



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION

CHED MEMORANDUM ORDER (CMO)

No. 27
Series of 2009

**SUBJECT: GUIDELINES IMPLEMENTING SECTION 24 OF THE
MANUAL OF REGULATIONS FOR PRIVATE HIGHER
EDUCATION OF 2008 RE: ESTABLISHMENT OF
EXTENSION CLASSES/ACADEMIC PROGRAMS**

In accordance with the pertinent provisions of Republic Act (R.A.) 7722, otherwise known as the "Higher Education Act of 1994", by virtue of Commission en banc Resolution No. 256, series of 2009, and in order to promote, foster and protect the right of all citizens to relevant and affordable quality higher education in the country, the following guidelines implementing Section 24 of CMO No. 40, series of 2008 [otherwise known as the Manual of Regulations for Private Higher Education of 2008] in the conduct of extension classes/academic programs are hereby adopted and promulgated by the Commission, thus:

Rule I

BASIC POLICY AND CHED POWERS AND FUNCTION

Section 1. Statement of Policy. Section 1, Article XIV of the 1987 Philippine Constitution mandates that the "State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make education accessible to all."

In the pursuit of the above-mentioned Constitutional mandate, the Commission on Higher Education under Section 8, subsections (d) and (e) of RA 7722, the Commission, among others, is empowered to:

"(d) set minimum standards for programs and institutions of higher learning recommended by panels of experts in the field and subject to public hearing, and enforce the same;

(e) monitor and evaluate the performance of programs and institutions of higher learning for appropriate incentives as well as the imposition of sanctions such as, but not limited to, diminution or withdrawal of subsidy, recommendation on the downgrading or withdrawal of accreditation, program termination or school closure."

RULE II

COVERAGE AND CATEGORIES OF EXTENSION CLASSES

Section 2. Scope, Application and Limitation. These set of guidelines for extension classes shall cover and apply to all higher education institutions which operate courses [which may be graduate program or research] based on the corresponding authority granted by the Commission on Higher Education pursuant to law and existing rules and regulations, including State Colleges and Universities and Local Universities and Colleges.

In no instance shall programs declared to be under moratorium by the Commission en banc be offered through extension, or any similar arrangement that may be deemed as an extension class/academic programs under these guidelines.

Section 3. Definition and Categories of Extension Classes/Academic Programs.

3.1 Definition. As described under Section 24 (Article V) of CMO No. 40, series of 2008, "a school facility shall be considered an extension class where it possesses the characteristics of a school branch as above provided, except that (1) administrative and support facilities mentioned are not available at the site but merely the classrooms; (2) enrolment in an extension class is restricted to a special clientele, and not available to the general public; and (3) such extension classes are temporary in nature", provided that said definition shall likewise apply to public HEIs.

3.2 Categories. The following arrangements shall constitute an extension class/program:

3.2.1 An arrangement whereby an HEI enters into a consortium with another educational institution (private or public), agency or any entity on the offering of programs/courses;

3.2.2 Establishment by an HEI of a campus in a location other than the city or municipality within the same region where the main campus is located except when the same is deemed a branch after satisfying the requirements set forth in Article V, Section 23 of CMO No. 40, series of 2008.

3.3 The aforementioned definition and set categories, as well as the requirements for establishing HEI branch, shall apply to all public higher education institutions, including local colleges and universities.

RULE III

QUALIFICATIONS AND PROCEDURAL REQUIREMENTS

Section 4. Qualifications of Higher Education Institutions (HEIs) Intending to Operate Extension Classes/Academic Programs. Only HEIs falling under any of the following categories may be allowed to offer classes/programs through extension:

- 4.1 HEIs with at least Level II accreditation of the degree program(s) applied for.
- 4.2 HEIs with Center of Excellence (COE) or Center of Development (COD) status in the degree program applied for.
- 4.3 HEIs with at least AT category status under IQUAME.
- 4.4 HEIs with valid Autonomous or Deregulated status.

Section 5. Requirements and Procedures for the Filing of Application To Operate Academic Extension Classes/Academic Programs.

5.1 The following conditions are prerequisites to offering extension classes/academic programs:

- 5.1.1 The proposed site where the academic extension classes/academic programs shall be conducted must be in a location with at least fifty (50) kilometer radius from where the main campus is located.
- 5.1.2 There must be no duplication of programs to be offered in the proposed location by other existing public or private HEI.
- 5.1.3 In no instance shall academic extension classes/academic programs be held outside of the region where the delivering HEI is located except when said HEI has another branch duly established in the area.

5.2 Procedures for filing application to operate an extension classes/academic program:

- 5.2.1 An HEI intending to offer an extension classes/academic program shall file its application, with the Office of the CHED Chairman through the Regional Office (CHEDRO), which has jurisdiction over the main campus one year prior to the intended operation of the program.
- 5.2.2 Upon receipt of the application, the concerned CHEDRO shall transmit the application to the Office of the Executive Director within seven (7) working days upon receipt thereof, which shall refer the said application to the Office of Programs and Standards.

5.2.3 Immediately upon receipt of the application, the OPS shall conduct document evaluation and appropriate processing. If found compliant, a composite team shall be constituted composed of OPS staff in-charge of the program, concerned Technical Panel or Technical Committees and a representative from the Regional Office which has jurisdiction over the site of operation of the applicant to check and verify its compliance with the provisions of the Policies and Standards governing the operation of the program applied for.

5.2.4 Other appropriate and applicable procedures adopted in the evaluation of programs for permit may be applied in the case of extension programs.

5.2.5 Authority to operate academic programs through extension shall be issued by the Office of the Chairman.

RULE IV

SITE OF OPERATION AND ISSUANCE OF SPECIAL ORDER

Section 6. School Site for the Extension Classes/Academic Program. In the selection of prospective site of operation, consideration should be given, among others, to such factors as total floor area required for occupancy at any one time, traffic situation in the vicinity, a reasonable distance from other schools already existing but not less than 50 kilometer radius, and location and distance from distractive establishments such as cockpits, dancing halls, bars, or recreational places or questionable character, bowling alleys, movie houses, markets, garbage dumps, funeral parlors, jails, cemeteries and others.

Section 7. Issuance of Special Order of Graduation. In compliance with the provisions of Section 86 [Enrollment List and Other Information], Article XVIII, and Section 110 [Special Orders], Article XXIII of CMO No. 40, series of 2008, otherwise known as the "**Manual of Regulations for Private Higher Education of 2008**", the main campus of the applicant educational institution for government authority to operate extension program/class shall be responsible in furnishing the CHEDRO which has jurisdiction over the said campus with an enrollment list and other relevant information, which have been one of the usual bases of the Commission in the issuance of Special Order of Graduation. Moreover, the CHEDRO, which has jurisdiction over the site of operation, shall be responsible in monitoring the operation of the program and likewise transmit to the CHEDRO concerned with jurisdiction to the main campus the result and report of monitoring. In the case of public HEIs, they shall likewise furnish the CHEDRO with the said documents for records purposes.

RULE V ADMINISTRATIVE PROVISIONS

Section 8. Sanctions. Persons/Officers Liable. Any HEI found violating any provision of this CMO and other related and applicable laws, rules and regulations shall be subjected to the appropriate criminal and administrative proceeding including the imposition of sanctions, but not limited to, the withdrawal or revocation of authority to operate the educational program, phase-out of program, recommendation for the withdrawal of accreditation and closure of the HEI/program pursuant to Section 8 (e) of R.A. 7722.

In no case shall students be misplaced as a result of the sanctions imposed by the Commission. Students affected as a result of the immediate termination of educational programs shall be assisted in transferring to another HEI.

If the act is committed by a school corporation, the school head together with the person or persons responsible for the offense or violation shall be equally liable.

Section 9. Transitory Provision. Higher Education Institutions, both private and public, with an on-going extension academic programs via consortium arrangement with another HEI which failed to comply with the provisions of this CMO are hereby given a grace period of one [1] year within which to comply with the said provisions. Otherwise, a Cease and Desist Order shall be issued by the Commission in accordance with the pertinent rules and after due process.

Section 10. Repealing Clause. CHED Order No. 26, s. 1995 [otherwise known as "Policies and Guidelines for Extension Classes"] and all CHED issuances, which are contrary to or inconsistent with any of the provisions herein, are hereby deemed repealed.

Section 11. Separability Clause. If any part or provision of this CMO shall be held invalid or illegal by competent authority, other provisions thereof, which are not affected thereby, shall continue to be in full force and effect.

Section 12. Effectivity. This Order shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation, as required by law.

Issued this 24th day of August, 2009 in Quezon City, Philippines.


EMMANUEL Y. ANGELES
Chairman