

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

January 16, 1989

DECS ORDER
No. 5, s. 1989

GUIDELINES AND PROCEDURES ON THE IMPLEMENTATION
OF SECTION 7 OF REPUBLIC ACT NO. 6655

To: Undersecretaries
Assistant Secretaries
Bureau Directors/Cultural Agency Directors
Regional Directors
Schools Superintendents
Chiefs of Services and Heads of Units/Centers
Presidents, State Colleges and Universities
Vocational School Superintendents/Administrators

To ensure the effective and efficient implementation of the State's policy of providing free public secondary education, pursuant to the provisions of Republic Act No. 6655, otherwise known as the "Free Secondary Education Act of 1988", these Guidelines and Procedures are hereby promulgated:

1. Nationalization of Public Secondary Schools: To effectively implement the system providing free secondary education, the establishment, conversion, integration, separation, and renaming, of all public secondary schools are vested in the Department of Education, Culture and Sports.
2. Definition of Terms: As used in these Guidelines, the following terms shall have the following respective meanings:
 - a. Establishment of a high school means to organize, institute, initiate, operate, conduct and maintain a new high school in a political subdivision, whether a barangay, municipality, city or province, by administrative authority of the Department Secretary.
 - b. Conversion of a high school means to change, alter, transfer or appropriate, the status, character of the curricular offerings or the administration, maintenance, supervision and conduct of a high school from its present status, character, administration or management.
 - c. Separation of a high school means to segregate, divide, disconnect or sever the existing school from

its present physical site to another location, or transfer its present administration, supervision, control, and management to another school district or division.

- d. Integration of a high school means to adopt or attach an existing school as an integral part of another school or the merging of two or more existing schools into one new school.
- e. Re-naming of a high school means to change, alter or modify the name of an existing high school with a new one different from the previous name.

3. Requirements for the Exercise of the Delegated Authority Pursuant to Sec. 7 of RA 6455:

a. Establishment of Schools

(1) New secondary schools may be established in municipalities and cities only after the approval of the Secretary, DECS and under the following conditions:

- (a) There is a real and urgent need in the area to be served for the type of secondary school proposed to be established which is clearly indicated in the project feasibility study conducted by the school district officials and favorably recommended by the Schools Division Superintendent and the Regional Director. The feasibility study shall include, among others, the number of neighboring elementary schools which will serve as feeders, identification of nearby public and private high schools, and their respective enrolments;
- (b) A minimum enrolment of one hundred (100) students for the first curriculum year shall be sufficient, except in isolated barangay or island municipality where a lesser number may be considered as justified by the Regional Director. Otherwise, the students shall be encouraged to enroll in the nearest high school.
- (c) A school site of at least one (1) hectare and initial classrooms duly documented as regards its ownership or use is available for the purpose;
- (d) Adequate funds for its initial operations for teachers' salaries, allowances and benefits and other operating expenses including

instructional costs (books, classroom materials and supplies), and administrative support services, are available from the region.

(2) No new public secondary schools may be established within a 2-kilometer radius from an existing secondary school, public or private. However, this limitation may be waived where existing private and public schools cannot provide accommodation to students seeking admission.

(3) Extension classes may be organized in nearby elementary schools to accommodate all students desiring to avail of free secondary education, provided that:

(a) No private school in the area is participating in the Educational Service Contracting (ESC) scheme, or ESC-participating private schools have refused additional admissions or have filled up its ESC allocated quotas.

(b) Enrollment meets the minimum of at least 100 students for a curriculum year except as provided in 3a(b)

(c) Adequate classrooms and other instructional facilities are available.

✓ (d) The extension class shall be under the supervision or control of the nearest public secondary school.

b. Integration of Schools

✓ (1) An existing high school may be integrated, merged or incorporated with another existing high school within a contiguous geographical area whose enrolment fails to meet the minimum enrolment of 100 students per curriculum year or the continued separate operations of both schools is not financially feasible.

c. Separation of Schools

✓ (1) An existing high school department operated and managed by a state college or university, or any DECS supervised tertiary school and/or any national vocational/secondary school may be separated therefrom and become a secondary school under the administration, supervision and control of a school division subject to the following conditions:

- (a) The existing high school is not located within the campus of the tertiary institution.
 - (b) The tertiary institution does not offer teacher education courses or degrees.
 - (c) The school facilities and finances may be segregated or reallocated.
- (2) In case of such separation, the following shall be observed in the allocation of school funds, assets and/or facilities:
- (a) If the high school is situated in a different campus from the parent institution, the entire campus lot, including the accessories and facilities thereon, shall be allocated for the use of the separated high school;
 - (b) If the high school is situated in the same campus, the parent institution shall permit the continued use of the buildings, facilities, and equipment by the separated high school, provided common facilities such as the library, gymnasium, and the like, shall be shared by the high school and the parent institution, each assuming the maintenance cost of its respective area and facilities during the duration of the agreement.
- (3) The high school in state colleges, universities and/or DECS supervised colleges may be integrated as laboratory schools. This institution shall, however, not exceed two sections per curriculum year to serve as a laboratory for teacher education.

d. Conversion of Schools

- (1) Conversion of secondary school shall require the following:
- (a) A project feasibility study indicating the real and urgent need in the area to be served for the type of secondary school proposed;
 - (b) None of the nearby existing public or private high schools are already offering the proposed secondary courses thus avoiding duplication of courses;
 - (c) Adequate financial resources are available to defray the operational requirements of the new type of high school resulting from the conversion.

e. Renaming of Schools

(1) An existing public high school may be renamed after compliance of the following requirements upon the recommendation of the Regional Director:

(a) A petition by a majority of the parents of the students enrolled in the school;

(b) A resolution adopted by the Sangguniang Bayan or Sangguniang Panlalawigan indorsing the change and the adoption of a new name for the school;

(c) The proposed name is not the name of a living person, is not similar to the name of another school within the same political subdivision and is not contrary to law, morals or public policy.

(2) The local school officials of the division shall conduct a verification or hold a dialogue with the other members of the local community, if needed, on the proposal to change the name.

4. Administrative Procedures: The establishment, integration, separation, conversion or renaming of a high school, upon the recommendation of the Regional Director, shall be processed by the Bureau of Secondary Education and authorized by the Department Secretary in an appropriate administrative issuance which shall remain valid unless revoked or cancelled for cause.

5. Financial Requirements: The initial or interim financial requirements for the administration, management and operation of a high school resulting from the establishment, integration, separation, or conversion of a high school pursuant to Republic Act 6655 shall be sourced from the present budgetary appropriation for the secondary education program and/or of the concerned state college or university and/or DECS supervised tertiary schools, any national/vocational secondary schools and for the succeeding fiscal years shall be included in the General Appropriations Act. For this purpose, the funds allocated by SUC's and those previously mentioned as support of their high school programs shall, meanwhile, be allocated for the operation of the separated high school until the appropriate outlays are provided in the General Appropriations Act for the ensuing fiscal year.

6. Effectivity: This Order shall be effective upon its approval.

(SGD.) LOURDES R. QUISUMBING
Secretary

Reference:

DECS Order: Nov. 44, s. 1988

Allotment: 1-2-3-4--(M.O. 1-87)

To be indicated in the Perpetual Index
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