

MURRAY



Republic of the Philippines
Department of Environment and Natural Resources
LAND MANAGEMENT BUREAU
880 Estuar Building, Quezon Avenue, Brgy. Paligsahan, Quezon City
Direct Line: (02) 8255-4362 Records and Knowledge Management Division
Email: denrlmb@yahoo.com Website: lmb.gov.ph

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08 AUG 2022
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MEMORANDUM

FOR : ALL REGIONAL EXECUTIVE DIRECTORS

THRU : All Assistant Regional Directors for Technical Services

FROM : The Director

SUBJECT : REQUEST OF THE COMMISSION ON HIGHER EDUCATION (CHED) FOR A REPRESENTATIVE AS A MEMBER OF THE CHEDRO TWG IN THE REVIEW OF THE LAND USE DEVELOPMENT AND INFRASTRUCTURE PLAN (LUDIP)

This pertains to the letter dated June 8, 2022 of Mr. J. Prospero E. De Vera, III, Chairperson of Commission on Higher Education, relative to the above-mentioned subject.

Pursuant to the implementation of Republic Act (RA) No. 11396, otherwise known as "An Act Requiring State Universities and Colleges (SUCs) to Prepare and Implement a Land Use Development and Infrastructure Plan (LUDIP) that shall include the construction of Dormitories for Students and Housing Sites for Employees", the DENR-LMB shall assist CHED in the review of LUDIP to ensure the optimal, sustainable and resilient use of resources.

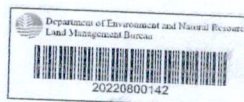
However, since CHED is requesting for a representative per Region as a counterpart of their Regional Office who will review the LUDIP of SUCs, it is respectfully recommended that the Assistant Regional Directors for Technical Services be the representative of each Region for the said CHED Technical Working Group. Thus, may we request that you please coordinate directly with your respective CHED counterparts.

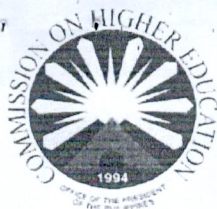
For your information and compliance, please.

Emelyne V. Talabis
ATTY. EMELYNE V. TALABIS, CESO IV

RR

RLL/jcc





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

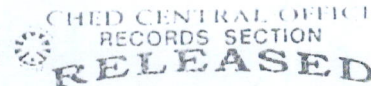
June 8, 2022

JIM O. SAMPULNA, PhD, CESO I

Acting Secretary

Department of Environment and Natural Resources (DENR)

Visayas Avenue, Diliman, Quezon City



JUN 17 2022

Through: **ATTY. EMELYNE V. TALABIS**
Acting Director
Land Management Bureau, DENR

By: *[Signature]*

Dear **Undersecretary Sampulna:**

This has reference to the implementation of Republic Act (RA) No. 11396 "An Act Requiring State Universities and Colleges (SUCs) to Prepare and Implement a Land Use Development and Infrastructure Plan that Shall Include the Construction of Dormitories for Students and Housing Sites for Employees (LUDIP)."

Pursuant to Section 10.1.3 of the Implementing Rules and Regulation (IRR)¹ of RA 11396, the Commission on Higher Education (CHED) shall constitute and convene a multi-agency Regional Technical Working Group (TWG) to provide assistance to SUCs during the preparation and review of their respective LUDIPs. The Land Management Bureau - Department of Energy and Natural Resources (**LMB-DENR**) is one of the agencies identified in the RA and Section 10.4 of the IRR, that shall assist CHED in the review of LUDIP to ensure it promotes optimal, sustainable and resilient use of resources.

Thus, we request LMB-DENR to send representative as a member of the CHEDRO TWG in each of the 17 CHEDRO. For queries, you may contact Ms. Anunciacion T. Peñaflorida, Supervising Education Program Specialist, CHED-Office of Institutional Quality Assurance and Governance at telephone number (02) 8351-0803 or at email address oiqag@ched.gov.ph.

Thank you for your usual support.

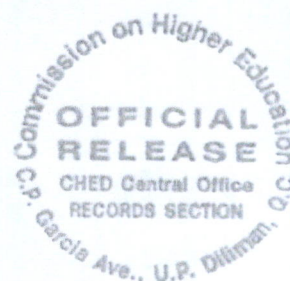
Very truly yours,

J. PROSPERO E. DE VERA III, DPA
Chairperson

¹ CMO 11 S. 2020 - IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11396, "AN ACT REQUIRING STATE UNIVERSITIES AND COLLEGES (SUCs) TO PREPARE AND IMPLEMENT A LAND USE DEVELOPMENT AND INFRASTRUCTURE PLAN THAT SHALL INCLUDE THE CONSTRUCTION OF DORMITORIES FOR STUDENTS AND HOUSING SITES FOR EMPLOYEES"



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



CHED MEMORANDUM ORDER

No. 11
Series of 2020

SUBJECT: IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11396, "AN ACT REQUIRING STATE UNIVERSITIES AND COLLEGES (SUCs) TO PREPARE AND IMPLEMENT A LAND USE DEVELOPMENT AND INFRASTRUCTURE PLAN THAT SHALL INCLUDE THE CONSTRUCTION OF DORMITORIES FOR STUDENTS AND HOUSING SITES FOR EMPLOYEES"

Pursuant to **Section 7 of Republic Act No. 11396**, otherwise known as the **SUCs Land Use Development and Infrastructure Plan (LUDIP) Act**, and as approved during the virtual Commission en Banc meeting on October 13, 2020 through Resolution No. 731-2020, the Commission on Higher Education (CHED) hereby formulates and adopts the following rules and regulations:

**RULE I
GENERAL PROVISIONS**

Section 1. **Title.** This set of rules and regulations shall be known as the Implementing Rules and Regulations of Republic Act No. 11396, also known as the "SUCs Land Use Development and Infrastructure Plan (LUDIP) Act," and shall be hereinafter called the IRR.

Section 2. **Purpose.** This IRR shall be formulated and adopted to prescribe the procedures and guidelines for the implementation of the "SUCs LUDIP Act" to facilitate compliance and achieve the set objectives.

Section 3. **Declaration of Policy.** The provisions of the IRR enforce the intentions of the Act to provide for a rational, holistic, efficient and just allocation, utilization, development and management of the country's land and water resources that is consistent with the principles of equity, social justice, environmental integrity and sustainable development for the common good.

Section 4. **Coverage.** This IRR shall cover the properties, including all land assets of the SUCs whether titled, untitled or those having conflict. Lands that are not titled in the name of the SUCs or have conflict on ownership shall likewise be covered by this IRR.

Land Use Development and Infrastructure Plan (LUDIP) refers to a campus master plan that contains the allocation and utilization of the land within a campus' geographic boundary to meet the required academic and non-academic support services and facilities. It translates into land uses and development plans the respective SUC's vision, which is aligned with higher level plans and consistent with the principles as well as standard design and development guidelines. It contains the campus development programs and projects and the investment needed to implement them.

It has three components:

- a) Campus Land Use Plan;
- b) Campus Master Development Plan and Investment Program; and
- c) Site Development Plan.

The LUDIP shall serve as proof that the land assets, buildings, infrastructure, and other valuable properties identified therein are actually, directly and exclusively used for educational purposes, and necessary to promote the mandates of the SUCs and for the purpose for which they have been reserved or acquired. These identified properties shall not be claimed or used by other government or non-government entities for purposes other than what is indicated in the LUDIP. As land assets, buildings, infrastructure and other valuable assets are intended for actual, direct and exclusive use for educational purpose, disposition of the same should only be for such purpose and subject to the same restrictions when they were acquired. SUC, instead of donating, should opt for usufructuary agreement of lease of land property. The LUDIP shall also be used as basis for the current and future uses of the properties of the SUCs.

Section 5. **Definition of Terms.** For purposes of this IRR, the following definitions will apply. The technical definitions shall be incorporated in the LUDIP manual that will be developed.

5.1. **Campus** refers to an educational facility, which are units that are geographically separated or detached from the main campus of the college or university and has its own educational facilities, administrative and faculty complement, and program offerings.¹

5.2. **Campus Land Use Plan** refers to the planning and policy document that sets the long-term spatial objectives and goals to improve and optimally utilize land assets as well as the land use policies to achieve the vision of the SUC. The following, but not limited to, shall be included in the formulation of a campus land use plan:

- a. Planning and design considerations
- b. Land use budget (land demand and land supply)
- c. Land use strategy and space allocation
- d. Circulation network and traffic management scheme
- e. Open and green space network
- f. Land use policies²

The campus land use plan therefore, provides the forecasted allocations of land for the campus' academic requirements. It shall also determine the campus demand for infrastructure and services such as housing for its constituents (students, faculty and staff), as well as economic and social facilities in support of its academic activities.

5.3. **Campus Master Development Plan and Investment Program** refers to the planning document which specifies the sectoral goals, objectives, strategies, future programs, projects and activities to support the implementation of the Campus Land Use Plan. It includes a definition of the development phasing incorporating the estimation of the development costs in the form of an Investment Plan. It shall be comprised of the

¹ Manual of Regulations for Private Higher Education of 2008 Article 1 Section 5.3. <https://ched.gov.ph/manual-regulations-private-higher-education-morphe>

² UP SURP



following component framework plans: a) social development; b) economic development; c) roads and transportation development; d) infrastructure and utilities development; e) environmental management; f) institutional development; and (g) investment plan.

5.4. **Dormitory** refers to a building or structure that primarily provides sleeping and residential quarters for college or university students.

5.5. **Economic Development Plan** – specifies proposals for commercial, industrial, agricultural, fishery, agro-forestry, forestry, and tourism activities to optimize the economic and revenue growth potential of the SUC campus.

5.6. **Environmental Management Plan** – proposals for the protection of the environment to ensure sustainability of the various on-campus development initiatives will be contained in this plan. Programs that will protect and conserve ecologically sensitive ecosystems within the campus will be specified. Measures to ensure good air and water quality will also be defined in this plan.

5.7. **Extension Programs** refer to programs in higher education institution that provide the space to discover practical, evidence- and science-based answers that can address real-world social, economic and environmental challenges of partner citizens and communities.³

5.8. **Governing Board** refers to the highest policy-making body of chartered SUC. For chartered State Universities, they are called the Board of Regents (BOR). For chartered State Colleges, they are called Board of Trustees (BOT).⁴

5.9. **Housing sites** refer to the land owned by the SUCs that is identified as housing areas for its faculty and non-teaching personnel.

5.10. **Idle Land** refers to a recognized land asset of an SUC on which it has made no improvements. It does not include forest area, protected area, open space, areas preserved for cultural heritage, evacuation areas in times of calamities/disasters, laboratory sites, research sites, extension sites when such usage is identified in the LUDIP.

5.11. **Infrastructure and Utilities Development Plan** – specifies proposals for academic, health, housing, office, power and water supply, drainage and sewage, solid waste treatment, agricultural, tourist and visitor accommodation, and other general and special use facilities.

5.12. **Infrastructure Project** refers to the construction, improvement, rehabilitation of roads and bridges, railways, airports, seaports, communication facilities, irrigation, flood control and drainage, water supply and sewerage system, shore protection, power facilities, national buildings, school buildings, hospital buildings and other related construction projects that form part of the government capital investment.⁵

³ CHED Memorandum Order No. 52 series 2016. <https://ched.gov.ph/wp-content/uploads/2017/10/CMO-52-s.-2016.pdf>

⁴ Revised Implementing Rules and Regulation of Higher Education Modernization Act of 1997, Republic Act No. 8292 Rule II Section 3.c) <https://ched.gov.ph/cmo-3-s-2001/>

⁵ Republic Act No. 11396 Section 4. <https://www.officialgazette.gov.ph/2019/08/22/republic-act-no-11396/>



5.13. **Institutional Development Plan** – specifies the key areas of institutional capability building requiring improvement to meet the cohesive and efficient LUDIP implementation requirements.

5.14. **Investment Program** – defines the development cost to support the implementation of the LUDIP. It will include an Indicative Financing Plan presenting the total development cost and specifying the cost breakdown of each component project. Priorities will be defined by phases, including project preparation (e.g. follow-up consultancy studies), short-term, and medium-term, and long-term action.

5.15. **Land Conflict** refers to disagreement over rights and ownership to land by two or more parties.

5.16. **Land Use** refers to the manner of utilizing the land, including its allocation, development and management.⁶

5.17. **Protected Area** refers to identified portions of land and/or water set aside by reason of their unique physical and biological diversity and protected against destructive human exploitation.⁷

5.18. **Residential Zone** refers to an area within a campus intended principally for dwelling/ housing purposes.⁸

5.19. **Roads and Transportation Development Plan** – covers the aspects of road and bridge proposals and upgrading, including port development (where applicable), and traffic management to facilitate ingress and egress.

5.20. **Site Development Plan** refers to the general layout and configuration of a site including existing and proposed structures, parking and street layout, conceptual landscaping and lighting, site cross section drawings, and building elevations, among others. It also includes space programming based on the envisioned direction of development.⁹

5.21. **Social Development Plan** – specifies proposals for the provision of the education, health, housing, protective, sports and recreation, and disaster management services to the student population, faculty members, employees, other campus residents.

5.22. **SUC Zoning** refers to the process of delineating areas for specific uses to guide how the land assets of SUCs can and cannot be used. Zoning regulations can limit the use of land in order to ensure that infrastructure is built in appropriate areas as identified in the LUDIP of the SUC.

⁶ UPSURP

⁷ Expanded National Integrated Protected Areas System Act of 2018, Republic Act No. 11038 Section 3 (bb) https://www.lawphil.net/statutes/repacts/ra2018/ra_11038_2018.html

⁸ HLURB (2014). A Guide to Comprehensive CLUP GUIDEBOOK Land Use Plan Preparation Volume 3 Model Zoning Ordinance. <http://hlurb.gov.ph/services/local-government-unit-clup-guidebook>

⁹ UPSURP



5.23. *Watershed* refers to a land area drained by a stream or fixed body of water and its tributaries having a common outlet for surface runoff.¹⁰

RULE II

LUDIP DEVELOPMENT, APPROVAL AND IMPLEMENTATION

Section 6. ***LUDIP Process.*** In the process of formulating the LUDIP, the applicable laws such as, but not limited to, the Presidential Decree No. 1096 (National Building Code of the Philippines), Republic Act No. 8749 (Philippine Clean Air Act), Republic Act No. 9275 (Philippine Clean Water Act), Republic Act No. 9729 (Climate Change Act of 2009), Republic Act No. 10121 (Philippine Disaster Risk Reduction and Management Act of 2010), Republic Act No. 10587 (Environmental Planning Act of 2013) and other relevant laws not herein specified shall be observed.

Section 7. ***Preparation, Submission and Implementation of LUDIP in SUCs.*** All SUCs, through their respective Board of Regents (BOR)/Governing Boards (GB), shall be required to prepare and implement their respective LUDIP designed to improve and optimally utilize their resources in prioritizing the dormitories for students and housing sites for SUC employees. The LUDIP shall be linked with the land use plan and practice of the host local government units (LGUs) and of the Indigenous Knowledge Systems and Practices (IKSP), if applicable, to ensure complementation of activities across geographical boundaries;

Section 7.1 ***Preparation of the LUDIP.*** The following shall be the guidelines in the preparation of the LUDIP by the SUC:

7.1.1 The SUC, through its BOR/GB, shall establish a Technical Working Group (TWG) which shall be responsible for the formulation of LUDIP for the SUC.

7.1.2 The SUC shall prescribe the roles and responsibilities of the members of the TWG in accordance with this IRR.

7.1.3 The TWG shall be composed of officials and employees from different offices within the SUC who are equipped with technical expertise on the matters covered in the LUDIP.

7.1.4 The TWG shall be supported by the office in-charge of planning which shall also serve as the Secretariat.

7.1.5 The TWG shall be responsible for the following:

- a. may invite relevant representative/s from the regional and national line agencies, concerned LGUs, non-government organizations, environmental planning practitioners and other stakeholders to serve as resource person/s, consider appropriate circulars, guidelines and issuances from other concerned agencies significant to the development of the LUDIP.

¹⁰ Presidential Decree No. 705 Revising Presidential Decree No. 389 Section 3 l-m
<https://www.officialgazette.gov.ph/1975/05/19/presidential-decree-no-705-s-1975/>



- b. identify stakeholders and create a schedule of consultations and compliances in accordance with the period of submission of LUDIP as prescribed in this IRR;
- c. Coordinate and consult with the concerned LGU;
- d. submit the draft LUDIP to the SUC President and shall revise the plan when necessary upon the instruction of the SUC President.

7.1.6 The TWG shall coordinate and consult with the concerned Local Government Unit (LGU).

Section 7.2 ***Submission, Evaluation and Approval of LUDIP.*** The SUC shall submit the LUDIP to CHED, within two years after the approval of RA 11396 for evaluation. Based on favorable results of evaluation, it shall recommend approval of the LUDIP to the SUC BOR/GB in accordance with the following procedures:

7.2.1 The SUC President shall submit the LUDIP to CHED;

7.2.2 CHED shall check the completeness of the LUDIP submitted by the SUC and forward to the CHED TWG composed of representatives from CHED, Department of Human Settlements and Urban Development (DHSUD), University of the Philippines – Resilience Institute (UPRI), Department of Public Works and Highways (DPWH), Land Management Bureau-Department of Environment and Natural Resources (LMB-DENR), and other relevant agencies to evaluate its contents;

7.2.3 The CHED TWG shall determine the acceptability of the SUC LUDIP and shall inform CHED if the LUDIP can be recommended for approval or revision;

7.2.4 The CHED shall inform the SUC President of the results of evaluation;

7.2.5 The SUC President shall endorse to the BOR/GB the CHED recommendation for approval of LUDIP; otherwise it shall be returned to the SUC TWG for refinement;

7.2.6 The BOR/GB shall approve/disapprove the proposed LUDIP;

7.2.7 The BOR/GB, through the SUC President, shall submit to CHED the approved LUDIP, otherwise, it shall be returned to the SUC TWG for refinement following again the process of preparation and submission;

7.2.8 The CHED shall provide the National Economic Development Authority (NEDA) and Department of Budget and Management (DBM) with the updated list of SUCs with approved LUDIP; and

7.2.9 The CHED shall maintain an updated record of the LUDIP submissions by the SUC.



Section 7.3 **Implementation of the LUDIP.** There shall be no new infrastructure project approved and implemented in any SUC unless the LUDIP has been approved and submitted to CHED. The approval of the capital outlay proposals of SUC shall be based on the approved LUDIP and that the budget for dormitory for students and housing sites for SUC employees shall be a priority. Specifically,

7.3.1 The SUC shall provide proof to CHED that the land uses and infrastructure activities in the campus are permitted in the LUDIP;

7.3.2 The CHED shall monitor the SUC in the implementation of the LUDIP; and

7.3.3 The CHED shall submit results of the evaluation of implementation of LUDIP by the SUC to the concerned BOR/GB, through the SUC President, copy furnished DBM.

7.3.4 The BOR/GB, through the SUC President shall ensure that the findings during the monitoring of implementation of LUDIP are immediately acknowledged and non-compliance is rectified. Any action undertaken on the monitoring findings shall be reported to the CHED, copy furnished DBM.

Section 8. **Updating and Review of approved LUDIP.** After approval of the LUDIP by the BOR/GB, and its submission to CHED through the SUC President, the approved LUDIP shall be updated as the need arises and shall be reviewed by the BOR/GB every 10 years.

Section 8.1 **Interim Review.** The approved LUDIP may be updated periodically by the SUC as the need arises.

Section 8.2 **Mandatory Review.** The approved LUDIP shall be reviewed by the BOR/GB 10 years after its initial approval and every 10 years thereafter to ensure that it remains relevant and in consonance with current conditions and realities;

Section 8.3 **Process of Reviewing and Updating/Revising.** The BOR/GB shall develop the process for reviewing, updating and revising of the approved LUDIP.

Section 8.4 **Submission of Updated/Revised Copy of the LUDIP.** The SUC shall provide CHED with a copy of the updated/revised LUDIP before implementation.

RULE III

ASSISTANCE BY GOVERNMENT INSTITUTIONS

Section 9. **Mandated Institutions.** All government departments, agencies, offices, and instrumentalities are hereby mandated to extend all possible assistance and cooperation to all SUCs in the preparation of their LUDIP. Information, data, or any other form of assistance/service provided/rendered shall be subject to their respective procedures, rules and regulations.

Section 10. **Roles and Responsibilities of Government Institutions.** The following are the roles and responsibilities of identified government departments, agencies, offices and instrumentalities:



Section 10.1 *Commission on Higher Education (CHED)*

10.1.1 Lead in the design of capacity building program with the assistance of DHSUD and UP-SURP for SUCs in order to assist them in the preparation of suitable land use plan;

10.1.2 Coordinate with other relevant government institutions to provide an avenue for discourse on land use and infrastructure plans;

10.1.3 Constitute and convene a multi-agency TWG to provide assistance to SUCs during the preparation and review of their respective LUDIPs;

10.1.4 Keep copies of approved LUDIP of SUCs which shall be used as reference; and

10.1.5 Monitor the implementation of approved LUDIP.

Section 10.2 *Department of Human Settlements and Urban Development (DHSUD)*

10.2.1 Assist in the design of capacity building programs to CHED for SUCs in the preparation of LUDIP; and

10.2.2 Assist CHED in the review of LUDIPs to ensure that plans promote optimal, sustainable and resilient use of resources.

Section 10.3 *Department of Public Works and Highways (DPWH)*

10.3.1 Provide data regarding road network and other infrastructure data needed in the preparation of the LUDIP; and

10.3.2 Assist CHED in the review of LUDIPs to ensure that plans promote optimal, sustainable and resilient use of resources.

Section 10.4 *Land Management Bureau - Department of Environment and Natural Resources (LMB-DENR)*

10.4.1 Assist in the certification as to the status of the land classification at CENRO level;

10.4.2 Facilitate and assist in the conduct of verification and approval of survey;

10.4.3 Assist in the titling of untitled lots of SUCs for a fee;

10.4.4 Provide data necessary for crafting policies/issuances pertinent to SUCs' asset inventory and management;

10.4.5 Provide technical advice, assistance and supervision in the implementation of land survey and titling activities for CHED/SUCs;



10.4.6 Facilitate and effect the conduct of verification and approval of survey and preparation of the draft proclamation and/or special patent;

10.4.7 Prepare drafts of the proposed presidential proclamations/special patents in accordance with the existing rules and regulations on Completed Staff Work, including the obtaining of the appropriate clearances from concerned government agencies, with the assistance of CHED/SUCs offices concerned;

10.4.8 Prepare/Recommend/Endorse the proposed presidential proclamations/special patents to the Office of the DENR Secretary who will in turn recommend approval of the same to the Office of the President;

10.4.9 Prepare/Recommend/Endorse the proposed special patent at PENRO level/DENR Secretary/Office of the President for approval;

10.4.10 Forward to CHED the list of approved presidential proclamations/special patents for SUCs; and

10.4.11 Assist CHED in the review of LUDIPs to ensure that plans promote optimal, sustainable and resilient use of resources.

Section 10.5 *Local Government Unit (LGU)*

10.5.1 Provide technical advice/input and assistance in the preparation of LUDIP of SUCs.

Section 10.6 *University of the Philippines – Resilience Institute (UP-RI)*

10.6.1 Assist SUCs in ensuring that climate and disaster risk assessments are mainstreamed in the LUDIPs, as provided for in other laws and policies; and

10.6.2 Assist CHED in the review of LUDIPs to ensure that plans promote optimal, sustainable and resilient use of resources.

Section 10.7 *University of the Philippines – School of Urban and Regional Planning (UP-SURP)*

10.7.1 Provide technical assistance in the design of capacity building programs in the formulation of the LUDIP (Campus Master Plan composed of a Campus Land Use Plan, Campus Master Development Plan, Site Development Plan and Investment Program,) to CHED for SUCs in the preparation of the LUDIP; and

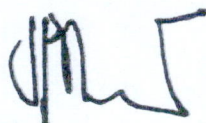
10.7.2. Provide technical assistance to CHED in the formulation of guidelines, criteria, and processes for the review of LUDIPs to ensure that plans promote optimal, sustainable and resilient use of resources.

Section 11. *Capacity Building Programs for the SUCs.* The CHED, with the assistance of DHSUD and University of the Philippines – School of Urban and Regional Planning (UP SURP), will lead in the design of capacity building programs for the SUCs to enable the



Section 19. *Effectivity.* This IRR shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation. This IRR shall also be registered with the Office of National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.

APPROVED, November 25, 2020.



J. PROSPERO E. DE VERA III, DPA
Chairman, Commission on Higher Education

