

Republika ng Pilipinas  
(Republic of the Philippines)  
MINISTRI NG EDUKASYON, KULTURA AT ISPORTS  
(MINISTRY OF EDUCATION, CULTURE AND SPORTS)  
Maynila

October 21, 1983

MECS O R D E R  
No. 50, s. 1983

ACTION ON SCHOOL SITE PROBLEMS

To: Bureau Directors  
Regional Directors  
Schools Superintendents  
Vocational School Superintendents/Administrators

1. Statistics available in this Ministry show that only 10,261 school sites have so far been registered or titled while some 15,666 school sites remain unregistered. Of the registered school sites, the title invariably is in the name of the province, city or municipality where the same is situated in line with the practice followed since time immemorial to register lands acquired for school site purposes in the name of the local government concerned. This practice has given rise to controversies between school authorities and local governments. In some cases school sites or portions thereof have actually been disposed of by local government authorities or authorized the use of same for other than school purposes.

2. Pertinent jurisprudence is to the effect that lands acquired for school purposes may not, without the consent of the legislature, be disposed of by local government for any other purpose as long as the same is needed for school site purposes. (30AM, JUR. 166; 63 CJS 510; Law on Municipal Government by Aruego, Revised Edition, p. 282-283). Likewise, an opinion of the Secretary of Justice dated November 15, 1968 states that the jurisdiction and control of school sites is vested in the school authorities concerned and not in the local government even if the property is titled in favor of said local government. This opinion was earlier disseminated as an inclosure to BPS Circular 17, s. 1969.

3. The school site problem is the subject of a study now being undertaken in this Office. Pending the results of this study and the adoption of remedial measures to effectively solve the problem, school authorities should vigorously oppose any move on the part of local government authorities to dispose of or alienate a school site or a portion thereof, or authorize its use for purposes inimical to the school system. Any and all such cases should be brought to the attention of this Office for proper legal action.

4. This Order should be taken up during meetings of school administrators.

(SGD.) ONOFRE D. CORPUZ  
Minister

Reference:  
B.P.S. Circular: (No. 17, s. 1969)

Allotment: 1-2-3-4--(D.O. 1-76)

To be indicated in the Perpetual Index  
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