

Republika ng Pilipinas
(Republic of the Philippines)
KAGAWARAN NG EDUKASYON, KULTURA AT ISPORTS
(DEPARTMENT OF EDUCATION, CULTURE AND SPORTS)
UL Complex, Pasig, Metro Manila

April 24, 1991

DECS O R D E R
No. 41, s. 1991

GRACE PERIOD FOR SCHOOLS OPERATING AND/OR OFFERING PROGRAMS
WITHOUT GOVERNMENT AUTHORITY

To: Bureau Directors
Regional Directors
Heads of Private Schools, Colleges and Universities
Vocational School Superintendents/Administrators

1. In response to the clamor of private schools, colleges and universities for a chance to comply with existing laws, rules and regulations on the establishment, operation, and maintenance of educational institutions, and to be able to meet at least the minimum requirements set forth under existing policies and standards for each of the various educational fields, all such educational institutions are given a grace period of sixty (60) days, from May 1 to June 30, 1991 to report infractions to the DECS regional office having jurisdiction over their respective schools. Educational institutions that have already been found violating DECS rules and regulations shall not be qualified to avail themselves of this grace period.

2. The infractions mentioned herein include the following:

- a. Schools operating without juridical personality in violation of Section 25, Ratas Pambansa Blg. 232, i.e., not duly registered with the Securities and Exchange Commission.
- b. Schools operating courses/programs whose applications for government authority are still pending with the central or the regional offices of DECS.
- c. Schools operating additional majors or recognized courses without authority from the DECS.
- d. Schools operating courses/programs without having filed any application for government authority to operate such courses/programs.
- e. Schools operating courses/programs whose applications for government authority have already been denied/disapproved by the DECS.

3. Depending upon the prevailing circumstances, the following measures/actions shall be taken:

- a. Schools operating without legal/judicial personality shall, within this grace period, be allowed to file their applications for registration/incorporation.
 - b. In the case of the second and third infractions, applications for government authority shall immediately be processed by the office concerned and the necessary government authority shall be issued upon proof of compliance of DECS rules and regulations and policies and standards.
 - c. In the case of the fourth infraction, applications for government authority may be submitted to the DECS regional office; however, schools falling under 3 b shall be given priority in the processing of applications.
 - d. In the case of the fifth infraction, schools affected shall cease to operate such courses/programs.
4. As provided under existing DECS rules and regulations, an application/inspection fee of ₱200.00 shall be charged for the processing of applications for authority to operate courses/programs. In addition, a surcharge of ₱1,000.00 per year for each program, but not exceeding a total of ₱10,000.00, shall be collected as penalty for operating and/or offering a program/course without the necessary permit.
5. Students who may be adversely affected by the cessation of the operation of courses/programs of those schools falling under the infractions mentioned in paragraphs 1 b to e and 3 a to d above, shall be given credit for courses taken and passed. They shall further be assisted by this Department, through the regional offices, in effecting their transfer to other educational institutions with recognized courses/programs, if they so desire, provided that the school head should have certified to the availment of the grace period provided herein.
6. Students who still continue to enroll in schools/programs without government authority shall be held equally responsible for such violation and, therefore, no credits shall be given for the courses taken and DECS shall no longer facilitate transfer to other schools.
7. Government authority to operate courses, duly approved, either on a permit or recognition status, shall, upon the effectivity of this Order, be posted in conspicuous places within the school campus. School advertisements on course/program

offerings should necessarily include information on the number and date of issuance of government permit/recognition. A fine of \$500.00 shall be imposed on schools violating this provision.

8. Schools which shall be found violating the provisions of Batas Pambansa Big. 232, and the existing rules and regulations, policies and standards on the establishment, operation and maintenance of educational institutions after the grace period set herein shall be dealt with the full measure of administrative, civil and criminal sanctions.

9. This Order shall serve as a transition guideline to DECS Order No. 12, s. 1991, entitled "Revised Guidelines on Issuance of Government Authority to Operate Educational Programs," and shall take effect immediately.

10. For immediate compliance.

(SGD.) LEIDRO D. CARINO
Secretary

Reference:

DECS Order: (No. 12, s. 1991)

Allotment: 1-3-4--(M.O. 1-87)

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

✓ AUTHORITY
✓ OFFICIALS
✓ PROGRAM, SCHOOL
✓ RULES & REGULATIONS
✓ SCHOOLS