

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS

House Bill No. 5060



Introduced by Representative Timothy Joseph Cayton

**“AN ACT INSTITUTIONALIZING SUPPORT MECHANISMS FOR TEACHERS
AND SCHOOL PERSONNEL IN MATTERS OF STUDENT DISCIPLINE AND
CLASSROOM MANAGEMENT, STRENGTHENING THEIR PROTECTION
AND DUE PROCESS RIGHTS AGAINST MALICIOUS AND UNFOUNDED
ALLEGATIONS, AND FOR OTHER PURPOSES”**

EXPLANATORY NOTE

The 1987 Philippine Constitution, Article XIV, Section 2(1), provides that the State shall “establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society.” This constitutional mandate underscores the vital role of teachers and school personnel in nurturing, guiding, and disciplining learners as they develop into responsible citizens.

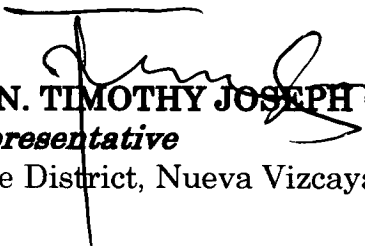
While Republic Act No. 7610, or the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, provides comprehensive safeguards to shield children from physical, emotional, and psychological abuse both inside and outside the school setting, there exists no corresponding legal framework that affords similar protection to teachers. As a result, teachers remain vulnerable to false, malicious, or unfounded allegations. This gap has led to situations where teachers face administrative or even criminal complaints that are baseless, disruptive, and damaging to their reputation and career.

Teachers, acting in loco parentis, are legally obliged to maintain discipline and manage classrooms. In the course of performing these duties, they must be empowered to correct misconduct without fear of reprisal. Yet, many of them hesitate to enforce discipline because of the risk of fabricated complaints or trial by publicity, which not only demoralizes them but also undermines the teaching and learning environment.

This Act seeks to balance child protection with teacher protection by requiring substantial evidence before cases may prosper, ensuring the automatic dismissal of unproven complaints, and safeguarding teachers from preventive suspension in the absence of strong proof. It also mandates confidentiality to prevent trial by publicity, provides legal and psychosocial support to teachers facing allegations, and holds malicious complainants accountable. At the same time, it institutionalizes Classroom Management Guidelines, alongside training and guidance counselor support, to give teachers clear authority in maintaining discipline while ensuring that corrective measures remain within the bounds of law and positive child development.

With due process rights for teachers and other school personnel, this bill ensures that they may perform their responsibilities with confidence, dignity, and fairness, while continuing to safeguard the welfare and best interests of students.

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



HON. TIMOTHY JOSEPH CAYTON
Representative
Lone District, Nueva Vizcaya

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*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 and cited as the “***Protection of
Teachers and Right to Due Process Act.***”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to uphold the dignity of teachers and other personnel, protect their rights to due process, and absolve them from malicious, fabricated, or baseless accusations, while continuing to uphold the best interests of children and learners.

SEC. 3. *Coverage.* – This Act shall cover all teaching and non-teaching personnel of all public and private institutions who stand in direct contact with learners in the course of the discharge of their duties.

SEC. 4. *Classroom Management Guidelines.* –The Department of Education (DepEd), in consultation with stakeholders, shall formulate guidelines that:

- (1) Define permissible responses and interventions for student misconduct;

- (2) Affirm the authority of teachers, administrators, and other personnel, acting in loco parentis, to correct disrespectful or disruptive behavior;
- (3) Clearly describe disciplinary procedures and the designation of authorities competent to investigate and resolve incidents.

SEC. 5. *Acts Not Considered as Child Abuse.* – Acts committed by teachers in good faith and pursuant to the Guidelines under Section 4 shall not be considered child abuse, cruelty, or exploitation under R.A. 7610, provided these acts remain within the bounds of law and public policy.

SEC. 6. *Requirement of Substantial Evidence.* – No administrative or disciplinary case shall prosper against a teacher or non-teaching personnel unless supported by substantial, credible, and verifiable evidence. Anonymous or hearsay complaints shall not be sufficient to establish liability.

SEC. 7. *Automatic Dismissal of Unproven Cases.* – All administrative cases must be resolved within ninety (90) days from filing. Cases lacking sufficient proof shall be automatically dismissed, with such dismissal recorded to ensure no stigma remains attached to the teacher or school personnel.

SEC. 8. *Non-Disruption of Service.* – Teachers and school personnel facing unsubstantiated allegations shall not be preventively suspended, transferred, or otherwise prejudiced unless strong prima facie evidence shows that their continued presence poses clear and imminent danger to students.

SEC. 9. *Confidentiality of Identity of Parties and Proceedings.* – The identity of teachers and school personnel subject of pending cases shall remain confidential until final resolution. Media and third parties are prohibited from publicizing such cases.

SEC. 10. *Protection to Teachers and School Personnel in Charges Related to Student Discipline and Classroom Management.* – The DepEd shall provide legal representation, counseling, and other support to teachers and school personnel facing allegations related to student discipline and classroom management. Respondents must be represented at all stages of proceedings by their accredited union or designated counsel. Absence of such representation renders the proceedings void.

SEC. 11. *Professional Development Relating to Student Discipline and Classroom Management.* –

- (1) The DepEd shall provide pre-service and in-service training on child behavior, psychology, classroom management, positive discipline, and due process procedures;

- (2) The DepEd, together with DBM, shall ensure an adequate number of guidance counselors and support staff to assist teachers in classroom management and student discipline.

SEC. 12. *Liability for Malicious or False Allegations.* – Complainants who willfully file false, fabricated, or malicious accusations shall be held administratively, civilly, or criminally liable. The DepEd, DOJ, and CSC shall issue joint guidelines to implement this provision.

SEC. 13. *Stakeholder Consultation and Information Dissemination.* –

- (1) Students, parents, teachers, other school personnel, and the community, as well as professionals in child behavior and social work, shall each be consulted in formulating the Guidelines.
- (2) The DepEd shall conduct trainings, workshops, and orientations in order to familiarize teachers, students and families with the Guidelines and describe permissible responses and interventions.

SEC. 14. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the Department of Education. Thereafter, such amounts as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act (GAA).

SEC. 15. *Implementing Rules and Guidelines.* – The DepEd shall issue the necessary rules and regulations for the effective implementation of this Act within ninety (90) days from its effectivity.

SEC. 16. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SEC. 17. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation, contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,