



OCT 15 2009

DepEd ORDER  
No. 106, s. 2009

AMENDMENT TO SECTION 3.1 CHAPTER III OF DECS SERVICE MANUAL

To: Undersecretaries  
Assistant Secretaries  
Bureau Directors  
Directors of Services/Centers and Heads of Units  
Regional Directors  
Schools Division/City Superintendents  
Heads, Public Elementary and Secondary Schools  
All Others Concerned

1. Pursuant to Republic Act No. 7798 entitled "An Act Amending Section 25 of Batas Pambansa Blg. 232", otherwise known as the Education Act of 1982, Section 3.1, Chapter III of DECS Service Manual 2000 is hereby amended, as follows:

**Section 3. Establishment of Private Schools**

3.1 The establishment of a private school, including the branch school or extension class, shall be subject to the prior approval of the Department pursuant to the provisions of the 1987 Constitution, Act No. 2796, as amended; the Education Act of 1982; and other education-related or applicable laws. Provided, however, that any private school to be established must incorporate as either a non-stock or a stock educational corporation in accordance with the provision of the Corporation Code of the Philippines, and provided, further, that the requirement of incorporation may be waived by the Department in the case of a family-administered school offering pre-elementary school education program.

2. Immediate dissemination of and compliance with this Order is directed.

  
**JESLI A. LAPUS**  
Secretary

References: DepEd Memorandum: Nos. 89 and 226, s. 1999

Allotment: 1- -(D.O. 50-97)

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

CHANGE

LEGISLATIONS

SCHOOLS