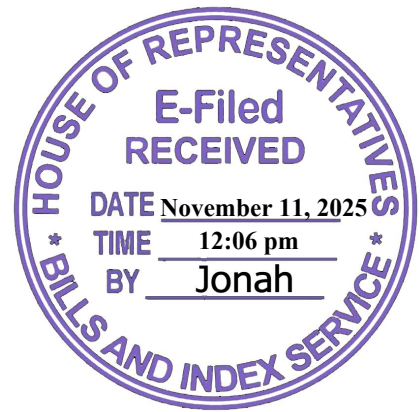


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session
House Bill No. **5815**



Introduced by: Congressman **BIENVENIDO M. ABANTE, JR.**

AN ACT
UPHOLDING THE PRIMARY RIGHT OF PARENTS IN THE MORAL AND SEXUAL
EDUCATION OF THEIR CHILDREN, ENSURING CULTURAL AND RELIGIOUS
SENSITIVITY IN SCHOOL CURRICULA, AND PROVIDING SAFEGUARDS AGAINST
THE MANDATORY IMPLEMENTATION OF COMPREHENSIVE SEXUALITY
EDUCATION

EXPLANATORY NOTE

The 1987 Constitution, Article II, Section 12, recognizes the sanctity of family life and the natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character. Likewise, the Constitution: mandates the State to defend “the right of spouses to found a family in accordance with their religious convictions and demands of responsible parenthood” (Esc. 3(1), Art. XV), and “the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and conditions prejudicial to their development” (Sec. 3(2), Art. XV); guarantees that “the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed” (Sec. 5, Art. III); and directs that “all educational institutions shall strengthen ethical and spiritual values, develop moral character and personal discipline” (Sec. 2, Art. XIV). This constitutional mandate is not merely aspirational; it imposes a clear hierarchy, where the right of parents in the upbringing of their children is superior to that of the State, as expressly affirmed by the Supreme Court¹, and that the best interest of children is of paramount consideration.

Moreover, the Supreme Court declared several provisions of R.A. No. 10354, otherwise known as the Responsible Parenthood and Reproductive Health Act of 2012, unconstitutional for infringing on parental authority and religious freedom, particularly those that allow minors access to family planning without parental consent and penalize those who refuse to support reproductive health programs on religious grounds. The Court underscored that any State intervention in the moral and sexual education of children **must supplement, not supplant**, the rights and duties of parents.

¹ Imbong, et al. v. Ochoa, et al. G.R. No. 204819, April 8, 2014.

While the R.A. No. 10354 mandates age- and development-appropriate reproductive health education, it also requires that such education be formulated with flexibility and only after consultations with parents, teachers, and community associations.

The institutionalization of Good Manners and Right Conduct (GMRC) and Values Education under Republic Act No. 11476, otherwise known as the **"GMRC and Values Education Act"** along with its Implementing Rules and Regulations, provides a holistic, culturally rooted framework for the moral development of the youth. This law and its IRR mandate that values education should be an integral part of the K to 12 curriculum, promote universal human, ethical, and moral values, and require parental involvement and community partnership in curriculum development and review.

The imposition of a uniform, mandatory Comprehensive Sexuality Education (CSE) program risks undermining the diversity of Filipino families, disregarding deeply-rooted religious and cultural values, and violating the constitutional and jurisprudential primacy of parental rights. It also exposes children to an environment that is not age-appropriate or consistent with the values of their families and communities.

The Filipino people, as declared in the Preamble of the 1987 Constitution, "implore the aid of Almighty God" in building a just and humane society. The Supreme Court has also affirmed that the State is not hostile nor indifferent to religion; its wall of separation is not a wall of hostility or indifference, but one of benevolent neutrality and accommodation² and to adhere to what the Scriptures say that: "Righteousness exalteth a nation: But sin is a reproach to any people" (Proverbs 14:34); "If the foundations be destroyed, what can the righteous do?" (Psalm 11:3); and "Blessed is the nation whose God is the Lord" (Psalm 33:12).

This bill, therefore, seeks to uphold the constitutional and jurisprudential primacy of parental rights over their children, ensure genuine parental and community participation, and promote a morality-grounded, values-based, culturally-sensitive approach to the moral and sexual education of Filipino youth. It aims to provide robust safeguards against coercion, discrimination, and the imposition of educational content that may be contrary to the beliefs and values of families or violate the freedom of religion and the free exercise thereof, while supporting the State's role as *parens patriae* in partnership with parents and communities.

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



BIENVENIDO M. ABANTE, JR.

² Estrada v. Escritor A.M. No. P-02-1651 (formerly OCA I.P.I. No. 00-1021-P), August 4, 2003.

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

SECTION 1. *Short Title.* This Act shall be known as the “**Parental Rights and Values in Education Act.**”

SEC. 2. *Declaration of Policy.* it is hereby declared the policy of the State to emphasize, promote, protect, and uphold the natural and primary rights and duties of parents in the moral and sexual education of their children, to respect the religious convictions and cultural beliefs of families, and to ensure that any sexuality education program in schools aligns with these rights and values. Consistent with the Constitutional declarations that the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, and social well-being, and shall defend the right of spouses to found a family in accordance with their religious convictions and demands of responsible parenthood, as well as the Constitutional mandate that all educational institutions shall strengthen ethical and spiritual values, develop moral character and personal discipline. It is likewise the policy of the State to enjoin children to submit to the direction, authority, and discipline of their parents while living with them and under their care and support,

SEC. 3. *Statement of Principles.* (a) The family is the foundation of the nation, and parents have the natural and primary right, duty and responsibility for the upbringing of their children for civic efficiency and the development of their moral character, and to protect them from all forms of abuse, cruelty, exploitation, and other conditions prejudicial to their development, which is superior to that of the government; (b) such duty and responsibility shall include the right and authority to teach, train, provide, nurture, love, control and discipline their children, and to decide on the education that their minor or unemancipated children should pursue, as well as the school or institution of learning where they should pursue their education, as they may deem best and with due recognition and respect to their religious beliefs and to biblical principles and standards they believe in that are pertinent to such duty and responsibility,

without interference from the government; (c) The State shall support, not supplant, the role of parents in the education of their children, especially in matters of values, morality, and sexuality; and (d) All educational programs must be age-appropriate, culturally sensitive, and respectful of religious beliefs;

SEC. 4. *Definition of Terms.* For purposes of this Act:

- (a) Sexuality Education refers to any formal or informal program, module, or curriculum that addresses reproductive health.
- (b) Parental Consent means the express, written approval of a parent or legal guardian for a child's participation in any sexuality education program.
- (c) Opt-Out means the right of parents or legal guardians to withdraw their child from any class, program, or activity involving sexuality education.

SEC. 5. *Parental Consent and Participation.*

- (a) No public or private educational institution shall implement any program or curriculum on sexuality education, reproductive health, or related topics without prior written consent from the parents or legal guardians of the students concerned.
- (b) All schools shall establish a mechanism for meaningful consultation with parents, parent-teacher associations, and community stakeholders prior to the adoption, implementation, or revision of any sexuality education curriculum.
- (c) Parents or legal guardians shall have the right to review all instructional materials and content related to sexuality education prior to implementation.

SEC. 6. *Opt-Out Provision.* Parents or legal guardians shall have the absolute right to withdraw their children from any class, program, or activity that includes sexuality education or related topics, without penalty or academic disadvantage to the student.

SEC. 7. *Cultural and Religious Sensitivity.*

- (a) All sexuality education curricula and materials shall be developed and implemented in a manner that is respectful of the diverse religious convictions and cultural beliefs of Filipino families.
- (b) No student shall be compelled to participate in any activity or discussion on sexuality education that is contrary to their family's religious beliefs or cultural values.

SEC. 8. *Prohibition Against Coercion and Discrimination.*

- (a) No teacher, school official, or government employee shall coerce, penalize, or discriminate against any student or parent for exercising their rights under this Act.

- (b) No student shall be denied access to any school benefit, program, or activity on account of non-participation in or opting out of sexuality education on the grounds of their religious convictions or cultural values.

SEC. 9. Teacher Training and Qualifications.

- (a) Only teachers who have completed specialized training in values education, as provided under the IRR of R.A. No. 11476, and who have demonstrated respect for parental rights and cultural sensitivity, may be assigned or allowed to teach any sexuality education content.
- (b) All teachers assigned or allowed to provide sexuality education must undergo regular training on cultural, religious, and parental rights issues in partnership with the Department of Health, religious institutions, cultural communities, parents' associations, and other relevant government agencies.

SEC. 10. Curriculum Review and Approval.

- (a) The Department of Education shall establish a Curriculum Review Board composed of representatives from parents' associations, religious groups, cultural communities, and educators.
- (b) The Board shall review and approve all sexuality education curricula and materials before implementation. No sexuality education curricula or material may be implemented without proof of prior review and approval thereof by the Board.
- (c) The Board shall conduct an annual review of all sexuality education programs to ensure compliance with this Act.

SEC. 11. Monitoring and Reporting.

- (a) The Department of Education shall submit an annual report to Congress on the implementation of this Act, including data on parental participation, opt-out rates, and complaints or violations.
- (b) Schools shall maintain records of parental consents and opt-outs, subject to data privacy laws.

SEC. 12. Penalties. Any school official, teacher, or government employee who violates any provision of this Act shall be subject to administrative sanctions, including suspension or dismissal, without prejudice to criminal or civil liability under existing laws.

SEC. 13. Transitory Provisions. All existing sexuality education programs inconsistent with this Act shall be reviewed, revoked, withdrawn or revised, as may be appropriate, within one (1) year from the effectivity of this Act.

During the transition period, only teachers with the required qualifications under Section 9 may teach sexuality education content.

SEC. 14. *Separability Clause.* Should any provision of this Act be subsequently declared invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions.

SEC. 15. *Repealing Clause.* All laws, acts, presidential decrees, executive orders, administrative orders, rules and regulations, or parts thereof, inconsistent with, or contrary to the provisions of this Act are hereby modified, amended, or repealed accordingly.

SEC. 16. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,