



Republic of the Philippines
Department of Education

01 DEC 2020

DepEd O R D E R
No. **039** s. 2020

**SPECIAL PROVISIONS ON PRIVATE SCHOOL VOLUNTARY CLOSURES AND PARTICIPATION
IN GOVERNMENT ASSISTANCE AND SUBSIDIES PROGRAMS
IN LIGHT OF THE COVID-19 PANDEMIC**

(Amends Certain Provisions of DepEd Order No. 88, s. 2010)

To: Undersecretaries
Assistant Secretaries
Minister, Basic, Higher, and Technical Education, BARMM
Bureau and Service Directors
Regional Directors
Schools Division Superintendents
Public and Private Secondary School Heads
All Others Concerned

1. The Department of Education (DepEd) upholds the right of every Filipino to quality basic education by providing access through public or private educational institutions. DepEd, pursuant to its constitutional mandate, maintains and supports a complete, adequate, and integrated system of education relevant to the needs of the people and society. As such, it exercises reasonable supervision and regulation of all educational institutions in the basic education sector.

2. DepEd recognizes the complementary roles of public and private educational institutions in the educational system. In support of this, the Department implements several programs under the Government Assistance and Subsidies (GAS). Through the GAS programs, DepEd provides financial support aimed at ensuring that private education remains a viable option for learners. This contributes to the overall goal of improving access to quality basic education.

3. Given the unprecedented crisis brought about by the COVID-19 Pandemic, existing policies on private school regulation, as well as guidelines on GAS programs must be reviewed, and if necessary, amended to be relevant and responsive to the needs of private schools, learners, and teachers, in support of basic education continuity amid the pandemic. The effects of the COVID-19 Pandemic are expected to pose a significant challenge to the operations of private schools and the continued participation of schools, learners, and teachers in the GAS programs; namely, the Education Service Contracting (ESC), Teachers' Salary Subsidy (TSS), and Senior High School Voucher Program (SHS VP).

4. These special provisions are issued to amend pertinent provisions of DepEd Order (DO) No. 88, s. 2010 or the *2010 Revised Manual of Regulations of Private Schools in Basic Education*, and to extend assistance to beneficiaries of the GAS programs, effective this School Year (SY) 2020-2021.



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5. Sections 35, 36, and 43 of DO No. 88, s. 2010, specifically on the voluntary closure of private schools and the implications of the voluntary closure on their authority to operate, are amended and clarified below.

- a. A private school that intends to voluntarily suspend operations for SY 2020-2021 shall submit a Notice of Temporary Closure to the DepEd Regional Office supervising its area by December 29, 2020. A school that suspends operations for SY 2020-2021, but does not comply with the requirements for Temporary Closure by December 29, 2020 shall be assumed to be permanently closed, and the corresponding provisions on Permanent Closure will apply.
- b. The Notice of Temporary Closure shall clearly indicate that the school will not operate only for SY 2020-2021, and shall contain the following:
 - i. clearly articulated reason/s for the one-year suspension of operations;
 - ii. evidence that parents or guardians and learners were properly informed of the temporary closure;
 - iii. action taken or arrangements made to assist parents or guardians, learners, and school personnel affected by the temporary closure e.g., mapping of nearby schools where the learners can transfer; and
 - iv. plan for the resumption of operations in SY 2021-2022.
- c. The private school shall work closely and actively with the DepEd Regional Office 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.
- d. A private school with Government Recognition that will subject itself to Temporary Closure this SY 2020-2021 shall not lose its Government Recognition, provided that it resumes operations in SY 2021-2022.
- e. A private school with a Permit to Operate that will subject itself to Temporary Closure this SY 2020-2021 shall have its Permit to Operate automatically renewed, provided that it resumes operations in SY 2021-2022.
- f. Private schools that will temporarily close this SY 2020-2021, and reopen next school year are required to submit a letter to the Regional Office signifying their intent to resume operations in SY 2021-2022 not later than March 31, 2021. For private schools with a Permit to Operate, such communication will trigger the issuance by the Regional Office of a renewed Permit to Operate, effective for SY 2021-2022.
- g. Private schools that will not operate for more than one school year shall be guided by provisions on Permanent Closure in DO No. 88, s. 2010 and other applicable DepEd guidelines.

6. Private schools that will operate this SY 2020-2021 are expected to have complied with the requirements under DO No. 013, s. 2020 or *the Readiness Assessment Checklist for Learning Delivery Modalities in the Learning Continuity Plan*



of *Private Schools*, and DO No. 017, s. 2020 or the *Additional Provisions to DO No. 013, s. 2020*.

7. For private schools that are found to be operating without the necessary government authority e.g., Government Recognition or Permit to Operate and Provisional Compliance Certificate for SY 2020-2021, the Regional Office shall invoke the applicable provisions on the involuntary closure of violating schools.

8. GAS-participating private schools that will implement DepEd-authorized alternative learning delivery modalities in SY 2020-2021 shall be eligible to continue participation in the GAS programs.

9. For private schools and learners participating in the ESC Program, the provisions below shall apply.

- a. An ESC-participating school that will temporarily suspend its operations in SY 2020-2021 shall not lose its certification status, and shall be allowed to continue to participate in the ESC Program, provided the school shall resume operations in SY 2021-2022. The school shall receive the same fixed slots it was supposed to have in SY 2020-2021. Upon reopening, the school may accept transfer-in ESC Grantees in the upper grade levels, if its slots are sufficient.
- b. An ESC-participating school shall be allowed to have new ESC grantees in the higher grade levels this SY 2020-2021, provided that the school has unutilized Grade 7 fixed slots, incentive slots and additional slots. In the selection of grantees, priority shall be given to transfer-in students from public high schools.
- c. An ESC-participating school that underutilizes its fixed slots allocation in SY 2020-2021 shall still receive the same fixed slots allocation in SY 2021-2022.
- d. An ESC grantee who does not enroll or drops out in SY 2020-2021 may be reinstated in the ESC Program only if he/she enrolls in an ESC-participating school in SY 2021-2022.
- e. However, an ESC grantee who transfers to a public school in SY 2020-2021 is disqualified from the ESC Program and cannot avail of the subsidy this school year and the succeeding school years.

10. For private schools and learners participating in the SHS VP, the provisions below shall apply.

- a. A VP-participating SHS that will temporarily suspend operations in SY 2020-2021 shall not lose its Permit to Operate, and shall be allowed to continue to participate in the SHS VP, provided the school will reopen in SY 2021-2022.
- b. A voucher program beneficiary (VPB) who does not enroll or drops out in SY 2020-2021 may be reinstated in the SHS VP, only if he/she enrolls at a VP-participating school in SY 2021-2022.
- c. However, a VPB who transfers to a public school in SY 2020-2021 is disqualified from the SHS VP and cannot avail of the subsidy this school year and the succeeding school years.



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11. For private schools and teachers participating in the TSS Program, the provisions below shall apply.

- a. Teachers in ESC-participating Junior High Schools must meet the following criteria to be eligible to receive the TSS:
 - i. with PRC license,
 - ii. employed by the school full-time, and
 - iii. with at least one teaching load, regardless of learning delivery modality.
- b. Teachers who are unlicensed by the beginning of the school year, but are able to pass the Licensure Examination for Teachers before the end of SY 2020-2021, and prior to the period for billing and payment, shall be eligible to receive the TSS, provided they meet the conditions on full-time employment and teaching load requirement.

12. This Order shall take effect immediately until completion of activities covered by this Order. Other DepEd Orders and other related issuances, rules and regulations and provisions, which are inconsistent with this Order are repealed, rescinded, or modified accordingly.

13. For more information, please contact the **Office of the Undersecretary for Planning, and Human Resource and Organizational Development**, Ground Floor, Rizal Building, Department of Education Central Office, DepEd Complex, Meralco Avenue, Pasig City through email at usec.phrod@deped.gov.ph.

14. Immediate dissemination of and strict compliance with this Order is directed.


LEONOR MAGTOLIS BRIONES
Secretary

References:

DepEd Order Nos.: (88, s. 2010; 013 and 017, s. 2020)

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

AMENDMENT
LEARNERS
LEGISLATIONS
POLICY
RECOGNITION
SCHOOLS
SECONDARY EDUCATION
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