

GOVERNANCE OF HIGHER EDUCATION: A PRIVATE VIEW*

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I have been asked to give a "private view" on governance of higher education. The topic, to say the least, is a very complex one; its enormity may be readily realized on account of the fact that being Director of the Bureau of Higher Education I could be misunderstood in point of my motivation, and, moreover, I cannot simply imagine how I possibly can provide a "private view" on the matter since I find it impossible to dissociate my "private" from my "public" personality. Irrespective of my personalities and the risk involved, however, I do feel obliged, and I welcome this opportunity, to speak on this occasion; for I consider it my duty to contribute my share toward the crystalization of thinking—and hopefully the eventual formulation and enunciation of a policy framework—on this very vital aspect of higher education in our country which heretofore remains undefined officially.

I shall endeavor to observe brevity in my presentation, with the view that this constraint will afford this gathering with more time for dialogue and discussion on the subject. I have accordingly addressed myself in dealing with the subject matter to three main considerations, namely, the present situation on the governance of higher education, the implications of the constitutionally mandated "integrated system of education", and a proposed policy framework of governance of higher education based on existing and available government resources. I shall, with your kind indulgence, briefly discuss the topic assigned to me within the ambit of these parameters and from the vantage view of my present position.

1. The matter of governance of higher education, I dare say, is still hazy at this stage such that there could be conjured in an unprejudiced mind a notion of disorganization and confusion. This situation, I submit, has been evidently brought about by the absence of a specific policy framework on the governance of higher education, which essentially has been caused by the decision of the Na-

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tional Board of Education—sometime in 1970—to defer approval of the proposals on the area of higher education submitted by the Presidential Commission to Survey Philippine Education. You will recall that the deferment decision was the result of the strong desire on the part of the National Board of Education to effect a rationalization of the system of higher education in our country and there was a strong-felt need at the time for clarification and reformulation of issues on the integration of the entire higher education structure, the accreditation of programs within institutions, and the mechanism of the allocation of resources, among others.

And so, as I mentioned earlier, the issues regarding governance of higher education are still “*hanging*” or undefined and unsettled. In the meantime, since April 22, 1975, the approved Integrated Reorganization Plan of the Department of Education and Culture, pursuant to Presidential Decree No. 1, has been implemented. In view of the void of official policy on governance, I can say and I say with candor that at the present time, when we speak of higher education as supervised and regulated by the Department of Education and Culture, we refer to the private education sector only. For higher education under the public school system, i.e. the chartered state colleges and universities, is still autonomously or independently operated—its linkage with the Department of Education and Culture being founded on the tenuous concept of “attachment”, which, operationally speaking, only allows the Secretary of Education and Culture as Chairman of the Board of Regents of said institutions, to preside over their meetings in order to effect and maintain coordination in policies and programs.

I should stress at this juncture, however, that a positive step has already been taken toward the clarification of the policy framework on governance of higher education, including its role in national development. Through Executive Order No. 433, series of 1974, a presidential study committee has been organized and commissioned to “undertake a thorough study and assessment of the State University and College system including other state-supported higher education schools, and make recommendations for the formulation of a policy framework to govern state higher education.”

Specifically, the Committee has been charged with the tasks to:

- (1) analyze the performance of the government higher education system and its relevance to development goals;
- (2) prepare a long-term perspective plan for the Philippine public higher education system, including the estimate of resources needed and financial implications of the perspective plan; and

(3) identify and recommend policy measures affecting the higher education system, including the role of the public and private sectors in education and the role of the University of the Philippines System in relation to other state colleges and universities.

It may be pertinent to mention in this connection that the related study on private higher education which was conducted through FAPE was allowed by the Secretary of Education and Culture on the basis of Executive Order No. 433. It may also be relevant to point out, for whatever it may be worth, that the Study Committee has yet to come out with its report and recommendations on its assigned task. You will agree with me, therefore, if I say, and I say, that the "output" of this gathering may actually serve as an "input" toward the eventual clarification and reformulation of the issues governing accreditation as well as governance of higher education by the Study Committee.

2. Governance of higher education, including accreditation or licensing of courses embraced within the formal education system, is mandatory and compulsory by virtue of an expressed constitutional mandate. Section 8(1) of Article XV of the 1973 Constitution provides that "all educational institutions shall be under the supervision of, and subject to regulation by, the State. The State shall establish and maintain a complete, adequate, and integrated system of education relevant to the goals of national development."

It is generally conceded based on this constitutional provision that there is but one formal educational system, with two co-equal component school systems, i.e. the public school system and the private school system, in the Philippines; that the two school systems are equally possessed with three levels of instruction, namely, elementary, secondary, and college—including graduate education; and that all schools under the formal educational system, at all levels of instruction, whether public or private, are to be operated in an "integrated" manner under the responsibility of one agency, for the purpose of properly coordinating and effectively utilizing all educational efforts as well as all available resources toward the attainment of the goals of national development and thereby avoid wastage in all its connotations.

It is in light of the constitutional provision, as I gathered from my readings of the records of the proceedings of the 1935 and 1971 Constitutional Conventions, that I hold to the proposition that the concept of "attachment" is clearly and indubitably untenable as the bond or linkage by and between the Department of Education and Culture and the chartered state colleges and universities. For it is obvious that the basic functions of planning, resource allocation,

accreditation in the context of licensing and supervision and evaluation of institutional programs and projects may not be readily attained and maintained, unless the authority and responsibility therefor is lodged with one supervisory and regulatory authority.

I submit that the Department of Education and Culture, as the educational arm of the Executive Branch of the Government, should accordingly be vested with supervisory and regulatory authority over the chartered state colleges and universities, including the University of the Philippines, in keeping with the mandate of "integrated system of education". It should be recognized, however, that the exercise of such authority, if given, should be reasonable on account of the expressed limitation of academic freedom as provided for under Section 8(2) of Article XV of the 1973 Constitution.

The aspect of academic freedom in particular has always been adverted to in the past as the hindrance for the chartered state colleges and universities to come under the supervisory and regulatory umbrella of DEC or the formal educational system. This hindrance, it cannot be denied, is no longer true. For the constitutional guarantee to academic freedom is now applicable to both private as well as public higher institutions of learning. It is my thinking, therefore, that equality in terms of governance of public and private higher education should be observed. At any rate, it is the sense I hold that based on responsibility there should be greater autonomy of all institutions of learning at the tertiary level, and correspondingly there should be greater flexibility of the exercise of supervision and regulation of such schools, in order to permeate higher education with the element of adventure which is indispensable toward the promotion of creativeness, innovativeness, and growth—essentials all for individual as well as social development.

3. The need for the establishment of a new government agency to assume the responsibility on governance of higher education is, I believe, not urgent nor justified. I predicate this observation on two main considerations. Firstly, the Department of Education and Culture, as reorganized pursuant to Presidential Decree No. 1, is already functioning beginning August 1, 1975. I should say that the set-up be given some more time to operate, and that if there are kinks in the operations that must be corrected and strengthened at all, the change or changes need not be in the structure but in functions. This may be effected through the process of delegation of authority. And secondly, I believe that the establishment of another government agency for the sole purpose of governance of higher education, aside from resulting in proliferation of authority

in education, which should be avoided, will entail so much expenditure in terms of manpower and supportive facilities, which, I believe, may not be feasible and practical at this stage.

The central issue on the matter of governance of higher education appears to me to be one of "centralization" or "decentralization" of authority, with the collateral and no-less important issue of "quality education" to be purposely and carefully considered in both dimensions. I am personally committed to the contingent type of leadership, which rejects any idea of extremes because they are anathema to progress and growth. Needless to say, therefore, I view the establishment of a new agency for the governance of higher education in the nature of "extreme" and "wastage", on the one hand, and the status quo as the other "extreme" which is as much "wastage" as a result of the disorganization and confusion I earlier mentioned, on the other. Accordingly, it is my position that the issue on governance of higher education should be resolved within the limitations of the existing structure or the reorganized set-up of the Department of Education and Culture.

Specifically, I submit for consideration the following proposals:

1. That the Board of Higher Education, as envisioned under the Department of Education and Culture Integrated Reorganization Plan, be organized and constituted immediately to serve as the policy-formulating agency on higher education for all private and public higher institutions of learning. As such, it shall exist and operate to provide a forum toward the integration of higher education basic policies for the two sub-school systems, subject to the approval of the National Board of Education.

2. That the Bureau of Higher Education, now a staff agency, should be invested with line functions as well, such that as a promotional body of the Department of Education and Culture, it shall be delegated with the authority to implement all policies and standards of higher education. For this purpose, there should be organized certain new units for the promotional and auxiliary services of the Bureau, in addition to its existing units, i.e. the Staff Development Division, the Student Services Division, and the Physical Facilities Division.

3. The Higher Education Division in each of the DEC Regional Offices shall be maintained as the field service units of the Bureau of Higher Education, although such divisions may remain under the charge of the Regional Directors for administrative supervision purposes. As a general rule, therefore, the authority of

the Regional Directors over higher education should be viewed as recommendatory.

4. The Professional Boards under the Department of Education and Culture should be enlarged in number as to cover all tertiary-level courses under their groupings as provided for by the UNESCO. Such boards shall function as advisory bodies to the Bureau of Higher Education in particular, relative to the operational policies governing their respective disciplines.

5. The line functions in the central offices of the Bureau of Higher Education on supervision and regulation of schools shall revolve around a unit to be composed of specialists, who may likewise serve as executive secretaries of the different professional boards. The staff of the Higher Education Division shall be generalists whose number in each regional office should cover all college courses operated by the schools in the region.