



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



**CHED MEMORANDUM ORDER (CMO)**

No. 09  
Series of 2018

**SUBJECT: GUIDELINES ON THE ELIGIBILITY OF LOCAL UNIVERSITIES AND COLLEGES (LUCs) TO IMPLEMENT THE FREE HIGHER EDUCATION PROVISION OF REPUBLIC ACT 10931.**

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In accordance with the provisions of Republic Act 7722, otherwise known as the *Higher Education Act of 1994* and pursuant to the provisions Republic Act 10931, otherwise known as the *Universal Access to Quality Tertiary Education Act*, and Rule IX, Section 55 of the Implementing Rules and Regulations (IRR) of RA No. 10931, and by virtue of Commission en banc (CEB) Resolution No. 047-2018 and No. 219-2018, the Commission hereby promulgates the following guidelines on the eligibility of Local Universities and Colleges (LUCs) to carry out the free higher education provision of RA No. 10931:

**Article I  
RATIONALE AND OBJECTIVES**

Republic Act No. 10931 mandates the free higher education in all public higher education institutions, among those are local universities and colleges. Local universities and colleges are defined by the Act as CHED-accredited public HEIs established by local government units. Consequently, the Implementing Rules and Regulations of the Act stipulates that the Commission shall formulate specific guidelines to determine the eligibility of LUCs to accept students who shall avail the free higher education provision of RA 10931.

To achieve this end, these guidelines are hereby formulated in order to:

1. set criteria for determining the eligibility of local universities and colleges to accept students availing of the free higher education in their respective institutions;
2. ensure and maintain the standards of quality tertiary education in Local Universities and Colleges

**Article II  
DEFINITION OF TERMS**

- A. Act – refers to Republic Act No. 10931, otherwise knowns as the Universal Access to Quality Tertiary Education Act of 2017

- B. Academic Program or Undergraduate Degree Program – refers to a collection of all courses in a discipline or a field of study leading to an undergraduate degree.
- C. Government Authority (GA) – refers to either a GOVERNMENT PERMIT (GP) or GOVERNMENT RECOGNITION (GR) issued by the Commission on Higher Education to higher education institutions for the operation of a particular higher education degree program
- D. Government Permit (GP) - refers to a form of government authority issued by the Commission on Higher Education to HEIs for the operation of particular higher education program on probation. The GP is renewable and revocable for non-compliance with the program requirements
- E. Government Recognition (GR) - refers to a form of government authority issued by the Commission on Higher Education to HEIs for particular higher education degree program, after having been satisfactorily operated under a Government Permit (GP). GR constitutes the basis for the graduation of students. It remains valid unless revoked for a cause.
- F. Local College or University – refers to a public higher education institution established by the LGUs through an enabling ordinance, and financially supported by the concerned local government unit.
- G. Local Government Unit – refers to Municipalities, Cities or Provincial governments that created or established the Local College or University.

### **Article III ELIGIBILITY**

Section 1. Local Government Units (LGUs) issued with the certification by the CHED for the authority to establish an HEI

- a. All local universities and colleges that are newly established by virtue of the ***Certificate of Authority to Establish*** issued by the CHED to the local government unit are entitled to accept students in their undergraduate programs and as such may be entitled to avail of the free tuition and other miscellaneous fees under RA 10931.
- b. Notwithstanding the provision, these institutions are required to have **ALL** their academic programs acquire the corresponding Government Authority from the CHED:
  - b.1. within 2 academic years from initial operation for the Government Permit (GP); and
  - b.2. within 2 academic years after the grant of the GP for Government Recognition (GR).

Section 2. Local Universities and Colleges (LUCs) issued with Certificate of Recognition as Higher Education Institution.





- a. All local universities and colleges with **Certificate of Recognition as HEI** issued by the CHED are entitled to accept students in their undergraduate programs and as such may be entitled to avail of the free tuition and other miscellaneous fees under RA 10931.
- b. Notwithstanding, these institutions are required to have **ALL** their undergraduate academic programs acquire the corresponding Government Authority (GP for new programs and GR for existing programs), issued by CHED, **until the end of AY 2019-2020**.

Section 3. Local Universities and Colleges without the corresponding Certificate of Recognition as HEI but with pending application for institutional recognition within the cut-off period:

- a. All existing Local Universities or Colleges **with pending application for institutional recognition as of February 12, 2018** that have not yet been issued with the corresponding Certificate of Recognition as Higher Education Institution, but have **ALL** or **100%** of their academic programs **that have CHED Policies, Standards and Guidelines (PSGs)**, already issued with valid Government Authority by CHED may accept students who may avail of the free tuition and other miscellaneous fees under RA 10931.
- b. Notwithstanding the provision, these institutions are still required to comply with the requirements for Institutional Recognition **before the end of AY 2019-2020**.

#### **Article IV SANCTIONS AND SAFEGUARDS**

Section 1. Institutions should sustain its compliance with the CHED requirements for institutional **AND** program operation to remain eligible.

Section 2. LUCs that fail to maintain compliance particularly with the supplementary requirements as stated in Article III, Sections 1-3 of this CMO, shall no longer be entitled to implement the free higher education provision of the Act for the succeeding academic years.

Section 3. All Local Government Units (LGUs) whose Local Colleges and Universities are deemed eligible to accept students availing of the free higher education provision of the Act shall submit an undertaking, by way of a Sanggunian Ordinance, as mandatory requirement prior to the release of funds, to:

- a. manifest their understanding of and committing to adhere with the conditions stipulated in the IRR of RA No. 10931 and this CMO; and
- b. ensure that financial and other resources are available to sustain the operation of the LUCs and continue the implementation of the free higher education pursuant to RA No. 10931 should they lose their eligibility as



provided for in Section 6 of this CMO, to fund the free tuition and composite fees of its students.

**Article V**  
**SEPARABILITY CLAUSE**

If, for any reason, any part or provision of this CHED Memorandum Order is declared invalid or unconstitutional, any part or provision not affected shall remain in full force effect.

**Article VI**  
**EFFECTIVITY CLAUSE**

This CHED Memorandum Order shall take effect immediately after its publication in the Official Gazette of or in a newspaper of general circulation and shall remain in force until otherwise revoked.

Issued on the 8th of June 2018, Quezon City, Philippines.



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Officer-In-Charge   
Commission on Higher Education

