

THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

04 JUL 28 11:18

SENATE
S. B. NO. 1535

RECEIVED BY: _____

Introduced by Senator Magsaysay, Jr.

EXPLANATORY NOTE

Religion is important as an individual and collective value. Whatever the religion, it cannot be denied that in the Philippines, religion assumes a vital role in citizen formation, particularly our youth. And so we affirm the necessity of religious instruction in the private and public schools.

In the 1935 Constitutional Convention, Delegate Artadi, firm in his conviction that religious instruction was elemental in nation-building, proposed a provision for religious instruction in the public schools at the option of the parents. Delegate Artadi said:

"If the knowledge of grammar and of arithmetic were not required in our schools, sooner or later the child would (nevertheless) realize the importance of knowing them, because he will come to realize that, in the struggle for life, knowledge of a language and of arithmetic is necessary. This realization does not come to their material needs. Because of this, the State, the nation, loses the opportunity of molding the character of the Filipino youth according to sound principles; the State loses the occasion for creating in the individual a habit of mind which nationally chooses good and rejects evil....."

The framers of the 1973 Constitution likewise recognized the importance of religious instruction. Article XV, Section 8(8) of the said fundamental law stated:

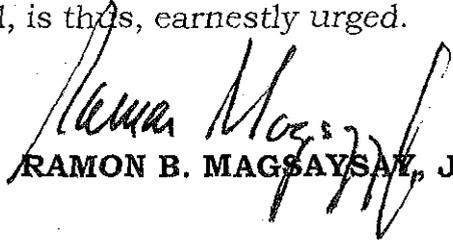
"At the option expressed in writing by the parents or guardians, and without cost to them and the government, religion shall be taught to their children or wards in the public elementary and high schools as may be provided by law".

Article XIV, Section 3(3) state that "(a) the option expressed in writing by the parents or guardians, religion shall be taught to their children' or wards in public elementary and high schools within the regular class hours by instructors designated or approved by the religious authorities of religion to which the children or wards belongs, without additional cost to the government."

However, problems have arisen in the attempts to implement the optional religious instruction. These problems have set to naught the efforts to realize the gains from religious instruction by the Constitution.

Today, many considers the absence of religion in the curriculum as one rationale why recent problems as drug addiction, early marriage, juvenile delinquency and criminality, prostitution and other similar social malady that have contributed to the deterioration of society as a whole.

Considering the foregoing, it is imperative that a law be passed to interpret and implement the constitutional mandate on optional religious instruction. The passage of this bill, is thus, earnestly urged.


RAMON B. MAGSAYSAY, JR.

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AN ACT
TO RATIONALIZE THE TEACHING OF RELIGION IN THE PUBLIC SCHOOLS

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Title. - This Act shall be known as the "**Act To Rationalize The Teaching of Religion In The Public Schools**".

SEC. 2. Declaration of Policy - It is declared policy of the State in conformity with the mandate of the Constitution, to encourage and promote the teaching of religion to children in public elementary and high schools within the regular class hours, for the State is cognizant of the vital role that the teaching of religion assumes in citizen formation, particularly the molding of our youth. Hence, the State recognizes the necessity of religious instruction in the private and public schools. For these purposes, the State shall provide the infrastructure to enable the teaching of religion in all public elementary and high schools all over the country, fully aware in the process that the Constitution prohibits the government from favoring the establishment of a particular religion or prohibiting the free exercise thereof, for the separation of the Church and the State shall be inviolable. Furthermore, the implementation of this law should not entail additional cost to the government.

SEC. 3. Coverage - This Act shall apply to all public elementary and high schools in the Philippines.

SEC.4. Definition of Terms - As used in this Act, the following terms shall mean:

- a. Religion - an institutionalized system of beliefs, attitudes and practices;
- b. Value Education - the integration into the school curriculum of universally accepted as well as Filipino human, social, moral, political, economic and cultural values.
- c. Optional religious instruction - refers to the religion classes conducted in the public elementary and high schools for students or pupils whose parents opt to exercise their right to request religious instruction for their children or ward. The optional character of religious instruction in public school is in reference to the parents or guardians of the children, who are free to request or not to request that the children under their care be instructed in the religion of their choice. It is not optional for the principal or school heads to either accept or reject the formal request of the parents to have their children instructed in the religion of their choice during regular hours.
- d. Regular class hours - refers to the regular or normal scheduled periods of instruction or laboratory work for a student.
- e. Class period - the average length of time scheduled for one session or instructional period in a course.

SEC. 5. The Teachers/ Instructors - The religious teachers/instructors who teach religion classes in the public elementary and high schools shall be designated by their respective religious

authorities and shall submit to the principal or school head their proper authorization papers and request for time allocation for the optional religious instruction. Ordinary teachers teaching in a certain school may also teach religion in the same school during the periods when they are free from their ordinary teaching load, and provided they are authorized to do so by the *competent religious authority* of their denomination.

SEC. 6. Recipient of Religious Instruction - The teachers of religion as referred to in Section 5 shall be allowed to teach those pupils/students whose parents or guardians have opted to request that their children or wards be taught the religion of their choice. The religion in school shall be expressed in writing by the parents or guardian who shall likewise accomplish in full the necessary application form. No student/pupils shall be allowed or permitted to attend religious instruction classes without the said written application and duly accomplished request of his/her parent or guardian.

SEC. 7. The Application - The application referred to in the next preceding Section, shall clearly indicate the faith or religious instruction the student/pupil should receive from the authorized religion teachers, and the preferred schedule for religious instruction.

SEC. 8. Size and Schedule of Religious Classes - The optional religious instruction shall be taught during regular class hours only and not before or after class time, or during recess time. Religion classes should not number more than forty (40) students of the same level and of the same religion. In case the students of the same level and religion exceed that number, the principal or school head shall divide the students/pupils into two or more classes after consulting the *religious authorities of that faith* or the person delegated by them.

The principal or school shall fix the schedule of the religion class hours taking into account the number of religion teachers/instructors that can be fielded by the different denomination at one time.

SEC. 9. Duration of Religion Classes - The optional religious instruction shall be allotted at least sixty minutes a week, spread over at least two (2), but not more than three (3) meetings in a week. In no case, shall the class periods be allocated less than sixty (60) minutes per week.

SEC. 10. Optional religious Instruction and Values Education - The optional religious instruction and the values education of the Department of Education, Culture and Sports are two separate, different and distinct subjects. As such they shall be allotted separate class hours and in no case shall they be taken together by the students in one and the same class periods: Provided, however, That if the principal or school head cannot find any available time slots for the optional religious instruction in the weekly class schedule, in agreement with the religious teachers or instructors, the optional religious instruction shall be allotted at least two (2) of the present five (5) time slots assigned every week to Value Education.

SEC. 11. Administrative Sanctions - The Secretary of Education shall prescribe and impose such administrative sanctions as suspension and/or termination, as he may deem reasonable and appropriate in the implementing rules and regulations promulgated pursuant to this Act against any principal, school head or teacher who violates any provisions of this Act, without prejudice to any other criminal and/or civil sanctions as may be imposed by existing laws, rules and/or regulations.

SEC. 12. Rule-making-Authority - The Secretary of Education, Culture and Sports charged with the administration and enforcement of

this Act, shall promulgate the necessary implementing rules and regulations consistent with the policy and spirit of this Act.

SEC. 13. Separability Clause - Any part or provision of this Act which may be held invalid or unconstitutional shall not affect its remaining parts or provisions.

SEC. 14. Repealing Clause - All laws or parts thereof inconsistent with any provision of this Act is hereby repealed or modified, as the case may be.

SEC. 15. Effectivity - This Act shall take effect fifteen (15) days after its completion in the Official Gazette or in at least two (2) newspapers of national circulation, whichever comes earlier.

Approved.