

Republika ng Pilipinas
(Republic of the Philippines)
KAGAWARAN NG EDUKASYON AT KULTURA
(DEPARTMENT OF EDUCATION AND CULTURE)
Maynila

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DEPARTMENT ORDER
No. 22, s. 1975

SUPERVISION AND REGULATION OF PRIVATE SCHOOLS
UNDER THE DEC REORGANIZATION PLAN

To the: Bureau Directors
Regional Directors

Pursuant to law and existing policy, the following guidelines on the exercise of the authority to supervise and regulate all private schools in the Philippines are hereby prescribed:

I. POLICIES

1. Private Schools and the Educational System. -

Private schools in the Philippines are of two kinds: (a) Philippine Schools, and (b) Foreign Schools. Private schools, as integral part of the educational system, shall be recognized on equal footing with the public schools and shall play complementary role toward the attainment of national goals. Foreign schools, whose operation in the Philippines is defined and limited by law, shall be treated as special schools and shall be considered separate from the educational system.

2. Internal Administration and Supervision. -

Each private school as a juridical person shall be taken as an autonomous organization. Each school shall have its own set of administrative and instructional personnel who are directly responsible to the school's governing board as the highest authority therein. The school's governing board is represented for purposes of government supervision and regulation, by the school president, rector, director or principal, or such official as may be delegated by him or under the organization of the school.

II. AUTHORITY

1. Legal Authority. - The legal authority on the supervision and regulation of private schools in the Philippines is vested unto the Secretary of Education and Culture. However, for purposes of the exercise of the authority, the concept of concurrent jurisdiction with other government departments and/or agencies concerned, shall be recognized and accepted in order to effect a rational, coherent, and systematic exercise of government supervision and regulation of the operations of private schools.

2. Delegation of Authority. - The promotional bureaus under the Secretary of Education and Culture namely: the Bureau of Elementary Education, the Bureau of Secondary Education, and the Bureau of Higher Education, shall be charged with the responsibility of formulating policies and standards of courses at their respective levels, consistent with the general policies in education prescribed by the National Board of Education. The implementation of policies and standards, as approved by the Secretary of Education and Culture, shall be the responsibility of the Regional Offices: provided, however, that a greater degree of flexibility and autonomy in operation of private schools at the third level shall be observed and maintained, in order to effect a more conducive atmosphere for creativeness, innovativeness, and growth.

3. Coordination Between Staff and Line Agencies. - Congruence in the formulation and implementation of policies and standards governing private schools and their operations shall be promoted and maintained by and between staff and line agencies. For this purpose, there shall be close coordination by and between the three promotional bureaus, in order to relate the integrate policies and standards at the various levels of instruction with one another. There shall likewise be close coordination and cooperation by and between the promotional bureaus and the regional offices, which shall be achieved through the exercise by the former of functional supervision on the implementation of policies, programs and standards by the latter.

4. Supervision of Private Schools. - The nature and extent of supervision and regulation over private

schools shall be one of general supervision, or in the concept of attachment, for purposes of program and policy coordination. Accordingly, the exercise of the authority of private schools supervision and regulation shall be characterized by reasonable flexibility, fairness, and good deal of understanding.

The type of supervision heretofore exercised over private schools by private school regional superintendents or area supervisors shall be maintained until further advise.

5. Communication Flow. - All communication relating to policies and standards shall emanate directly from the Office of the Secretary of Education and Culture and shall be coursed through the Regional Director.

Communications from private schools shall as a general rule be coursed through the Regional Director. Matters beyond the scope of authority of Regional Offices shall be forwarded to the Secretary of Education and Culture, within a period of three days from receipt thereof.

III. DELEGATION OF FUNCTIONS

1. Delegated Functions to Regional Directors. - Subject to existing rules and standards, the following functions relative to private schools or courses are delegated to the Regional Directors, and by him, to the other supervisory officials of the regional and division offices:

- a. General supervision of all private schools in all levels;
- b. Grant of "go-signal" for the establishment of a new school, or opening of additional courses, at the first and second levels of instruction, and short-term vocational/technical courses;
- c. Report and recommendation regarding the grant of "go-signal" for the operation of third level of instruction courses, including establishment of foreign schools in the region;

- d. Inspection of private school facilities and other requirements for the grant of permit to operate private school courses at the first and second levels of instruction, including short term vocational/technical courses;
- e. Grant of temporary permit for the operation of private school courses at the first and second levels of instruction, including short-term vocational/technical courses;
- f. Inspection and submission of report and recommendation on the grant of government recognition for private school courses at the first and second levels of instruction, including short term vocational/technical courses, and if so specifically/authorized, on certain courses at the third level;
- g. Report and recommendation for the withdrawal or cancellation of government recognition of private school courses at all levels, including foreign schools;
- h. Report and recommendation for the restoration of cancelled or revoked government recognition of private school courses, including retention of the same in cases of non-operation, transfer to another site, or change in ownership of the private school or course;
- i. Evaluation of application and grant of permit to operate summer classes, as may be allowed through prescribed regulation;
- j. Evaluation of application and grant of authority to operate week-end/Saturday Classes, as may be allowed through prescribed regulation;
- ✓k. Report, comment and recommendation on innovative practices, activities, or arrangement by or among private schools;
- l. Evaluation and compilation of institutional rules and standards;
- m. Evaluation and approval of class and teachers' programs;

- n. Comment and recommendation on private school curricula at all levels of instruction;
- o. Receipt of applications for increase in tuition fee and/or other school charges, and submission of comment and recommendation thereon, within the reglamentary period as may be prescribed;
- p. Acceptance of enrolment lists, reports of promotion and other pertinent records to be submitted by individual private schools, and submission of copy each of same records on tertiary courses to the DEC, as provided for under existing rules;
- ✓q. Action and/or decision on problems or disputes arising from private school employment, as may be filed or submitted to the regional offices;
- r. Approval of application of private school teachers for reasonable teaching overload as recommended by the authorized school official;
- s. Approval of request for temporary enrolment, late enrolment, subject-load, and overload of students, as may be favorably recommended by school principal or college dean, as the case may be;
- t. Administration of validating/placement examinations based on examination questions to be provided for by the Department;
- u. Recommendation on applications for exemption of students from curricular standards and other requirements for graduation from any private school course;
- v. Issuance of special orders for graduation of students at the first and second levels of instruction, including short-term vocational/technical courses, except student-transferees and students of foreign schools;
- w. Verification of applications for special orders against school original records, for graduation of students from courses at the third level of instructions;

- x. Approval on applications for correction of names of students;
- y. Recommendation on applications for correction of names of private schools;
- z. Approval on applications for change of textbooks and other materials;
- aa. Decision on appeal from school administration decision or action regarding dropping of student, approval of suspension of students involving the loss of one school term, and recommendation on penalty of expulsion imposed on students;
- bb. Verification and authentication of student's admission credentials or records;
- cc. Decision on administrative complaints against the school administration for violation of rules and standards;
- dd. Decision on appeal from school administration decision regarding award of graduation honors to students;
- ee. Decision on administrative complaints against private school personnel which do not involve dismissal, suspension, or reduction in salary;
- ff. Investigation, filing, and prosecution of criminal cases involving illegal operation, i.e. operation without government authority of private school courses;
- gg. Leadership on private schools participation in community, provincial, regional and national programs and projects; and
- hh. Other related functions as may be assigned from time to time.

2. Retained Functions of the Secretary. - The following functions relative to private schools or courses are retained by the Secretary of Education and Culture, which shall be exercised by him through the promotional bureaus, or the appropriate staff services under the Department Proper;

- a. Grant of university status to private schools, including inspection and evaluation of facilities thereof;
- b. Approval on applications for increase in tuition fee and/or other school charges;
- c. Issuance of permit to operate for courses at the third level and grant of government recognition for any private school course at all levels of instructions;
- d. Issuance of authority to establish, or permit to operate, of foreign schools, including the supervision and regulation thereof, and approval of requirements related to or connected with their operations as such;
- e. Issuance of special orders for graduation of students at the third level of instruction, except short-term vocational/technical courses;
- f. Issuance of certificates of eligibility for admission to professional courses, or for admission to board examinations of professional courses;
- g. Approval on applications for exemption from curricular offerings and other requirements for graduation;
- h. Issuance of certificates of eligibility for admission into college of students granted course-equivalencies;
- i. Approval on penalty of expulsion imposed against any student;
- j. Revocation or cancellation of permit to operate or government recognition granted for any private school courses;
- k. Action and/or decision on appeal from action or decision of the Regional Director related to or connected with the establishment, management, and operation of private schools;

- l. Action and/or decision on applications or proposals regarding innovative practices, activities or arrangement by and among private schools;
- m. Accreditation of school credits, earned by students in foreign schools, either locally or abroad;
- n. Issuance of permit to study of foreign students;
- o. Approval of curricular offerings of foreign schools;
- p. Action and/or decision on incorporation papers of private schools; and
- q. All other functions not otherwise specifically delegated to the Regional Directors.

IV. FOREIGN SCHOOLS AND FOREIGN STUDENTS UNIT

1. Organization. - For purposes of supervision and regulation of foreign schools and giving assistance to foreign students, there has been organized under the Office of the Secretary, the Foreign Schools and Students Unit whose jurisdiction includes the former Chinese schools in the Philippines during the period of transition and provided for in Presidential Decree No. 176.

In addition to the regular functions and duties involving supervision and regulation and of giving assistance to foreign students, the Foreign Schools and Students Unit shall be assigned the responsibility of recommending such rules and standards on the establishment, management and operation of foreign schools in line with existing law and policies of the government.

2. The Bureau of Higher Education shall, in the meantime, continue to assume the function of accreditation of school credits earned by students in foreign schools either locally or abroad. An ad hoc unit in the said Bureau may be created to perform this function and at the same time serve to train credit evaluators from the three DEC promotional bureaus who shall eventually perform this function at the proper time.

It is desired that the contents of the Department Order be disseminated to division superintendents and all supervisors concerned.

(SGD.) JUAN L. MANUEL
Secretary of Education and Culture

