

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

August 8, 1977

DEPARTMENT ORDER  
No. 38, s. 1977

ADDITIONAL GUIDELINES ON APPLICATIONS FOR INCREASE  
IN SCHOOL FEES FOR SCHOOL YEAR 1977-78

To: Bureau Directors  
Regional Directors  
Schools Superintendents  
Heads of Private Schools, Colleges  
and Universities

Pursuant to Section 4 of Presidential Decree No. 451, and in line with the directive of His Excellency, President Ferdinand E. Marcos, dated July 30, 1977, the following additional guidelines are hereby prescribed for purposes of action and/or decision on all applications for increase or change in school fees of private schools, colleges and universities for the school year 1977-78:

RULE I - CONSULTATIVE HEARING

Section 1. Pending Applications. - Subject to the provisions of Sections 1, 2 and 3 of Rule II of this Order, the decision by the Secretary of Education and Culture on all 1977-78 applications for increase or change in school fees pending consideration with the DEC as of July 30, 1977, shall be suspended until after further study on each case, and/or the termination of the consultative hearing and submission of reports thereon as provided for in these rules.

Section 2. Hearing Committee. - There shall be organized for each DEC Regional Office a joint DEC-NEDA Hearing Committee to conduct hearings and recommend such action as may be deemed necessary on each 1977-78 applications for increase or change in school fees. The Committee shall be composed of (a) the DEC Regional Director concerned, or his duly authorized representative, as Chairman, (b) the NEDA Regional Director concerned, or his duly authorized representative, as member, and (c) another DEC representative to be designated by the Secretary of Education and Culture from among the supervisory personnel of its central or regional offices, as member.

Section 3. Jurisdiction. - The joint DEC-NEDA Hearing Committee shall have jurisdiction to hear the formal protests or complaints of students and/or





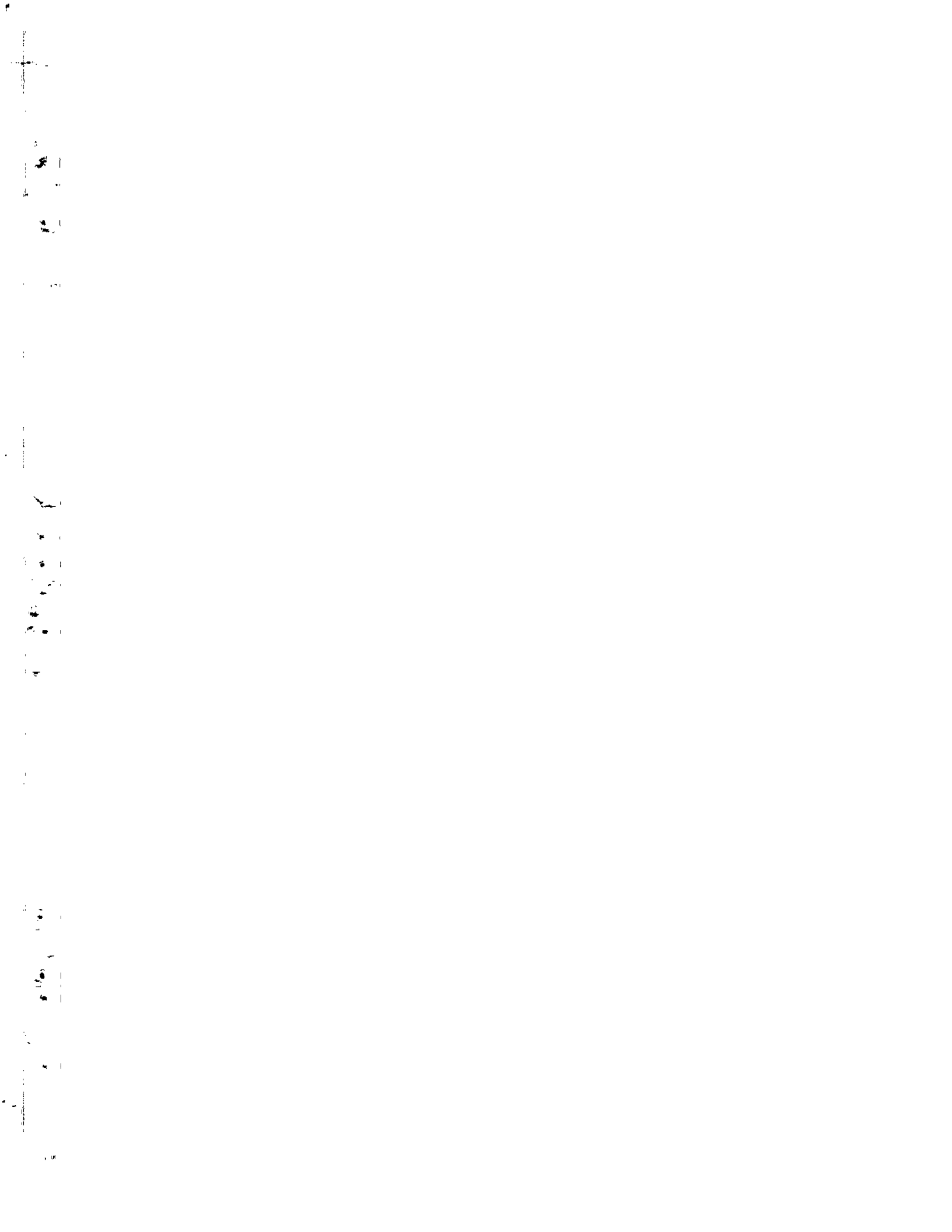


parents which have been filed on or before July 30 1977, against a proposed increase in school fees and/or new school charges of a private school for the school year 1977 78, and/or the disbursement of the incremental proceeds of its approved increases for previous school year(s): Provided, however, that the holding of the hearing shall be without prejudice for a prior or simultaneous action to be taken on each case as called for under Section 1 of Rule II hereof.

Section 4. Procedure of Hearing. - Subject to such procedural arrangements as the joint DEC-NEDA Hearing Committee may decide to adopt based on the circumstances of each case, the following procedure may be observed during the hearing on each application with protest or complaint:

- a. The school head or his duly authorized representative shall first be heard, preferably in the presence of the student or parent representatives of the school concerned, and shall present or submit evidence in support of the proposed increase or change in school fees.
- b. The duly authorized student or parent representative(s) of the school concerned shall follow, after the side of the school administration shall have been terminated, to present or submit evidence in support of the protest or opposition relative to the proposed increase in school fees.
- c. The school head or his duly authorized representative may be allowed to present or submit rebuttal evidence, if any.
- d. The duly authorized student or parent representative(s) of the school concerned may be permitted to present or submit surrebuttal evidence, if any.
- e. At the discretion of the Hearing Committee, in aid of its task of fact-gathering, may allow a third-party interest, e.g. a member of the teaching or non-teaching staffs of the school concerned, to speak for or against the proposed increase or change in school fees, if warranted by the circumstances.









Section 5. Notice of Hearing. - As a general rule, the Chairman of the Hearing Committee shall issue a written notice of hearing to the parties concerned: Provided, however, that announcements through the news media may be considered sufficient for jurisdiction purposes in the event the party or parties concerned cannot be located or reached through the normal processes.

Section 6. Time for Hearing, etc. - The hearing on each case shall normally be allotted a maximum of one-half day of four (4) hours: Provided, however, that both parties shall each be afforded the opportunity to submit a memorandum within a reasonable period of time after the termination of the hearing on the case.

Section 7. Reports, etc. - The report on each case, with appropriate recommendations, shall be submitted by the DEC Regional Director concerned, to the Secretary of Education and Culture within five (5) days after the termination of the hearing thereon. The report and its supporting documents, including the evidence submitted, if any, shall be submitted through the DEC Tuition Fee Unit c/o the Director of Higher Education, Manila.

Section 8. Publicity. - The results of the hearing or investigation shall not be disclosed to any person, except as provided by law and upon expressed authority of the Secretary of Education and Culture.

Section 9. Decision. - The decision on each protested application for increase or change in school fees shall be rendered by the Secretary of Education and Culture within ten (10) days after date of receipt of the records thereof.

#### RULE II - MISCELLANEOUS PROVISION

Section 1. School Inspection. - All private schools, colleges and universities with approved application(s) for increase or change in school fees beginning the school year 1974-75 shall be given priority consideration for inspection by DEC regional and/or school division supervisory personnel to verify as to the improvements achieved or effected by the schools concerned in terms of the -

- a. salary, retirement, living allowance, and other fringe benefits, and development of their school personnel; and
- b. school facilities, including acquisition, repairs and renovations; equipment and other tools of instruction, student services, extension services, and additional scholarships, in conformity with the allocations of 60%







and 28% provided for in Section 3 of Presidential Decree No. 451 and its implementing rules and regulations.

Section 2. COA Assistance. - The assistance of qualified personnel of the Commission on Audit shall be availed of, upon request of the Secretary of Education and Culture, relative to the review of the financial statements of private schools whose applications for increase or change in their school fees have already been approved prior to July 30, 1977, in order to determine the viability of their operations and/or the validity of their disbursements of school fees.

Section 3. Action on Unprotested Applications. - Pending 1977-78 applications for increase or change in school fees without any formally registered protest as of July 30, 1977, may be acted on favorably by the Secretary of Education and Culture: Provided, however, that the requirements called for under the 1977 Implementing Rules and Regulations for P.D. No. 451 shall have been fully complied with by the private schools concerned; and provided, further, that priority consideration shall be accorded to deserving schools, e.g. schools that have applied for increase in school fees for the first time and schools whose rates on school fees are still relatively low.

Section 4. Supportive Staff. - A technical and secretarial staff shall likewise be organized in each DEC Regional Office to support the Hearing Committee in the discharge of its functions as provided for in these rules. The members of the technical and secretarial staff shall be drawn in the meanwhile from among the Regional Offices personnel of the DEC and NEDA.

Section 5. Effectivity. - These rules shall take effect immediately.

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

Reference.

Department Order: No. 65, s. 1976

Allotment: 1-3-4 -(D.O. 1-76)

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

BUREAUS & OFFICES  
CHANGE  
FEES  
DECREE

RULES & REGULATIONS  
SCHOOLS  
STUDENTS  
UNIVERSITIES and COLLEGES



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

