

IMPLEMENTING SECTION 8(7), ARTICLE XV, OF THE NEW CONSTITUTION

PRESIDENTIAL DECREE NO. 176, April 16, 1973

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WHEREAS, Section 8(7) of Article XV of the New Constitution has indubitably spelled out and defined a redirection of the national policy relative to the ownership, with certain specific exceptions, as well as on the control and administration, of all educational institutions that should be allowed to operate in the Philippines;

WHEREAS, the same constitutional provision has likewise delimited the percentage of alien students that may be allowed to enroll in each educational institution, and specifically regulated the type of alien schools which may be sanctioned to operate in the country;

WHEREAS, there are at present more or less 154 alien schools in operation throughout the country, with a combined total enrolment of 68,505 students as of the Second Semester, 1972-1973, whose continued existence has become untenable in the light of the clear mandate enunciated in said Section 8(7) of Article XV of the New Constitution, which perforce demands the immediate integration of the said schools into the Philippine Educational System; and

WHEREAS, it is deemed imperative that said constitutional provision be implemented immediately in order to effect the desired changes and reforms in the educational system of the country;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree that:

- Ownership. — All educational institutions, other than those which are already established or which may hereafter be established by religious orders, mission-boards and charitable organizations, shall be owned solely by citizens of the Philippines, or corporations or associations at least sixty per centum (60%) of the capital of which is owned by such citizens. Educational institutions already in operation which are not so owned shall conform with the said citizenship requirement on ownership not later than the beginning of the school year 1976-1977.

- Control and Administration. — The control and administration of all educational institutions already established or hereafter to be established in the Philippines shall be vested in citizens of the Philippines. Membership in the governing bodies or boards of such educational institutions shall be limited to citizens of the Philippines. Appointments and designations to, and employment in, positions involving the exercise of administrative discretion in the management of such educational institutions shall likewise be limited to citizens of the Philippines. The Secretary of Education is hereby authorized to fix the reasonable period within which any educational institution may comply with the requirements embodied in this section: Provided, however, That full compliance therewith shall be effected not later than the beginning of the school year 1976-1977.

- Schools Established Exclusively for Aliens. — No educational institution shall be established exclusively for aliens, nor shall any educational institution offer any curriculum exclusively for aliens: Provided, however, That

all educational institutions established exclusively for aliens may continue to operate until the end of the school year 1972-1973 after which their government permits or recognition shall be deemed cancelled. Educational institutions offering any curriculum exclusively for aliens shall cease from doing so not later than the school year 1972-1973, and failure to do so shall be sufficient cause for the cancellation of their government permits and/or recognition.

- Enrolment of Alien Student. — The enrolment of aliens in any school shall not exceed one-third of the total enrolment therein. Full compliance with this requirement in any school shall be effected not later than the beginning of the school year 1976-1977.

- The provisions of Sections 1 to 4 hereof shall not apply to schools established or to be established for foreign diplomatic personnel and their dependents and unless otherwise provided by law, for other foreign temporary residents.

- The Secretary of Education is hereby authorized to adopt such rules and regulations not inconsistent with the provisions hereof, as may be necessary to carry out said provisions.

Done in the City of Manila, this 16th day of April, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

In order to facilitate the implementation of this Presidential Decree No. 175, the following were issued:

By the Department of Education and Culture - Rules and Regulations, dated May 9, 1973; and

By the Bureau of Private Schools — Private Schools Memorandum No. 21, S. 1973, dated May 22, 1973, Rules and Regulations on the administration of alien schools.

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