



Republic of the Philippines
Department of Education

04 APR 2020

OFFICE MEMORANDUM
OM-OSEC-2020-005

**SUPPLEMENT TO OFFICE MEMORANDA OM-OSEC-2020-002,
OM-OSEC-2020-003, AND OM-OSEC-2020-004**

1. In view of requests from Local Government Units (LGUs) for the use of Department of Education (DepEd) schools as quarantine or isolation areas and for other purposes in relation to COVID-19, as well as for participation of DepEd personnel in LGU activities related to their response to the COVID-19 outbreak, I issued the following memoranda:

- a. OM-OSEC-2020-002: *Guidance to Regional Directors for Action on Requests by Local Government Units to use DepEd Schools as Quarantine or Isolation Areas*, dated March 26, 2020;
- b. OM-OSEC-2020-003: *Template Terms and Conditions for the Use of DepEd Schools as Quarantine or Isolation Areas*, dated March 26, 2020; and
- c. 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*, dated March 30, 2020.

2. As stated in OM-OSEC-2020-002 and OM-OSEC-2020-004, DepEd is in full cooperation with the Office of the President (OP), the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF), and the Cabinet on decisions concerning COVID-19. DepEd is committed to render full assistance 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, in accordance with Proclamation No. 922 dated March 8, 2020, *Declaring a State of Public Health Emergency Throughout the Philippines*, and in conformity with Republic Act No. (RA) 11469, *Bayanihan to Heal as One Act*, which took effect on March 24, 2020.

3. The three Office Memoranda were issued to provide the standards and procedure to facilitate the processing of requests for use of DepEd schools by LGUs in their response to the COVID-19 pandemic. The standards seek to ensure compliance with the directives and guidelines of the OP, IATF, Department of Health (DOH), Department of the Interior and Local Government (DILG), the World Health Organization (WHO), applicable laws and rules, among others, and assess the suitability of the schools for the purposes for which their use is requested, so that the use of DepEd schools by LGUs will contribute "towards a unified, cohesive and orderly implementation of the national policy to address COVID-19", as enjoined by RA 11469.

4. At the same time, the standards provided in the three Office Memoranda seek to ensure that the schools are kept safe and in good condition for use of our pupils and students as places of learning when classes resume. As stated in OM-OSEC-2020-004, citing RA 9155, also known as the *Governance of Basic Education Act of 2001*, the school is the heart of the formal education system and its single aim is to provide the best possible basic education for all learners. DepEd has the responsibility to take care of schools as public properties built and designed to function as education institutions.

5. As mentioned above, the three Office Memoranda were issued to also provide the procedure to facilitate processing of requests to use DepEd schools in response to the COVID-19 pandemic. To expedite processing of requests of LGUs, the responsibility to act on these requests was delegated to the DepEd Regional Directors with recommendation from the Schools Division Superintendents who are more acquainted with realities on the ground.

6. To give certainty and clarity to the responsibilities of DepEd and LGUs on the use of the schools, templates of Terms and Conditions (TACs) for Use of DepEd Schools as Quarantine or Isolation Areas and for Other Purposes were enclosed in the Office Memoranda, which the Local Chief Executives need to sign to signify conformity. The template TACs were provided to facilitate and expedite agreement on the reasonable minimum terms for the effective, diligent and safe use of DepEd schools by LGUs.

7. In line with the commitment of the DepEd to fully cooperate in effectively addressing the COVID-19 pandemic, DepEd Schools Division Offices (SDOs) and Regional Offices are directed to act with urgency on requests for use of DepEd schools in response to the COVID-19 outbreak **within a total period of twenty-four (24) to seventy-two (72) hours from receipt of the requests.**

8. In the evaluation of requests, it is hereby clarified that the DOH, DepEd and WHO guidelines cited in paragraph 11 of OM-OSEC-2020-002 are meant to be reference guides, **to be applied with due consideration of local circumstances and constraints**, as assessed by the Local Chief Executive and Local Health Officer in coordination with the School Head and/or Schools Division Superintendent (SDS).

9. Moreover, with reference to **OM-OSEC-2020-004, paragraph 14 (b)**, regarding the need for assessment that the activity intended to be conducted by the LGU in the school is compliant with rules and directives issued by the National Government for a unified response to the COVID-19 outbreak, the assessment may be made by the Regional Director of the DILG, the Chairperson of the Regional Inter-Agency Task Force, or as an added option, the Provincial or City Director of the DILG. **Paragraph 14(b) is thus modified to read:**

The LGU must show that the Regional Director or the Provincial/City Director of the DILG, or the Chairperson 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.

10. Clarification is also hereby made that **only the TAC and its accompanying School Inventory of properties are required to be signed by the LGUs, if their request for use of DepEd schools is approved by the Regional Director, as stated in OM-OSEC-2020-002 and OM-OSEC-2020-004.** The SDO need not execute a Memorandum of Agreement (MOA) with the LGU if the terms and conditions in the TAC suffice. Nonetheless, the two Office Memoranda provide that the SDO and LGU may enter into a MOA, in the event that the parties need to add other terms and conditions to the template TAC. For clarity, the document to be executed by the SDO and LGU shall be called **"Additional Terms on the Use of the School by the LGU"**.

11. Accordingly, the following provision appearing in **paragraph 10 of OM-OSEC-2020-002 and paragraph 16 of OM-OSEC-2020-004** is hereby modified to read:

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 the "Additional Terms on the Use of the School by the LGU" to be signed by the SDO and the LGU, detailing the roles and responsibilities of the parties, among others. The said document shall be attached to the TAC provided by the Regional Director as an Annex and shall form an integral part of the TAC. In case of conflict between the TAC and the "Additional Terms on the Use of the School by the LGU", the TAC shall prevail. Attached hereto is a template TAC, setting forth the minimum terms and conditions for the use of the school.

12. Clarification is further made that OM-OSEC-2020-002 and OM-OSEC-2020-004 provide in paragraph 9(c) and paragraph 15(c), respectively, that one of the requirements for use of the school, as approved by the Regional Director, is only the **"(s)igning of the minimum Terms and Conditions (TAC)...as provided by the Regional Director."** The TAC and the "Additional Terms on the Use of the School by the LGU" shall, as far as practicable be notarized, which may be done when conditions normalize. Meanwhile, the TAC shall be accepted by DepEd without notarization.

13. For immediate dissemination and implementation.


LEONOR MAGTOLIS BRIONES
Secretary