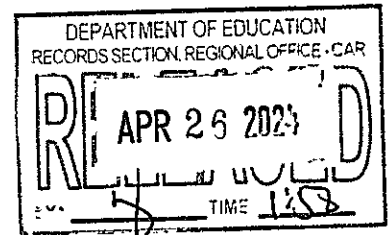




Republic of the Philippines
Department of Education
CORDILLERA ADMINISTRATIVE REGION



24 April 2023

REGIONAL MEMORANDUM
NO. 244-2024

**REQUEST FOR COMMENTS ON THE DRAFT 2024
MANUAL FOR PRIVATE SCHOOLS**

To: Assistant Regional Director
Schools Division Superintendent/Asst. Schools Division Superintendent
Chief, Schools Governance Operations Division
School Management Monitoring and Evaluation (SMME)
All Others Concerned

1. To promote clarity, collaboration, and continuous improvement, leading to a more effective and functional Manual for Private Schools, this Office, through the Quality Assurance Division hereby requests comments on the 2024 Manual for Private Schools.
2. Relative thereto, the Schools Division Offices shall involve the SMME focal to participate in this undertaking. The reference material can be accessed through the link tinyurl.com/RevisedDO882024.
3. Please submit comments to car.qad@deped.gov.ph on or before April 26, 2024.
4. For more information, please get in touch with the Quality Assurance Division (QAD), DepEd – Regional Office, Cordillera Administrative Region at Telephone Number: 422 – 118 (loc 1201) or email us at: car.qad@deped.gov.ph
5. Immediate dissemination of this memorandum is desired.

Digitally signed by ESTELA P.
LEON-CARIÑO EdD, CESO III
Date: 2024.04.26 12:54:44
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ESTELA P. LEON - CARIÑO EdD, CESO III
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DepEd Tayo Cordillera



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2024 MANUAL OF REGULATIONS FOR PRIVATE SCHOOLS IN BASIC EDUCATION

ARTICLE I: INTRODUCTORY PROVISION

Section 1. Title.

This Manual shall be known as the 2024 Manual of Regulations for Private Schools in Basic Education.

Section 2. Rationale.

The Constitution mandates the State to protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all (Article XIV, Section 1, 1987 Philippine Constitution). It also recognizes the complementary roles of public and private institutions in basic education and the right of the government to exercise reasonable supervision and regulation of all educational institutions. Pursuant to these constitutional provisions, Batas Pambansa 232 vested the supervision and regulation of educational institutions, both public and private, to the Department of Education (Section 54). The Department shall promulgate rules and regulations necessary for the administration, supervision and regulation of the educational system in accordance with declared policy (Section 57.3). Moreover, (Section 1, Chapter 1, Title VI, Executive Order (EO) No. 292, s. 1987 provides that the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all. Pursuant to this, the State shall: (1) Establish, maintain and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age; (3) Establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged; (4) Encourage non-formal, informal, and indigenous learning systems, as well as self-learning, independent, and out-of-school study programs particularly those that respond to community needs; and (5) Provide adult citizens, the disabled, and out-of-school youth with training in civics, vocational efficiency, and other skills. Further, Republic Act 9155 provides that the establishment of public and private schools shall be subject to the approval of the Department (Section 7.B.13).

Consistent with this mandate, the Department issued DepEd Order (DO) 88 s. 2010 otherwise known as the 2010 Revised Manual of Regulations for Private Schools in Basic Education with amendments through DO 11, s. 2011, to operationalize its regulation over private schools in basic education. The implementation of these policies reinforced the authority of the Department over private schools and ensured the provision of quality basic education to learners of these private schools.

While these policies brought significant changes in the regulatory process of the Department over private schools, challenges and gaps surfaced from regular

feedback and the conduct of policy review. Concerns primarily centered on making the process to be more developmental in approach, and more efficient for both internal and external stakeholders of the Department. There is also a pressing need to update these policies for consistency with education reforms such as Republic Act 10533 which institutionalizes the Enhanced Basic Education Program, otherwise known as the K to 12 basic education program, and the restructuring of the Department (DO 52 s. 2015).

To ensure the alignment to reforms in basic education and to adopt responsive and efficient processes, the Department issues this manual of regulation. The mechanisms and procedures constituting this regulatory process shall guide DepEd offices across governance levels, private schools and other stakeholders in the exercise of the Department's authority over private schools towards the achievement of basic education outcomes.

Section 3. Scope / Coverage.

This Manual provides for the establishment of a regulatory process over private educational institutions in basic education. It covers the minimum standards for granting authority to operate and operations of private schools, the mechanisms, procedures, and roles and responsibilities of DepEd offices across governance levels on the regulation of private schools.

This Manual shall apply to all private educational institutions offering formal education in basic education except as otherwise provided herein. It does not apply to a program or establishment, which does not comply or meet the minimum requirements provided herein such as tutorial, review center, training center, institutions that opt to provide non-formal education, and other similar establishments.

Section 4. Definition of Terms.

For purposes of this Manual, the following terms are defined and understood as follows:

- a. **Accreditation** – the process leading to the issuance of a certificate of accredited status by an organized body or accrediting agency of educational institutions attesting to the quality or standards of a private school or to any of its educational programs or courses, and to the effectiveness of the management and operations of the private school offering the program as exceeding the minimum standards or criteria for government recognition as provided for in this Manual. Accreditation shall be voluntary in nature.
- b. **Basic Education Information System (BEIS)** – official national database that provides up-to-date basic education data/information of all public and private schools in the country. Private schools with approved permits or certificates of recognition are provided with a unique school ID that allows them to access the database and update the school profile and information.
- c. **Courses in Basic Education** – refers to the cluster of grade levels in the K to 12 program that the private school will be offering (Republic Act (RA) 10533), to *wit*:

- i. **Kindergarten** – refers to the first stage of compulsory and mandatory formal education which consists of one (1) year of preparatory education for children at least five (5) years old as prerequisite for Grade One (1). (Sec. 6 of RA 10533)
 - ii. **Elementary** refers to the second stage of compulsory basic education, consisting of six (6) levels, from Grades 1 to 6.
 - iii. **Secondary Education** to the third stage of compulsory basic education. It consists of four (4) years of junior high school education and two (2) years of senior high school education. The entrant age to the junior high school levels are typically twelve (12) and sixteen (16) years old. respectively.
 - iv. **Junior High School (JHS)** refers to the third course of compulsory basic education. It consists of grade levels (Grades 7 to 10), and upon completion of Elementary education.
 - v. **Senior High School (SHS)** refers to the fourth course of compulsory basic education. It consists of two (2) grade levels (Grades 11 and 12), following the completion of four (4) years of JHS. It serves as a specialized higher level secondary education, consisting of different tracks, strands and specializations that learners may choose from depending on their aptitude, interests and school capacity.
- d. **DepEd Authority** – either a permit or recognition issued by the Department of Education (DepEd) to a private school for the operation of a particular educational course.
 - e. **DepEd Permit** – a two school years' license issued by the Department of Education authorizing a private school or learning institution to undertake educational operations upon compliance to the application and minimum standard requirements set by this Manual.
 - f. **DepEd Recognition** – a license issued by the Department of Education recognizing the authority to operate a private school or learning institution upon demonstrated continuous compliance with minimum standard requirements set by this Order during the operations of the school under a DepEd Permit.
 - g. **Education Cooperative** – a cooperative that is organized for the primary purpose of owning and operating educational institutions under DepEd Authority notwithstanding the provisions of RA No. 9155 as per RA 9520;
 - h. **Formal Education** – hierarchically structured and chronologically graded learning organized and provided by the formal school system and for which certification is required in order for the learner to progress through the grades or move to higher levels.
 - i. **International School** – An educational institution of international character authorized to operate educational programs and services that are comparable, compliant to, on a par with universally acceptable international standards and practices through a legislative franchise.

- j. **K to 12 Program** – covers **Kindergarten and 12 years of basic education (six years of primary education, four years of Junior High School, and two years of Senior High Schools (SHS))** to provide sufficient time for mastery of concepts and skills, develop lifelong learners, and prepare graduates for tertiary education, middle-level skill development, employment, and entrepreneurship. (K to 12 Basic Education Program) RA 10533, Sec. 4) (DO 21, s. 2019 Enhanced Basic Education Program)
- k. **Learner** – an individual who is enrolled in basic education. (DO 40, s. 2012)
- l. **Moving Up/Completion** – the end of school year rites ceremony for kindergarten and Grade 10 completers.
- m. **Moving Up/Completion** – the end of school year rites ceremony for kindergarten and Grade 10 completers.
- n. **Other School Fees** – all fees, in addition to the tuition fee, charged by private schools as embodied in their respective curriculum, bulletins of information, or catalogues, which are collected and earmarked for certain specified purposes pursuant to existing laws, rules and regulations.
- o. **Private School** – a privately owned and managed institution for teaching and learning, authorized by the Department to operate certain educational programs in accordance with law and the prescribed policies and rules of the Department.
- p. **Promotion** – the act of promoting a learner from one grade level to the next on the basis of his attendance and demonstrated academic performance, which shall not be rated lower than 75 in all learning areas. (DO 36, s. 2016)
- q. **Regional Director (RD)** – the head of the DepEd Regional Office, who exercises authority and supervision over the operations of the organizational units in the regional office – proper and the schools division offices within its jurisdiction.
- r. **Reasonable regulation and supervision** – the authority of DepEd to enforce and ensure compliance of private schools with basic education standards and impose sanctions as may be allowed by this manual or law.
- s. **Secretary** – the Secretary of Education, who exercises overall authority and supervision over the operations of the whole Department.
- t. **School** – an educational institution, private or public, undertaking educational operations with an organized group of learners pursuing defined studies at defined levels, receiving instructions from teachers, usually located in a building or group of buildings in a particular physical or cyber site recognized by the State and specifically intended for educational purposes.

- u. **Schools Division Superintendent (SDS)** – the head of the DepEd Schools Division Office (SDO), who exercises authority and supervision over the operations of functional divisions at the SDO-proper, and oversight functions on schools and learning centers within its jurisdiction. The SDS ensures the achievement of learning outcomes in the schools division vis-à-vis goals and targets for basic education (formal and non-formal), and the efficient and effective deployment and utilization of resources. (RA 9155) (DO 52, s. 2015)
- v. **Regional Office-Quality Assurance Division (RO-QAD)** – monitors and evaluates the performance of Regional Office units and Schools Division Offices on the compliance to statutory and policy standards and requirements for the continuous improvement of organizational performance and delivery of basic education services.
- w. **Special Education** – the provision of educational programs and services designed to address learners with special educational needs and increase their access to basic quality education. (SNED) (RA 11650)
- x. **Special Order** – the authority for the school to graduate a particular student from a specified school program, on a certain date, and is granted conditionally upon the successful completion of the requirements therefor.
- y. **School Head** – the head of the school, learning center or educational institution that provides overall leadership and supervision over the operations of the school; (DO 40, s. 2012)
- z. **Teacher** – refers to a person qualified to practice teaching under the law and engaged in the teaching of any subject, including technical-vocational (Tech-Voc), at the basic education level in all private or public basic education institutions. This may include teachers who may not actually be employed as such. (Republic Act No. 11713, April 27, 2022)
- aa. **Tax Exemption** – the monetary removal from taxation of a particular item rather than a deduction. As provided in the Philippine Constitution Article XIV Section 4, “*All revenues and assets of non-stock, non-profit educational institutions used actually, directly and exclusively for educational purposes shall be exempt from taxes and duties.*”
- bb. **Tuition Fee** – the monetary amount paid by the learner for the privilege to receive instruction in basic education from private schools. The tuition fee does not include other school fees.
- cc. **Visitorial and Enforcement Powers** – the authorization delegated by the Secretary of Education to his duly authorized representatives to access the records and premises of private schools at any time of the day, whenever work is being undertaken therein, and the right to copy therefrom, to question any employee and investigate any fact, condition or matter which may be necessary to determine violations or which may aid in the enforcement of this Order and of any other laws, order or rules and regulations issued pursuant thereto.
- dd. **Foreign or International Schools** - as distinguished from a Philippine private school, is one that is duly established and authorized in accordance with existing Philippine laws to operate certain educational

programs which primarily and principally adhere to either universally accepted and recognized educational policies and standards or the unique differentially prescribed system of education of a particular country other than the Philippines. (DO 88, s. 2010)

- ee. **Homeschooling Program** – is one among ADMs under the Flexible Learning Options of public and private elementary and secondary schools where the learner’s education is managed by parents/guardians and happens primarily at home. (DepEd Order 001, s. 2022)
- ff. **Alternative Delivery Modes (ADM)s** – are instructional or learning modalities that do not strictly follow the typical set-up for regular classroom instruction, but follow the formal K to 12 curriculum in content. Formal curriculum refers to the curriculum starting at kindergarten and ending at grade 12 that learners undergo through successive grade levels.

Section 5. Policy Statement.

The DepEd hereby promulgates the regulations as described in this manual to provide guidance on the establishment and operations of private schools in basic education. These processes and mechanisms involved shall ensure:

- a. that private schools shall adhere to the Department’s mandate and mission and other existing laws and DepEd issuances; and
- b. the exercise of reasonable supervision and regulation of private education institutions in basic education.

ARTICLE II:

ESTABLISHMENT OF PRIVATE SCHOOLS

Section 6. Establishment of Private Schools.

The establishment of a private educational institution refers to the creation, founding, or organization of a school resulting in its legal existence as an institution.

Recognition presumes an existing school and refers to the authorization granted by the Department for the school to conduct educational programs or operations. Establishment precedes recognition.

The establishment of private schools shall be subject to prior approval of the Department through its Regional Director having jurisdiction over the place where the school shall be established.

Establishment of a School Branch. In line with the Constitutional mandate for the State to take appropriate steps to make quality education accessible to all, the Department encourages educational institutions to establish branches all over the country which shall be considered part of the corporate identity of the educational institution originally recognized by the Department. Accordingly, **there is no need for a school branch to incorporate or have a separate corporate identity for the establishment of a school branch.**

Educational institutions shall not be required to secure approval from the Regional Director concerned to establish a school branch, except in the National Capital Region (NCR). However, the said Regional Director shall make sure that such school branch complies with the standards and requirements set by the Department.

A school facility shall be **considered a branch** where **(1) a separate site and attendance educational facilities such as building and classrooms specifically for the school have been established, (2) the branch is offering educational programs which are also offered in the main school, and (3) the courses offered in the branch are not restricted to special clientele such as employees of a company, but are open to the qualified general public.**

At its discretion the school may apply as a separate educational institution rather than as a branch. As such, the applicant should meet the requirements for the establishment of a new school. (DO 88, s. 2010 as amended by DO 11, s. 2022.

Section 7. Ownership of Private Schools.

Consistent with Section 4(1) of the 1987 Constitution, educational institutions, other than those established by religious groups and mission boards, shall be owned solely by citizens of the Philippines, at least sixty per centum (60%) of the capital of which is owned by such citizen/s. (In accordance with the revised Corporation Code) DO 11, s. 2011

Section 8. Qualifications.

Before an entity can offer basic education course or level, the corporation/cooperative shall be:

- a. Duly organized and existing under RA 11232 or the Revised Corporation Code of the Philippines;
- b. Owned solely by Filipino citizen or at least sixty per centum (60%) of the capital of the corporation is owned by Filipino citizens; and
- c. Financially capable to operate a private school.

Section 9. Incorporation/Cooperation of a Proposed Private School.

Any private school proposed to be established must incorporate as either non-stock or stock educational corporation in accordance with the Revised Corporation Code or education cooperative in accordance with Philippine Cooperative Code of 2008. Private school applicants may request favorable indorsement from the Regional Director having jurisdiction over the private school, if the Securities and Exchange Commission (SEC) and other regulatory bodies necessitates.

Private schools which are not incorporated as corporation or cooperative while having DepEd Permit or DepEd Recognition before the enactment of this Order are given one

(1) year from the effectivity of this Manual to incorporate as either stock or non-stock corporation or education cooperative, as the case may be.

Section 10. Minimum paid up capital for Stock Educational Institution including One-Person Corporation, and Education Cooperatives.

In accordance with RA 7798, the minimum paid up capital for Stock Educational Institutions and one-person corporation shall be as follows:

- a. stock educational institutions and one-person corporation engaged in elementary education shall not be less than One Million Pesos (P1,000,000.00);
- b. not less than Two Million Five Hundred Thousand Pesos (P2,500,000.00) for those offering both elementary and secondary education; and
- c. not less than Five Million Pesos (P5,000,000.00) for those offering elementary, secondary and tertiary education.

Existing educational institutions organized as stock corporations may retain their original capitalization.

The minimum paid up capital for education cooperatives shall be in accordance with RA 9520.

Section 11. Minimum Capitalization for Non-Stock Educational Institution.

No minimum capitalization is required for non-stock educational institutions.

Section 12. Disqualification of Stock Educational Institution from Government Subsidy.

A school that is established or organized as a stock corporation shall be ineligible from any form of government subsidy, incentive or assistance, except those given to individual students and teachers in the form of scholarship, student loans or other forms of subsidy as already mandated under existing laws.

On the other hand, non-stock private schools shall be eligible for any form of government subsidy which is extended by the Department and other government institutions.

Section 13. Pre-application Orientation.

The school-applicant through its duly authorized representative shall attend the pre-application orientation for free to be facilitated by the Schools Division Offices prior to the filing of the application for permit. The pre-application orientation shall be held via teleconferencing, video conferencing, or other remote, or electronic means of communication to be scheduled by the concerned SDO. An e-certificate shall be issued by the concerned SDO

automatically without need for demand from the private school applicant. The concerned SDO shall also provide a checklist to the duly-authorized representative.

The scope of the orientation shall discuss the documentary and other requirements needed for compliance until the issuance of the DepEd Authority, as provided in this Order. The coverage of the pre-application orientation shall not be limited to the following:

- a. DO 88, as amended; and
- b. Other pertinent Department Orders in relation to the regulation of private schools.

ARTICLE III: GRANT OF DEPED AUTHORITY

Section 14. Types of DepEd Authority.

There shall be two (2) types of DepEd authority which are issued by the Department to authorize learning institutions to undertake educational operations upon compliance with the application and minimum standard requirements set by this Manual, namely:

- a. DepEd Permit is a license for one school year which is granted to a school-applicant that offers basic education program/s or grade levels; and
- b. "DepEd Recognition" is an authority granted to a school-applicant that offers a complete program or educational levels (Kindergarten, Elementary, Junior High School and Senior High School of basic education and has demonstrated consistent compliance to DepEd standards from its operations under DepEd Permit. The license is valid for the life of the corporation/cooperative. *Provided that*, upon the issuance of DepEd Authority, the private school shall continue to maintain/comply the requirements as provided in this Manual and other pertinent issuances of the Department.

Section 15. Effects of DepEd Permit and Recognition.

The issuance of DepEd permit to a private school shall have the following:

1. The office of the Policy, Planning, and Research Division (PPRD-RO) will assign a unique school identification number for the school. The SDO Planning Officer will facilitate the creation of a user account for the school head and the school LIS Administrator.
2. The school will be given access to the LIS and Basic Education Information System through the user account. The unique school identification number will form part of the learner's reference number which is a permanent number assigned to each learner that will be used until completion of the basic education program.

Certificate of Recognition to a private school for a particular program/course of study shall have the following effects:

- a. It transforms the DepEd Permit to a permanent authority for the school to operate the program, subject to revocation and other sanctions as provided on the provisions on administrative liability in this manual;
- b. It entitles the school to give the learners who have completed the program a certificate or diploma; and
- c. It entitles graduates of recognized programs to all the benefits and privileges enjoyed by graduates of similar programs in all schools authorized by the government.

Section 16. Application Period.

In case of the application for new DepEd Permit, the school-applicant shall submit its complete requirements to the concerned SDO not later than one (1) year before the intended start of the school year when the school is supposed to operate.

In case of application for DepEd Recognition, the school-applicant shall submit to the concerned SDO not later than one (1) year before the effectivity of the Recognition. A private school may apply for Recognition after a period of two years of operation under DepEd Permit provided that it is compliant with the minimum qualification standards of the Department.

Section 17. Application Requirements.

School-applicants shall submit the application requirements for the DepEd's Permit and Recognition as enumerated in **Annexes 1 and 2** of this Manual, respectively.

Section 18. Application Process.

The following process shall be observed in the application for DepEd Permit and DepEd Recognition:

- a. **Submission of application.** School-applicants shall file applications for DepEd Permit or DepEd Recognition with the Records Office of the SDO, where the school will operate.

If the application is incomplete, the Records Office shall return the application to the school-applicant with an enumeration/identification of deficiency/ies in a form of a return slip and without prejudice to refile, provided further that it be done before the deadline.

- b. School-applicants shall file applications for DepEd Permit or DepEd Recognition with the Records Office of the SDO, where the school will operate.

If the application is complete in form, the Records Office shall receive the application and issue a completion slip. The Records Office shall then assign a unique identification number to an application or request, which shall serve as the identifying number for all subsequent transactions. The Records Officer

shall immediately forward the documents to the SDO-SGOD for the initial assessment of the contents of the application documents.

If the application is incomplete, the Records Office shall then and there return the application to the school-applicant with an enumeration/identification of deficiency/ies in a form of a return slip and without prejudice to refiling, provided further that it be done before the deadline.

- c. **Assessment of the application documents by the SDO-SGOD.** The SDO-SGOD shall assess the application documents and issue its result within five (5) working days from receipt of application documents from the Records Section. If complete, the SDO-SGOD shall prepare the indorsement to the Regional Office and forward the same to the SDS for signature. If the application is incomplete, the SDO-SGOD shall return the application to the school-applicant with an enumeration/identification of deficiency/ies, and without prejudice to refiling, provided further that it be done before the deadline. (Note: Change letter c to b)
- d. **Endorsement of the SDS to RO.** Within three (3) working days from receipt of the complete documents, the SDS shall endorse the application to the RO-QAD.
- e. **Evaluation of the RO-QAD.** The RO-QAD shall evaluate the application for substantial compliance with the requirements of this Manual and issue its result within five (5) working days from receipt of the documents. Upon determination of substantial compliance of the application, the RO-QAD shall assess the school-applicant of the inspection fee and recommend the conduct of ocular inspection to the Ocular Inspection Team (OIT)

The school-applicant shall secure payment of the inspection fee not later than three (3) working days after the assessment of the RO-QAD.

If the application does not comply substantially with the requirements of this Order, the RO-QAD shall return the application to the school-applicant with the enumerations of its deficiency/ies and without prejudice to refiling, provided further that it be done before the deadline.

- f. **Conduct of ocular inspection.** The Ocular Inspection Team, as provided in Section 18 of this Manual, shall send a notice of ocular inspection to the school-applicant at least three (3) working days before the intended date of inspection.

After inspection and evaluation, the OIT shall make the evaluation report within five (5) working days after the conduct of inspection and evaluation and may discuss the content thereof with the school-applicant. In case of deficiencies, the school-applicant shall comply with the deficiencies within seven (7) working days from receipt of the evaluation report. The RO-QAD shall recommend to the Regional Director the issuance or non-issuance of the DepEd Permit or DepEd Recognition to the applicant school within seven (7) working days from receipt of the OIT report

- g. **Decision on the application.** With the recommendation of the RO-QAD, the RD shall issue an approval or denial of the DepEd Permit or DepEd Recognition to the school-applicant within three (3) working days from

receipt of the RO-QAD recommendation; provided that school-applicants that have submitted an Affidavit of Undertaking during the application to the SDO shall submit the list of personnel with their minimum educational requirements prior to the issuance of the authority. No school-applicant shall operate prior to the approval of the DepEd authority.

Section 19. Creation of an Ocular Inspection Team.

The RD shall create an Ocular Inspection Team (OIT) for the conduct of ocular inspection for the validation of the application for DepEd Permit and DepEd Recognition.

The team shall be composed of at least four (4) members who are representatives from RO and SDO. The representative shall come from any of the following:

- a. RO Focal Person for Private School/EPS in charge of private schools;
- b. RO EPS assigned in Curriculum and Learning Management Division/SDO EPS from Curriculum Implementation Division;
- c. SDO Focal Person for private schools;
- d. Engineer from the RO or SDO/Division Physical Facilities Coordinator (DPFC); and
- e. Legal Officer from the RO and/or SDO.

Section 20. Denial of Application of DepEd Permit or DepEd Recognition

The RD shall deny the application in writing and setting forth any or all of the following grounds:

- a. Failure to comply with the necessary requirements for application of DepEd Permit or DepEd Recognition within the required timeline;
- b. There is a pending verified complaint against the school-applicant before the Department and the same is meritorious;
- c. If there is violation of the Omnibus Affidavit; and
- d. Other analogous or similar case.

Section 21. Form of DepEd Permit and DepEd Recognition.

The Regional Director shall sign the DepEd Permit/DepEd Recognition. The DepEd Permit/DepEd Recognition shall state the name of the school, its address, the authority number, and the period of its validity. A narration that *"the DepEd Permit or DepEd Recognition shall be revoked on valid grounds after due process has been observed"* shall be stated in the permit.

A copy of the DepEd Permit or DepEd Recognition shall be furnished to the Policy Planning and Research Division (PPRD) of the RO and SDO-SGOD where the school will operate.

Section 22. Mandatory Review for Private Schools with Recognition.

Private schools granted with recognition shall be subject to the RO's mandatory review every three (3) years in accordance with Section 116. Failure to comply with standards shall be a ground for downgrading the DepEd Recognition to a DepEd Permit.

Section 23. Renewal of Agreement for Use of Schools Sites for Private Schools with Recognition.

Private schools with DepEd Recognition that are not the owners of their respective school sites shall secure and submit a proof of an agreement such as but not limited to Contract of Lease or a Contract of Usufruct for the use of the school site should be longer for fifteen (15) years subject for renewal to cover the period of validity of the Recognition, and contingent/sustainability plan. Failure to provide such agreement shall be a ground for the revocation of DepEd Recognition.

Section 24. Renewal of DepEd Permit.

The DepEd Permit shall be subject for renewal in not more than two (2) 5 times. School-applicants shall apply for the renewal a school year before the expiration of the DepEd Permit. It shall follow the same process and schedule for the application for a new DepEd permit.

In case the school failed to renew its DepEd Permit, the DepEd Permit is deemed revoked. The RD shall issue an order to that effect. Furthermore, the RD has the power to revoke such permit on valid grounds and after due process has been observed during the validity of the permit.

School-applicants shall undergo the same procedures for the application of new DepEd Permit. School-applicants shall comply with requirements of application for the renewal of DepEd Permit as enumerated in **Annex 3**.

Section 25. Mandatory application for DepEd Recognition.

A private school operating under a DepEd Permit status for a continued period of five (5) years shall apply for a DepEd Recognition.

A private school may apply for Recognition after a period of two years of operation under DepEd Permit provided that it is compliant with the minimum qualification standards of the Department.

Failure to apply for DepEd Recognition shall render the school ineligible to apply for another DepEd Permit.

Section 26. Non-operation of Private Schools.

Private schools shall comply with the requirements for closure of schools in Article XIX of this Manual. Otherwise, the DepEd Authority given to a private

school to operate for a school year or more is deemed automatically cancelled. The RD shall issue an order to that effect. (except in meritorious cases)

ARTICLE IV: INTERNATIONAL SCHOOLS

A foreign or international school may be established in the Philippines for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.

Section 27. Application for Authority of International Schools.

School-applicants that intend to operate as international schools shall apply for a legislative franchise to the Congress. Moreover, the Secretary is not deprived in taking any appropriate actions against erring International Private Schools specially in terms of violation of the child protection policy and such minimum standards required by the Department for educational institutions.

Section 28. Voluntary Application for DepEd Recognition.

International schools may voluntarily apply for DepEd Recognition following the same terms and conditions or requirements governing the grant of DepEd Recognition to operate a Kindergarten, Elementary, Junior High School and Senior High School program.

Section 29. Use of the word "international" or Name of a Foreign Country.

Only legislated international schools shall be allowed by the Department to use as part of the name of the school the word "International" or the name of a foreign country.

ARTICLE V: APPLICATION TO OFFER ADDITIONAL GRADE LEVELS

Section 30. Eligibility of private schools.

Private schools that are granted with DepEd Permit can apply to offer additional grade level/courses provided the requirements to offer additional grade levels/course are complied with.

Private schools with DepEd Recognition seeking to offer additional grade levels, courses or programs not covered by their existing DepEd Recognition shall follow the application process for DepEd authority in Section 18 of Article III.

Section 31. Application Period.

School-applicants shall submit applications to the concerned SDO at least one (1) year prior to the intended opening of classes. Applications submitted after the deadline shall automatically be denied.

Section 32. Application Requirements.

School-applicants shall submit the application requirements to offer additional grade level/course as enumerated in Annex 4 of this Manual.

Section 33. Application Process.

The following process shall be observed in the application to offer additional grade level/course:

- a. **Submission of application.** School-applicants shall file applications to offer additional grade levels with the Records Office of the SDO, where the school will operate.

If the application is complete in form, the Records Office shall receive the application and issue a completion slip. The Records Office shall then assign a unique identification number to an application or request, which shall serve as the identifying number for all subsequent transactions. The Records Officer shall immediately forward the documents to the SDO-SGOD for the initial assessment of the contents of the application documents.

If the application is incomplete, the Records Office of the concerned Schools Division Office shall automatically return the application of the school applicant with a return slip indicating any deficiency, as the case maybe. This is without prejudice to refileing, provided that it be submitted before the deadline.

- b. **Assessment of the application documents by the SDO-SGOD.** The SDO-SGOD shall assess the application documents and issue its result within five (5) working days from receipt of application documents from the Records Section. If complete, the SDO-SGOD shall prepare the indorsement to the Regional Office and forward the same to the SDS for signature. If the application is incomplete, the SDO-SGOD shall return the application to the school-applicant with an enumeration/identification of deficiency/ies, and without prejudice to refileing, provided further that it be done before the deadline.
- c. **Endorsement of the SDS to RO.** Within three (3) working days from receipt of the complete documents, the SDS shall endorse the application to the RO-QAD.
- d. **Evaluation of the RO-QAD.** The RO-QAD shall evaluate the application for substantial compliance with the requirements of this Manual and issue its results within five (5) working days from receipt of the documents. Upon determination of substantial compliance of the application, the RO-QAD shall assess the school-applicant of the inspection fee and recommend to the Ocular Inspection Team (OIT) the conduct of ocular inspection.

The concerned Regional Office shall evaluate the application together with the attached documents of the school applicant endorsed by the Schools Division Office and shall issue its assessment within five (5) working days from the receipt thereof. Upon determination of the completeness of the application, the concerned Regional Office shall notify the school-applicant of its compliance to the requirements, its reasonable inspection fee, and order the Ocular Inspection Team to conduct and validate if it fully complied with the requirements.

The school-applicant shall settle the inspection fee within three (3) working days upon receipt of the notice after the assessment of the concerned Regional Office.

If the application did not comply with the requirements, the Regional Office shall return the application with a return slip indicating any deficiency. This is without prejudice to refile of the application with the concerned Regional Office, provided that it be submitted before the deadline.

- e. **Conduct of ocular inspection.** The Ocular Inspection Team, as provided in Section 18 of this Manual, shall send a notice of ocular inspection to the School-Applicant at least three (3) working days before the intended date of inspection.

After inspection and evaluation, the OIT shall make the evaluation report within five (5) working days after the conduct of inspection and evaluation and may discuss the content thereof with the school-applicant. In case of deficiencies, the school-applicant shall comply with the deficiencies within seven (7) working days from receipt of the evaluation report. The RO-QAD shall recommend to the Regional Director the issuance or non-issuance of the DepEd Permit or DepEd Recognition to the applicant school within seven (7) working days from receipt of the OIT report.

- f. **Decision on the application.** The RD shall issue a decision on the application within three (3) working days from receipt of the RO-QAD recommendation. For approved application, the RD shall amend the DepEd Permit to add the additional grade level/courses without prejudice to the effectivity in terms of the number of years of the permit.

ARTICLE VI: FLEXIBLE LEARNING OPTIONS

Section 34. Authority for Offering Flexible Learning Options.

Private schools shall secure authorization from the Department to offer flexible learning options such as the Alternative Delivery Modes (ADM) which include Homeschooling, Instructional Management by Parents, Community, and Teachers (IMPACT), Modified In-school Off-School Approach (MISOSA), night school, open high school, and Alternative Learning System (ALS).

Further guidelines shall be promulgated for the application, approval and operations of flexible learning options in private schools.

Further, the general guidelines in relation to IMPACT, MISOSA, Open High School, Night School, and ALS should be included in the Draft Manual.

**ARTICLE VII:
APPLICATION FOR THE INCREASE IN TUITION AND OTHER SCHOOL FEES**

Section 35. Preconditions for the Increase in Tuition or Other School Fees.

In any proposed increase in the rate of tuition fee or other school fees, there shall be appropriate consultations conducted by the school administration with the duly organized parents and teachers' associations and faculty associations.

To this end, all parents/guardians shall be given notice of the consultations to be conducted by the school administration and of the proposed tuition fee increase. Parents/guardians shall be invited to attend the consultations or advised to send a letter-reply to the proposed increase instead.

During the consultation, every effort shall be exerted to reconcile possible differences. In case of disagreement, the alumni association of the school or any other impartial body of their choosing shall act as arbitrator. A verified certification from the School Head on the consultation conducted and compliance with the required percentage of distribution for tuition fee increase provided by law shall be attached to the application for the increase of fees.

Depending on the assessment of application, DepEd may require the removal of expenses that are not allowed or fees to be charged to learners despite the impossibility of the application thereof for the school year or require the adjustment of fees to be charged to learners despite the impossibility of the application thereof for the school year or require the adjustment of fees pursuant to the authority of the granted to DepEd under Presidential Decree No. 451.

DepEd may also require the submission of previously approved applications together with the adjusted rate of tuition and other school fees for re-assessment in situations where (1) a state of emergency/calamity is declared, (2) in consideration of the rights to access to education of learners in times of pandemic, or (3) changes in learning modalities offered by private schools.

- a. That the student council or government, and their alumni and non-teaching personnel associations must be included during the consultation conducted by the school administration;
- b. That notices must be sent to all interested parties, including the SDO and RO concerned, at least fifteen (15) days prior to consultation;
- c. That the consultation process must be completed at least (1) month before the end of the academic year preceding the academic year that the intended increases shall take effect;
- d. That the latest audited financial statements shall be made available to authorized parties upon request;

- e. That a comparative schedule of tuition and other school fees for the current academic year and the proposed increases for the ensuing academic year with the difference expressed in both peso and percentage terms must be available during the consultation with the interested parties; and that the appropriate consultation conducted by the school administrators is not equivalent to approved tuition and other school fee increase by the Regional Director. (Comments from LAS

Section 36. Application Period.

Applications for the increase of tuition and other school fees shall be submitted to the concerned SDO on or before the last working day of February of the year preceding the imposition of the increase. Applications submitted after the deadline shall automatically be denied.

Section 37. Requirements for Tuition and Other School Fee Increase

School-applicants shall submit two (2) sets of required documents as stipulated in **Annex 5** of this Manual.

Section 38. Application Process for the Increase in Tuition Fee and/or Other School Fees.

- a. **Submission of application.** School-applicants shall file applications for tuition fee increase and other school fee with the Records Office of the SDO, where the school operates.

If the application is complete in form, the Records Office shall receive the application and issue a completion slip. The Records Office shall then assign a unique identification number to an application or request, which shall serve as the identifying number for all subsequent transactions. The Records Officer shall immediately forward the documents to the SDO-SGOD for the initial assessment of the contents of the application documents.

If the application is incomplete, the Records Office shall automatically return the application to the school-applicant with an enumeration/identification of deficiency/ies in a form of a return slip and without prejudice to refile, provided further that it be done before the deadline.

- b. **Assessment of the application documents by the SDO-SGOD.** The SDO-SGOD shall assess the application documents and issue its result within five (5) working days from receipt of application documents from the Records Section. If complete, the SDO-SGOD shall prepare the indorsement to the RO and forward the same to the SDS for signature. If the application is incomplete, the SDO-SGOD shall return the application to the school-applicant with an enumeration/identification of deficiency/ies, and without prejudice to refile, provided further that it be done before the deadline.
- c. **Endorsement of the SDS to RO.** Within three (3) working days from receipt of the complete documents, the SDS shall endorse the application to the RO-QAD.

- d. **Evaluation of the RO.** The RO-QAD shall evaluate the application and issue its result within three (3) working days from receipt thereof and shall indorse the same to the Regional Director with a recommendation for its approval, provided that the requirements stipulated in this Manual complied with. If the application does not comply substantially with the requirements of this Order, the RO-QAD shall return the application to the school-applicant with the enumerations of its deficiency/ies and without prejudice to refiling, provided further that it be done before the deadline.
- e. **Decision on the Application.** The RD shall issue an order to approve or disapprove the application within three (3) days from receipt of the indorsement.

Section 39. Form of Approval on the Increase of Tuition Fee and/or Other School Fees.

In case of approval of application, the order shall state the name of the private school, its address, the DepEd Permit/Recognition number, and effective school year of the tuition fee and other school fee increase. A copy of the Order approving such application for increase shall be furnished to the SDO-SGOD.

In case of denial of application, the order shall state the grounds for disapproval.

**ARTICLE VIII:
CERTIFICATION FOR TAX EXEMPTION**

Section 40. Request for Certification of Private School for Tax Exemption Status

A letter-request for the Certification of Private School for Tax Exemption may be submitted to the CO or RO concerned.

In case of request for Tax Exemption and Duty-Free Importation Certification, the same shall be requested before the DepEd Central Office with documentary requirements as provided for in **Annex 6** of this Manual consistent with Department Order No. 010-2019 of the Department of Finance and other pertinent regulations of the Government.

No favorable recommendation for tax exemption shall be issued to private schools which have been administratively sanctioned with such penalty.

**ARTICLE IX:
TRANSFER OF LOCATION AND CHANGES OF NAME AND OWNERSHIP OF
PRIVATE SCHOOLS**

Section 41. Transfer of Private School to Another Location.

The DepEd Permit or DepEd Recognition of a private school which is transferred to another location is deemed revoked and the RD shall issue an order to that effect; provided however, that the DepEd authority is retained, as an exception if the new site and school buildings and facilities are found to be such better than the former, and if all other standards have been satisfactorily maintained; provided further that the new location is within the same region.

Section 42. Change of ownership, merger and sale of all or substantially all of the assets of the corporation, Effects.

In case of change of ownership as a result of merger, and/or sale of all and substantially all of the assets of the corporation, the surviving constituent corporation shall submit a letter request to the SDS for endorsement to the RD to amend its DepEd Recognition or DepEd Permit. The RD shall issue an action on the request after assessing the compliance of the surviving school to the standards of this manual within five (5) working days from receipt of the endorsement of the concerned SDS. If found non-compliant, the school constituents merged shall be closed, and their DepEd Recognition/Permit shall be revoked.

In a consolidation, the two (or more) schools involved shall be closed, making way for a new school-corporation. Hence, the existing schools shall be ordered closed by DepEd, and their DepEd Recognition/Permit shall be revoked, and a new one be applied for by the consolidated school-corporation, following the procedure stated in this Order.

Section 43. Change of Name.

Private schools shall apply for a change of name to the SDO-SGOD which shall forward the same to the RO-QAD. The RO-QAD shall evaluate the application within five (5) working days from receipt of the documents. Consequently, the RD shall issue an amendment to the existing DepEd Permit or Recognition to reflect the new name of the private school within three (3) working days from receipt of the endorsement of the RO-QAD.

**ARTICLE X
SCHOOL ADMINISTRATION**

**Title I:
School Administration and Structure**

Section 44. School Administration.

Every private school shall have a governing board or set of officers, which shall exercise general supervision, have exclusive control and direction of all funds, prescribe policies, make rules and regulations and establish practices consistent with law for the governance and direction of the school.

The composition of the Board shall comply with the provisions of the Revised Corporation Code or the Cooperative Code of the Philippines as the case may be. The control and administration of educational institutions shall be vested in citizens of the Philippines.

Section 45. School Structure.

All private school shall be composed of and operated by, but not limited to the following:

Chief Executive Officer or President or Director;

School Head or Principal or School Administrator; Guidance Counselor, School Librarian; Medical Personnel; Licensed Teachers; Registrar; Security personnel; other teaching and non-teaching personnel, as it may deem necessary.

Section 46. Functions and Qualifications of School Personnel

The school administrative personnel shall possess such appropriate educational qualifications as may be prescribed by law and shall have adequate experience relevant to the job.

a. CHIEF EXECUTIVE OFFICER / PRESIDENT / DIRECTOR

A private school may have a Chief Executive Officer / President / Director or such other title as may be provided for in the organization thereof, who shall be in charged and accountable of the overall administration and management of each private school.

b. SCHOOL HEAD/PRINCIPAL/SCHOOL ADMINISTRATOR

QUALIFICATIONS:

The school head, which may also be called as principal or school administrator, shall (1) be a Filipino citizen, (2) possess at least an education related master's degree (3) obtain a professional teaching license requiring at least a bachelor's degree with 18 professional education units, (4) have adequate teaching experience, managerial competence and technical expertise in school management, or have a background of demonstrated service and competence in his previous field of endeavor, and (5) be of good moral character.

Aside from the educational qualifications mentioned above, the school head shall have at least five (5) years of relevant teaching or of administrative experience.

FUNCTIONS: The school head shall assist the Chief Executive Officer in the attainment of the objectives of the school, as part of his/her regular functions and responsibilities explicitly stated by the private school.

Every school head / principal / school administrator shall:

- a. communicate the mission, vision, goals and objectives of the school to the stakeholders,
- b. create an environment that is conducive to teaching-learning process,
- c. monitor and assess the school curriculum; and
- d. be accountable for higher learning outcomes.

Hence, the following are the specific functions:

2. Perform his duties to the school by discharging his responsibilities in accordance with the philosophy, goals, and objectives of the school, and DepEd policies such as DO 40 s. 2012, DO 55 s. 2013, and DO 18 s. 2015 and other pertinent policies of the government;
3. Be accountable for the efficient and effective administration and management of the school;
4. Develop and maintain a healthy school atmosphere conducive to the promotion and preservation of academic freedom and effective teaching and learning, and to harmonious and progressive school-personnel relationship;
5. Assume and maintain professional behavior in his/her work and in dealing with students, teachers, academic non-teaching personnel, administrative staff, and parents or guardians;
6. Render adequate reports to teachers, academic non-teaching personnel and non-academic staff on their actual performance in relation to their expected performance and counsel them on ways of improving the same;
7. Observe due process, fairness, promptness, privacy, constructiveness and consistency in disciplining his teachers and other personnel; and
8. Maintain adequate records and submit required reports to the Department of Education.

c. **GUIDANCE COUNSELOR.**

QUALIFICATIONS: A Guidance counselor shall possess eligibility under RA 9258 otherwise known as the "Guidance and Counseling Act 2004." If no licensed Guidance Counselor can be hired, the school may hire a holder of a Bachelor's Degree in Guidance and Counseling or in other Allied Disciplines or a master's degree in Guidance and Counseling from an institution in the Philippines or abroad recognized or accredited by the concerned government.

FUNCTIONS: A Guidance Counselor shall:

1. Design a functional and suitable guidance counseling program for the school;
2. Design and manage teachers' training on guidance-related topics enhancing their skills in effective management of learners;
3. Supervise the guidance programs of the private school;
4. Formulate guidance policies of the private school and discharge functions consistent with DepEd policies such as DO 40 s. 2012, DO 55 s. 2013, and DO 18 s. 2015;

5. Provide guidance seminars on stress management for school personnel and administrators;
6. Establishes, maintains and sustains partnerships and agreements with other agencies and stakeholders based on the Department's established standards for health and/or nutrition programs;
7. Coordinates guidance programs of the school to both learners and parents/guardians, including career counseling;
8. Formulates guidance and counseling forms including individual inventory, agreement forms;
9. Administers and interprets individual and group psychological and projective tests; and
10. Holds parent-teacher conferences.

d. **LIBRARIAN**

- a. **QUALIFICATIONS:** A school librarian shall possess eligibility under Republic Act 9246. If no professional librarian can be hired, the school may hire a holder of Bachelor's degree in Library Science or Information Science or Bachelor of Science in Education/Arts Major in Library Science.

FUNCTIONS: A School Librarian shall:

1. Update/upgrade library collection;
2. Maintain technical and mechanical processing of books and other library collections;
3. Provide library services to learners, faculty and other clientele;
4. Evaluate existing library programs vis-a-vis educational goals of the school;
5. Select and evaluate books periodicals, pamphlets and other library materials available on the market;
6. Collect, prepare catalog, classify and index books, periodicals, and magazines according to generally accepted standards and system;
7. Initiate the conceptualization of new library activities and library expansion;
8. Coordinate library activities and its implementation with administrators, supervisors and other stakeholders;
9. Design and integrate action plans and strategies for the general patronage and maximum utilization of the library and its facilities without disruption of classes; and

10. Adopt various networking activities with other libraries through interlibrary-loan scheme/mechanism.

e. **MEDICAL PERSONNEL**

- a. **QUALIFICATIONS:** A medical personnel shall possess eligibility under RAs 2382 and/or 9173. If no licensed physician or registered nurse is available, the school may hire a medical degree holder or a holder of bachelor's degree in Nursing.

FUNCTIONS: A medical personnel shall:

1. Promote, protect and maintain the physical and mental well-being and readiness of learners by planning and formulating strategies for health and nutrition programs of the school;
 2. Supervise health personnel and establish viable and sustainable linkages with educational partners and stakeholders;
 3. Monitor and evaluate the implemented school health and Nutrition Programs of the school and its direct benefit to the learners;
 4. Develop, design, implement, evaluate, monitor and report sustainable health programs for the school;
 5. Ensure compliance and implementation of health programs of the school;
 6. Prepare and submit necessary periodic reports to the school administrator; and
 7. Establish, maintain and sustain partnerships and Agreements with other schools and stakeholders.
- b. **TEACHERS:** Teaching personnel consisting of: (1) Licensed professional teachers composing all or if not, at least a majority of the teaching personnel; (2) If the teaching complement of the school is not composed of licensed teachers, the minority shall be composed of non-licensed teaching personnel such as: (a) Graduates of science, mathematics, statistics, engineering, music and other degree courses with shortages in qualified Licensure Examination for Teachers (LET) applicants to teach in their specialized subjects in the elementary and secondary education. Qualified LET applicants shall also include graduates admitted by foundations duly recognized for their expertise in the education sector and who satisfactorily complete the requirements set by these organizations: *Provided*, That they pass the LET within five (5) years after their date of hiring; *Provided, further*, That if such graduates are willing to teach on part-time basis, the provisions of LET shall no longer be required; (b) Graduates of

technical-vocational courses to teach in their specialized subjects in the secondary education: *Provided*, That these graduates possess the necessary certification issued by the TESDA: *Provided, further*, That they undergo appropriate in-service training to be administered by the DepEd or higher education institutions (HEIs) at the expense of the DepEd; (c) Faculty of HEIs be allowed to teach in their general education or subject specialties in the secondary education: *Provided*, That the faculty must be a holder of a relevant Bachelor's degree, and must have satisfactorily served as a full-time HEI faculty;

QUALIFICATIONS: A teacher shall possess:

1. For teachers in the kindergarten and elementary grades, Bachelor's degree in Elementary Education (B.S.E.ED.) or Early Childhood Education with RA 1080 eligibility and additional qualifications prescribed by law;
2. For teachers in secondary schools, Bachelor's degree in Education or its equivalent with a major and a minor; or a Bachelor's degree in Arts or Science with at least eighteen professional units in Education with RA 1080 eligibility and additional qualifications prescribed by law.

FUNCTIONS: A teacher shall:

1. To teach subjects or perform school assignments effectively, observe regular attendance in his work, applies knowledge of content within and across curriculum teaching areas and give fair and just ratings to his students on the basis of prescribed standards;
2. Manages classroom structure to engage learners, individually or in groups, in meaningful exploration, discovery and hands-on activities using differentiated, developmentally appropriate learning experiences to address learner's gender, needs, strengths, interests and experiences; and
3. Enforce the reasonable rules, standards, and policies of his school with objectivity and manages learner behavior constructively by applying positive and non-violent discipline within school premises and during off-campus activities.

f. **REGISTRAR**

QUALIFICATIONS:

A registrar shall possess a Bachelor's Degree and at least one (1) year experience relevant to the job.

FUNCTIONS: A registrar shall:

1. Maintain physical and computerized records including student cumulative folders, progress and failure reports, class rosters, schedule changes, and grade books;
2. Process new student/learner records, including requesting transcripts and records from other schools, setting up cumulative folder, and entering student data into appropriate databases
3. Coordinate grading process, including processing of scan sheets, verification and correction of grades, and printing and distribution of report cards;
4. Process and transmit requests for learner information, including student transcripts;
5. Assist counselors with the enrollment, withdrawals, and transfer of learners and process applicable records;
6. Assist school campus administration and counselors with the preparation of reports and student data information; and
7. Maintain confidentiality of information.

g. SECURITY PERSONNEL

QUALIFICATIONS:

A security personnel shall possess appropriate license and training for rendering security services from authorized/recognized institutions of the government.

FUNCTION: A security personnel shall:

FUNCTION: A security personnel shall:

Secure school premises, personnel and learners by patrolling property, monitoring surveillance equipment and inspecting buildings and equipment.

h. DATA PROTECTION OFFICER

A DPO should have expertise in relevant privacy or data protection policies and practices, have sufficient understanding of the processing operations being carried out by the school, including the latter's information systems, data security and/or data protection needs, and internal structure, policies, and processes of the school.

FUNCTION: The Data Protection Officer

Title II:
Conditions of Employment of School Personnel

Book I:
Recruitment

Section 47. School Recruitment Policy.

Each private school shall have a policy on recruitment, selection and appointment of its school personnel, subject to the salary and qualification standards and other conditions of employment as provided by law and such other regulations issued by the government.

Every private school shall promote the improvement of the economic, social, and professional status of all its personnel.

In recognition of their special employment status and their special role in the advancement of knowledge, the employment of teaching and non-teaching academic personnel shall be governed by such rules as may from time to time be promulgated in coordination in coordination with one another by the Department of Education and the Department of Labor and Employment (DOLE).

Conditions of employment of non-academic, non-teaching school personnel, including compensation, hours of work, security of tenure and labor relations, shall be governed by the appropriate labor laws and regulations.

Section 48. Probationary Period; Regular or Permanent Status.

A probationary period of not more than three (3) years in the case of the school teaching personnel and not more than six (6) months for non-teaching personnel shall be required for employment in all private schools. A school personnel who has successfully undergone the probationary period herein specified and who is fully qualified under the existing rules and standards of the school and pertinent regulations of the government shall be considered permanent.

Section 49. Security of Employment.

Security of tenure shall apply to all teaching personnel of any private school, subject to relevant laws and applicable employment contract.

All school personnel, whether teaching or non-teaching, shall be provided by the private school an employment contract prior to the commencement of their service.

Section 50. Labor Organization.

The recognition of any legitimate labor organizations in any private school shall be governed by the provisions of the Labor Code of the Philippines and subject to special regulatory jurisdiction of the appropriate regulatory government agencies.

Section 51. Full-time and Part-time School Employment.

As a general rule, all private schools shall employ full-time school personnel. An applicant shall be eligible for a full-time employment in a private school whenever he/she has the minimum qualifications prescribed in this Manual, has no other remunerative employment requiring regular working hours elsewhere, and whose services to the extent of at least eight hours during each working day are available during the entire time the school operates.

The employment of part-time school personnel shall be reckoned in terms of the needs of the school and/or the availability of qualified applicants.

Section 52. Rights of School Teaching Personnel.

Subject to the limitations prescribed by law and the school policies and regulations, the rights of a teaching personnel of a private school be:

- a. To be respected in his rights as a teacher and as a citizen by his school superiors, peers, and learners;
- b. To be formally apprised of the specific terms and conditions of his employment, and to be paid his salary and other benefits as they become due and payable;
- c. To be secured in his employment in the school after he has successfully passed the prescribed probationary period therein;
- d. To determine and give the ratings of his/her students with objectivity and guided by the norms of the teaching profession;
- e. To bring to the attention of the proper school authority any matter affecting his employment in consonance with fairness, justice, and ethics;
- f. To impose reasonable disciplinary action or sanctions on minor cases of misbehavior of students during the class hours, or during non-class hours when he is officially designated or appointed as a school representative consistent with the student/pupil/learner's manual;
- g. To seek the truth, inquire, discover, publish, and teach the truth in his area of competence, without undue interference, except as may be imposed by the ethics or standards of his discipline;
- h. To be formally informed of his performance rating at least once every school term, based on the generally accepted evaluation techniques and procedures, and in the event of adverse findings, to be afforded a reasonable time within which to improve himself in his performance;
- i. To be informed of any complaint against him/her, to be heard by himself/herself or by counsel in any administrative investigation, to present evidence for his defense, to confront and cross-examine witnesses, to be informed of the decision, and to appeal to proper authorities;

- j. To form, or join, or not to join, organizations for the advancement of his professional as well as economic interests as may be recognized by the school administration; and
- k. To recommend changes in the policies, programs, organization and management of the school.

Section 53. Appointment of School Personnel.

The selection and appointment of school personnel shall be the responsibility of the governing board of each private school. The designation, qualifications, salary rate, date of effectivity, and other terms and conditions of employment shall be specified in the appointment or contract of each school personnel in accordance with the provisions of this Manual, or its implementing rules, and the policies and standards of the school. The appointment or contract of each school personnel shall be duly notarized, signed by the school head, or his duly authorized representative, and the school personnel concerned.

Section 54. Contract or Appointment.

All school personnel shall be given each a contract or appointment, as the case may be, which shall define in specific terms the stipulations and conditions of employment with the private school in accordance with law, school policies, and the provisions of any applicable collective bargaining agreement. School personnel under probationary status shall each be provided with a written contract, with a period of at least one school term which may be renewed for a similar period subject to the agreement of the parties. School personnel under permanent status shall each be provided with a written appointment for an indefinite period which shall be deemed subsisting and effective, unless otherwise terminated in accordance with law and the existing rules and policies of the school.

The contract or appointment signed and acknowledged by the parties in the event of any dispute relative to the terms and conditions of employment shall be taken as the law between them, unless the agreement is contrary to law, public policy, morals, or good customs.

Book III: Hours of Work and Teaching Load

Section 55. Regular Hours and Teaching Hours.

The regular hours of work of school personnel in all private schools shall not exceed eight hours a day.

The normal teaching hours in the different levels of instruction shall be issued through regulation by the Secretary on the basis of course requirements and the maximum load of teaching personnel.

Section 56. Hours Worked.

Hours worked in private schools shall include:

- a. All time during which a school personnel is required to be on duty or to be at a prescribed workplace or assignment; or
- b. All time during which he is suffered or permitted to work.

Rest periods of short duration during the working hours of each day shall be counted as hours worked.

Section 57. Labor Disputes.

Dispute arising from employer-employee relations in private schools, shall fall under the exclusive jurisdiction of the DOLE as provided for by law or regulations.

Section 58. Conditions of Employment.

Conditions of employment under the Labor Code of the Philippines and this manual shall govern the conditions or terms relating to hours of work, rest periods, holidays and other benefits.

Title III: Learners

Section 59. Duties and Responsibilities of Learners.

In addition to those provided for under existing laws, such as but not limited to Children in Conflict with the Law and Children at Risk, every learner shall:

- a. Exert his/her utmost to develop his potentialities for service, particularly by undergoing an education suited to his abilities, in order that he may become an asset to his family and to society;
- b. Uphold the academic integrity of the school, endeavor to achieve academic excellence and abide by the rules and regulations governing his/her academic responsibilities and moral integrity;
- c. Promote and maintain the peace and tranquility of the school by observing the rules and discipline, and by exerting efforts to attain harmonious relationships with fellow learners, the teaching and academic staff and other school personnel;
- d. Participate actively in civic affairs and in the promotion of the general welfare, particularly in the social, economic and cultural development of his community and in the attainment of a just, compassionate and orderly society; and
- e. Exercise his rights responsibly in the knowledge that he/she is answerable for any infringement or violation of the public welfare and of the rights of others.

Section 60. Rights of Learners.

In addition to other rights such as but not limited to DepEd Order 40 s. 2012 "Child Protection Policy", Republic Act 10627 "Anti-Bullying Act of 2013" and Child Labor, and subject to the limitation prescribed by law and regulations, as well as school policies and students and pupils in all schools shall enjoy the following rights:

- a. The right to receive, primarily through competent instruction, relevant quality education in line with national goals and conducive to their full development as person with human dignity;
- b. The right to freely choose their field of study subject to existing curricula and to continue their course therein up to graduation, except in cases of academic deficiency, or violation of disciplinary regulations;
- c. The right to school guidance and counseling services for decisions and selecting the alternatives in fields of work suited to his/her potentialities;
- d. The right of access to his own school records, the confidentiality of which the school shall maintain and preserve;
- e. The right to the issuance of official certificates, diplomas, transcript of records, grades, transfer credentials and other similar documents within thirty (30) days from request;
- f. The right to publish a student newspaper and similar publications, as well as the right to invite resource persons during assemblies, symposia and other activities of similar nature.
- g. The right to free expression of opinions and suggestions, and to effective channels of communication with appropriate academic channels and administrative bodies of the school or institution.
- h. The right to form, establish, join and participate in organizations and societies recognized by the school to foster their intellectual, cultural, spiritual and physical growth and development, or to form, establish, join and maintain organizations and societies for purposes not contrary to law; and
- i. The right to be free from involuntary contributions, except those approved by their own organizations or societies.

Section 61. Absences.

A learner who incurs absences of more than twenty percent (20%) of the prescribed number of class or laboratory periods during the school year or term shall be given a failing grade and given no credit for the course or subject. However, the school head may at his/her discretion

and in the individual case exempt a learner who exceeds the twenty percent (20%) limit for reasons considered valid and acceptable to the school and are defined in the pupil/student/learner's manual. Such discretion shall not excuse the student concerned from responsibility in keeping up with lesson assignments and taking examinations where indicated. The discretionary authority is vested in the school head and may not be availed of by a student nor granted by a faculty member without the consent of the school head.

Section 62. Student Organizations.

The organization of student associations in private schools shall be authorized upon the grant of permits by the proper school authorities. Such permits shall be subject to yearly revalidation and shall be granted only upon compliance of the applicant with such rules and regulations to be promulgated by the school to ensure the legitimacy of purpose for organizing such student associations and the continuous adherence by such student organizations, all its activities, to such legal purpose. Fraternities and sororities are prohibited from operating in public and private elementary and secondary schools as provided under DepEd Order 20, s. 1991 and other related DepEd issuances.

Section 63. Cancellation/Revocation of Recognition of Student Organizations.

Involvement of members in subversive activities, or in any form of violence or criminal offense carried out as a corporate act, rather than through the individual's initiative, in pursuance of objectives of such student associations, shall constitute sufficient cause for the cancellation of the permit of the erring student association.

Section 64. Submission of Constitution and By-laws.

In this connection, student organizations shall be required to submit the constitution and by-laws of the organization and a list of its officers and members.

Section 65. Student Activities.

Student associations shall be required to channel their activities to more productive endeavors that will benefit society through economic, social or cultural activities which are to be prescribed or approved by the proper school authorities or as prescribed under DO 49, s. 2011. They are strictly prohibited from practicing hazing as provided under DepEd Order 7, s. 2006 and other related DepEd issuances.

Co-curricular activities shall be subject to prior approval of the school head. Meetings, assemblies, convocations and activities shall be held in

the presence and with knowledge of the Principal, head Teacher or Guidance Counselor, Teacher or Club Adviser/Coach.

Section 66. Classroom Activities.

Classrooms shall only be used for academic purposes. No group actions like boycott of classes/demonstrations against any issue, person or teacher shall be allowed.

Section 67. Off-campus activities.

Off-campus activities shall be conducted in accordance with the provisions of DepEd Order 66, s. 2017 and such other laws as may be promulgated by legislator or DepEd.

**ARTICLE XI:
DISCIPLINE OF LEARNERS**

Section 68. Responsibility on the Discipline of Learners.

The administration of each private school shall be responsible for the maintenance of good discipline among learners inside the school campus, as well as outside the school premises whenever they are engaged in authorized school activities.

For clarification, will a private school exercise disciplinary authority over the learners if outside the school premises and beyond school hours/ after school year? Particularly, in cases wherein school policies/rules/regulations have been violated or misconduct affects not only the learner, but also the reputation of good name of the school. (Comments from LAS)

Section 69. Authority to Promulgate School Rules.

Each private school shall have the authority and prerogative to promulgate such reasonable norms, rules and regulations as it may deem necessary for the maintenance of good discipline, which shall be effective as of the date of their promulgation, unless otherwise specified.

The school rules governing student discipline and the corresponding sanctions therefore shall be clearly specified and defined in writing and made available to learners, and their parents or guardians. No Corporal punishment shall be imposed. No disciplinary sanction shall be imposed upon any learner except for valid causes as defined in the school rules and regulations, and in accordance with due process as provided for in this Manual, the DepEd Child Protection Policy, Implementing Rules and Regulations of the Anti-Bullying Act, DepEd Guidelines and Procedures on the Management of Children-at-Risk and Children in Conflict with the Law) or other relevant issuances and regulations of the Department and and the Government.

Section 70. Action on Offenses.

A teaching personnel or school officials exercising special parental authority over the learners shall have the authority to impose only non-corporal and positive disciplinary measures in the interest of good order and discipline in case of minor offenses committed in his presence and after due inquiry. When the offense committed is serious, the teaching personnel or school officials shall submit a report concerning the violation to the school head not later than three (3) days from the occurrence of the offense. The school head who may cause the institution to appropriate disciplinary action against the erring learner not later than three (3) days from the receipt of the report, if warranted by the circumstances of the case.

Section 71. Filing of Disciplinary Administrative Action.

When the offense committed is serious and circumstances warrant, the school head shall cause the filing of the corresponding administrative action against the erring learner not later than five (5) days from the occurrence of the offense. The punishment shall be commensurate with the nature and gravity of the offense.

Section 72. Learners' Right to Due Process.

All learners involved in disciplinary proceedings shall be entitled to the right of due process. Due Process in disciplinary cases involving learners does not entail proceedings and hearings similar to those prescribed in courts of justice. Subject to compliance with the requirements of due process and school regulations, the procedure for disciplinary action against a learner shall be summary in nature and shall not involve cross-examination. The learner shall be assisted in the proceedings by his/her parent(s) and/or by counsel.

Section 73. Procedural Due Process.

In administrative cases, such as investigations of learners found violating school discipline, there are withal minimum standards which shall be met to satisfy the demands of procedural due process and these are:

- a. the learner and his/her parent or legal guardian shall be informed in writing of the nature and cause of any accusation against them;
- b. they shall have the right to answer the charges against them and with the assistance of counsel, if desired;
- c. they shall be informed of the evidence against them and be furnished a copy thereof;

- d. they shall have the right to adduce evidence in their own behalf;
- e. the evidence shall be duly considered by the investigating committee or official designated by the school authorities to hear and decide the case; and
- f. The private school shall ensure that the process shall comply with the Data Privacy Act of 2012 and other pertinent laws and regulations of the government.
- g. The private school shall keep records of the administrative case and furnish all parties involved of copies of the complaint, incident report, and minutes of the meeting/conference between the parties.

In administrative cases, such as investigations of learners found violating school discipline, there are withal minimum standards which shall be met to satisfy the demands of procedural due process and these are:

- a. The learner and his/her parent or legal guardian must be informed in writing of the nature and cause of any accusation against them;
- b. They shall have the right to answer the accusation against them and with the assistance of counsel, if desired;
- c. They shall be informed of the evidence against them and be furnished a copy thereof;
- d. They shall have the opportunity to present their case and adduce substantial evidence in support thereto;
- e. The evidence shall be duly considered by the investigating committee or officials designated by the school authorities to hear and decide the case. The decision to be rendered must be based on the evidence presented or at least contained in the records and disclosed to the parties affected;
- f. The investigating committee or official designated by the school authorities, in all controversial questions, render its decision in such a manner that the parties to the proceeding can know the various issues involved, and the reason for the decision rendered. (Comments from LAS)

Section 74. Categories of Administrative Penalties to Learners.

The four (4) categories of disciplinary administrative sanctions for serious offenses or violation of school rules and regulations which may be applied upon an erring learner are Reprimand, Suspension,

Exclusion,
and Expulsion.

- a. **Reprimand.** In order to effectively address misbehavior among learners, teachers may opt to reprimand the learners after an incident occurs to prevent escalation. Additionally, teachers should explain both the rules of the school and the consequences associated with violating those rules. The teachers, shall also contact the parents of the learners to explain their misbehavior to address behavioral issues.
- b. **Suspension.** Suspension is a penalty in which the school is allowed to deny or deprive an erring learner of attendance in classes for a period not exceeding twenty (20%) percent of the prescribed class days for the school year or term. The decision of the school on every case involving the penalty of suspension which exceeds twenty (20%) percent of the prescribed school days for a school year or term shall be forwarded to the SDO concerned within ten (10) days from the termination of the investigation of each case for its information.
- c. **Preventive Suspension.** A learner under investigation of a case involving the penalty of expulsion may be preventively suspended from entering the school premises if the evidence of guilt is strong and the school head is morally convinced that the continued stay of the learner during the period of the investigation constitutes a distraction to the normal operations of the school or poses a risk or danger to the life of persons and property in the school.
- d. **Exclusion.** Exclusion is a penalty in which the school is allowed to exclude or drop the name of the erring learner from the school rolls for being undesirable, and transfer credentials immediately issued. The penalty imposed for acts and offenses constitutes engaging physical fights or aggressive behavior, and repeated violation of school's guidelines. A summary investigation shall have been conducted, and no prior approval by the Department is required in the imposition of the penalty.
- e. **Expulsion.** Expulsion is an extreme penalty on an erring learner consisting of his/her exclusion from admission to any public or private school in the Philippines and which requires the prior approval of the Secretary. The penalty may be imposed for acts or offenses constituting gross misconduct, dishonesty, hazing, carrying deadly weapons, immorality, selling and/or possession of prohibited drugs, such as marijuana, drug dependency, drunkenness, hooliganism, vandalism, and other serious school offenses such as assaulting a learner or school personnel, instigating or leading illegal strikes or similar concerted activities resulting in the stoppage of classes,

preventing or threatening any learner or school personnel from entering the school premises or attending classes or discharging their duties, forging or tampering with school records or school forms, and securing or using forged school records, forms and documents.

The decision of the private school on every case involving the penalty of expulsion, together with the supporting papers shall be forwarded to the Office of the Secretary, copy furnish the concerned SDO and the RO within ten (10) days from the termination of the investigation.

Section 75. Records of Learner Discipline Cases.

All decision and other pertinent records relating to learner disciplinary cases shall be kept on file by the school for the period of one year. Private schools shall also forward records of child abuse and/or disciplinary cases to the SDO as per DO 40 s. 2012.

Section 76. Appellate Procedures before the SDO.

Parties adversely affected by the decisions, resolutions, or orders of the private school in disciplinary proceedings may seek redress of their grievance to the SDO by filing an appeal based on the grounds provided under Section 78 to the corresponding SDO.

For less serious offenses. The school may impose other intervention as may be deemed appropriate under the circumstance.

Section 77. Period of Appeal before the SDO.

Parties adversely affected by the decisions, resolutions, or orders of the private school in disciplinary proceedings may file an appeal to the SDS, within fifteen (15) days from the receipt of the Decision. Decisions or orders of a private school or its authorized representative(s) shall be final and executory unless appealed to the SDO within fifteen (15) days from receipt thereof.

No motion or request for extension of the period within which to file an appeal shall be allowed.

Section 78. Grounds for Appeal.

The appeal may be entertained only on any of the following grounds:

- a. there is prima facie evidence of abuse of discretion on the part of the private school;
- b. the decision or resolution order was secured through fraud or coercion, including graft or corruption;

- c. The decision or order is inconsistent with the existing established rules and regulations; and/or,
- d. there are serious errors in the findings of facts are raised which, if not corrected, would cause grave or irreparable damage or injury to the appellants.

Section 79. Requisites for Perfection of Appeal.

- a. the appeal shall be (1) filed within the prescribed reglementary period, (2) verified by the appellant himself/herself, (3) in the form of a memorandum of appeal which shall state the grounds relied upon and the arguments in support thereof, the relief sought for, and with the statement of the date the appellant received the appealed decision or order, (4) accompanied by (i) proof of payment of the appeal fee, (ii) proof of service upon the other party, (iii) entire records of the case, and (iv) the parties must simultaneously submit electronic and physical copies of the appeal and the relevant documents.
- b. a mere notice or letter of appeal without complying with the other requisites aforestated shall not stop the running of the period for perfecting an appeal.

Section 80. Appeal fee.

The appellant shall pay a prevailing appeal fee and legal research fee of three hundred thirty pesos (P330.00) to the SDO, and the official receipt of such payment shall form part of the records of the case.

Section 81. Decision on Appeal.

- a. After receipt of the memorandum of appeal, the SDS or his/her authorized representative(s) may require the filing of memoranda from the appellees within thirty (30) days therefrom. Failure of the appellee to submit the memoranda shall be deemed a waiver of the to submit the same.
- b. Upon submission by the parties of their memoranda, or the lapse of the period to submit the same, the case shall be deemed submitted for decision.
- c. The SDS shall render his/her decision within ninety (90) calendar days, after the submission of the case by the parties for decision. The decisions in orders of the SDS shall be clear and concise and shall include a brief statement of the: (a) facts of the case; (b) issues involved; (c) applicable laws or rules; (d) conclusions and the

reasons thereof; and (e) specific remedy or relief granted. In cases involving fines, the decision or order shall contain the fine imposed.

Section 82. Motion for Reconsideration.

A party adversely affected by the final order, resolution, or decision of the SDS may, within fifteen (15) working days from receipt of a copy thereof, file a motion for reconsideration. The filing of a motion for reconsideration shall prevent the final order, resolution, or decision of the SDS from becoming final and executory.

Any party to the proceeding may object to a motion for reconsideration filed by filing an opposition thereto within ten (10) working days from receipt thereof. After the filing of said opposition or the lapse of the period for filing the same, the motion shall be deemed submitted for resolution.

Upon denial of the motion for reconsideration, the party adversely affected may file an appeal to the Regional Director, through a Notice of Appeal to the RD, within fifteen (15) working days from receipt of the order.

No second motion for reconsideration of a judgment or final resolution by the same party shall be entertained.

Section 83. Appellate Procedures before the Regional Office.

Respondents adversely affected by the decisions, resolutions, or orders of the SDO may seek redress of their grievance to the RO by filing an appeal to the corresponding RO. The appellate procedures for SDOs shall apply insofar as procedures for the Regional Offices are concerned.

Section 84. Finality of Decision with the Regional Office.

The decision of the RD shall be final and executory after fifteen (15) days from receipt of the copy thereof by the parties unless a Motion for Reconsideration has been filed.

Section 85. Motion for Reconsideration.

A party adversely affected by the final order, resolution, or decision of the RD may, within fifteen (15) days from receipt of a copy thereof, file a motion for reconsideration and prevent the final order, resolution, or decision of the RD from becoming final and executory.

Any party to the proceeding may object to a motion for reconsideration filed by filing an opposition thereto within ten (10) working days from receipt thereof. After the lapse of the period for filing the same, the motion shall be deemed submitted for resolution.

No second motion for reconsideration of a judgment or final resolution by the same party shall be entertained.

Section 86. Appellate Procedures before the Central Office.

Parties adversely affected by the decisions, resolutions, or orders of the RD may seek redress of their grievance to the Secretary.

The appellate procedures for RO shall apply insofar as procedures for the CO is concerned.

Section 87. Finality of Decision with the Central Office.

The decision of the Secretary shall be final and executory after fifteen (15) working days from receipt of the copy thereof by the parties unless a Motion for Reconsideration shall have been filed.

Section 88. Prohibited Pleadings During the Appeal.

The following pleadings and motions shall not be allowed and acted upon nor elevated to the RO and CO:

- a. motion to dismiss the complaint except on the ground of lack of jurisdiction over the subject matter, res judicata, prescription and forum shopping;
- b. motion for bill of particulars;
- c. motion for a new trial;
- d. petition from relief of judgment;
- e. motion to declare respondent in default;
- f. motion to quash;
- g. appeal from any interlocutory order;
- h. appeal from orders of execution; and
- i. dilatory pleadings or motion.

**ARTICLE XII:
CURRICULUM**

Section 89. School Calendar.

Consistent with RAs 7797 and 11480, private schools may opt to deviate from the DepEd school calendar provided they do not start classes earlier than the 1st Monday of June and not later than the last day of August: Provided, That in the event of a declaration of a state of emergency or

state of calamity, a different date for the start of the school year in the country or parts thereof may be set by the President, upon the recommendation of the Secretary of Education. The recommendation shall take into consideration, among others, the applicable safety and health guidelines under the declared state of emergency or calamity.

The school calendar for each year should have a minimum of 190 class days but not to exceed 220 class days. In case of deviation from the DepEd school calendar, the private school needs to complete the minimum number of class days and notify the appropriate DepEd RO in advance regarding any deviation.

Section 90. Minimum Curriculum Requirements.

Private schools shall comply with the minimum curricular standards required by DepEd. However, a private school may enhance/enrich the curriculum as the need arises.

ARTICLE XIII: ADMISSION, TRANSFER AND PROMOTION OF LEARNERS

Section 91. Admission of Learners.

Every learner has the right to enroll in any private school upon meeting its specific standards and reasonable regulations as well as the requirements prescribed by law or regulation. Except in the cases of academic delinquency and/or violation of disciplinary regulations, the student shall be presumed qualified for enrolment for the entire period he is expected to complete his course without prejudice to his right to transfer as provided for in this Manual and its implementing rules,

For enrolment purposes, the name and other personal data or circumstances of each student as officially indicated on his certificate of birth, or alien certificate of registration, if applicable, shall be strictly observed and followed.

Section 92. Enrolment.

- a. **Process.** The enrollment of learners in private schools shall be conducted during the registration days indicated on the approved calendar and pertinent procedures of the school, and subject to the following rules:

1. When a learner registers in a school it is understood that the learner is enrolling until graduation, except in cases of academic deficiency, or violation of disciplinary regulations.
2. Aside from the specified registration period, a learner may enroll and be admitted in accordance with the reasonable rules of the school for late enrollment provided that the learner will be able to meet eighty percent (80%) of the prescribed number of school days.
3. Private Schools shall accept late enrollees provided that the student will be able to meet 80% percent prescribed number of school days, and quarterly requirement to pass the grade level. Subsequent transfer by an enrolled learner from one school to another during the school year is also allowed provided the consent of both schools is obtained.
4. No learner shall be officially enrolled unless he presents the proper school credentials on or before the end of the enrollment period for the school term.
5. A learner is deemed officially enrolled after he/she has submitted his/her appropriate admission or transfer credentials, has made an initial payment of his/her school fees which has been accepted by the school, and has been authorized to attend classes in the school.
6. For purposes of enrollment, the name and other personal data or circumstances of each learner as indicated on his/her birth certificate or alien certificate of registration, where applicable, shall prevail.
7. For kindergarten, the private school shall follow the admission requirements stated under DepEd Order 47, s. 2016 as amended by DepEd Order 20 s. 2018.

- b. Right to Enroll Until Graduation.** Admission to any private school is open to all learners who meet its specific standards, requirements and regulations as expressed in printed publications or other written materials. Except in cases of academic delinquency, violation of school rules and regulations, the closure of a program or course of study by the school or the closure of the school itself, the learner who qualifies for enrollment is qualified to stay for the entire period in which he/she is expected to complete his course/program in a school without prejudice to his right to transfer to other schools within the prescribed period.
- c. Foreign Temporary Resident.** A foreign temporary resident in the Philippines shall be allowed to study in a private school provided

that he/she has a student visa granted by the Bureau of Immigration for learners 18 years old and above; or that his/her parent/s has/have working visa granted by the Bureau of Immigration.

- d. **Temporary Enrollment.** Private schools may admit transferees without appropriate admission or transfer credentials as temporarily enrolled until the submission of the documents on or before 31 August of the current school year. They shall be required to submit an Affidavit of Undertaking, as provided by DepEd Order 3, s. 2018, signed by the parent/guardian in order to be temporarily enrolled.

A learner with a temporarily enrolled status cannot be officially promoted to a higher grade level and cannot officially graduate from a school. The learner will not be recognized should he/she attain the qualifying average and other criteria for academic honors, and the receiving school shall not release official documents.

- e. **Invalid Enrolment.** The enrolment of any learner who is under a term of suspension or expulsion, unless otherwise specifically authorized by the Secretary, or the enrolment of any learner from a school or course without DepEd authority who failed to undergo validation consistent with DepEd policies, shall not be valid.
- f. **Submission of Enrollment List.** Within forty-five (45) days after the close of every enrollment period, every private school not otherwise exempted herein, shall submit to the SDO concerned (1) a list, in duplicate, of all learners enrolled therein, and (2) a summary of enrollment data for the corresponding school year or term for the various programs.

The enrollment list may be submitted in such form and style as may be convenient and economical for each school provided that there be separate lists of learners alphabetically arranged by grades or curriculum years for each educational program.

The non-submission or late submission of the enrollment list shall be considered a violation of the Department's authority over private schools and shall be dealt with according to the prescribed mechanisms of this manual.

- g. **Learners with special needs.** A student with special needs may be given accommodation and modification in class assignments, exams, and other requirements.

Section 93. Transfer.

A learner enrolled in one school is entitled to move to another school of his/her choice within the middle of the school year. This process is called transferal. Moving-out and moving-in, on the other hand, refers to the

transfer of a learner to another school after an academic year and/or learning key stage.

a. **Process of and Requirements for Transfer, Moving-in and Moving-Out.** Every learner who applies for and is eligible to transfer or move-out and move in should be provided by the school he is enrolled in with the appropriate transfer credentials which will entitle him to admission in another school of his choice, subject to the latter's policies and regulations on the admission of transfer students. Such credentials to be issued are as follows:

1. The learner progress report card (School Form 9) duly accomplished and signed by the school head shall be issued to the learner promptly after filing of the application or after the close of the school year as the case may be.
2. School Form 10 (formerly Form 137) shall be issued to the receiving school upon request through the Learner Information System.
3. Subject to the limitations provided for in this Manual and other applicable policies of the Department, the certificate of eligibility to transfer issued to a learner shall qualify him/her to be admitted to the school of his choice, and shall likewise serve as the statement of record of the work accomplished by him/her and his/ her clearance to transfer from the school last attended. The issuance of the certificate of eligibility to transfer shall signify that the learner is free from all financial and property responsibilities to the school last attended, that he is not under a disciplinary sanction, term of suspension, and that he is fully eligible to transfer. For further guidance, please refer to DepEd Order 54, s. 2016.

b. **Learners with Terms of Suspension or Expulsion.** A learner may not be issued his/her certificate of eligibility to while he/she is undergoing a penalty of suspension, or expulsion. The certificate of eligibility to transfer, however, shall be released to the learner as soon as he/she finishes serving the suspension or his/her expulsion is lifted.

c. **Release and Withholding of Credentials.** In accordance with the right of learners to the issuance of official certificates, diplomas, transcript of records, grades, transfer credentials and other similar documents, private schools shall release said documents within thirty (30) working days from request. However, the release of the transfer credentials of any learner may be withheld for reasons of suspension or expulsion or nonpayment of financial obligations or property responsibility of the learner or student to the school.

If, after due inquiry, a private school is found to have unjustifiably refused to issue transfer credentials or records of learners, the SDS, or his/her duly authorized representative, may issue the same without prejudice to the imposition of appropriate administrative sanctions against the private school concerned for non-compliance.

- d. **Obligation of the School Last Attended.** Once the certificate of eligibility to transfer is issued to a student, within thirty (30) working days from request, it shall be the duty of the private school last attended to forward promptly to the requesting school to which the eligibility certification has been presented, the official school credentials of the student.
- e. **Placement of Learners in Special Circumstances.** For the guidelines on placement for learners in special circumstances such as learners from foreign countries, and returnees, refer to DECS Order No. 26, s. 1994 or such other guidelines/issuances that may be promulgated by the Department.

Section 94. Promotion.

Learners shall be promoted from one grade level to another upon satisfaction of academic and attendance requirements set by the private school, as approved by the Department.

Learners from Kindergarten to Grade 12 shall be promoted from one grade level to the next upon satisfactory completion of the requirements, including attendance and academic performance *vis-à-vis* the previous grade-level standards. For further guidance, please refer to Table 11 of DepEd Order No. 8 s. 2015.

- a. **Process of and Requirements for Promotion.**

The following requirements in the promotion or graduation of a pupil or student from any recognized educational program shall be observed and strictly followed by every private school:

1. No learner shall be given any school credit toward the completion of or graduation from a program, unless he has enrolled and satisfactorily fulfilled the admission requirements, faithfully and regularly attended classes, and acquired a reasonable proficiency in each subject of the approved curriculum.
2. No learner shall be permitted to take any advanced subject until he/she has satisfactorily passed the basic and pre-requisite subject(s), except as may otherwise be provided for in this Manual. The minimum final grade to move the

next grade level in all learning areas must be 75 or its equivalent.

3. The records of attendance and subject proficiency of learners for each school year or term should be filed in the school until the close of the next school year or term, for reference or examination in case of any grievance or complaint.

Section 95. Classroom Assessment.

Private schools are encouraged to implement the policy guidelines on classroom assessment for the K to 12 basic education program. However, they are permitted to modify these policy guidelines according to their school's philosophy, vision, and mission with the approval of concerned RDs.

Section 96. Advanced and Back Subjects.

As a general rule, a learner shall not be permitted to take any advanced subject until he/she has satisfactorily passed the prerequisite subject or subjects.

Applicable provisions of existing policies on the assessment and remedial classes such as DepEd Order 13 s.2018, and DepEd Order No. 14 s. 2023 shall govern the advanced and back subjects for learners in the secondary level.

Section 97. Subject Load and Sequence.

The subject load and the sequence of subjects of learners shall be in accordance with the approved DepEd curriculum for each program or course of study. Reasonable exemptions may be permitted in individual cases taking into account the best interest of the learner and the objectives of the educational system.

Section 98. Excess Load for Graduating Student.

A graduating high school learners may be permitted upon the discretion of the school an additional subject load in excess of the normal load specified by the school for the school year or semester.

Section 99. Acceleration of Learners.

Further guidelines on the acceleration of learners shall be promulgated by the Department.

Section 100. List of Graduates.

A list of names of all recipients of certificates or diplomas shall be submitted to the Secretary or his/her duly authorized representative within three (3) months following the close of the school year.

Section 101. Awards and Recognition.

Private schools shall be responsible for promulgating their policy guidelines on awards and recognition, consistent with the existing DepEd policies and guidelines on awards and recognition for the K to 12 basic education program. Any modifications in the guidelines should be subjected to the approval of the RD.

Section 102. Honor Students.

The determination of honor students, awards and recognition, for the K to 12 Basic Education Program, shall be in accordance with DepEd Order 36, s. 2016.

Section 103. Learners under Flexible Learning Options.

Further guidelines on transfer, move-out and move-in, and promotion of Learners under Flexible Learning Options shall be promulgated.

**ARTICLE XIV:
GRADUATION**

Section 104. Authority to Graduate Learners.

Except otherwise as may be allowed by regulation issued by the Secretary, no private school may issue any certificate or diploma, or confer any title or degree, upon any learner until after his/her eligibility to graduate shall have been certified to by the Secretary or his/her duly authorized representative through a corresponding special order.

Section 105. Special Order.

Except as may otherwise be provided for by the Department in connection with accreditation, special orders shall be required for the graduation of students from the formal secondary level in private schools. The withholding of the issuance of such special orders by the Department shall be undertaken only in connection with defects in the applications for special orders submitted by the school.

Applications for special orders shall be filed by private schools with the Department at least sixty (60) calendar days before the end of the academic year, and shall be processed by the Department and returned to the school within thirty (30) calendar days the receipt of such application.

No special orders will be required for elementary level and junior high school completers. Further, private schools with unauthorized programs are disqualified to apply for the issuance of special orders.

ARTICLE XV: OPERATIONS OF PRIVATE SCHOOLS

Section 106. School Records.

Consistent with DepEd issuances such as D.O 11 s. 2018 and DepEd Order No. 27 s. 2019. Private schools shall prepare and maintain basic education records to attest the level of academic completion or accomplishment of its current and former learners, and records on pertinent information for school management. Private schools are enjoined to adopt the standardized preparation of school records and forms of the Department to ensure consistency of learner's information.

a. Maintenance of School and Learner Records.

School records of learners in private schools shall be kept for a period of at least one (1) year after graduation, except the official school credentials of each learner which shall be preserved in perpetuity.

In the event of the cessation of operation of the school due to termination of its corporate life, or for other causes, the official school credentials of pupils and students shall be surrendered to the SDO or his/her duly authorized representative within the period allowed by law for winding up of business.

b. Transfer of Learner's School Records.

Private schools shall adhere to the following guidelines on the request and transfer of learner's school records:

- i. The transfer of records shall be made easy and quick without encumbering the learners and parents, while ensuring confidentiality and security of school records;
- ii. The request and release of learner school records shall be between the receiving and originating schools. The Learner Information System (LIS) shall be used as platform in this transaction;
- iii. Receiving schools shall secure Permanent Records of all incoming learners before the end of first grading period. For transferred-in learners during the school year, transfer of documents shall be secured thirty (30) days from the first day of school attendance;
- iv. In case of unavailability of the Permanent Record due to circumstances beyond control, the Report of Promotions can be used as substitute, which is available at the SDO; and,
- v. Records of a learner under a penalty of suspension or expulsion shall not be released until the lapse of the penalty - therefore, at the discretion of the school in the case of suspension, or approval by the Secretary in the case of expulsion.

The procedures to facilitate the request and release of learner school records shall strictly adhere to the existing guidelines on the transfer of learners' school records of the Department.

c. Inspection of Keeping School Records.

The Department, through its duly authorized representative, may examine the manner of keeping, maintaining and the issuance of school records not only of learners but also any information which contains personal data to ensure compliance with the guidelines provided for by the Department and the National Data Privacy Act.

d. Data Privacy of School Records.

The private school shall appoint a Data Protection Officer pursuant to Section 26(a) of the IRR of the Data Privacy Act of 2012 , any natural or juridical person or other body involved in the processing of personal data shall designate an individual who shall function as data protection officer (DPO), compliance officer, shall otherwise be accountable for ensuring compliance with applicable laws and regulations for the protection of data privacy and security.

e. Data Privacy of Learners.

The Data Protection Officer of the private schools shall collect, process and protect the data and information of the learners. Release of the

school records of the learners shall be in accordance with the Data Privacy Act.

Section 107. Basic Education Information Systems.

All private schools shall register and update their learners' profile and other required basic education statistics in the Department's information systems such as the LIS and Basic Education Information System (BEIS), in accordance with the existing guidelines of the Department.

Failure to comply with the required basic education statistics shall be considered a violation of the Department's authority over private schools and shall be dealt with according to the prescribed mechanisms of this manual.

To preserve the integrity of basic education statistics and prevent unauthorized access to information systems, access to the LIS and BEIS shall be granted exclusively to private schools granted with DepEd authority. To this end, the RO-QAD and RO-PPRD shall take appropriate measures to establish an updated database of private schools.

Section 108. Finance.

Private schools may be funded from their capital investment or equity contributions, tuition fees and other school charges, grants, loans, subsidies, passive investment income and income from other sources.

Any private school duly recognized by the government, may receive any grant and legacy, donation, gift, bequest or devise from any individual, institution, corporation, foundation, trust of philanthropic organization, or research institution or organization as may be authorized by law. Furthermore, private schools are authorized to engage in any auxiliary enterprise to generate income primarily to finance their educational operations and/or to reduce the need to increase fees.

Private schools shall adhere to the Generally Accepted Accounting Principles in the country to govern the preparation of financial statements of the private schools. Financial statements shall be made available by private schools during monitoring and as requested by the Department for the assessment of the financial viability of private schools.

Section 109. Campus Security.

Only bona fide learners of the school shall be allowed inside the school campus. No visitors shall be allowed inside the campus during school hours except for valid reasons. They shall be required to sign the logbook of the security service, subject to the provisions of the data privacy act.

Teachers shall confer with parents/guardians during the consultation hours set by the school.

No learner or visitor shall be allowed inside the school building and the premises after the last class period has ended except for schools with night classes and legitimate school activities subject to the provisions of special parental authority.

Section 110. Parents-Teachers Association.

Private schools shall organize Parents-Teachers Association (PTA) for the purpose of providing a forum for the discussion of issues and their solutions related to school programs and to ensure the full cooperation of parents in the efficient implementation of such programs. The PTA shall provide mechanisms to ensure proper coordination with the members of the community.

Private schools are encouraged to implement the existing rules and regulations of the Department in organizing PTAs. However, all PTAs, as organizations operating in schools, shall adhere to all policies and implementing guidelines by the Department such as Batas Pambansa 232, DepEd Order 40 s. 2012, DepEd Order 55 s. 2013, and DepEd Order 18 s. 2015 and such other laws as may be promulgated by legislator or DepEd.

ARTICLE XVI: ACCREDITATION

Section 111. Accreditation.

Voluntary membership by private schools in accrediting associations shall be encouraged as a means to optimize the contribution of the private school system toward the attainment of the goals of national development.

Only private schools possessing DepEd recognition shall be eligible for membership in accrediting associations duly recognized by the Secretary.

Section 112. Effects of Accreditation

Accredited schools have the authority to graduate students from accredited programs of study without prior approval of the Department, the conditions for which are as follows:

- a. The school head shall furnish the RO through the SDO a copy of its certificates of accreditation.
- b. Within two (2) weeks after the graduation exercise, the school shall submit to the RO concerned an alphabetical list of graduates by course, accompanied by a certification under oath signed by the

school registrar certifying that the learners therein listed (1) have complied with all the requirements of the Department; (2) were conferred their respective certificates on a specific date; and (3) have complete scholastic records on file in the school, and have their School Form 10 (SF 10) for high school in the custody of the school. This list shall be sufficient basis for issuing special orders, if still necessary.

The private school shall be held fully liable for the veracity of the records without prejudice to any legal action, including revocation of DepEd recognition, as may be called for under the circumstances.

The Department reserves the right to cancel or revoke the graduation of any learner whose records are found to be fraudulent.

Section 113. Rules and Standards.

Further guidelines may be promulgated on the applicable rules and standards for recognition of accrediting organizations.

Section 114. Certifying Agency.

The Department recognizes the Federation of Accrediting Agencies of the Philippines (FAAP) as the agency to certify, pursuant to its general or common standards, the accredited status of schools and their programs.

The accrediting agencies federated under FAAP are hereby recognized and authorized to continue their accreditation activities. Specifically, these agencies are: (1) the Philippine Accrediting Association of Schools, Colleges and Universities, (2) the Philippine Association of Colleges and Universities Commission on Accreditation, and (3) the Association of Christian Schools and Colleges Accrediting Agency, which for brevity are commonly referred to as PAASCU, PACU-COA and ACSCAA, respectively. However, this recognition shall be without prejudice to the subsequent inclusion of such additional accrediting agencies as may be recognized by the Department.

Certifying agencies may promulgate their own internal rules and regulations, provided it shall not be contrary to the minimum requirements as may be provided in this Manual.

Section 115. Levels of Accreditation Status.

Schools or educational programs of study shall be classified into levels of accreditation. DepEd shall issue further guidelines on additional administrative or academic prerogatives which conferred to accredited

schools. The benefits resulting from accreditation shall be valid only for as long as its accreditation status is current.

Section 116. Withdrawal of Benefits of Accreditation

Any benefits granted by the Secretary to a private school by virtue of its membership in good standing in a recognized accrediting association or the authority issued to the accrediting association may be withdrawn, if after due investigation, the Secretary finds that the superior standards of accreditation on the basis of which the benefit of authority had been granted are not observed or maintained.

ARTICLE XVII: VISITORIAL, MONITORING AND ENFORCEMENT POWERS

Section 117. Purpose.

The Secretary, or his/her duly authorized representative, shall assess the compliance of all private schools to the standards and relevant policies of the Department through visits and monitoring, which may be necessary to determine compliance or which may aid in the enforcement of this Manual and of any relevant orders issued pursuant thereto.

“The Secretary, as mandated by Law shall have regulatory power over Private Schools. The Secretary through his/ her duly authorize representative, shall assess in the compliance of all private schools to the standards and relevant policies of the Department through visitorial, monitoring and enforcement thereof.

The Department shall also ensure successful implementations of its programs by providing updates, notices and relevant assistance to Private Schools aside from technical assistance.

This is to maintain the complementarity roles of public and private institutions in providing quality basic education and to provide relevant and appropriate assistance to the private schools as may be provided by the Department.” (RA 9155)

Section 118. Types and Features of Monitoring.

The Department in accordance with its mandate, shall exercise the following to ensure the quality of basic education services in private schools:

- a. **Regular monitoring.** All private schools shall be regularly monitored by concerned DepEd offices to assess the implementation of basic education policies and programs, and validate the accomplishment of relevant school performance indicators; and,
- b. **Mandatory review of compliance with standards.** Private schools, with DepEd Recognition, shall be monitored every three (3) years to holistically assess and review the compliance with and implementation of the minimum set standards of DepEd, as required in their application.
 - i. **Scope.** This shall cover the following areas:
 - a. Curriculum implementation;
 - b. School records;
 - c. Organizational structure;
 - d. Building, equipment and other facilities;
 - e. Implementation of school manual to include child protection policies, Data Privacy Act and other DepEd rules and regulations;
 - f. Key performance indicators such as enrolment, retention, drop out, transfer in and out, and School ratios such as classroom to student, teacher to student;
 - g. School plans;
 - h. Implementation of government assistance and subsidies, as applicable; and
 - i. Administrative and financial reports.
 - ii. **Organization of a Monitoring Team (MT).** The RD shall organize a monitoring team for the mandatory review of the compliance of private schools with standards including government assistance and subsidies. The team may be composed of personnel/officer from the functional divisions of the RO and/or SDO.

The MT has the following duties and responsibilities:

- a. Prepares and submits a Monitoring Plan to the RD;
- b. Conducts monitoring and evaluation to all private schools;

- c. Provides technical assistance to private schools specifically on improving curriculum implementation and intensifying implementation of DepEd policies as to the protection of children while they are in school among others;
 - d. Prepares and submits monitoring report to the RD and Secretary; and
 - e. Immediately communicates to the RD any finding on violations.
- iii. **Processes.** The MT shall prepare annual monitoring plans to set the monitoring schedules and determine strategies.

During the actual monitoring, the MT shall discuss with the duly designated representative/s of private schools the objectives and coverage of the visit. The monitoring can be done through, but not limited to the following methods:

- a. Classroom observation;
- b. School conference with stakeholders;
- c. Interview with learners, teachers and other school personnel, parents on school manual and other education policy implementation;
- d. Checking of reportorial requirements such as administrative, financial, child protection and administrative disciplinary cases reports;
- e. Checking of education data and (i.e. enrolment, transfer in and out) Including the government assistance and subsidies as applicable;
- f. Facility and equipment inspection;
- g. Building and classroom inspection; and
- h. Administration of survey questionnaire.

Exit conferences shall be done to discuss with duly designated representative/s of private schools the initial findings of the MT, specifically highlighting the effective practices and areas for improvement, in order to provide guidance to improve the school operations.

The MT shall prepare and submit a report to the RD copy furnished the SDS, fifteen (15) working days after the conduct of monitoring. The RO, through the QAD, will consolidate and

analyze the M&E reports for annual submission to the Secretary. Private schools shall also be furnished with a copy of the report upon request.

Section 119. Findings of the Monitoring Team.

If the MT's findings show any violation to the set minimum standards and other relevant policies of DepEd, the MT shall recommend appropriate actions and refer the matter to the Regional Director.

On the other hand, findings that need policy intervention shall be immediately discussed with the RO and communicated to the CO for appropriate intervention.

Section 120. Stakeholder Engagement.

In support of monitoring, stakeholders shall be engaged in gathering feedback on private school operations. Feedback from parents/guardians and learners regardless of form and means of communication shall be forwarded to the SDO-SGOD for consideration during monitoring.

The feedback may be a basis of appropriate offices to conduct a motu proprio inquiry or immediate monitoring of the regional office on the subject school.

ARTICLE XVIII: ACCOUNTABILITY

Title I: Administrative Liability

Section 121. Grounds in imposing administrative liability.

Private schools shall be held administratively liable based on the following grounds:

- a. Operating without DepEd authority;
- b. Fraud or deceit in relation to application/renewal of DepEd Permit or DepEd Recognition;
- c. Offering learning areas, program, and/or grade level/s without DepEd authority including misrepresentation or illegal advertisement, and false claims of course offerings and/or grade level;

- d. Failure to comply with the minimum requirements in operating private schools, curriculum, increase on tuition and other fees, and/or authorized operation or mismanagement of night classes;
- e. Withholding of the credentials of learners without justifiable cause;
- f. Non-compliance to reportorial requirements to include non-submission or late submission of reportorial requirements such as the LIS, BEIS, Child Protection Related Reports, and other related reports;
- g. Submission of fraudulent enrollment list, and falsification of document submitted to DepEd or reportorial requirements of DepEd;
- h. Failure to comply with the guidelines on closure of private schools;
- i. Conspiring and/or abetting the illegal operation and practices of another private school/s;
- j. Conduct of illegal activities, as contemplated by law, within school premises with consent or through negligence of school official/s and/or incorporator/s;
- k. Violation of Child Protection, Anti-Bullying, Management of cases of Children-At-Risk (CAR) and Children in Conflict with the Law (CICL), and other DepEd issuances related to the protection of children within the school;
- l. Violation and non-compliance of laws and policies related to education and children; and
- m. Other analogous causes.

Section 122. Sanctions.

After due process was observed, the RD may impose the following sanctions against the erring private school in accordance to the offenses committed by the erring Private Schools as indicated in the proceeding Section on Schedule of Sanctions.

- a. Reprimand;

- b. A fine provided by BP 232 or as may be determined by the deciding authority;
- c. Suspension of DepEd authority for a specific grade level/s;
- d. Suspension of the DepEd Recognition or DepEd Permit of the school;
- e. Downgrading the status of DepEd Recognition to DepEd permit
- f. Revocation of DepEd Permit or DepEd Recognition;
- g. Accessory penalties:
 - (i) Non-issuance of certificate of good standing for tax exemption for duty free importation;
 - (ii) Recommendation for filing of criminal charges to the Department of Justice (DOJ) under BP 232;
 - (iii) Recommendation to the SEC/ CDA for the dissolution of the corporation/cooperative; and
 - (iv) Disqualification from applying for a DepEd Permit or DepEd Recognition for one (1) school year or as may be determined by the deciding authority.

Section 123. Schedule of Sanctions.

The following is the schedule of sanctions for violations of erring private schools:

Violation	Sanction		
	1 st Offense	2 nd Offense	3 rd Offense
Fraud or deceit in relation to application/renewal of DepEd Recognition or DepEd Permit	Fine and non-issuance of certificate of good standing for tax exemption.	Prohibition from accepting new cohort of learners or suspension of DepEd Permit or DepEd Recognition, and non-issuance of certificate of good standing for tax exemptions	Revocation of DepEd Permit/DepEd Recognition, non-issuance of certificate of good standing for tax exemption. recommendation for filing of criminal
Withholding of the credentials of learners without justifiable cause			

<p>Conspiring and/or abetting the illegal operation and practices of another private school</p>			<p>charges to the DOJ under BP 232, and recommendation to the SEC/CDA for the dissolution of the corporation / cooperative.</p>
<p>Violation of Child Protection, Anti-Bullying, Management of cases of CAR and CICL, and other DepEd issuances related to the protection of children within the school;</p>			
<p>Violation and non-compliance of laws and policies related to education and children</p>			
<p>Offering learning areas, programs, and/or grade level/s without DepEd authority including misrepresentation or illegal advertisement, and false claims of course offerings and/or grade level;</p>	<p>Fine and issuance of Cease and Desist Order for specific course/s to private schools with DepEd authority</p>	<p>Prohibition from accepting new cohort of learners or suspension of DepEd Permit or DepEd Recognition plus non-issuance of certificate of good standing for tax exemption</p>	<p>Revocation of DepEd Permit/DepEd Recognition, non-issuance of certificate of good standing for tax exemption, recommendation for filing of criminal charges to the DOJ under BP 232, and recommendation to the SEC/CDA for the dissolution of the corporation / cooperative</p>

Operating without DepEd authority	Closure of schools without DepEd authority and recommendation for filing of criminal charges to the DOJ under BP 232	n/a	n/a
Non-compliance to reportorial requirements	Reprimand and fine for private schools with DepEd Permit or DepEd Recognition	Fine and non-issuance of certificate of good standing for tax exemption	Disqualification for renewal of DepEd Permit, or Downgrading of DepEd Recognition to DepEd Permit, fine, and non-issuance of certificate of good standing for tax exemption
Submission of fraudulent enrollment list, and falsification of document submitted to DepEd or reportorial requirements of DepEd;	Suspension of DepEd Permit/DepEd Recognition, fine and non-issuance of a favorable recommendation for tax exemptions	Revocation of DepEd Permit or DepEd Recognition, fine, non-issuance of certificate of good standing for tax exemption, and recommendation to the SEC/CDA for the dissolution of the corporation/cooperative	n/a
Conduct of illegal activities within school premises with consent or through negligence of school official/s and/or incorporator/s			

<p>Failure to comply with this DepEd order on the following: maintaining the minimum requirements in curriculum and operation of private school increase on tuition and other fees</p> <p>Operation or management of night classes</p>	<p>Fine and non-issuance of favorable recommendation for tax exemptions</p>	<p>Prohibition from accepting new cohort of learners or suspension of DepEd Permit or DepEd Recognition, plus non-issuance of a favorable recommendation for tax exemptions</p>	<p>Revocation of DepEd Permit / DepEd Recognition, non-issuance of a favorable recommendation for tax exemptions, recommendation for filing of criminal charges to the DOJ under BP 232, and recommendation to the SEC/CDA for the dissolution of the corporation/ cooperation</p>
<p>Failure to comply with the guidelines on closure of schools</p>	<p>Recommendation for filing of criminal charges to the DOJ under BP 232 plus fine</p>	<p>n/a</p>	<p>n/a</p>

Sanctions for offenses with regard to violation of laws, any provision of this DepEd Order, and other DepEd policies, rules and regulations, and issuances, and other analogous causes shall depend on the nature and gravity of committed offenses.

**Title II:
Administrative Proceedings**

Section 124. Commencement of Administrative proceedings.

Administrative proceedings shall commence upon the filing of a formal complaint through the RO bearing jurisdiction over the school concerned.

The Department or through the Regional Director having the jurisdiction over the school concerned, upon evaluation and verification of the unverified complaint or reports or findings of the Monitoring Team through ocular inspections, may commence *moto proprio* administrative proceedings against the erring private schools and may issue show cause order against that private school.

Section 125. Form of Complaint.

A complaint shall be under oath and shall be written in a clear, simple, and concise language so as to inform the private school complained of, about the nature and cause of accusation against it and enumerating the grounds therefore to enable them to intelligently prepare their defense or answer.

Section 126. Contents of Complaint.

A complaint shall contain the following:

- a. Full name and address of the complainant
- b. Full name and address of the private school being complained of;
- c. A narration of the relevant and material facts which should show the acts or omissions allegedly committed by the private school;
- d. Certified true copies of documentary evidence and affidavits of his/her witness(es) if any;
- e. Verification and Certification of non-forum shopping; and
- f. Certified true copy of Official Receipt of filing fee.

Section 127. Verification and Certification of Non-Forum Shopping.

The complainant shall have attached a verification and certification of non-forum shopping which is duly sworn statement that the complainant had that: (1) he/she caused the preparation of the complaint; (2) he/she has read the contents thereof and the facts stated therein are true and correct of their personal knowledge and/or on the basis of authentic copies of documents and records in their possession; (3) he/she has not commenced any other action or proceeding involving the same issues in the Supreme Court, the Court of Appeals, or any other tribunal or agency; (4) to the best of his/her knowledge and belief, no such action or proceeding is pending in the Supreme Court, the Court of Appeals, or any other tribunal or agency; and (5) he/she should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or any other tribunal or agency, he/she undertakes to report that fact within five (5) days therefrom to the RD bearing jurisdiction over the case.

Section 128. Effect of Failure to Comply with the Contents of a Complaint.

Only complaints which comply with the prescribed form and substance as required herein shall be accepted by the RO as a formal complaint.

Complaints which are not compliant with the prescribed form and substance may be dismissed *ipso facto*. Except, motu proprio by the Secretary through the Regional Director if upon verification in the monitoring, the complaint had meritorious cause of action. The Regional Director issue a show cause order against the private school complaint of.

Section 129. When and Where to File.

A sworn written complaint may be filed, in (3) triplicate copies, at any time during office hours, with the RO bearing jurisdiction over the private school for any violation.

Section 130. Filing Fee.

Upon filing of a verified and sworn complaint under oath, a filing fee of P330.00 shall be paid in full by the complainant to the RO. The RO shall issue official receipts for filing fees.

Non-payment of the prescribed filing fee shall result in the dismissal of the case.

Section 131. Withdrawal of the Complaint.

The withdrawal of a complaint does not result in the outright dismissal nor in the discharge of the private school complained of from any liability.

Section 132. Dismissal of Complaint.

Should the issues raised in the complaint be not covered by these rules or not within the jurisdiction of this Department, the RD may *ipso facto* dismiss the complaint.

Section 133. Action on Verified Complaints.

The following process shall be observed for the conduct of administrative proceedings for verified complaints:

- a. The RD shall dismiss outright a complaint if on its face, there is obviously no truth or merit to the allegations therein. Otherwise, designate a Hearing Officer/s within fifteen (15) working days preferably from the RO/SDO Legal Office, Division Supervisors, QAD Supervisors and/or Division Administrative Officer;
- b. Upon receipt of the designation, the Hearing Officer/s shall issue an Order for the private school complained of to file its answer to the complaint within fifteen (15) working days;
- c. Upon receipt of the answer/comment or lapse of the period to file the same, the Hearing Officer/s shall dismiss the complaint if there is no prima facie case. Otherwise, the Hearing Officer/s shall issue an order for the conduct of a preliminary conference with the parties. The following shall be discussed and considered during the preliminary conference:
 - i. Possibility of amicable settlement, if warranted;
 - ii. Limitation of issues to be resolved. Matters which are not within the jurisdiction of DepEd shall be dropped and shall not be considered as an issue;
 - iii. Available dates for simultaneous submission of Position Papers, Reply, Memorandum and other pleading; and
 - iv. All other matters for the expeditious resolution of the case.
- d. Within thirty (30) working days from the termination of the proceedings, the Hearing Officer/s shall submit his/her findings and recommendation to the RD. The report of the Hearing Officer/s shall be confidential, and the parties shall not be given a copy thereof.
- e. A decision shall be rendered by the RD, as much as possible, within one hundred twenty (120) working days from the receipt of the report from the Hearing Officer/s.

Section 134. Legal Counsel/Authorized Representative.

The parties may be represented by a counsel of their own choice. Said representation shall be authorized through a Board Resolution or Secretary's Certificate or a Special Power of Attorney, as the case may be.

Section 135. Dilatory Motions/Pleadings.

The following pleading shall be deemed prohibited, except upon a lawful order of the Court, to wit:

Motion to dismiss, although any grounds justifying the dismissal of the case may be discussed in the answers or counter- affidavit/ Pleadings of the party;

Motion of Bill of Particulars; and Dilatory motions including, but not limited to, motions for extension of time, for extension of time, for postponement, second motion for reconsideration and/or reinvestigation.

Upon the receipt of the respondent private school of a formal complaint, the respondent private school shall file its answer/ counter affidavit together with its supporting evidence within ten (ten) days from the receipt thereof.

Failure to file its answer/ counter-affidavit within ten (10) days from receipt thereof. The case shall be decided based on the evidence submitted by the complainant.

Title III:

Issuance of Show Cause Order based on Anonymous Complaints, Unverified Complaints and Findings of the Monitoring Team

Section 136. Issuance of Show Cause Order.

A Show Cause Order may be issued when:

- a. The complaint is unverified or the complainant is anonymous and where there is reasonable ground or where there is documentary evidence that would tend to prove the veracity of the allegation against the private school complained of.
- b. There is/are deficiency/ies during the monitoring conducted by the MT and such deficiency/ies was/were not complied with despite the period given by the RD;
- c. Determination of the RD that the private school has no records of government authority; or
- d. Such other meritorious circumstances.

Section 137. Findings of the Monitoring Team during Monitoring of Private Schools as Ground for Issuance of Show Cause Order.

If the MT's findings show that the private school is non-compliant with the minimum and continuing requirements set by DepEd, the MT shall discuss with the duly authorized representative of the private school the noted deficiencies. The RD shall give the necessary period for the private school to comply.

If the said private school failed to comply within the prescribed period, the RD shall issue a show cause order to the private school to explain why it should not be sanctioned in accordance with these rules.

Section 138. Actions on a Show Cause Order.

The Show Cause Order shall:

- a. Require the school or its authorized representative or owner thereof to file a verified answer within five (5) working days from receipt of the order, with certified copies of documents as well as affidavits of any witnesses to stand as the school's evidence in the case; provided that an extension of five (5) working days may be allowed on justifiable reason/s. Failure to file a verified answer within the prescribed period or to appear shall be deemed a waiver to file the same; or
- b. Require the school or its authorized representative or owner thereof to appear at a specified date before the Office of the Regional Director and to explain why the private school should not be closed and to bring the original copies of the private school's witnesses' affidavits and documentary evidences.

Section 139. Answer to the Show Cause Order.

The private school shall submit a verified answer to the Show Cause Order. It shall state the facts, the law relied upon and attach all the evidence supporting the defenses raised therein.

If no answer has been filed within the period stated in the Show Cause Order, the private school is deemed to have waived the right to file the same.

Section 140. Ocular Inspection on Anonymous and Unverified Complaints.

If the answer is not sufficient or not provided by the private school, the RD may designate the SDS to conduct an ocular inspection at the school premises within thirty (30) calendar days upon the receipt of order to verify the veracity and truthfulness of the complaint as duly submitted.

The corresponding ocular inspection report shall be submitted to the RD within thirty (30) working days from the date of inspection.

Section 141. Decision.

Should there exist substantial evidence against the private school, the RD shall issue an order imposing the necessary administrative sanctions as the case may warrant.

Title IV:

Procedure Specific Only for Closure of the School for Operating without Government Authority

Section 142. Verification with the Quality Assurance Division.

Within three (3) working days from receipt of the information, complaint, or report, the status of the school's government authority shall be verified with the RO-QAD. The RO-QAD shall issue a Certification whether the private school has government authority indicating therein the course/s, program/s, and/or grade level/s the school is/are offering and their respective latest permit/s or certificate of recognition.

Section 143. Issuance of Show Cause Order.

Upon determination of the RD that the school has no records of government authority with the RO-QAD, he/she shall issue the required Show Cause Notice, attaching thereto a copy of the complaint or report and its annexes, if any.

Section 144. Submission of Position Paper.

The private school may be allowed to submit a Position Paper attaching thereto all of its documentary evidences and affidavits of its witnesses, including those not attached in the answer. Copies of documentary evidences not compared to the original or certified true copy thereof will not be considered in the evaluation of evidences and resolution of the case and resolution of the case.

Title V

Common Provisions

Section 145. Filing and Service of Pleadings.

All pleadings in connection with a case shall be filed with the RO-Records Unit. The party filing a pleading shall serve the opposing parties with a

copy and its supporting documents. No pleading shall be accepted without proof of service to the opposing parties except if filed simultaneously during a scheduled hearing. Personal service is the preferred mode of service with explanation required for service through other modes.

Section 146. Service of Notices, Resolutions, Orders and Decisions.

Notices and copies of decisions/resolutions or orders shall be forwarded by the RD to the RO-Records Section for releasing to the SDS having jurisdiction over the private school for it to serve the same personally, by registered mail or by private courier to the parties involved and to their respective counsels.

The authorized officer by the SDS serving the notice, order, or resolution shall submit a report within five (5) working days from date of service thereof, stating legibly his/her name, the names of the persons served and the date of receipt. In case of service by registered mail or by private courier, the name of the addressee and the date of receipt of the notice, order or resolution shall be written in the return card or in the proof of service issued by the private courier.

Section 147. Postponements and Extension of Time.

No motion for postponements or for extension of time shall be entertained except for valid and exceptional cases as determined by the RD.

Section 148. Submission of the Case for Resolution.

Upon the submission by the parties of their verified position papers or replies, or the lapse of the period prescribed by the Hearing Officer/s to submit the same, the case shall be deemed submitted for decision.

Section 149. Contents of Decisions/Resolutions.

The decisions and orders of the RD shall be clear and concise and shall include a brief statement of the following: a) facts of the case; b) issues involved; c) applicable laws or rules; d) conclusions and the reasons therefor; and e) relief or prayer granted.

Original copies or certified true copies of the decisions of the RD involving closure of schools shall be copy furnished to the Secretary.

Section 150. Motion for Reconsideration.

A party adversely affected by the final order, resolution, or decision of the RD may, within fifteen (15) working days from receipt of a copy thereof, file a motion for reconsideration. The filing of a motion for reconsideration shall prevent the final order, resolution, or decision of the RD from becoming final and executory.

Any party to the proceeding may object to a motion for reconsideration filed by filing an opposition thereto within ten (10) working days from receipt thereof. After the filing of said opposition or the lapse of the period for filing the same, the motion shall be deemed submitted for resolution.

Upon denial of the motion for reconsideration, the party adversely affected may file an appeal to the Secretary, through a Notice of Appeal to the RD, within fifteen (15) working days from receipt of the order

No second motion for reconsideration of a judgment or final resolution by the same party shall be entertained.

Section 151. Grounds for Appeal.

The appeal may be entertained only on any of the following grounds:

- a. if there is prima facie evidence of abuse of discretion on the part of the RD;
- b. if the decision or order was secured through fraud or coercion, including graft or corruption;
- c. if the decision or order is inconsistent to the established rules and regulations; and/or,
- d. if serious errors in the findings of facts are raised which, if not corrected, would cause grave or irreparable damage or injury to the appellants.

Section 152. Requisites for Perfection of Appeal.

- a. the appeal shall be filed within the prescribed reglementary period, verified by the appellant himself/herself, in the form of a memorandum of appeal which shall state the grounds relied upon and the arguments in support thereof, the relief sought for, and with the statement of the date the appellant received the appealed decision or order, accompanied by proof of payment of the appeal fee and proof of service upon the other party or parties.
- b. a mere notice or letter of appeal without complying with the other requisites aforesaid shall not stop the running of the period for perfecting an appeal.

- c. Four (4) copies of the appeal memorandum containing the grounds relied upon for the appeal, together with the certified true copy of the complaint; reply or answer; minutes of the proceedings, notices; decisions, orders, and resolutions; other pleadings and motions.

Section 153. Appeal fee.

The appellant shall pay a prevailing appeal fee and legal research fee of three hundred thirty pesos (P330.00) to the Cash Division of the Central Office, and the official receipt of such payment shall form part of the records of the case.

Section 154. Effect of Filing an Appeal.

Upon perfection of the appeal filed before the RO, the RO shall transmit the records of the case, within fifteen (15) working days after the filing of the appeal, the records of the case, together with the comment of the RD thereto, shall be transmitted by the RO of origin to the Secretary.

Once an appeal is filed, the RO loses jurisdiction over the case. All pleadings and motions pertaining to the appealed case shall thereafter be addressed to and filed with the Secretary.

Section 155. Finality of Decision with the Secretary.

The decision of the Secretary shall be final and executory after fifteen (15) working days from receipt of the copy thereof by the parties unless a Motion for Reconsideration shall have been filed. The Secretary may, for exceptional and valid grounds, stay its execution.

Section 156. Grounds for Motion for Reconsideration

The Motion for Reconsideration shall be based on any of the following:

- a. New evidence has been discovered which materially affects the decision rendered;
- b. The decision is not supported by the evidence on record; or
- c. Errors of law or irregularities have been committed prejudicial to the interest of the movant.

Section 157. Process for Filing a Motion for Reconsideration.

A party adversely affected by a final order, resolution, or decision of the Secretary rendered in an administrative proceeding may, within fifteen (15) working days from receipt of a copy thereof, file a motion for reconsideration. The Secretary shall act on the motion within thirty (30) working days.

Any party to the proceeding may object to a motion for reconsideration filed by filing an opposition thereto within ten (10) working days from receipt thereof. After the filing of said opposition or the lapse of the period for filing the same, the motion shall be deemed submitted for resolution. Receipt of opposition beyond the period of filing the same shall no longer be entertained.

No second motion for reconsideration of a judgment or final resolution by any party shall be entertained and that the Office will only entertain one (1) Motion for Recommendation. Any letter or communication which tends to be a motion for reconsideration shall not be entertained.

ARTICLE XIX: CLOSURE OF PRIVATE SCHOOLS

Section 158. Types of Closure.

A private school formed or organized under the provisions of this Order may be closed voluntarily or involuntarily, provided that any closure, except for temporary closure, may be done only after the end of the school year.

- a. **Voluntary** – when a private school for valid cause and on its own initiative chooses to permanently terminate its operations, provided that the school remains obliged to furnish the necessary transfer credentials and records to the students affected by the closure.
- b. **Temporary** – when a private school, on its own initiative, chooses to temporarily suspend its operations for a school year due to disasters, calamities, peace and order situation, and *force majeure*, provided that it complies with the requirements for temporary closure. Otherwise, the school shall be assumed to be permanently closed, and the corresponding provisions on permanent closure shall apply.
- c. **Involuntary** – Permanent closure is ordered by the Department and or other government agencies due to violation of ordinance, laws and/or other existing Orders. Involuntary closure has two (2) types:
 - i. **DepEd-initiated** – a private school is closed due to violation of this Manual or other existing policies in accordance with Article XVIII of this Manual;

- ii. **Initiated by other government authorities** – Closure or termination is ordered by other government agencies due to violation of ordinance, laws and/or other existing order, rules or policies. The Department, through the Regional Office shall give reasonable notice to, and coordinate with, the appropriate regulatory agencies prior to the involuntary closure of the private schools such as but not limited to Securities and Exchange Commission and concerned local government unit.

The Regional Office may also seek the assistance of the Philippine National Police as it deems necessary.

Section 159. Process.

The voluntary closure or temporary closure may or may not be due to serious business losses and financial reverses, provided that it was done in good faith and not for the purpose of circumventing any relevant laws.

No application for closure of any private school shall be approved by the Department unless it is accompanied by a favorable recommendation of the appropriate government agency.

- a. **Voluntary Closure.** In case of voluntary, the following process shall be observed:
 - i. The private school shall submit a notice of voluntary closure signed by its duly authorized representative, stating therein the valid causes(s) of its closure with attached copy of its DepEd Authority copy of its Board Resolution authorizing its closure with attached copy of its DepEd Authority copy of its Board Resolution authorizing its closure and Intervention plan to the SDO, copy furnished the Regional Director concerned. Upon receipt, the concerned Division Office and/or Regional Office must take action on the notice within a period of thirty (30) days.
 - ii. If the letter is sufficient in form and substance, the SDS, through the SGOD, shall conduct validation or clarification relative to the possible intervention for learners and require the private school to submit its all the records of learners. Upon compliance, the SDS shall submit its findings and recommendations to the RD.

- iii. The SDO shall ensure the turnover of records and shall assist in facilitating the transfer of learners to public schools, or to private schools, subject to the latter's enrolment requirements, as well as other arrangements and interventions necessary for a smooth transition, that will ensure affected stakeholders are not unduly disenfranchised by the closure. Failure on the part of the private school to transmit those records shall result in the recommendation of filing of a necessary action against the officers responsible thereto. The SDO shall notify the private school for a conference to discuss the learners' possible intervention and to turn over the records of the students and other documents as may be deemed necessary.
- iv. Within three (3) working days upon compliance of the private school to the turnover of school records. The SDS shall confirm the closure of the private school to the RD.
- v. Voluntary closure will be effective within thirty (30) working days of approval by the Regional Director for the turnover of school records.

b. Temporary Closure.

The voluntary closure or temporary closure may or may not be due to serious business losses and financial reserves, provided that it was done in good faith and not for the purpose of circumventing any relevant laws.

No application for closure of any private school shall be approved by the Department unless it is accompanied by a favorable recommendation of the appropriate government agency.

In case of temporary closure, the following process shall be observed:

- i. The private school shall submit a letter of intention for temporary closure with the copy of Board Resolution to the RD, copy furnished the SDS. The letter shall indicate the school year covered by the application, name of school, and the school's intention to resume operations for the next school year after its temporary closure.
- ii. If the letter is sufficient in form and substance, the RD shall issue an order of temporary closure indicating its effectivity in school year. Otherwise, the RD shall authorize the SDO to conduct validation or clarification relative to temporary closure. The SDS shall submit its findings and recommendations to the RD.

- iii. The SDO shall assist in facilitating the transfer of records of learners affected by the Temporary Closure, as well as other arrangements necessary for a smooth transition, that will ensure affected stakeholders are not unduly disenfranchised by the temporary closure.
 - iv. Prior to the expiration of the order, the RD shall assess the ability of the private school to reopen. If deemed capable, the RD shall issue an order for the reopening of the private school and shall amend the DepEd Permit to extend its effectivity for another school year. On the other hand, private schools with DepEd Recognition that will subject itself to Temporary Closure shall not lose its Government Recognition provided that it complies with the requirements as defined in this section. If the private school is deemed incapable to reopen, the RD shall revoke the DepEd Permit or DepEd Recognition and the corresponding provisions on permanent closure shall apply.
 - v. The temporary closure will be effective within thirty (30) working days of approval by the Regional Director for the turnover of school records.
- c. **DepEd-initiated Involuntary Closure.** In case of closure as a result of administrative proceedings against the private school, the RD, not later than ten (10) days after the finality of the decision to close the private school, shall notify the private school for a conference to discuss the possible intervention for learners and to turn over the records of the learners and other documents as may be deemed necessary. The SDS shall notify the private school for a conference to discuss the turnover of records of learners and other documents as may be deemed necessary, as well as other arrangements and interventions necessary for a smooth transition, that will ensure affected stakeholders are not unduly disenfranchises by the closure
- As necessary, the SDS, in coordination with the Local Government Unit, may engage the local law enforcement agencies, such as the PNP, to implement the closure order. The involuntary closure will be effective within thirty (30) working days of approval by the Regional Director for the turnover of school records.
- d. **Initiated by other government authorities.** Upon notice or information concerning the closure order issued by other government agencies against a school, the SDS shall notify the private school for a conference to discuss the turnover of the records of learners and other documents as may be deemed necessary as well as other arrangements and interventions necessary for a smooth transition, that will ensure affected stakeholders are not unduly disenfranchises by the closure The SDS shall notify the RD regarding the closure ordered by other government agencies and the RD shall proceed with the revocation of the DepEd authority.

**ARTICLE XX:
IMPLEMENTING THE MANUAL**

Section 160. Implementation Support.

Concerned DepEd offices shall undertake the following to support the implementation of this Manual:

- a. **Establishment of a dedicated office for regulation over private schools.** The Central Office, in coordination with the Department of Budget and Management (DBM), shall establish a dedicated office to develop national policies on as well as oversee the regulation and support to private schools. The organizational structure of the ROs and SDOs shall also be reviewed to strengthen regulation and support to private schools.
- b. **Technical assistance to private schools.** In accordance with their mandates, Regional and Schools Division Offices shall provide technical assistance to private schools with the end view of improving the provision of basic education services for the achievement of desired learning outcomes.
- c. **Engagement with private schools on policy and program Development.** Consistent with the participatory policy development process of the Department, offices across governance levels shall proactively engage private schools as stakeholders in developing policies and programs that would affect their operations and learners.
- d. **Coordination with other cognizant government offices.** DepEd offices across governance levels shall coordinate with the relevant government agencies on matters that will affect the operations of private schools and their learners.
- e. **Public information campaign on the grant of DepEd authority.** To avoid the enrollment of learners to private schools that are operating without DepEd authority, the Regional and Schools Division Offices shall conduct information drive to parents/guardians and the general public on the need for private schools to secure DepEd authority prior to operations. Likewise, all Regional and Schools Division Offices shall post the list of private schools which closed due to voluntary or involuntary closure as well as private schools which were granted with DepEd Permit or DepEd Recognition and are authorized to offer basic education services for a school year in conspicuous places and/or official websites.
- f. **Publication of decisions on administrative cases involving private schools.** For the information of its stakeholders, Regional

and Schools Division Offices shall post decisions on administrative cases involving private in conspicuous places and/or official websites. However, on administrative cases involving child abuse, violence, discrimination, exploitation, bullying or peer abuse and other acts of abuse by a pupil, student or learners, the real names of the complainants shall be withheld to protect them and the victims' privacy.

- g. **Requirement for private schools to post a copy of their certificates of DepEd authority in conspicuous places.** To further strengthen the public information campaign on DepEd authority, private schools shall post a copy of their certificates of DepEd Permit or Recognition in conspicuous places within their school premises.

Section 161. Administrative Liability of DepEd Officials and Employees.

Administrative cases involving DepEd Officials or employees who neglects and/ or fail in implementing this DO shall be administratively charged, without prejudice in commencing criminal and civil actions.

If the Department finds that:

- a. There is a willful violation of this Manual or related orders and issuances of the Department; or
- b. Any DepEd official or employee, in applications accounts, records or documents required under this Manual to be filed with the Department, has made untrue statement of a material fact, or omitted to state any material fact required to be stated or necessary to make statements therein in relation to implementing this DepEd Order; or
- c. Any DepEd official or employee who has refused to issue permit, accreditation or authority without justifiable cause;
- d. Any DepEd official or employee who has been negligent in implementing the Manual and other related issuances;

The Department may subject to existing laws, DepEd orders and regulations, upon investigation and due process, shall impose any or all administrative sanctions as may be appropriate in light of the facts and circumstances, without prejudice to applicable criminal and civil liability.

ARTICLE XXI: MONITORING AND EVALUATION

Section 162. Policy Monitoring and Evaluation.

The Operations Strand through Private Education Office with concerned DepEd Offices and in collaboration with the RO-QAD and SDO-SGOD shall conduct structured monitoring of and provide feedback for the improvement of the policy. They shall likewise conduct periodic review of the effectiveness and efficiency of the manual in achieving its objectives.

ARTICLE XXII:

EFFECTIVITY, TRANSITORY PROVISION, AND SEPARABILITY CLAUSE

Section 163. Effectivity.

This manual shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

This manual rescinds the following issuances:

- DO 11, s. 2011: Amendments to the 2010 Revised Manual of Regulations for Private Schools in Basic Education;
- DepEd Order 88 s2010: 2010 Revised Manual of Regulations for Private Schools in Basic Education; and
- DepEd Order 32 s. 2006: Revised Policies on Voluntary Accreditation for Elementary and Secondary Private Schools in Aid of Quality and Excellence for Basic Education.

This manual amends relevant provisions of DepEd Memo 4, s. 2014: Guidelines on the Preparation for the National Implementation of Senior High School (SHS) Program in Non-DepEd Schools for the School Year (SY) 2016 – 2017 and onwards. All other previous DepEd issuances relative to this Order, which are found inconsistent, are deemed superseded or modified accordingly.

Section 164. Separability Clause.

If any portion of this manual is declared which may be held invalid or unconstitutional, the remain in full force and effect.

Section 165. Provisions.

- a. **Incorporation of private schools.** Private schools which were not incorporated as corporations or cooperatives and which were granted DepEd Permit and DepEd Recognition before the enactment

of this Manual are given one (1) year from the effectivity of this Manual to incorporate as either stock or non-stock corporation, or education cooperative.

- b. **Schools with existing DepEd Recognition.** All private schools with DepEd Recognition issued prior to the implementation of this Manual shall submit a proof of ownership or possession of school site for the issuance of new DepEd Recognition effective school year 2023-2024.
- c. **Schools with existing DepEd Permit.** Private schools with DepEd permits shall apply for new DepEd permits and comply with the requirements of this Manual, for school year 2023-2024 and thereafter.
- d. **Branch Schools.** The extension of the DepEd authority of mother schools to their branch schools shall only be effective until school year 2022-2023. Recognition granted to a school shall only be applicable to the mother school. Hence, all branch schools operating under the authority of their respective mother schools shall apply for their own DepEd Permit or DepEd Recognition for school year 2023-2024 and thereafter. For this purpose, existing branch schools may submit Certification of Incorporation / Registration / Cooperation, school manual, and curriculum of their mother school, along with the other requirements for the application for DepEd authority as prescribed in this manual.
- e. **International Schools.** All private schools with the word "international" or name of a foreign country in their name but are not classified as international schools as defined by this Manual, shall apply for change of name in order to drop the word "international" or the name of the foreign country on their school names not later than the start of school year 2022-2023. Otherwise, the illegal use of "international" shall be subject to administrative proceeding to determine appropriate sanction to private schools in accordance with this Manual.
- f. **Extension Schools.** School facility shall be considered an extension class when it possesses the characteristics of a school branch as above stated with the exception that:
 - i. Administrative and support facilities are not available at the site but merely the classrooms;
 - ii. Enrolment in an extension class is restricted to a special clientele and not available to the general public; and,

As extension classes are temporary in nature, its operations shall not be allowed. Extension schools shall apply for new DepEd permits or DepEd Recognition and comply with the requirements of this Manual, for school year 2023-2024 and thereafter.

- g. **Private Schools with Kindergarten I and II programs.** Republic Act 10533 provides that kindergarten shall be one (1) year of preparatory education for children as a prerequisite for Grade 1. Hence, Kindergarten II shall be deemed equivalent to kindergarten as a requirement for promotion to Grade I. The Department shall only issue authority for Kindergarten II.

Section 166. References.

Batas Pambansa Bilang 68: The Corporation Code of the Philippines.

Batas Pambansa Bilang 232: Education Act of 1982.

DepEd Order (DO) 20 s. 1991: Prohibition of Fraternities and Sororities in Elementary and Secondary Schools Amended by DO 49, s. 1995 – Directing Information Campaign on Hazing Regulation Law.

DO 7 s. 2006: Reiterating the Prohibition of the Practice of Hazing and the Operation of Fraternities and Sororities in Elementary and Secondary Schools.

DO 49 s. 2006: Revised Rules of Procedure of the Department of Education in Administrative Cases.

DO 49 s. 2011: Mandated Programs, Projects and Activities of the Supreme Student Government.

DO 11 s. 2011: Amendments to the 2010 Revised Manual of Regulations for Private Schools in Basic Education.

DO 40 s. 2012: Child Protection Policy.

DO 55 s. 2013: Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 10627 Otherwise Known as the Anti-Bullying Act of 2013.

DO 18 s. 2015: DepEd Guidelines and Procedures on the Management of Children-At-Risk and Children in Conflict with the Law (CICL).

DO 36 s. 2016: Policy Guidelines on Awards and Recognition for the K to 12 Basic Education Program.

DO 54 s. 2016: Guidelines on the Request and Transfer of Learner's School Records.

DO 55 s. 2016: Policy Guidelines on the National Assessment of Student Learning for the K to 12 Basic Education Program.

DO 66 s. 2017: Implementing Guidelines on the Conduct of Off-campus Activities.

DO 3 s. 2018: Basic Education Enrollment Policy.

DO 13 s, 2018: Implementing Guidelines on the Conduct of Remedial and Advancement Classes during Summer for the K to 12 Basic Education Program.

Executive Order 292: Administrative Code of 1987.

Presidential Decree (PD) 442: Labor Code of the Philippines.

PD 451: Authorizing the Secretary of Education and Culture to Regulate the Imposition of Tuition and Other School Fees, Repealing Republic Act No. 6139 and for Other Purposes.

Republic Act (RA) 2382: The Medical Act of 1959.

RA 6129: An Act Amending Further the Minimum Wage Law by Increasing the Minimum Wage, Establishing a Wage Commission and for Other Purposes.

RA 7610: Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act.

RA 7797: An Act to Lengthen the School Calendar From Two Hundred (200) Days to Not More Than Two Hundred Twenty (220) Class Days.

RA 9155: Governance of Basic Education Act of 2001.

RA 9173: Philippine Nursing Act of 2002.

RA 9246: The Philippine Librarianship Act of 2003.

RA 9258: Guidance and Counseling Act 2004.

RA 9520: Philippine Cooperative Code of 2008.

RA 10157: Kindergarten Education Act.

RA 10533: Enhanced Basic Education Act of 2013.

RA 10627: Anti-Bullying Act of 2013.

RA 11032: Ease of Doing Business and Efficient Government Service Delivery Act of 2018

RA 11232: Revised Corporation Code of the Philippines.

1987 Constitution of the Republic of the Philippines.

ANNEX 1:

REQUIREMENTS FOR THE APPLICATION FOR NEW DEPED PERMIT

1. **Verified Application or Letter-request.** The application or letter-request shall be signed by the authorized representative of the school-applicant. The application or letter-request shall contain a verification stating that:
 - a. The school-applicant is the petitioner in the application or letter-request.
 - b. The duly authorized representative of the school-applicant read and understood the contents of the application or letter-request, and that he has freely given his/her consent to be the authorized representative and was not coerced, in any form, to be the AR and signatory;
 - c. That the allegations in the applications are true and correct based on his/her personal knowledge;

The application or letter-request shall state the school years covered by the application, name of school, and its address and official email address, and the school's intention to apply.

2. **Certification of Incorporation/Registration/Cooperation.** The school applicant shall attach a certified true copy of their Articles of Incorporation (AIO) or Articles of Cooperation (AOC) and their respective duly-approved By-Laws issued by the appropriate regulatory agency.

The AOI or AOC shall indicate that the primary purpose of the creation of the private school is to offer program in Kindergarten, Elementary, Junior High School and/or Senior High School, as the case maybe.

3. **List of teaching and non-teaching school personnel and their qualifications.** The school shall have, but not limited to, the following personnel:

- a. Chief Executive Officer / President / Director;
- b. School Head / Principal / School Administrator;
- c. Guidance Counselor;
- d. School Librarian;
- e. Medical Personnel;
- f. Licensed Teachers;
- g. Registrar; and
- h. Security Personnel

In the event that a permit shall be issued by the Department, an Affidavit of Undertaking executed by the duly-authorized representative of the school- applicant shall be filed with the RO copy furnish the concerned Schools Division Office and Central Office, where the affiant shall undertake that the school applicant shall hire school personnel in accordance with the minimum educational qualifications set forth under Section 46 of this Revised Manual. Provided further, that the school applicant shall attached a certified copy of the resolution of the school applicant indicating that they will hire the required personnel in accordance with the minimum entry requirements set under Section 46 of the Revised Manual.

4. **Proof of ownership/possession of school site.** Private schools shall own school sites adequate for their own buildings, for physical education and athletics, science laboratories, library, computer laboratory, military training and recreation, and also for technology and livelihood education laboratory where this course is required in the curriculum. Schools may also outsource facilities for physical education and athletics such as community and local government facilities. Proof of approval of use of said facilities shall be submitted for this purpose.

The floor area of the school site shall be commensurate with the absorptive capacity of learners, and taking into consideration the class size or learner-teacher ratio. The land characteristics of which include good elevation to avoid flooding and soil erosion, good drainage system, and safe/portable water supply.

In cases where the school-applicant is not the owner of the school site, the school-applicant shall submit an agreement such as but not

limited to Contract of Lease or a Contract of Usufruct for the use of the school site for at least the number of years commensurate to the effectivity of the permit and submission of contingent/sustainability plan.

5. **Occupancy Permit or Certificate of Structural Integrity from the Local Government Unit (LGU).** In compliance with appropriate laws, all school applicants shall secure occupancy permit or certificate of structural integrity from the concerned local government unit, where the school will operate. No school shall be established on identified high- risk or disaster prone areas, either man-made or natural. Land characteristics must be good evaluation to avoid flooding and soil erosion.

If the occupancy permit is not available during the time of the application, the school-applicant can secure a certificate of structural integrity from the concerned local government unit, without prejudice to the schools compliance to other appropriate law.

6. **School Manuals.** School manuals shall provide the school's guidelines and policies on the following matters:

- a. Pupil/student/learner manual
 - i. Admission
 - ii. policies;
 - iii. Child Protection and Anti-Bullying policy;
 - iv. Discipline of learners;
 - v. Transfer of learners;
 - vi. Tuition and other fees;
 - vii. Payment scheme;
 - viii. Examination permits;
 - ix. Grading System; and
 - x. Promotion, retention and graduation policy.
- b. Administrative/operations manual
 - i. School Administration and Operations;
 - ii. Disaster Risk Reduction Management Plan; and
 - iii. Retirement Plan.

7. **Certificate of participation/attendance to the orientation-seminar.** Any duly authorized representative of the school-applicant shall submit the certificate of participation/ attendance to the orientations.

8. **Curriculum including class programs duly signed by an authorized representative of the school.** The private school shall comply with the minimum curriculum standards required by DepEd. However, a private school may enhance/enrich the curriculum as the need arises.

9. **Feasibility Study.** A notarized feasibility study covering comprehensively the following factors, supported with sufficient evidence;

- a. Purpose and objectives of proposed school or course;
- b. Availability and adequacy of school site and building location plan, development plan, pictures, or architect's plan of building, if the same is still to be constructed;
- c. Itemized cost of the project covering the entire course in terms of site, site development, school building and quarters, classroom equipment and facilities, library, salaries of faculty, and staff and maintenance;
- d. Financial capacity of applicant, including his resources to provide the requirements for the entire course and to support its operation from year to year without depending solely on students' fees;
- e. Proposed faculty line-up and administrative and supervisory staff together with their individual Transcript of Records and evidence of willingness to join the schools; and
- f. Need or demand for establishment of the school or operation of the course in the locality. If the course is already being offered in the same town or city, there shall be an evidence showing the following factors:
 - i. Distance of the applicant school to the existing school;
 - ii. Enrolment in the existing school;
 - iii. Number of learners in the same locality enrolled in schools other than in the existing school;
 - iv. Number of prospective learners of applicant-school; and
 - v. Facilities, standards, and supportive provisions for effective instruction and quality education.

10. **Omnibus Affidavit.** The Omnibus Affidavit of the proposed incorporators shall contain the following information:

- a. that they are not incorporators, board of directors/trustees and officers in any school operating without permit;
- b. that the school subject of the incorporation is not and will not be involved in any operation engaging illegal activities;
- c. that the school will be able to sustain its financial operation;
- d. that they will comply with the rules and regulations of the Department; and

- e. that no incorporator is employed in any government agency which may affect the faithful performance of his/her official duties.

ANNEX 2

REQUIREMENTS FOR THE APPLICATION FOR DEPED RECOGNITION

1. **Verified Application or Letter-request.** The application or letter-request must be signed by the authorized representative of the School-Applicant. The application or letter-request shall contain a verification stating that:

- a. The school-applicant is the petitioner in the application or letter-request.
- b. The duly authorized representative of the school-applicant read and understood the contents of the application or letter-request and that s/he has freely given his/her consent to be the authorized representative and was not coerced, in any form, to be the authorized representative and signatory; and
- c. All the allegations in the applications are true and correct as to the best of his/her personal knowledge.

The application or letter-request shall state the school years covered by the application, name of school, its address and official email address, and the school's intention to apply.

2. Certification of Incorporation/Registration/Cooperation.

The school applicant shall attach a certified true copy of their Articles of Incorporation (AIO) or Articles of Cooperation (AOC) and their respective duly-approved By-Laws issued by the appropriate regulatory agency.

The AOI or AOC shall indicate that the primary purpose of the creation of the private school is to offer program in Kindergarten, Elementary, Junior High School and/or Senior High School, as the case maybe.

3. **List of teaching and non-teaching school personnel and their qualifications.** The school shall have, but not limited to, the following personnel:

- a. Chief Executive Officer / President / Director;
- b. School Head / Principal / School Administrator;
- c. Guidance Counselor;
- d. School Librarian;
- e. Medical Personnel;
- f. Licensed Teachers;
- g. Teachers;
- h. Registrar; and
- i. Security personnel.

The minimum educational requirements for these personnel shall be discussed in the Section 46 of this Manual.

4. **Certificate of No Pending Case from the DepEd RO-Legal.** The school-applicant shall secure a Certificate of No Pending case from DepEd Regional Office-Legal Unit.

5. **Proof of ownership/agreement to use the school site.**

Private schools shall own school sites adequate for their own buildings, for physical education and athletics, science laboratories, library, computer laboratory, military training and recreation, and technology and livelihood education laboratory where this course is required in the curriculum. Schools may also outsource facilities for physical education and athletics such as community and local government facilities. Proof of approval of use of said facilities shall be submitted for this purpose.

The floor area of the school site shall be commensurate with the absorptive capacity of the student and taking into consideration the class size or learner-teacher ratio. The land characteristics of which include good elevation to avoid flooding and soil erosion, good drainage system, and safe/portable water supply.

In cases where the school-applicant is not the owner of the school site, the school-applicant shall submit an agreement such as but not limited to Contract of Lease or a Contract of Usufruct for the use of the school site for at least three (3) years subject for renewal, and submission of

contingent/sustainability

plan.

6. Certificate of Occupancy or Structural Integrity from the LGU.

In compliance with appropriate laws, all school applicants shall secure occupancy permit or certificate of structural integrity from the concerned local government unit, where the school will operate. No school shall be established on identified high- risk or disaster prone areas, either man-made or natural. Land characteristics must be good evaluation to avoid flooding and soil erosion.

If the occupancy permit is not available during the time of the application, the school-applicant can secure a certificate of structural integrity from the concerned local government unit, without prejudice to the schools compliance to other appropriate law.

8. School Manual. The school manual shall provide the school's guidelines and policies on the following matters:

a. Pupil/student/learner manual

- i. Admission policies;
- ii. Child Protection and Anti-Bullying policy;
- iii. Discipline of learners;
- iv. Transfer of learners;
- v. Tuition and other fees;
- vi. Payment scheme;
- vii. Examination permits;
- viii. Grading System; and
- ix. Promotion, retention and graduation policy.

b. Administrative/operations manual

- i. School Administration and Operations;
- ii. Disaster Risk Reduction Management Plan; and
- iii. Retirement Plan.

9. Certificate of participation/attendance. Any duly authorized representative of the school-applicant shall attend an orientation-seminar conducted by the Schools Division Office. The certificate of participation/attendance shall be duly issued by the Schools Division Superintendent of the Schools Division Office which conducted the orientation.

Any duly authorized representative of the school-applicant shall submit the certificate of participation/ attendance to the orientations.

10. **Curriculum including class programs duly signed by authorized representative of the school.** The private school shall comply with the minimum curriculum standards required by DepEd. However, a private school may enhance/enrich the curriculum as the need arises.

11. **Feasibility Study.** A notarized feasibility study covering comprehensively the following factors, supported with sufficient evidence;

Purpose and objectives of proposed school or course;

- a. Availability and adequacy of school site and building location plan, development plan, pictures, or architect's plan of building, if the same is still to be constructed;
- b. Itemized cost of the project covering the entire course in terms of site, site development, school building and quarters, classroom equipment and facilities, library, salaries of faculty, and staff and maintenance;
- c. Financial capacity of applicant, including his resources to provide the requirements for the entire course and to support its operation from year to year without depending solely on students' fees;
- d. Proposed faculty line-up and administrative and supervisory staff together with their individual Transcript of Records and evidence of willingness to join the schools; and
- e. Need or demand for establishment of the school or operation of the course in the locality. If the course is already being offered in the same town or city, there must be an evidence showing the following factors:

i.Distance of the applicant school to the existing school;

ii.Enrolment in the existing school;

iii.Number of students in the same locality enrolled in schools other than in the existing school;

iv.Number of prospective students of applicant-school; and

v.Facilities, standards, and supportive provisions for effective instruction and quality education.

12. **Omnibus Affidavit.** The Omnibus Affidavit of the proposed incorporators shall contain the following information:

- a. that they are not incorporators, board of directors/trustees and officers in any school operating without permit;
- b. that the school subject of the incorporation is not and will not be involved in any operation engaging illegal activities;
- c. that the school will be able to sustain its financial operation;

- d. that they will comply with the rules and regulations of the Department;
- e. that no incorporator is employed in any government agency which may affect the faithful performance of his/her official duties.

ANNEX 3:

REQUIREMENTS FOR THE APPLICATION FOR THE RENEWAL OF DEPED PERMIT

1. **Verified Application or letter-request.** The application or letter-request shall be signed by the authorized representative of the School-Applicant. The application or letter-request must contain a verification stating that:

- a. The school-applicant is the petitioner in the application or letter-request.
- b. The duly authorized representative of the school-applicant read and understood the contents of the application or letter-request and that s/he has freely given his/her consent to be the authorized representative and was not coerced, in any form, to be the authorized representative and signatory; and
- c. All the allegations in the applications are true and correct as to the best of his/her personal knowledge.

The application or letter-request shall state the school years covered by the application, name of school, its address and official email address, and the school's intention to apply.

2. **Certification of Incorporation/Registration/Cooperation in case of amendment to the Articles of Incorporation/Cooperation.** The school applicant shall attach a certified true copy of their Articles of Incorporation (AIO) or Articles of Cooperation (AOC) and their respective duly- approved By-Laws issued by the appropriate regulatory agency.

The AOI or AOC shall indicate that the primary purpose of the creation of the private school is to offer program in Kindergarten, Elementary, Junior High School and/or Senior High School, as the case maybe.

3. **Certificate of No Pending Case from the DepEd RO-Legal.** The school-applicant shall secure a Certificate of No Pending case from DepEd Regional Office-Legal Unit.

4. **List of additional teaching and non-teaching school personnel and their qualifications (if applicable).** A list of additional teaching and non-

teaching personnel and their qualifications if the private school has additional staff for its operations.

5. **Proof of ownership/agreement to use the school site.** The private school shall submit a copy of proof of possession of school site. In cases where the private school is not the owner of the school site, it shall submit an agreement such as but not limited to Contract of Lease or a Contract of Usufruct for the use of the school site for at least the number of years commensurate to the effectivity of the permit, and submission of contingent/sustainability plan.

6. **Curriculum including class programs duly signed by authorized representative of the school in case of amendment.** The private school shall comply with the minimum curriculum standards required by DepEd. However, a private school may enhance/enrich the curriculum as the need arises.

7. **Proof of social legislation compliance.** Certificates or proof of social legislation compliance, as mandated by laws and government policies, of the school-applicant.

8. **Omnibus Affidavit.** The Omnibus Affidavit of the proposed incorporators shall contain the following information:

- a. that they are not incorporators, board of directors/trustees and officers in any school operating without permit;
- b. that the school subject of the incorporation is not and will not be involved in any operation engaging illegal activities;
- c. that the school will be able to sustain its financial operation;
- d. that they will comply with the rules and regulations of the Department;
- e. that no incorporator is employed in any government agency which may affect the faithful performance of his/her official duties.

ANNEX 4:

REQUIREMENTS FOR THE APPLICATION TO OFFER ADDITIONAL GRADE LEVEL/PROGRAM

1. **Verified Application or letter-request.** The application or letter-request shall be signed by the authorized representative of the school-applicant. The application or letter-request shall contain a verification stating that:
 - a. The school-applicant is the petitioner in the application or letter-request.
 - b. The duly authorized representative of the school-applicant read and understood the contents of the application or letter-request and that s/he has freely given his/her consent to be the authorized representative and was not coerced, in any form, to be the authorized representative and signatory; and
 - c. All the allegations in the applications are true and correct as to the best of his/her personal knowledge.

The application or letter-request shall state the name of the school and its address and official email address, and the school's DepEd Permit/DepEd Recognition number, and additional grade level/program to be offered.

2. **Certificate of No Pending Case.** The school-applicant must secure a Certificate of No Pending case from DepEd Regional Office-Legal Unit.
3. **List of teaching and non-teaching school personnel and their qualifications for additional program.** A list of additional teaching and non-teaching personnel and their qualifications if the private school has additional staff for its operations who will render services for additional grade level.
4. **Proof of payment of inspection fee.** The amount of Five Thousand Pesos (Php 5,000.00) per course shall be paid to the Cashier of the SDO which has jurisdiction over the place of operation of the school.
5. **Curriculum including class programs duly signed by the authorized representative of the school.** The school shall have a complete curriculum and class program for the additional grade level.

**ANNEX 5:
REQUIREMENTS FOR THE INCREASE IN TUITION AND OTHER SCHOOL
FEES**

1. **Verified Application or letter-request.** The application or letter-request shall be signed by the authorized representative of the School-Applicant. The application or letter-request shall contain a verification stating that:
 - a. The school-applicant is the petitioner in the application or letter-request.
 - b. The duly authorized representative of the school-applicant read and understood the contents of the application or letter-request and that s/he has freely given his/her consent to be the authorized representative and was not coerced, in any form, to be the authorized representative and signatory; and
 - c. All the declarations in the applications are true and correct as to the best of his/her personal knowledge.

The application or letter-request shall state the name of school and its address and official email address, and its school's DepEd Permit/DepEd Recognition number.

2. **Certificate/Statement under oath** signed by the school head stating that:
 - a. A prior consultation on the proposed increase was conducted with the parents/guardians of learners and the teachers.
 - b. A notice of consultation was given to the parents and teachers through their respective Parents Teachers' Association and Faculty Associations.
3. **Attendance sheet and the minutes of the meeting during the consultation.** A copy of the attendance sheet stating the date and venue of meeting/consultation, and name of attendees and their signature.
4. **Notarized statement** executed by the duly authorized representative of the school of the itemized current rates of tuition and itemized proposed changes/new fees, and all allocation of incremental proceeds showing that:
 - a. 70% of the tuition fee or other school fees increase shall be allocated for payment of salaries, wages, allowances and other

benefits of the members of the faculty and all other employees of the school concerned;

- b. 30% for institutional development, student assistance and extension services, and return investment;
 - c. With a provision declaring that the increase in their tuition fee or other school fee does not exceed 15% of the rate charge of the preceding school year;
 - d. That the application for increase was posted in the school premises and notice were given to the parents/guardians.
5. A copy of the **latest Financial statements** showing the financial status of the private school certified by a public accountant in good standing.
 6. A copy of the latest **Annual Income Tax Return** filed with the BIR.

**ANNEX 6:
REQUEST FOR THE CERTIFICATION OF GOOD STANDING FOR TAX
EXEMPTION STATUS**

1. Notarized letter application by a duly authorized representative of the institution indicating that the requesting school is non-stock corporation and the items being imported.
2. Bill of Lading/Airway, Invoice or Importation documents such as placement orders.
3. Deed of Undertaking duly notarized which must state categorically that the imported articles shall be used actually, directly and exclusively for educational purposes and shall not be resold or transferred for a material consideration.
4. A copy of the certificate of DepEd Recognition of the school.
5. A copy of the latest audited financial statements showing the financial status of the private school certified by a Certified Public Accountant in good standing.
6. If a University or College, submit Certification/Endorsement to Commission on Higher Education (CHED) regarding requesting school.
7. In case of donations, Deed of Donation and the corresponding Deed of Acceptance.