

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress
First Regular Session

HOUSE BILL NO. 3402

Introduced by Representatives Lorenz R. Defensor

EXPLANATORY NOTE

Section 3, Article XIV of the 1987 Constitution provides:

“(1) All educational institutions shall include the study of the Constitution as part of the curricula.

(2) They shall inculcate patriotism and nationalism, foster love for humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge and promote vocational efficiency.”

The 1987 Constitution itself provides for the inclusion of the study of the Constitution in the curriculum of all educational institutions. However, despite this mandate, the teaching of the Constitution has not been effectively carried out.

Republic Act (RA) No. 10533, otherwise known as the “*Enhanced Basic Education Act of 2013*,” was principally enacted to enable basic education graduates to gain mastery of core competencies and skills. Unfortunately, the study of the Constitution was not included in the basic education program.

Subsequently, on June 28, 2013, the Commission on Higher Education (CHED) issued Memorandum Order (CMO) No. 20, Series of 2013, entitled

“General Education Curriculum Holistic Understandings, Intellectual and Civic Competencies,” which sets the minimum standards for the General Education component of all degree programs.

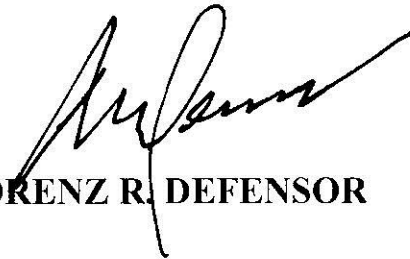
Several petitions were filed before the Supreme Court questioning the validity of the Enhanced Basic Education Program, popularly known as the K to 12 Program, and CMO 20. On March 5, 2019, the Supreme Court *En Banc* has affirmed with finality its October 9, 2018 ruling, upholding the constitutionality of the K to 12 Program and CMO 20. The Supreme Court pointed out that CMO 20 only provides for the minimum standards for the general education component of all degree programs and does not limit the academic freedom of universities and colleges to require additional courses in Filipino, Panitikan and the Constitution in their respective curricula. Thus, CMO 20 does not violate the Constitution but merely eliminates the possible duplication of subjects of primary, secondary and tertiary education. The Supreme Court also held that the constitutional provisions on the inclusion of these subjects in the curricula are non-self-executing provisions but are only policies that may be used by the judiciary as aids or as guides in the exercise of its power of judicial review, and by the legislature in its enactment of laws.

To ensure that Section 3(1), Article XIV of the Constitution is implemented, this bill seeks to include the study of the Constitution as a subject in the curriculum of the K to 12 Program, giving emphasis on the following objectives:

- a) Inculcate among the senior high school students the sense of nationalism and patriotism as embodied in the fundamental principles and state policies;
- b) Develop the understanding on the fundamental principles of freedom and liberty as enshrined under the Bill of Rights, particularly that no person shall be deprived of life, liberty, or property without due process of law, that the freedom of speech, of expression and to peaceably assemble shall not be abridged and that the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall be inviolable;
- c) Promote social justice and the values of honesty and accountability in the government, the public office being a public trust; and
- d) Uphold the ideals and aspirations of the Filipino people by protecting the patrimony and territory and respecting the rule of law.

The importance of the study of the Constitution cannot be overemphasized. The Constitution, being the fundamental source of powers, rights and obligations of the citizens and the government, must be inculcated in the minds of the youth to enable them to become citizens with social conscience and political maturity, proud of their country, culture and people. Knowledge of the Constitution will prepare the youth to become effective and responsible citizens.

In view of the foregoing, the passage of this bill is earnestly sought.



LORENZ R. DEFENSOR



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HOUSE BILL NO. 3402

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AN ACT
PROVIDING FOR THE INCLUSION OF THE STUDY OF THE
CONSTITUTION AS A SUBJECT IN THE CURRICULUM OF SENIOR
HIGH SCHOOL STUDENTS UNDER THE ENHANCED BASIC
EDUCATION (K TO 12) PROGRAM

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

SECTION 1. The Department of Education (DepEd) is hereby mandated to include the study of the Constitution as a subject in the curriculum of the Enhanced Basic Education (K to 12) Program, particularly the senior high school students.

SEC. 2. In the inclusion of the study of the Constitution in the K to 12 Program, the Secretary of Education shall adhere to the following objectives:

a) Inculcate among the senior high school students the sense of nationalism and patriotism as embodied in the fundamental principles and state policies;

b) Develop the understanding on the fundamental principles of freedom and liberty as enshrined under the Bill of Rights;

c) Promote social justice and the values of honesty and accountability in the government, the public office being a public trust; and

d) Uphold the ideals and aspirations of the Filipino people by protecting the patrimony and territory and respecting the rule of law.

SEC. 3. Within sixty (60) days from the approval of this Act, the Secretary of Education shall, in consultation with the Commission on Higher Education, promulgate the necessary rules and regulations implementing the provisions of this Act and prepare all the materials for teaching the subject.

SEC. 4. All laws, decrees, orders, or rules and regulations which are inconsistent or contrary to the provisions of this Act are hereby amended or repealed accordingly.

SEC. 5. This Act shall take effect fifteen days (15) days after publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,