

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 315

**DEVOLVING TO THE AUTONOMOUS REGIONAL GOVERNMENT OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO CERTAIN POWERS AND FUNCTIONS OF THE COMMISSION ON HIGHER EDUCATION, THE CONTROL AND SUPERVISION OVER ITS PROGRAMS IN THE REGION AND FOR OTHER PURPOSES.**

**WHEREAS**, Section I, Art. XV of Republic Act No. 6734 provides that the Autonomous Regional Government (ARG) shall establish, maintain, and support a complete and integral system of quality education and adopt an educational framework that is meaningful, relevant, and responsive to the needs, ideals, and aspirations of the people in the Region;

**WHEREAS**, the powers and functions pertaining to higher education of the Department of Education, Culture, and Sports (DECS) devolved to the Autonomous Region pursuant to Executive Order No. 459, series of 1991, have been repealed upon the enactment of Republic Act No. 7722 effectuating the creation of the Commission on Higher Education (CHED) as an independent and separate agency specifically charged to administer, supervise, and promote higher education as well as degree-granting programs in all higher educational institutions in the country;

**WHEREAS**, the Oversight Committee created pursuant to RA 6734 deemed it imperative that in view of RA 7722, there is need to redevolve and/or devolve certain powers and functions of the CHED to the ARG;

**NOW, THEREFORE, I, FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**Section 1. Declaration of Policy.** Pursuant to the Constitution and Republic Act No. 6734, it has been the declared policy of the National Government to ensure the full and expeditious devolution of powers and functions necessary for the governance of the ARG of the Autonomous Region in Muslim Mindanao (ARMM).

**Section 2. Transfer of Powers and Functions.** Subject to national policies, the powers and functions devolved to DECS-ARMM pertaining to higher education stipulated in Executive Order 459 which were transferred to the CHED by virtue of RA 7722 are hereby redevolved to the ARG. Specifically, such transfer of functions shall include, among others:

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a. All programs and projects of the Commission, whether locally-funded or foreign-assisted, in the ARMM earmarked for or to be implemented in the region, including scholarships and grants, shall be transferred to the ARG including its corresponding budgets and assets.

b. The ARG shall avail of the Higher Education Development Fund (HEDF), established under Section 10 of RA 7722, based on CHED-approved projects and programs for the region. The fund shall be administered in accordance with the guidelines of the CHED.

c. The budget and allocation of CHED-supervised Higher Education Institutions in the region shall be transferred to the ARG.

**Section 3. Regulatory Functions.** The functions of DECS-ARMM prescribed in Executive Order No. 459 pertaining to the grant of authority to establish and operate new private schools/programs on higher education in the region including the cancellation and/or withdrawal of recognition, or restoration of cancelled or revoked government recognition, shall be retained by the CHED. Provided, that the grant or revocation, or the restoration of recognition is recommended by the ARG. Provided, further, that should these regulatory functions of the Commission be decentralized later to the regional offices of CHED, the ARG shall likewise be empowered with such regulatory functions as stipulated herein subject to the guidelines set by the Commission.

**Section 4. Budget and Appropriation.** The budget of DECS-ARMM pertaining to higher education shall, in coordination with the Department of Budget and Management, be transferred to the Higher Education Regional Office of the ARG in accordance with the guidelines implementing RA 7722 set by the Commission.

**Section 5. Allocation to ARG.** The ARG shall be considered one of the regions of the CHED for purposes of allocations of resources and other support programs, projects, equipment similarly allocated to other regions provided such allocation is not part of the budget of ARG. For programs and projects of the Commission not provided herein relating to special concerns which require bilateral implementation in the Autonomous Region, a Memorandum of Agreement shall be entered into if necessary, between the Commission and the ARG.

**Section 6. Standard Setting.** The ARG in formulating such regional rules and regulations in the implementation of programs and policies on higher education in the region of autonomy shall be made in accordance with the standard prescribed by the Commission on Higher Education in accordance with national policies.

**Section 7. Technical Assistance.** The CHED shall make available to the ARG such technical assistance as may be necessary to enable ARG to carry out effectively the objectives of this Executive Order.

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**Section 8. Submission of Quarterly Report.** A quarterly report on the status of the implementation of this EO shall be submitted to the President jointly by the ARG and the CHED.

**Section 9. Implementing Rules.** The CHED, in consultation with the ARG, shall issue the implementing rules and regulations of this Executive Order within sixty (60) days from its effectivity.

**Section 10. Transitory Provisions.** Such personnel, properties, assets and liabilities, functions, and pertinent records of the Bureau of Higher Education of DECS-ARMM, including those for higher education and degree-granting vocational and technical education institutions, as well as those of other regional government entities having functions similar to those of the CHED, pursuant to RA 7722, are hereby transferred to the ARG office for higher education. Further, during such period, not to exceed one year from the effectivity hereof, that the ARG is structuring, organizing, staffing, equipping, and otherwise preparing the appropriate ARG office for higher education to discharge the full powers, functions, and responsibilities devolved pursuant to RA 7722 and Executive Order No. 459, the CHED shall extend full assistance and support to ARG to ensure the realization of the objectives of RA 7722 and this Order.

**Section 11. Separability Clause.** If, for any reason, any part or provision of this Executive Order shall be held unconstitutional or invalid, any part or provision herein which are not affected thereby shall continue to be in full force and effect.

**Section 12. Effectivity.** This Executive Order shall take effect fifteen (15) days after its publication in a national newspaper of general circulation and one (1) newspaper of general circulation in the ARMM.

Done, in the City of Manila, this 30th day of March, in the year of our Lord, Nineteen Hundred and Ninety Six.

By the President:

  
**RUBEN D. TORRES**  
Executive Secretary

