



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

CHED MEMORANDUM ORDER (CMO)

No. 13

Series of 1998

Subject: **GUIDELINES ON THE PROCEDURE TO BE FOLLOWED BY HIGHER EDUCATION INSTITUTIONS (HEIs) INTENDING TO INCREASE THEIR TUITION FEES, EFFECTIVE BEGINNING SCHOOL YEAR 1998-1999**

To : All CHED Central Office Directors
All HERO Directors
Presidents of State Universities and Colleges
Heads of Private Higher Education Institutions
Administrators of CHED-Supervised Institutions

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In accordance with the pertinent provisions of Republic Act (RA) No. 7722 otherwise known as the "Higher Education Act of 1994" and in compliance with the Memorandum of His Excellency President Fidel V. Ramos on the creation of a Multi-Sectoral Committee on Tuition Fee, the Commission hereby adopts and promulgates the following guidelines on the procedure to be followed by all Higher Education Institutions (HEIs) intending to increase their tuition fees effective beginning school year 1998-1999, thus:

1. **The Consultation Requirement** - All HEIs, public or private, intending to increase their tuition fees for the ensuing School Year (SY) must conduct consultations, as hereinafter defined and provided, with their student councils/governments, and their faculty, alumni and /or non-teaching personnel associations.

In the absence of a student council/government in an HEI, the student organizations and societies recognized by it shall select not more than ten (10) representatives who will participate in the consultation.

2. **The Consultation Process** - For the purpose of these guidelines, consultation shall mean actual meetings and/or discussions on the advantages and disadvantages of the proposed increase in tuition fees wherein the participants will have an opportunity to air their objections, sentiments and the like, without fear, and under a free and candid atmosphere.

The consultation process must be initiated by the Presidents/Heads of the HEIs or their representatives. They shall inform the Commission's Higher

Education Regional Offices (CHEDROs) concerned of the holding of such consultations fifteen (15) days before the actual dates of consultations. During the consultation process, the presence of a CHEDRO representative may be requested.

2.1. **Notice** – At least fifteen (15) days before the dates of consultations, notices must be sent to all parties involved and conspicuously posted on the HEIs bulletin boards. Various stakeholders may conduct consultation/s with their respective constituents.

The HEIs latest audited financial statements shall be made available to authorized parties upon request.

2.2. **Consultation Period** – The consultation period must have been completed not later than 28 February of the school year preceding the SY that the intended increases shall take effect.

3. Procedure

3.1. **State Universities and Colleges (SUCs)** – As provided in RA 8292, the governing board of SUCs shall have the power "to fix the tuition fees and other necessary school charges, such as, but not limited to, matriculation fees, graduation fees and laboratory fees, as their respective board may deem proper to impose after due consultations with the involved sectors."

The Presidents/Heads of public HEIs shall certify that the required consultation has been conducted which certification shall be submitted to the Commission, through its concerned CHEDROs, within fifteen (15) days from the date of the termination of the proceedings relative thereto.

3.2. **CHED-Supervised Institutions (CSIs)** – The CSIs intending to increase their tuition fee shall submit a certification of conduct of consultation signed by the Administrator/Superintendent to the CHEDRO. This certification together with the schedule of tuition fees shall be submitted fifteen (15) days after consultation for approval by the CHEDRO Director.

As per R.A. No. 8292, every state university and college shall adopt and implement a socialized tuition fee scheme approved by its Board of Trustees/Regents. In case of CHED-supervised institutions (CSIs), the Commission en banc shall approve such scheme that the CSI shall adopt and implement.

Such scheme aimed at democratizing access to higher education shall be based on the student's family income/financial capacity, and the school's course offerings calibrated in accordance with national development concerns.

3.3. **Private HEIs** – With respect to private HEIs, the following shall be observed, thus:

3.3.1. The following documents must be submitted to the Commission, through the CHEDROs concerned, on or before 01 April of the year the approved planned tuition fee increase shall take effect.

a. A Letter of Advice (LOA) signed by the President/Head of the HEI informing the Commission of its intention to increase tuition fees;

b. A Certificate of Intended Compliance (COIC) stating that seventy percent (70%) of the proceeds to be derived from the tuition fee increase shall be used for the payment of increase in salaries, wages, allowances and other benefits of its teaching and non-teaching personnel and other staff, except those who are principal stockholders of the HEI, including such increases as may have been provided for in the Collective Bargaining Agreement (CBA), if any, existing or in force at the time when Republic Act (RA) 6728 took effect. The COIC shall be certified under oath by the school head.

c. A Certificate of Compliance (COC) stating that seventy percent (70%) of the proceeds derived from the tuition fee increase for the current school year are being used for the payment of increase in salaries, wages, allowances and other benefits of its teaching and non-teaching personnel and other staff, except those who are principal stockholders of the HEI, including such increases as may have been provided for in the Collective Bargaining Agreement (CBA), if any, existing or in force at the time when Republic Act (RA) 6728 took effect. The COC shall be certified under oath by the school head.

To ensure transparency and to facilitate adequate deliberations of issues and concerns, the said certificate must be posted on the HEI's bulletin boards and/or displayed at appropriate locations on the campus;

d. A comparative schedule of tuition fees for the current School Year (SY) and the proposed increases for the ensuing SY with the difference(s) expressed in both peso and percentage terms;



e. A certification signed by the school head that the appropriate consultation(s), as herein provided for, has been made accordingly.

The certification shall include information on the conduct and results of such consultation, including objections raised by the student government/council, the faculty association, and/or other parties to the consultation. Such formal objections, if presented, including counter-proposals where made, should form part of the information required in the certification; and

f. A list of the officers of its student council/government and/or in their absence, the duly recognized student organizations/societies with their corresponding officers.

4. National Multi-Sectoral Committee on Tuition Fee (NMSCTF)- The National Multi-Sectoral Committee on Tuition Fee is hereby organized in compliance with the directive of His Excellency, the President of the Philippines.

The Committee shall be composed of the Commission on Higher Education as the lead agency and the following as members- DSWD (Flagship champion), DECS, SRC-Youth Sectoral Representative, COCOPEA, PASUC, National Faculty Association (Public & Private) and National Student Organizations.

The NMSCTF shall exercise oversight responsibility over the Regional Multi-Sectoral Committee on Tuition Fee and shall have the following functions:

- a. To review, recommend and evaluate policies and guidelines on school fee adjustments.
- b. To conduct meetings whenever necessary with different stakeholders in education.
- c. The Office of Student Services-CHED shall act as the Secretariat of the National Multi-Sectoral Committee on Tuition Fee and shall be tasked with among others the consolidation and preparation of reports from the CHEDROs for submission to the Office of the President through the Office of the Executive Secretary.

5. Regional Multi-Sectoral Committee on Tuition Fee (RMSCTF)- A Regional Multi-Sectoral Committee on Tuition Fee shall be established in every region to ensure that monitoring of compliance of schools, colleges and universities with guidelines is conducted.

This Committee shall have the CHED Regional Office as lead agency and the following as members- DSWD-RFO (Flagship champion), DECS-RO, NEDA-RO, SRC-Youth Sectoral Representative, Regional COCOPEA Representative, Regional PASUC Representative, Faculty Representative (public & private) and Regional Student Organizations.

The duties and functions of the RMSCTF shall be:

- a. Ensure that the CHEDROs monitor the implementation of school fee guidelines and policies by their respective institutions of learning.
 - b. Conduct meetings and dialogues as deemed necessary with different stakeholders in education.
 - c. Resolve problems pertaining to school fee issues elevated by the CHEDRO to the Regional Multi-Sectoral Committee on Tuition Fee.
 - d. Whenever requested by any of the stakeholders, act as a team to monitor compliance of schools, colleges and universities on school fees particularly the provisions on consultation, allocation of incremental proceeds derived from tuition fee increases and utilization of other school fees requested by any of the stakeholders.
 - e. Perform other functions relative to school fees which may be assigned by the National Ad-Hoc Multi-Sectoral Committee on Tuition Fee.
 - f. The CHEDRO shall act as Secretariat of the Regional Multi-Sectoral Committee on Tuition Fee.
6. **CHEDROs** – The Commission's Regional Offices shall perform the following functions relative hereto, thus:

6.1. Monitor the implementation of HEIs of these guidelines and furnish the Commission, through its Executive Director, a formatted report on the increases in tuition fees and related developments on or before 31 May of every calendar year;

6.2. When requested by any of the stakeholders, assist the Regional Multi-Sectoral Committee on Tuition Fee (RMSCTF) in monitoring compliance of HEIs particularly with the provisions on consultation and allocation of incremental proceeds derived from fee increases;

6.3. Intervene in case of disputes and/or complaints regarding tuition fee increases;

6.4. In appropriate instances, elevate to the Regional Multi-Sectoral Committee (RMSCTF) unresolved cases anent hereto; and

6.5. Act as Secretariat for the RMSCTF .

7. **Incoming Freshmen** – Tuition fees which may be charged by HEIs to incoming freshmen are not covered by these guidelines. HEIs, however, must post in conspicuous places in their premises the schedule of tuition fees for entering freshmen on or before February 28 of the school year preceding the SY that the rates are to take effect.

8. **Sanctions-** In case of any violation of the provisions of these guidelines, the concerned CHED Regional Office, upon recommendation of the Regional Multi-Sectoral Committee on Tuition Fee may bar the institution from or cancel its application for tuition fee increase without prejudice to the filing of administrative and criminal charges against the school and/or its responsible officers under existing laws.

Any HEI that shall refuse to furnish copies of its audited financial statements as requested by authorized parties in the process of consultation shall forfeit its right to increase its tuition fees, in addition to other penalties or sanctions as may be imposed by the CHED Regional Office upon recommendation of the Multi-Sectoral Committee on Tuition Fee.

9. **Issuances Contrary Herewith** – All administrative issuances and/or any parts thereof which are contrary to and/or in conflict herewith are hereby repealed, revoked, superceded and/or amended accordingly.

10. **Effectivity** – These guidelines shall take effect and should be observed by all HEIs starting SY 1998-1999 and shall remain in force and effective in subsequent school years unless changed or amended.

Pasig City, Philippines February 12, 1998


ANGEL C. ALCALA
Chairman


MONA D. VALISNO
Commissioner


KATE C. BOTENGAN
Commissioner


ESTER A. GARCIA
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