



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

CHED MEMORANDUM ORDER (CMO)

No. 25

Series of 2003

**SUBJECT : IMPLEMENTING RULES AND REGULATIONS (IRR)
FOR CHED MEMORANDUM ORDER NO. 08 SERIES OF
2003, OTHERWISE KNOWN AS THE GRANT OF
UNIVERSITY SYSTEM TITLE TO HIGHER
EDUCATION INSTITUTIONS**

In accordance with the pertinent provisions of Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994" and by virtue of CHED Memorandum Order No. 08 series of 2003, and in consonance with CHED Resolution No. 044 dated February 17, 2003 the following Implementing Rules and Regulations governing the use of "University System" title by higher education institutions in the country, is hereby promulgated for the observance and compliance by all concerned.

RULE I

TITLE AND POLICIES

Section 1. Title – This IRR shall be known and cited as the Implementing Rules and Regulations for the grant of University System title to higher education institutions.

Section 2. Policies – It is the declared policy of the State to establish, maintain and support a complete, adequate and integrated system of higher education relevant to the needs of the people and society.

In pursuit of the said policy, the CHED has adopted several strategies to address the trend towards mass higher education without sacrificing quality in the delivery of higher education. These are all geared towards the attainment of CHED's four goals, namely: quality and excellence, relevance and responsiveness, access and equity, efficiency and effectiveness.

One of the strategies identified is for excellent higher education institutions (HEIs) to transform themselves into University Systems where common academic policies and administrative structures are used to the greatest advantage, without restricting academic freedom and institutional mandates.

RULE II
OBJECTIVES

Section 3. This set of Rules are promulgated to prescribe the procedures and guidelines for the implementation of **CHED MEMORANDUM ORDER No. 08, Series 2003**, otherwise known as the "**GRANT OF UNIVERSITY SYSTEM TITLE TO HIGHER EDUCATION INSTITUTIONS**" which contained the policies and guidelines for the establishment or creation of a "University System" by higher education institutions.

RULE III
COVERAGE

Section 4. This set of policies and guidelines applies to all HEIs, both private and public.

RULE IV
DEFINITION OF TERMS

Section 5. Definition of Terms – Whenever used in this IRR, the following words or phrases shall mean or refer, thus:

- A. "**Higher Education Institutions (HEIs)**" refers to all institutions of higher learning in the Philippines primarily offering baccalaureate and graduate programs duly recognized by CHED.
- B. "**University System**" is an organized academic entity composed of separate but interrelated constituent units, at least one of which has university level status. A single board responsible for the formulation of system-wide policies and programs governs a University System. A University System must have a clearly defined organization that is governed primarily by the board and by a set of officers, both system-wide and for each constituent unit.
- C. "**Governing Board**" refers to the governing body or board which is commonly called as Board of Trustees/Directors/Regents which has full powers of organization and governance of the System and is vested with the responsibility of formulating policies common to all units of the System. The exercise of the University's corporate power is also vested exclusively in the board.

- D. "**System Administration**" refers to the body that coordinates and integrates system-wide functions and activities. The University System's Chief Executive Officer and head of the System Administration (maybe called President) is appointed directly by and is responsible to the governing board.
- E. "**Constituent Unit**" refers to a college/university that is part of a University System. To qualify as a constituent unit, at least fifty percent (50%) of its tertiary program offerings should have Level II accreditation and more than fifty percent (50%) of its student population should be at the tertiary level.
- F. "**Academic Senate**" refers to an academic body that passes on all academic policies for recommendation to the governing board. The regular faculty members of all constituent units are represented in this Senate.
- G. "**University Council**" refers to an academic body of a constituent unit that recommends to the governing board all academic policies applicable only to the unit.
- H. "**Main Campus**" is the campus where the administrative services of the University System are located and/or where its President holds office permanently. A constituent unit with several branches/campuses may also designate a main campus.
- I. "**Branch**" is a part of a constituent unit separated from its main campus. It has an administrative unit whose head may be called campus head, director or dean or any title consistent with the unit's administrative structure.

RULE V

APPLICATION PROCEDURES

Section 6. PROCEDURES FOR APPLICATION

A. GENERAL APPLICATION PROCEDURES

1. Applicant HEIs must file an application for the issuance of the articles of incorporation with the Securities and Exchange Commission (SEC).
2. The SEC shall indorse said application to the CHED Central Office for comments/recommendations.

3. CHED thru its Legal Affairs Service conducts paper evaluation. Its recommendation shall be based on the evaluation of the purpose, organizational structure, list of incorporators, and by laws.

The favorable indorsement from CHED by the Chairperson to the Securities and Exchange Commission (SEC) should not be construed as an expressed grant of authority to operate or to use the University System appellation.

4. After approval of SEC, applicant HEI shall submit a written application to the CHED Central Office through the Regional Office. The application shall consist of:
 - 4.1 The Articles of Incorporation duly issued by the Securities and Exchange Commission (SEC).
 - 4.2 Profile of all constituent units: its vision/mission statements, officials, organizational structure, certificates of enrolment, accreditation, board performance (last 5 years), faculty, research and extension.
 - 4.3 Evidence that the HEI has complied with the policies and criteria for grant of University System title.
 - 4.4 Other supporting documents essential to the application and as required by CHED.
5. The concerned Regional Office shall duly receive the application and forward the same to the Central Office.
6. By submitting an application for grant of University System, the applicant HEI authorizes the Commission to examine its procedures and processes, including access to records, interview with personnel, and inspection of facilities on an announced or unannounced basis.

B. SPECIFIC PROCEDURES FOR PROCESSING APPLICATION

Receiving and Recording of Application

1. The applicant HEI submits application to the CHED Regional Office with complete documents.

2. The CHED Regional Office after conducting a determination as to the completeness of the submitted documents, forwards the application to the CHED Central Office.
3. The application is recorded in the CHED Records Section and forwarded to the Office of Programs and Standards (OPS) after payment of the required fees to the Higher Education Development Fund (HEDF).
4. The application is assigned to the concerned unit or a specialist/staff for processing within the OPS.

Documentary Processing of Application

5. The OPS specialist/staff prepares acknowledgement letter to be signed by the Executive Director endorsed by the OPS Director.
6. The specialist/staff reviews the completeness of documents, makes initial determination as to compliance to **CHED Memorandum Order (CMO) No.8, series of 2003**, and indicates in the summary of findings any deficiencies.
7. If there are noted deficiencies, the OPS will inform the applicant HEI, to submit lacking document/s.
8. If documentary requirements are complete, the OPS through its Director forwards the application and recommendation to the Executive Director for further processing.

C. THE EVALUATION PROCESS

The application for the use of **University System** title in the corporate name of higher education institutions shall be evaluated on the basis of its compliance with existing requirements provided for the grant and/or retention of University Status under **CMO No. 48, s. 1996** and also with Article V of **CMO No. 08, series of 2003**.

Committee Evaluation

1. The Commission forms a committee composed of experts, concerned Regional Director and selected Central Office Directors to conduct the assessment of the applicant HEIs. The Committee shall do the following activities:

- 1.1 Conduct meetings and review the documents submitted by the HEI.
- 1.2 Confer with key officials of proposed University System.
- 1.3 Conduct ocular visits to the constituent units.
- 1.4 Conduct interviews with Deans, Registrars and other Administrative staff and students regarding wide-ranging activities of the school.
- 1.5 Consolidate findings, prepare reports and recommendation on their evaluation, and submit the same to the Commission.

Submission of Recommendation to the Commission

2. The Committee through the Executive Director's Office (EO) recommends final action to the Commission.
3. The Commission deliberates on the recommendation and approves/disapproves application.
4. If disapproved, EO informs the OPS who in turn informs the HEI.

Issuance of Grant of University System Title

5. If approved, the EO prepares certificates of the Grant of **University System Title** for signature of the Chairperson and releases the same to the applicant through the Records Office.

Section 7. Application Fees. An application fee in the amount of seventy thousand pesos (P70,000.00) shall be paid by the applicant school to the Higher Education Development Fund (HEDF) of the CHED Central Office. For applicants with more than two (2) constituent units, a fee of twenty thousand pesos (P20,000.00) per additional constituent unit shall be charged.

Section 8. Secretariat of the Committee Members. The members of the Secretariat shall come from the CHED Regional Office where the main campus of the applicant school is located. At most two staff members of the OPS may join the secretariat as observers. The EO shall be responsible for payment of travelling expenses of the CHED Regional Staff during meetings conducted in Manila and places where the other constituent units are located.

Section 9. Budget – The budget for the initial meeting/visit of the Committee shall be charged to EO Funds. However, upon collection of fees from applicant schools, the budget for the succeeding visits shall be charged to the HEDF.

RULE VI

APPROPRIATE SANCTIONS FOR VIOLATIONS

Section 10. Appropriate Sanctions for Violations. Any educational institution found to have committed any of the following acts, after due process and hearing shall be meted with an appropriate penalty or administrative sanction depending upon the gravity of violation/s:

- A. Use of the term **“University System”** in the corporate name of a higher education institution without prior authority from the Commission; e.g. in advertisements, announcements and brochures.
- B. Premature use of the term **“University System”** in the corporate name of higher education institutions or use of the university system name during the pendency of the application for such use with the Commission.
- C. Fraud of deceit committed by the school officials in connection with the application for the use of the term **University System** in the corporate name of higher education institutions with CHED.

Depending upon the gravity of the violation, the following administrative penalties shall be imposed against higher education institutions found violating or continue violating the immediately preceding act/s, to wit:

1. Loss of status currently held.
2. Withdrawal of government authority to operate specific programs depending on the gravity of the violation.
3. Ineligibility for or cancellation of grant of autonomy or deregulated status.
4. Recommendation to the SEC on the revocation of HEIs' registration for violation of this Order.

The above shall be exclusive of other possible sanctions, i.e., filing of the proper civil, criminal or administrative actions against responsible school officials found initiating or abetting the violations.

RULE VII

SEPARABILITY CLAUSE

Section 12. Separability Clause – If for any reason, any part or provision of this IRR is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

RULE VII

EFFECTIVITY CLAUSE

Section 13. Effectivity Clause – this IRR shall take effect after fifteen (15) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Pasig City, Philippines November 27, 2003



ROLANDO RAMOS DIZON
Chairman