



REPUBLIKA NG PILIPINAS
REPUBLIC OF THE PHILIPPINES
KAGAWARAN NG EDUKASYON
DEPARTMENT OF EDUCATION
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DepEd O R D E R
No. **66**, s. 2003

REVISING THE IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 8525
OTHERWISE KNOWN AS THE ADOPT-A-SCHOOL PROGRAM ACT OF 1998

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Regional Directors
Schools Division/City Superintendents
Directors of Services/Centers and Heads of Units
Chiefs of Divisions
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of the revised implementing rules and regulations of Republic Act No. 8525 otherwise known as the Adopt-A-School Program Act of 1998.
2. Immediate dissemination of and compliance with this Order is directed.


EDILBERTO C. DE JESUS
Secretary

Encl.:
As stated

Reference: DECS Order: No. 80, s. 1998

Allotment: 1—(D.O. 50-97)

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

BUREAUS AND OFFICES
CHANGE
PROGRAM, SCHOOL
RULES AND REGULATIONS

Adams/
File: DO Adopt a school revised

Department of Education
Technical Education In Skills Development Authority
Commission on Higher Education

Joint Implementing Rules And Regulations of
"Adopt a School Act of 1998"

(R.A. No. 8525)

Pursuant to Sections 8 of Republic Act No.8525, otherwise known as the "Adopt a School Act of 1998" enacted on February 14, 1998, the following rules and regulations are hereby adopted to implement the provisions of the said Act:

PART I. PRELIMINARY PROVISIONS

RULE Title – These rules and regulations shall be known as the Implementing Rules of the Adopt a School Act of 1998 (R.A. No 8525) hereinafter referred to as the "Rules".

RULE Purpose – The purpose of these Rules is to ensure the effective and efficient implementation and enforcement of the provisions of Republic Act No. 8525.

RULE Definition of Terms – When used in these Rules, the following terms shall be defined as follows:

- a. **Act** refers to Republic Act No. 8525.
- b. **Adopting Private Entity** refers to an individual engaged in trade or business or in the practice of his profession or other business organizations, like a partnership, corporation or cooperative, either resident or non-resident, who/which teams up with the Department of Education (DepEd), Commission on higher Education (CHED) or with the Technical Education Skills and Development Authority (TESDA), towards providing much needed assistance and service to public school.

- c. **Adopt-a-School Program** refers to a mechanism which allows private entities to assist public school in particular aspect of educational program within an agreed period of time.
- d. **Assistance** refers to the help/aid/contribution/donation provided by an adopting entity to a public school. Assistance maybe in the form of infrastructure, teaching and skills development, learning support, computer and science laboratories, and food and nutrition.
- e. **Agreement** refers to a Memorandum of Agreement (MOA) entered into by and between the adopting private entity and the public school specifying the terms and conditions of the adoption, including tasks and responsibilities of the contracting parties.
- f. **Coordinating Council** refers to a body chaired by the Secretary of DEPED and co-chaired by Chairman of CHED and the Director-General of the TESDA and with the Chairperson of the National Anti Poverty Council (NAPC)¹ and a representative from a National Federation of Chambers of Commerce and Industry to be appointed by the President of the Philippines, as members. It shall be tasked to coordinate, monitor and decide on policy matters related to the implementation of the Adopt a School Program.
- g. **Public School** refers to a government school, whether elementary, secondary, post-secondary or tertiary, which enters into an Agreement with an adopting entity concerning assistance herein referred to.
- h. **National Secretariat** refers to an office composed of representatives of the three education agencies, namely DepEd, CHED and TESDA which will provide overall management and coordination of the Program.
- i. **Secretariat** refers to an office created in the respective offices of DepEd, CHED and TESDA with the primary function of managing and coordinating the Program.

PART II. PROCEDURES FOR PARTICIPATION IN THE

ADOPT-A- SCHOOL PROGRAM

In order to participate in the Adopt a School Program, the following procedures and requirements should be complied with:

RULE Agreement between the Adopting Private Entity and the School - A Memorandum of Agreement (MOA) specifying the details of the adoption shall be entered into between the Adopting Private Entity and the head of the school concerned, and thereafter ratified by the concerned Regional Director of CHED, Provincial Director of TESDA and Division Superintendent of DepEd.

The Agreement shall be for a minimum of at least two (2) years subject to extension. Provided that said period maybe shortened if the Adopting Private Entity is dissolved prior to the end of such period or unless otherwise terminated due to failure of the Adopting Private Entity to posses qualifications as stated in this Act.

RULE Qualifications of Adopting Private Entity – All Adopting Private Entity participating in the Adopt a School Program must possess the following qualifications at any time during the term of the Agreement:

- a. It must have a credible track record.
- b. It must have been in existence for at least one year as shown in by its Articles of Incorporation from SEC or Certificate of Registration at the Cooperative Development Authority (CDA).
- c. It must not have been prosecuted and found guilty of engaging in illegal activities such as money laundering and other similar circumstances.

RULE Qualifications for Participating Schools – Any government school in all levels may participate in the program. Priorities shall be given to schools located in poorest provinces, low-income municipalities and other local government units (LGUs) experiencing severe classroom shortages, insufficient budget or having numerous poor but high performing learners.

RULE Periodic Review — A review of the adoption shall be undertaken by the Local School Board (LSB) of the province or city where the school is located, about the implementation of the Adopt a School Program pursuant to guidelines as maybe periodically issued by the Coordinating Council including but not limited to:

- a. Delivery and utilization of the proposed project;
- b. Impact of the proposed project on the school and the community in terms of social benefits; and
- c. Participation of the other stakeholders to support the project.

LSB, Provincial Technical Education and Skills Development Committee (PTESDC) and CHED/PASUC Regional offices are encouraged to conduct review of the program and submit their recommendations to the Coordinating Council. Further, they may also recommend the termination of the program due to poor performance of parties and other grounds as maybe issued by the Coordinating Council. The Adopting Private Entity may appeal the assessment of the LSB, PTESDC and CHED to the Coordinating Council whose decision shall be final and appealable.

PART III. TAX INCENTIVES

RULE *Additional Deduction for Expenses Incurred for the Adoption.* — Provisions of existing laws to the contrary notwithstanding, expenses incurred by the Adopting Private Entity for the "Adopt-A-School Program" shall be allowed an additional deduction from the gross income equivalent to fifty percent (50%) of such expenses.

The tax incentives provided herein as well as valuation of assistance shall be covered by BIR Revenue Regulation No. 10- 2003.

RULE *Claim for Tax Deduction by Private Resident* – At the end of fiscal year, the Adopting Private Entity shall file an application for tax deduction accompanied by supporting documents to Coordinating Council through the National Secretariat.

The Coordinating Council shall act on the application within thirty (30) days from receipt of application by the Secretariat. After approval of the application by the Coordinating Council, the Secretariat shall endorse it to the Regional District Officer (RDO) of the Bureau of Internal Revenue (BIR) having jurisdiction over the place of business of the Adopting Private Entity; copy furnished the RDO having jurisdiction over the property if the donation or contribution is in the form of real property.

RULE *Foreign Donations* – Any application for tax/duty free importation of foreign donation shall be endorsed by DepEd's Division School Superintendent, TESDA's Provincial Director and CHED's Regional Director. The applicant shall submit the aforementioned endorsement, MOA and the following documents to the Secretariat for consideration of the Coordinating Council.

1. An application letter for duty/tax free importation;
2. Deed of Undertaking indicating that donated articles shall be used actually and directly for educational purposes;
3. Donated articles shall not be resold or transferred for material consideration.

The Coordinating Council shall then transmit all approved application for tax/duty free importation of foreign donations to the Department of Finance for their appropriate action.

RULE *Additional Incentives.* — The adopting company or enterprise, in addition to the incentive provided in the preceding section, shall be entitled to have its name emblazoned beneath the name of the school after words indicating that the school is under the "Adopt-a-School Program." Moreover, the Adopting Private Entity shall be represented in the local school board of the municipality where the

adopted elementary or high school is located.

PART IV. PROGRAM ADMINISTRATION

RULE *Coordinating Council* — The Coordinating Council is hereby created to spearhead the implementation of this Act. It shall have the following powers and functions:

- a. Serve as an advisory body on all policy matters pertaining to the program;
- b. Provide policy guidance and direction for the implementation of the provisions of RA 8525;
- c. Formulate policies and guidelines to ensure the proper implementation of the Program; and
- d. Monitor and evaluate the implementation of the Program.

The Council shall have a regular meeting once every three (3) months or as the need arises. A member may be represented by a person. In case of the absence by any member of the Coordinating Council, the absent member is required to send a representative who must possess the rank of at least an Undersecretary/Commissioner/Deputy Director-General or higher.

Whenever member is unable to attend the meeting of the Coordinating Council, he shall send a representative who must be an Undersecretary or its equivalent rank such as Commissioner or Deputy Director general: *Provided*, that the highest ranking member present shall preside over the meeting in case the Chairperson is absent.

RULE *Secretariat* — - The National Secretariat shall be composed of representatives of DepEd, TESDA and CHED. It shall be provided technical and administrative support from DepEd and shall hold office in the premises of DepEd. Further, it shall be mandated to provide overall management and coordination of the Program and to perform the following functions:

- a. Implement the policies set by the Coordinating Council;
- b. Coordinate the Program at all levels;
- c. Recommend policies, plans and priorities to the Coordinating Council;
- d. Provide technical assistance and support in critical areas and stages of implementation;
- e. Endorse to the Regional District Office (RDO) of the Bureau of Internal Revenue (BIR) documents relative to the

- availment of the tax incentive provisions of the Adopt-a-School Law after the application is approved by the Coordinating Council, and
- c. Perform other functions as necessary.

Further, DepEd, CHED and TESDA shall make provisions for the organization of their own Secretariat to manage and coordinate the implementation of the Program by the respective agencies.

RULE Benefits, Privileges and Emoluments of the Council and Secretariat - The members of the Coordinating Council and the representatives of tri-focal agencies to the Secretariat shall not receive compensation in connection with the performance of their functions. Provided, that they shall be entitled to reimbursements for reasonable expenses related to their performance of activities directly connected with the implementation of the Act.

PART V: MISCELLANEOUS PROVISIONS

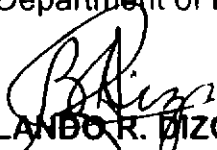
RULE Separability. - The provisions of these Rules are hereby declared to be separable. In the event that one or more of its provisions are held to be invalid, the validity of the other provisions shall not be affected thereby.

RULE Effectivity. - These Rules shall take effect thirty (30) days after its publication in a national newspaper of general circulation and submission of a copy to the University of the Philippines Law Center.

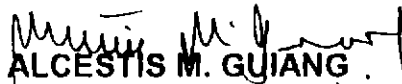
Pasig City, July 2003.



EDILBERTO C. DE JESUS
Secretary, Department of Education



ROLANDO R. DIZON
Chairman, Commission on Higher Education



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