



Republic of the Philippines
Department of Education

30 MAR 2020

OFFICE MEMORANDUM
OM-OSEC-2020-004

**GUIDANCE TO REGIONAL DIRECTORS FOR ACTION ON REQUESTS
BY LOCAL GOVERNMENT UNITS TO USE DEPED SCHOOLS AND
ENGAGE DEPED PERSONNEL IN ACTIVITIES RELATED TO COVID-19**

1. The President issued Proclamation No. 922, dated March 8, 2020, *Declaring a State of Public Health Emergency Throughout the Philippines*, due to the COVID-19 outbreak, and enjoined “(a)ll government agencies and LGUs...to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the Covid-19 threat.”
2. Republic Act No. (RA) 11469, otherwise known as the *Bayanihan to Heal As One Act*, then took effect on March 24, 2020, authorizing the President to exercise powers to adopt temporary emergency measures to respond to the COVID-19 pandemic. The powers include “ensur(ing) that all Local Government Units (LGUs) are acting within the letter and spirit of all rules, regulations and directives issued by the National Government pursuant to this Act; are implementing standards of Community Quarantine consistent with what the National Government has laid down for the subject area, while allowing LGUs to continue exercising their autonomy in matters undefined by the National Government or are within the parameters it has set; and are fully cooperating towards a unified, cohesive and orderly implementation of the national policy to address COVID-19.”
3. To implement RA 11469, Executive Secretary Salvador C. Medialdea issued a Memorandum dated March 28, 2020, on the *Implementation of Temporary Emergency Measures under Republic Act (RA) No. 11469, Otherwise Known as the Bayanihan to Heal As One Act*. The Memorandum, addressed to Heads of Departments, Agencies and Local Government Units, among others, mandates the Secretary of the Department of Interior and Local Government (DILG) to exercise the power of the President under RA 11469 to “(e)nsure that all LGUs are...fully cooperating towards a unified, cohesive and orderly implementation of the national policy to address COVID-19”.
4. The DepEd reiterates its full cooperation with the Office of the President, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) and the Cabinet on decisions and measures concerning COVID-19, including the mobilization of necessary resources to eliminate the COVID-19 threat.
5. Hence, on March 26, 2020, I issued OM-OSEC-2020-002, titled *Guidance to Regional Directors for Action on Requests by Local Government Units to Use DepEd*

Schools as Quarantine or Isolation Areas for COVID-19, in view of the growing number of requests by LGUs for the use of DepEd schools as places for quarantine or isolation as part of their response to COVID-19.

6. DepEd has also been receiving requests from LGUs for the use of DepEd schools for various other purposes (e.g., venue for mobile market, food packing for distribution, facility for showering and changing of clothes of health workers before proceeding home, etc.) and the participation of DepEd teaching and nonteaching personnel to help LGUs conduct activities in response to the COVID-19 outbreak such as the distribution of food stubs to families of public school pupils and students.

7. In light of the various requests by LGUs for the use of DepEd schools and/or participation of DepEd personnel in LGU activities related to their response to the COVID-19 outbreak, this Memorandum is issued to provide guidance for action on these requests.

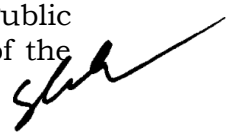
Use of DepEd Schools and Facilities

8. This guidance recognizes that under RA 9155, otherwise known as the *Governance of Basic Education Act of 2001*, DepEd is vested with authority, accountability and responsibility for ensuring access to, promoting equity in, and improving the quality of basic education. The law provides that the “Secretary of the Department of Education shall exercise overall authority and supervision over the operations of the Department” including all its officials, personnel and schools throughout the country.

9. The school, as also provided by RA 9155, is the heart of the formal education system; it is where children learn. Its single aim, as the law emphasizes, is to provide the best possible basic education for all learners. Consistent with this role of the school, and the principles embodied in RA 10821, otherwise known as the *Children’s Emergency Relief and Protection Act*, school facilities may be used for other purposes such as an evacuation center only when there is no other available place or structure which can be used for that purpose.

10. RA 9155 further provides that, in accordance with national policies and plans, the school head is responsible for the administrative and instructional supervision of the school or cluster of schools; the Schools Division Superintendent is mandated to plan and manage the effective and efficient use of all personnel, physical and fiscal resources of the division, as well as to supervise the operations of all public and private elementary, secondary and integrated schools, and learning centers; and the Regional Director has the authority, accountability and responsibility to define a regional educational policy framework which reflects the values, needs and expectations of communities they serve.

11. This guideline further recognizes that RA 7160, otherwise known as the *Local Government Code of 1991*, provides for Local School Boards in every province, city or municipality composed of, among others, the Governor and Schools Division Superintendent as co-chairpersons, the City Mayor and City Schools Division Superintendent as co-chairpersons, and the Municipal Mayor and the Public Schools District Supervisor as co-chairpersons, respectively. The functions of the



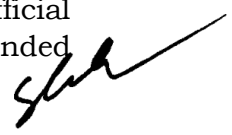
Local School Boards, as specifically provided in the Code, pertain to the budgetary needs for the operation and maintenance of public schools, disbursements from the Special Education Fund, advising the Sanggunian concerned on educational matters, recommendations for changes in names of public schools, and providing inputs on the appointment of certain personnel of DepEd.

12. In sum, DepEd schools are established and designed to function as basic education institutions and facilities, under the control and supervision of DepEd, as provided under RA 9155. In a particular manner, LGUs participate in the provision of basic education mainly through the Local School Boards co-headed by the Governor/Mayor and the Schools Division Superintendent/Public Schools District Supervisor, which are mandated to perform specified education-related functions pursuant to RA 7160. Under the circumstances of the COVID-19 pandemic, however, LGUs request DepEd for the use of schools in their response to the public health situation and not necessarily for education-related purposes. With the declaration of a state of public health emergency in the Philippines through Proclamation No. 922 and the enactment of the *Bayanihan to Heal As One Act*, DepEd is enjoined to mobilize the necessary resources to contribute to the elimination of the COVID-19 threat in accordance with law and applicable national policies or directives.

13. In light of the foregoing and consistent with OM-OSEC-2020-002, I hereby delegate to the Regional Directors the responsibility to approve or deny requests by LGUs to use DepEd schools for activities related to the COVID-19 outbreak within their respective jurisdictions, based on evaluation of the request by the Schools Division Superintendent in consultation with the school heads.

14. In adherence to applicable laws, rules and guidelines, the evaluation of the request shall be guided by the following:

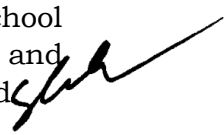
- a. The LGU must state in its request the specific intended purpose or use for the school, and identify the particular facility in the school that will be used as well as the duration of their use, subject to extension, if necessary;
- b. The LGU must show that the Regional Director of the DILG or the head of the Regional Task Force COVID-19, has assessed that the activity intended to be conducted by the LGU in the school is within the parameters of rules, regulations and directives issued by the National Government, and in full cooperation towards a unified, cohesive and orderly implementation of the national policy to address the COVID-19 outbreak. The document showing such assessment must be attached to the request of the LGU;
- c. The LGU must show that all other facilities have been duly assessed and were found to be inadequate. Schools can be recommended for use only when no other facilities are available.
- d. The LGU must present an assessment by the concerned local official that the facility within the school is suitable for the specific intended



purpose, e.g. the local health officer if the use is health-related, the local social worker if the use is welfare-related, etc.

- e. The LGU must present the planned management of the facility, and must conform to relevant government rules, standards and requirements; and
- f. The LGU request must include an undertaking for the management of the school area or structure, safekeeping of all property and valuables in the school premises during the operation of the facility, payment of all expenses including utilities in relation to the use of the school, conduct of general cleaning and fumigation, and repair and/or replacement of damaged or lost school facilities as a result of the use of the school, as well as compliance with the safety regulations and precautionary measures enforced during the public health emergency by the proper authorities. (See Enclosure No. 1: *Minimum standards for social distancing/baseline protocols to be observed in the workplace, travel, and home and private space and time of deployed personnel during the enhanced community quarantine by DepEd Task Force COVID-19 [DTFC Memorandum No. 25]*)

15. When a request is granted by the Regional Director based on the recommendation by the concerned Schools Division Superintendent, the school heads must coordinate with the LGU on the following preparations before actual use of the facility for the intended purpose:

- a. Designation, as well as vacating if necessary, of approved school spaces/structures to be used by the LGU, including removal of all chairs, tables, furniture, equipment and other school properties;
- b. Designation of sufficient number of comfort rooms and handwashing facilities to be used, if any;
- c. Safekeeping and/or proper storage of all learning and education materials, resources, equipment, and school records;
- d. Documentation of the condition of school facilities and resources before use of the facility;
- e. Signing of the minimum Terms and Conditions (TAC) for the intended use/purpose of DepEd School, as provided by the Regional Director (See Enclosure No. 2: *Minimum Terms and Conditions for Use of DepEd Schools by LGUs for Various Purposes [Other than Quarantine or Isolation Areas]*); and
- f. All DepEd personnel involved in the preparation of the school premises shall strictly observe all existing health precautions and social distancing protocols of the Department of Health and DepEd 

16. The LGU shall sign the TAC provided by the Regional Director. Should there be other terms to be agreed upon between the Schools Division Office (SDO) and the LGU, the SDO shall draft a Memorandum of Agreement (MOA) between the SDO and LGU, detailing the roles and responsibilities of the parties, among others. The TAC shall be attached to the MOA as an Annex and shall form an integral part of the MOA. In case of conflict between the MOA and the TAC, the TAC shall prevail. Attached hereto is a template TAC, setting forth the minimum terms and conditions for the use of school.

17. The Regional Directors shall devise an appropriate system for monitoring the use of schools by LGUs for purposes related to the COVID-19 outbreak in their respective jurisdictions.

Participation of DepEd Personnel in LGU activities

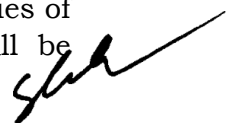
18. The activities of LGUs in response to the COVID-19 outbreak, for which they request human resources, are numerous and varied. The number of DepEd personnel requested to participate in an activity may be one or many, and the duration of participation of one person may be different from that of another person.

19. Given this nature of the LGU activities and possible participation in them, DepEd teaching and nonteaching personnel may participate in these activities under the supervision of the LGU, in a voluntary and personal capacity, subject to applicable laws and rules, including the rules and directives of the national government to address the COVID-19 public health emergency such as the Enhanced Community Quarantine.

20. Should DepEd personnel participate in the LGU activities, the LGU must provide proper trainings; ensure the safety and health of the DepEd personnel by providing the necessary personal protective equipment (PPE), alcohol, sanitizers and other disinfectants, and implementing stringent social distancing measures; and pay remuneration or allowances, as may be warranted by law.

21. Participation of DepEd personnel in said activities of the LGU should not prejudice work in the DepEd and should thus be consistent with alternative work-from-home and skeletal work force arrangements, as provided in the Memorandum of Executive Secretary Salvador C. Medialdea, dated March 16, 2020, with subject *Community Quarantine over the Entire Luzon and Further Guidelines for the Management of the Coronavirus Disease 2019 (COVID-19) Situation*, DepEd Memorandum No. 43, s. 2020, DepEd Office Memorandum OM-OSEC-2020-001, and other applicable laws and rules.

22. For purposes of monitoring activities under this Guidance, DepEd Disaster Risk Reduction and Management (DRRM) coordinators shall provide support to school heads and School Health and Nutrition personnel in monitoring the use of schools by LGUs and the voluntary participation of DepEd personnel in activities of the LGUs in addressing the COVID-19 outbreak. Offsite monitoring shall be



undertaken in view of social distancing precautionary measures, unless physical monitoring is necessary and feasible.

23. The Regional Director shall submit to the Office of the Secretary, through the Offices of the Undersecretaries for Field Operations, a consolidated report of all requests received by the Regional Office from LGUs and the actions taken thereon.

24. This Guidance may also be used by school heads, Schools Division Superintendents and Regional Directors to act on similar requests from other government agencies, unless another guidance is subsequently issued by the Secretary pertaining to such requests.

25. For clarifications and concerns, contact the **DepEd Task Force COVID-19 Quick Response and Recovery Team** (DTFC-QRRT-COVID-19) at the Bureau of Learner Support Services-School Health Division through email at blss.shd@deped.gov.ph or at telephone number (02) 8632-9935.

26. For immediate dissemination and implementation.


LEONOR MAGTOLIS BRIONES
Secretary