of School Days	No. of Days per Quarter	Activity
May 2010	24-28	0		National Maintenance Week
June	7-11			Enrolment
	14	13		Beginning of Classes
July		22	47 days	

August	16-17	12		1st Quarter Examinations
	20			Ninoy Aquino Day (special holiday)
	21			Parent-Teacher Conference
	25	9		National Career Assessment
			46 days	Examination (NCAE)
	30			National Heroes Day (regular holiday)
September	30	21		Eid' Fitir (legal holiday)
October	21-22	16		2nd Quarter Examinations
	25-29	5		Mid Year Assessment of School
				Performance/ INSET Break
November	1	21		All Saints Day (special holiday)
	2			Resumption of Classes
	6			Parent-Teacher Conference
	30			Bonifacio Day (legal holiday)
	21 (Luzon)		51 days	Philippine Education Placement Test (PEPT)
	28 (VizMin)			
December	18	13		Start of Christmas break
January	3	12		Resumption of Classes
2011	17-18			3rd Quarter Examinations
	22	10		Parent-Teacher Conference
February	25	19		EDSA People Power I Anniversary
				(legal holiday)
March	2 & 4	23		National Achievement Test (NAT)
				(Elementary)
	10			National Achievement Test (NAT)
			59	(Secondary)
	17-18			Final Examinations (Graduating Students)
	28-29			4th Quarter Examination (Non-graduating students)
April	1-7	7		Graduation ceremonies
	8			Last day of Classes
	9			Parent-Teacher Conference
	18	12		Start of Summer Classes
	21			Holy Thursday
	22			Good Friday

	24		Easter Sunday
May	2	24	Labor Day (legal holiday)
	23-27		National Schools Maintenance Week
	30		End of Summer Classes
	31		Final Examinations
	<b>Total</b>	<b>203</b>	

**Section 187. Parent-Teacher Associations.** Every elementary and secondary school shall organize a parent-teacher association for the purpose of providing a forum for the discussion of problems and their solutions, relating to the total school program, and for insuring the full cooperation of parents in the efficient implementation of such program. All parents who have children enrolled in a school are encouraged to be active members of its PTA, and to comply with whatever obligations and responsibilities such membership entails.

**Section 188. Due Process.** In all matters that may result in the imposition of sanctions against schools, personnel or students, administrative due process shall in all instances be observed.

**Section 189. Sanctions Against Private Schools.** The following are the sanctions that may be imposed against private schools for any violation of the rules and regulations of the Department:

- a. Suspension of the school's participation in Education Service Contracting (ESC) and Education Voucher System (EVS) programs;
- b. Non-issuance of a favorable recommendation for tax exemptions;
- c. Disqualification from any financial grant or subsidy of the Department;
- d. Suspension of the permit or recognition to operate the school; and
- e. Revocation of the permit or recognition to operate the school.

Application of sanctions and penalties for violations of the rules and regulations of the Department shall be consistent with the gravity of the offense or violation committed by the school. The school may appeal the application of any sanction imposed by a Regional Director to the Secretary within fifteen (15) days from receipt of notice of such sanction.

**Section 190. Policies, Standards and Regulations for Philippine Schools Overseas.** The Department incorporates in this Manual all the provisions of the "Manual of Policies, Standards and Regulations for Philippine Schools Overseas (Second Edition)" to govern the operation and administration of Philippine schools overseas.

**Section 191. Separability Clause.** Any part or provision of this Manual which may be held invalid or unconstitutional shall not affect the effectiveness and efficiency of operation and implementation of its remaining parts or provisions.

**Section 192. Repealing Clause.** Any existing Department orders, circulars, memoranda, or any part thereof, including the Implementing Rules and Regulations of The Education Act of 1982, B.P. Blg. 232, which are contrary to or inconsistent with any provision of this Manual, shall be deemed repealed or modified accordingly. Any provision or regulation contained in the 1992 Manual of Regulations for Private Schools, as amended, which is not mentioned in this Manual and which does not form part of existing law shall be considered repealed.

**Section 193. Effectivity.** This 2010 Revised Manual of Regulations for Private Schools in Basic Education is hereby approved and shall take effect fifteen (15) days from its publication in the Official Gazette.

**Prepared and recommended by:**

  
ATTY. FRANKLIN C. SUNGA  
Undersecretary

**Approved by:**

  
MONA D. VALISNO  
Secretary 