



Republic of the Philippines
Department of Education

08 MAR 2022

DepEd O R D E R
No. 009, s. 2022


**CREATION OF THE PRIVATE EDUCATION OFFICE IN THE DEPARTMENT
OF EDUCATION CENTRAL OFFICE**

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

1. The Department of Education (DepEd) issues the enclosed DepEd Order on the **Creation of the Private Education Office (PEO) in the DepEd Central Office (CO)**.
2. The 1987 Philippine Constitution mandates the State to establish, maintain, and support a **complete, adequate, and integrated system of education** relevant to the needs of the people and society, and to establish and maintain a system of free public education in the elementary and high school levels. It also directs the State to 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. It further provides for the recognition by the State of the **complementary roles of public and private institutions in the educational system** and shall exercise reasonable supervision and regulation of all educational institutions.
3. DepEd exercises **two major functions relative to private education—reasonable supervision and regulation. Relatedly, DepEd provides support to private education through technical and financial assistance.** Through various reorganization and rationalization initiatives over the years, several offices have been restructured, streamlined or dissolved. To date, **there has been no dedicated unit or personnel in the DepEd CO that will primarily assist the DepEd Secretary in ensuring that the DepEd mandate relative to private education is fulfilled** by DepEd units and personnel in all levels of governance identified in Republic Act No. 9155 –national (Central Office), regional, and schools division.
4. In view of various developments and emerging priorities by the DepEd, particularly its strategic thrusts in the development of policies and implementation of programs, and upon review of the DepEd mandate relative to private education vis-à-vis its organizational structure, **the PEO is created to take the lead in all matters pertaining to private education lodged in the CO pursuant to the DepEd mandate of reasonable supervision and regulation.**

5. Given the current circumstances and actual assignments of the various Undersecretaries and Assistant Secretaries in relation to DepEd mandate to deliver quality basic education at the time of the effectivity of this Order, the PEO shall be placed under the supervision of the Office of the Undersecretary currently serving as the Alternate Representative of the Secretary as Chairperson of the PEAC pursuant to Office Order OO-OSEC-2021-030 dated August 2, 2021. The Director designated under OO-OSEC-2021-17 dated May 3, 2021 to consolidate and review various proposals received by the Office of the Secretary relative to creation of a private education office, and to develop the guidelines on the creation of the PEO shall likewise serve as the head of the said office.
6. After one year from the effectivity of this Order, unless otherwise decided by the incumbent Secretary, the PEO shall be placed under the supervision of the Office of the Undersecretary for Curriculum and Instruction.
7. All provisions of existing DepEd Orders (DOs) and other issuances inconsistent with this DO are rescinded, repealed, revised and/or modified accordingly.
8. This Order shall take effect immediately upon its issuance. Its certified copies shall be registered with the Office of the National Administrative Register (ONAR) at the University of the Philippines (UP) Law Center, UP Diliman, Quezon City.
9. For clarifications and inquiries, please contact the **Private Education Office**, Department of Education Central Office, DepEd Complex, Meralco Avenue, Pasig City through email at private.education@deped.gov.ph.
10. Immediate dissemination of and strict compliance with this Order is directed.




LEONOR MAGTOLIS BRIONES
Secretary

Encl.:

As stated

References:

Office Orders OO-OSEC-2021-17 dated May 3, 2021
OO-OSEC-2021-030 dated August 2, 2021
DepEd Order Nos.: (88, s. 2010; 10, s. 2011)
52, s. 2015; 16, s. 2016; 16, s. 2021

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

BUREAUS AND OFFICES
OFFICIALS
POLICY
PRIVATE EDUCATION
SCHOOLS
STUDENTS
TEACHERS



CREATION OF THE PRIVATE EDUCATION OFFICE IN THE DEPARTMENT OF EDUCATION CENTRAL OFFICE

I. RATIONALE

1. The 1987 Philippine Constitution, specifically under Article XIV, Sections 1 and 2, mandates the State to *establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society, and to establish and maintain, a system of free public education in the elementary and high school levels.* The State is also directed to *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.* Article XIV, Section 4(1) further provides that the State recognizes the *complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.*
2. Executive Order (EO) No. 292, s. 1987 or the *Administrative Code of 1987*, under Section 2, grants the Department the authority to *supervise all educational institutions, both public and private, and provide for the establishment and maintenance of a complete, adequate and integrated system of education relevant to the goals of national development.*
3. Republic Act (RA) No. 9155 or the *Governance of Basic Education Act of 2001*, under Section 6, vests the Department with *the authority, accountability and responsibility for ensuring access to, promoting equity in, and improving the quality of basic education, covering both public and private education.*
4. The supervision and regulation by the State over private education have long been recognized. Way back in 1917, the Department originally carried out its regulatory function through a Commissioner of Private Education, who was directly under the authority of the Secretary of Public Instruction, pursuant to Act No. 2706. In 1932, the Office of the Commissioner of Private Education was abolished and the duties conferred upon the Commissioner were exercised by the Undersecretary of Public Instruction, pursuant to Act No. 4007. In 1936, the Division of Private Schools and Colleges was transformed into the Office of Private Education, with the Director of Private Education as the head, in accordance with Commonwealth Act No. 180. Subsequently, the Office of Private Education was changed to the Bureau of Private Schools through EO No. 94 in 1947. In 1975, the Bureau of Private Schools was abolished pursuant to Presidential Decree No. 1, which was passed in 1972.
5. Under Batas Pambansa Blg. 232 or the *Education Act of 1982*, the supervision and regulation of educational institutions, both public and private, were also vested in the Department. The Department had the authority to promulgate rules and regulations necessary for the administration, supervision and regulation of the educational system in accordance with declared policy.

6. With the enshrined principles of shared governance under RA No. 9155, it has since been recognized that every unit in the education bureaucracy has a particular role, task and responsibility inherent in the office and for which it is principally accountable for outcomes. It also emphasizes the principles of accountability and transparency in the performance of functions and responsibilities at all levels.
7. Accordingly, at the national level, the Secretary is vested with the authority, accountability and responsibility to formulate national education policies, promulgate national education standards, monitor and assess learning outcomes, undertake research and studies, and enhance the total development of learners through local and national programs and/or projects. In line with national standards and plans, the authority, accountability, and responsibility of approving the establishment of private schools and learning centers are lodged with the Regional Director, while that of supervising the operations of private schools and learning centers resides with the Schools Division Superintendent.
8. Consistent with its mandate, the Department issued DepEd Order (DO) No. 88 s. 2010, as amended by DO No. 11, s. 2011, or the *2010 Revised Manual of Regulations for Private Schools in Basic Education*. It provides the standards of regulation for all private schools in basic education, as well as ensures the provision of quality basic education services.
9. The Department exercises two major functions relative to private education – reasonable supervision and regulation. Relatedly, it provides support to private education through technical and financial assistance. Through various reorganization and rationalization initiatives over the years, several offices have been restructured, streamlined or dissolved. To date, there has been no dedicated unit or personnel in the DepEd Central Office that will primarily assist the DepEd Secretary in ensuring that the Department’s mandate relative to private education is fulfilled by DepEd units and personnel in all levels of governance identified in RA 9155 – national (Central Office), regional, and division.
10. RA No. 6728, as amended by RA No. 8545, or the *Expanded Government Assistance to Students and Teachers in Private Education [E-GASTPE] Act*, in conformity with the Constitution, demonstrates government commitment to maintaining the viability of private education by providing *the mechanisms to improve quality in private education by maximizing the use of existing resources of private education*, and concretely manifests public-private complementarity by enabling the use of public-private partnership in education through various forms of assistance to students and teachers. The law provides for the use of government funds to support the implementation of the said forms of assistance to teachers and students in private schools through their inclusion in the annual General Appropriations Act (GAA) of the Department.
11. RA No. 10533, or the *Enhanced Basic Education Act of 2013* further expanded the coverage of E-GASTPE. The law provides for additional forms of assistance and additional beneficiaries, and allows the Department to develop other forms of financial arrangements consistent with the principles of public-private partnership. Thus, DepEd hereby adopts the use of “Government Assistance and Subsidies (GAS)” to refer to the GASTPE programs as well as other existing and future programs of the same nature.

12. In the exercise of its function to provide support to schools, learners, teachers and other personnel in private education, the Department implements programs of government assistance and subsidies (GAS), including those co-managed by DepEd with the Private Education Assistance Committee (PEAC) pursuant to special provisions in the annual GAA. A GAS Composite Team, with members of the Executive Committee, was created for the overall policy development and program design of the GAS programs in the DepEd Central Office. A GAS Program Management Office (GAS PMO) was also established to provide support to the GAS Composite Team.
13. In view of various developments and emerging priorities by DepEd, particularly in recognizing the role of private schools in the pursuit of accessible and quality education, the Department has deemed it necessary to establish a dedicated office in the Central Office that shall cater to the needs and concerns of the private schools, subject to the applicable laws and issuances on organizational structure and staffing.
14. In view of the foregoing, the Department hereby creates the Private Education Office (PEO).

II. SCOPE

15. This DepEd Order covers the creation of the PEO in the DepEd Central Office which shall be directly supervised and managed by a DepEd official designated to head the PEO, under the Executive Committee (ExeCom) official designated to oversee private education matters. Both the head of the PEO and the supervising ExeCoM official shall be designated by the Secretary.
16. The PEO shall take the lead in all matters pertaining to private education lodged in the Central Office pursuant to DepEd's mandate of reasonable supervision and regulation over private educational institutions.
17. The PEO shall handle concerns relative to private education in a manner aligned with the overall direction of the Department, and as approved by the Secretary.
18. Mindful of the invaluable contribution of private schools to education, the PEO shall maintain close coordination, and insofar as is applicable, conduct consultation with appropriate DepEd offices and private education stakeholders.

III. POLICY STATEMENT

19. In pursuance of the constitutionally mandated complementarity of public and private education, the Department shall duly exercise its supervisory and regulatory functions and shall continue to implement programs of assistance to schools, learners, teachers, and other personnel in private education. For this purpose, the Private Education Office (PEO) is hereby created.
20. The PEO shall lead a whole-of-agency approach toward the institutionalization of public-private complementarity across all governance levels through appropriate interventions including, but not limited to, the formalization of a public-private complementarity framework, and adoption of a "private education lens" for coherence in the crafting of strategic directions and plans for the mixed public-private national education system.

IV. OFFICE FUNCTIONS

21. The PEO shall have the following functions:

- a. Develop strategic directions and frameworks on the complementary roles of public and private institutions in the basic education system;
- b. Review and develop policies and standards pursuant to the reasonable supervision and regulation by DepEd of private educational institutions;
- c. Act on, or when warranted, make recommendations to the Secretary on all matters concerning private education that are elevated to the DepEd Central Office and monitor their resolution;
- d. Coordinate with the GAS Composite Team on matters relating to GAS programs;
- e. In coordination with the Planning Service and other concerned offices, strengthen the database for policy development and program implementation in private education by enhancing available facilities for data collection, processing, and analysis in existing information systems such as the Basic Education Information System (BEIS), Learner Information System (LIS), and those used in the GAS Programs;
- f. Create and maintain a repository of information and resources on private basic education made available to the public through existing official DepEd platforms;
- g. Initiate research to improve access, quality, learning environment, and governance in private basic education and disseminate the output to private schools and relevant stakeholders;
- h. Foster close collaboration with private schools by providing a venue for dialogue and discussion on policy direction and issues affecting private education;
- i. Lead the required study and process for the creation of a Bureau of Private Education or other appropriate office; and
- j. Perform other functions as may be assigned by the Secretary.

22. Upon issuance of this DepEd Order, the PEO shall ensure a proper turnover and transition of ongoing initiatives relative to private education matters being handled by other offices in the Central Office, as may be warranted. The PEO shall likewise ensure that relevant changes resulting from this transition are communicated with concerned internal and external stakeholders, such as field offices and private educational associations.

23. To ensure the consistency and alignment of DepEd's policies, plans and standards related to private basic education, all DepEd Central offices, to the extent applicable, are required to inform, consult, or coordinate with the PEO all of their programs or activities that will directly concern or substantially affect private basic educational institutions.

V. PERSONNEL IN PEO

24. DepEd may designate/reassign existing personnel to form part of the PEO. The office may also engage contract of service (COS) personnel and

consultants to provide the technical and administrative services for the operations of the PEO.

25. Expenses to be incurred in the creation of the PEO and its operations, including but not limited to remuneration of COS personnel and consultants, transportation, communication, and supplies, shall be charged to the General Administrative Support Services fund, subject to budgeting and accounting rules and regulations.

VI. MONITORING AND EVALUATION

26. The PEO, in collaboration with other offices, shall continuously gather feedback on the implementation of this DepEd Order from concerned internal and external stakeholders. It shall conduct a periodic review of this policy to assess its contribution to organization effectiveness, especially in the fulfillment of the agency's mandate relative to private education matters.

VII. EFFECTIVITY/TRANSITORY PROVISION

27. This DepEd Order shall take effect immediately upon its issuance. Its certified copies shall be registered with the Office of the National Administrative Register (ONAR) at the University of the Philippines (UP) Law Center, UP Diliman, Quezon City.
28. Upon the creation of the Bureau of Private Education or in case of changes in the organizational or reporting structure of DepEd, a proper turnover must be ensured, and the equivalent office or personnel shall take on the functions of the PEO.
29. Given the current circumstances and actual assignments of the various Undersecretaries and Assistant Secretaries in relation to DepEd's mandate to deliver quality basic education at the time of the effectivity of this Order, the PEO shall be placed under the supervision of the Office of the Undersecretary currently serving as the Alternate Representative of the Secretary as Chairperson of the PEAC pursuant to Office Order OO-OSEC-2021-030 dated August 2, 2021. The Director designated under Office Order OO-OSEC-2021-17 dated May 3, 2021 to consolidate and review various proposals received by the Office of the Secretary relative to creation of a private education office, and to develop the guidelines on the creation of the PEO shall likewise serve as the head of the said office.
30. After one year from the effectivity of this Order, unless otherwise decided by the incumbent Secretary, the PEO shall be placed under the supervision of the Office of the Undersecretary for Curriculum and Instruction.

VIII. REFERENCES

- 1987 Philippine Constitution
- EO No. 292, s. 1987, the *Administrative Code of 1987*
- RA No. 9155, the *Governance of Basic Education Act of 2001*
- RA No. 10533, the *Enhanced Basic Education Act of 2013*
- RA No. 6728, as amended by RA No. 8545, the *Expanded Government Assistance to Students and Teachers in Private Education Act*

- *Act No. 2706, An Act Making the Inspection and Recognition of Private Schools and Colleges Obligatory for the Secretary of Public Instruction, and for Other Purposes*
- *Act No. 4007, The Reorganization Law of 1932*
- *Commonwealth Act No. 180, An Act to Amend Sections One, Two, Three, Five, Six, and Twelve of Act Numbered Twenty-Seven Hundred and Six, as Amended by Act Numbered Thirty Hundred and Seventy-Five, to Repeal Section Seventeen of Act Numbered Four Thousand and Seventy, known as "The Reorganization Law of Nineteen Hundred and Thirty-Two"; and to Establish the Office of Private Education to be Headed by the Director of Private Education*
- *EO 94, s. 1947, Reorganizing the Different Executive Departments, Bureaus, Offices, and Agencies of the Government of the Republic of the Philippines, Making Certain Readjustments of Personnel and Reallotments of Funds in Connection therewith, and for Other Purposes*
- *Presidential Decree No. 1, Reorganizing the Executive Branch of the National Government*
- *DO No. 88, s. 2010, as amended, 2011 Manual of Regulations for Private Schools in Basic Education*