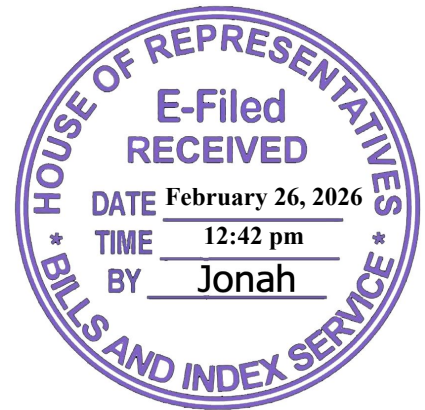


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8115



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

AN ACT
PROVIDING FOR THE EFFECTIVE IMPLEMENTATION OF THE OPTIONAL
TEACHING OF RELIGION IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Constitution protects religious freedom and requires a clear separation between Church and State. At the same time, it expressly allows *optional* religious instruction in public schools, if it is voluntary, requested by parents, and does not cost the government anything. The Supreme Court has explained that this is part of the Philippine approach of respectful accommodation: the State stays neutral among religions but allows space for people to practice their faith without unnecessary barriers.

In practice, however, optional religious instruction is often unclear or unevenly applied in public schools. Some parents and schools are unsure of the rules, schedules differ widely, and there are concerns that students may feel pressured to join or excluded if they do not. On the other hand, some requests for religious instruction are denied simply because there are no clear procedures. These gaps create confusion and raise fears that the policy could either violate the separation of Church and State or unfairly limit religious freedom.

This bill provides clear and simple rules to make optional religious instruction work as the Constitution intends. It confirms that participation is voluntary and requires written consent from parents or guardians, ensures that teaching is done by authorized religious representatives, protects students who choose not to participate,

and prevents added costs to the government. By setting fair and uniform standards, the bill respects both religious freedom and state neutrality, helps schools implement the policy properly, and protects the rights of learners and families.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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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 “*Optional Religious Instruction in Public Schools Act of 2026*.”

SECTION 2. Declaration of Policy. — It is the policy of the State, consistent with the Constitution and the principle of separation of Church and State, to ensure the effective, orderly, and non-discriminatory implementation of optional religious instruction in public elementary and secondary schools, within regular class hours, upon the written request of parents or guardians, and without additional cost to the Government.

SECTION 3. Coverage. — This Act shall apply to all public elementary and secondary schools under the Department of Education (DepEd), including public schools in all regions, without prejudice to education-related policies applicable to autonomous regions consistent with law.

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

- (a) **“Optional Religious Instruction”** refers to religious instruction conducted within the regular class hours in public elementary and secondary schools for learners whose parents or legal guardians request such instruction in writing, and which is taught by duly authorized representatives of the religion to which the learner belongs, without additional cost to the Government.
- (b) **“Written Request”** refers to a signed request by the parent or legal guardian, on a DepEd-prescribed form, indicating (i) the learner’s religion/faith community and (ii) consent to the learner’s attendance in optional religious instruction.
- (c) **“Regular Class Hours”** refers to the official instructional time scheduled by the school for the grade level concerned.
- (d) **“Religious Authority”** refers to the duly recognized governing body, church, mosque, congregation, denomination, or faith community competent to designate and authorize its religious instructors for purposes of this Act.
- (e) **“Religious Instructor”** refers to a person designated by a Religious Authority to teach optional religious instruction under this Act, who submits proof of authority and complies with DepEd’s reasonable time, place, security, and child-protection requirements.

SECTION 5. Voluntaryness; Non-Discrimination; No Coercion. —

- (a) Optional religious instruction shall be strictly voluntary on the part of learners and their parents or guardians.
- (b) No learner shall be required to attend optional religious instruction.
- (c) Learners who do not attend shall not be discriminated against, penalized, or disadvantaged in grades, awards, conduct ratings, privileges, or school services.
- (d) No public school personnel shall coerce, induce, or pressure any learner to attend or not attend.

SECTION 6. Provision of Time and Space; No Additional Cost to Government. —

- (a) Schools shall, as practicable, make available a reasonable time slot within regular class hours and a suitable space within school premises for optional religious instruction, subject to safety, security, and school operations.
- (b) The conduct of optional religious instruction shall be without additional cost to the Government. No honoraria, salary, or allowance shall be paid out of public funds to religious instructors by reason of such instruction.

SECTION 7. Designation and Qualifications of Religious Instructors. —

- (a) Religious instructors shall be designated by their respective Religious Authorities.
- (b) Religious instructors shall submit to the school head:
 - (i) proof of designation/authority from the Religious Authority, and
 - (ii) such information as DepEd may require for child protection and campus security consistent with law.
- (c) Public school teachers may serve as religious instructors only when
 - (i) duly designated by their Religious Authority,
 - (ii) it is outside their official teaching load, and
 - (iii) it entails no additional cost to the Government and no impairment of their public duties.

SECTION 8. Enrollment in Optional Religious Instruction. —

- (a) A learner may attend optional religious instruction only upon submission of the Written Request.
- (b) DepEd shall provide a standard form and a simple process to facilitate submission, updating, and withdrawal of consent.
- (c) Parents or guardians may withdraw consent at any time in writing, effective immediately or on a reasonable date set by DepEd to avoid disruption.

SECTION 9. Scheduling; Class Size; Administrative Coordination. —

- (a) The school head shall fix schedules in a fair and orderly manner, taking into account the availability of religious instructors and the needs of the school.

- (b) DepEd may prescribe reasonable class size guidelines and scheduling protocols to ensure child safety, classroom order, and continuity of instruction.
- (c) Scheduling shall be arranged so that learners who do not attend are provided appropriate supervised learning activities during the period.

SECTION 10. Relationship with Values Education and Similar Subjects. —

- (a) Values education, education in good manners and right conduct, character education, and similar DepEd subjects are secular components of the basic education curriculum and shall not be treated as substitutes for optional religious instruction.
- (b) Optional religious instruction shall not displace required secular subjects. DepEd shall issue guidelines to harmonize scheduling consistent with “within regular class hours” and “without additional cost to the Government.”

SECTION 11. Prohibited Acts. — The following acts are prohibited:

- (a) Using optional religious instruction to discriminate against learners of another religion or against non-participants;
- (b) Using school authority or resources to promote or favor one religion over another, or to penalize learners based on religious belief;
- (c) Requiring any learner to disclose religious affiliation except as necessary to implement a Written Request;
- (d) Conducting optional religious instruction in a manner that materially disrupts classes, compromises child safety, or violates DepEd child protection policies.

SECTION 12. Implementing Rules and Regulations (IRR). — Within ninety (90) days from effectivity, DepEd shall promulgate the IRR of this Act, after consultation with stakeholders, including representatives of major faith communities, and consistent with the constitutional principle of separation of Church and State.

SECTION 13. Administrative Sanctions. — Any public school personnel who violates this Act or its IRR shall be subject to appropriate administrative proceedings and penalties under existing civil service, education, and related laws, without prejudice to criminal or other liabilities when warranted.

SECTION 14. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected shall remain in full force and effect.

SECTION 15. Repealing Clause. — All laws, decrees, orders, issuances or portions thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 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,