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Republic of the Philippines  
**Department of Education**  
REGION VIII - EASTERN VISAYAS

October 5, 2022

**REGIONAL MEMORANDUM**

No. **1120**, s. 2022

**SIGNING AUTHORITY ON THE APPROVAL OF ESTABLISHMENT OF PUBLIC SCHOOLS AND LEARNING CENTERS AND ISSUANCE OF GOVERNMENT PERMIT AND RECOGNITION TO PRIVATE SCHOOLS OFFERING BASIC EDUCATION**

To: Schools Division Superintendents  
All Others Concerned

1. Republic Act 9155 known as "**The Governance of Basic Education Act of 2001**", Chapter 1- *Governance of Basic Education*, Section 7 – Powers, Duties and Functions, B – Regional Level through the Regional Director shall have the authority, accountability and responsibility on the following, (13) states among others that "Approving the establishment of public and private elementary and high schools and learning centers." The aforementioned provision expressed the **authority of the Regional Director** through Administrative Fiat.
2. Aligned to the aforementioned provision are the following policies and guidelines set by the Department of Education that serve as the legal basis:

LEGAL BASES	TITLE	PROVISION STATEMENT
DepEd Order No. 40, s. 2014	Establishment, Merging, Conversion, and Naming/Renaming of Public Schools and Separation of School Annexes in Basic Education	<b>Enclosure to DepEd Order 40, s. 2014 Paragraph 2</b> , states, "Corollary to this, Section 7 of RA 9155 mandates that the Regional Director shall have the authority, accountability and responsibility for approving the establishment of public elementary and secondary schools and learning centers."
		<b>Part IV, Item A-1, Paragraph 3</b> "All requests shall be evaluated by the DREC organized by the SDS. Favorable recommendations thereon by DREC shall be validated by the RIT and approved by the Regional Director."



<p>DepEd Order No. 88, s. 2010</p>	<p>2010 Revised Manual of Regulations for Private Schools in Basic Education</p>	<p><b>Part IV, Item A</b>                  " The establishment of a private school shall be subject to prior approval of the Department thru its Regional Director having jurisdiction over the place where the school or branch shall be established.</p>
<p>DepEd Order 51, s. 2015</p>	<p>Guidelines on the Implementation of the Senior High School (SHS) Program in Existing Public Junior High Schools (JHSs) and Integrated Schools (ISs), Establishment of Stand -Alone Public SHSs, and Conversion of Existing Public Elementary and JHSs into Stand-Alone SHSs.</p>	<p><b>Enclosure to DepEd Order 51, s. 2014, Part II, Section 2(c),</b>                   Section 7(B), which mandates that " the Regional Director shall have the authority, accountability and responsibility for . . . approving the establishment of public . . . elementary and high schools and learning centers;"</p>
<p>DepEd Memorandum 4, s. 2014</p>	<p>Guidelines on the Preparation for the National Implementation of the Senior High School (SHSs) Program in the Non-DepEd Schools for the School Year (SY) 2016-2017 and Onwards</p>	<p><b>Paragraph 7.</b>                  " The Senior High School-National Task Force will endorse to DepEd Secretary the results of the evaluation of applications to implement SHS Program. For qualified applicants, a <b>provisional permit</b> for the SHS Program implementation shall be signed by the DepEd Secretary and issued through the Regional Director. This permit shall remain valid until formally revoked by DepEd.</p>
<p>DepEd Order 45, s. 2017</p>	<p>Guidelines on Updating the Basic Education Statistics for the Beginning of the School Year 2017-2018 in the Learner Information System and Enhanced Basic Education Information System</p>	<p><b>Paragraph 3. Approval of New, Changes, and Removal of Senior High School Programs</b>                  "The school then submits a letter of request to the SDO, addressed to the Schools Division Superintendent (SDS), with the corresponding proposal as required by Part IV.A.1 of D.O No. 51, s. 2015 and D.M 04, s. 2014 with the modification that the approval of the SHS Programs will be lodged into the Regional Office.</p>

3. Relative thereto, this Office through the Quality Assurance Division (QAD) hereby reminds the field on the compliance of such provision.

4. Immediate dissemination of and compliance with this Memorandum are desired.

  
**EVELYN R. FETALVERO, CESO IV**  
Regional Director *MF*

QAD-RRC

Enclosures: None  
References: As stated



To be indicated in the Perpetual Index under the following subjects

GOVERNMENT PERMIT

GOVERNMENT RECOGNITION

SCHOOL OPERATION