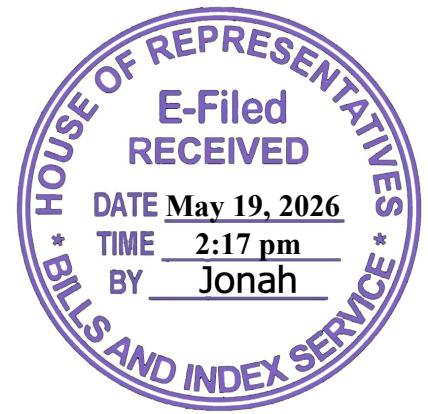


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. **9316**



Introduced by **Representative ERIC G. YAP**

EXPLANATORY NOTE

This bill seeks to establish a comprehensive framework for the titling, protection, and management of public school sites under the Department of Education (DepEd). This secures government ownership, prevents conflicting claims, and supports the uninterrupted delivery of basic education services.

As of March 2026, DepEd identified four thousand one hundred seventy eight (44,178) school sites nationwide in need of titling, despite long-standing government occupancy and use. Many of these properties are supported by deeds of donation, deeds of sale, tax declarations, presidential proclamations, or other forms of documentary evidence. Yet, it remains vulnerable to ownership disputes, overlapping claims, and administrative delays.

Legal ambiguity regarding land ownership directly impedes national and private infrastructure development. This effectively blocks the construction of essential classrooms, which is not helping the country's classroom backlog problem of approximately one hundred and sixty five thousand (165,000)¹ units. Unresolved property titles also expose critical school sites to protracted court litigations initiated by the heirs of original land donors, which disrupts the continuous delivery of basic education to students.

Securing legal ownership over public school sites remains essential to sustain educational infrastructure and protect lands devoted to learning for future generations.

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


HON. ERIC G. YAP

¹ EDCOM 2 Communications. (9 February 2026). *EDCOM II: 51,000 classrooms likely to be condemned by 2028*. Accessed from: <https://edcom2.gov.ph/edcom-ii-51000-classrooms-likely-to-be-condemned-by-2028/> . Accessed on: 16 May 2026

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AN ACT
PROVIDING FOR THE TITLING, PROTECTION, AND MANAGEMENT OF
PUBLIC SCHOOL SITES UNDER THE DEPARTMENT OF EDUCATION, AND
FOR OTHER PURPOSES

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 “*Public School Lands Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby the declared policy of the State to ensure the security, protection, and proper management of lands used for public school purposes in order to support the delivery of basic education and promote an environment conducive to learning. Towards this end, the State shall ensure the systematic identification, registration, and titling of all public school sites in favor of the Republic of the Philippines, represented by the Department of Education (DepEd), and protect such lands from encroachment, unauthorized disposition, or conflicting claims.

SEC. 3. *Definition of Terms.* – As used in this Act:

a. Public school site refers to land actually, directly, and presently used for public school purposes by the DepEd, including but not limited to areas where there are DepEd Division Offices, DepEd offices, DepEd training facilities, teacher’s camp, hotels, inns, hostels, or commercial spaces where the income derived therefrom are used of the school’s benefit, or the like, and are necessary to deliver its mandate and functions, pursuant to Executive Order No. 292, otherwise known as the “*Administrative Code of 1987*”; and

b. Qualified school site refers to land not occupied by DepEd at the time of the filing of the case for summary titling, but had been occupied as a public school site for at least five (5) years preceding the effectivity of this Act, whether or not the parcel of land is a property of the public domain, or it is

owned by a person or entities other than the DepEd, whether the ownership thereof is registered or not.

SEC. 4. *Coverage.* – This Act shall cover all lands registered in the name of DepEd or its predecessor-in-interest, such as but not limited to “Ministry of Education” and “Department of Education, Culture and Sports”, unregistered and current public school sites under the administration or use of the DepEd, including parcels of land not occupied by DepEd but which have been utilized as such for at least five (5) years immediately preceding the effectivity of this Act.

SEC. 5. *Prima Facie Ownership by DepEd of Unregistered Land.* – The DepEd shall be the prima facie owner of all unregistered qualified school sites. The DepEd shall acquire ownership of the unregistered school sites through the following:

- a. Filing of application for confirmation of title in the Regional Trial Court where the land is located;
- b. Filing of application for the issuance of special patent; or
- c. Filing of an application of the issuance of Presidential Proclamation for school sites situated in forest or timber land.

SEC. 6. *Summary Titling of Qualified School Sites on Unregistered Lots and Speedy Hearing.* – When the qualified school site had been surveyed and plotted, the DepEd Secretary, or his or her duly authorized representative, through the Office of the Solicitor General, shall institute original registration proceedings by filing the necessary petition in the Regional Trial Court of the place where the land is situated against any claimants, possessors, or occupants of such lands or any part thereof, stating in substance that public interest requires that the title to such lands be settled and adjudicated and praying that such titles be so settled and adjudicated in favor of the Republic of the Philippines through the Department of Education.

SEC. 7. *Contents of the Petition.* – The petition shall contain a description of the land and shall be accompanied by an approved plan thereof, and may contain such other data as may serve to furnish full notice to the occupants of the lands and to all persons who may claim any right or interest therein.

SEC. 8. *Burden of Proof of DepEd.* – The DepEd need only to establish that:

- a. The school site is not covered by a valid Torrens Certificate of Title;
- b. It has been used as a school site for at least five (5) years, or it has been used in furtherance of the functions or mandate of DepEd for at least five (5) years; and
- c. The land had been surveyed or plotted, its complete description, metes and bounds had been identified by a duly licensed surveyor or government surveyor and the approved survey is submitted to the Court.

SEC. 9. *Nature of Court Action.* – All actions for the original registration of qualified school sites under this Act shall be summary in nature. The action for registration in this section shall comply with the notice requirements provided for in Section 23, Presidential Decree (PD) No. 1529, entitled “*Amending and Codifying the Laws Relative to the Registration of Property and For Other Purposes*”.

SEC. 10. *Disposal of Cases.* – Consistent with Section 27 of PD No. 1529, the Court, if it deems necessary, may refer the case or any part thereof to a Commissioner who shall hear the parties and their evidence, and the Commissioner shall submit his report thereon to the Court within fifteen days after the termination of such hearing. Hearing before a referee may be held at any convenient place within the province or city as may be fixed by him and after reasonable notice thereof shall have been served to the parties concerned. The court may render judgment in accordance with the report as though the facts have been found by the judge himself: *Provided, That* the court may in its discretion accept the report, or set it aside in whole or in part, or order the case to be recommitted for further proceedings. The Regional Trial Court shall see to it that all registration-proceedings under this Act are disposed of within one year from the date of filing.

SEC. 11. *Immediate Transfer of Qualified School Sites Owned by the National Government and Local Government Units.* – All qualified school sites established or occupied by DepEd on property registered under the name of the Republic of the Philippines or owned by any of its agencies or instrumentalities, as well as those owned by the local government units (LGUs), shall be immediately transferred to and titled in favor of DepEd. Such transfer shall include the buildings or other immovable real properties thereto, without prejudice to the arrangements for compensation, if any for government owned corporations, which shall be mutually agreed upon between the DepEd and the agencies concerned and recommended to the President for final approval.

SEC. 12. *Modes of Acquiring Qualified School Sites Not Occupied but Privately-Owned, Owned by National Government, or Owned by LGUs.* – For purposes of expanding existing school sites, the DepEd may commence acquisition of the following through donation, negotiated sale, or any other modes of acquisition as provided by law:

- a. Privately-owned lots not occupied by DepEd;
- b. Lots owned by the National Government or any of its instrumentalities;
- c. and Lots owned by LGUs.

SEC. 13. *Unaccepted and Undocumented Donations.* – All donated school sites where proof of acceptance is insufficient, as well as undocumented donations of property used as school sites, if the donor was alive during the occupation for use as school site, said donations shall be deemed perfected by implied acceptance of the

government from the time the property was actually utilized as a public school site, or from the time that any acts of ownership thereon had been carried out, such as but not limited to planting, fencing, occupation, possession, use, or the like. In donation *mortis causa*, the acceptance is deemed made at the time of occupation thereof, which is anytime subsequent to the death of the donor.

SEC. 14. *Guidelines for Negotiated Sale.* – Should the DepEd and the owner of a titled private property agree on a negotiated sale for the acquisition of a privately-owned property to be established as a future school site, the standards prescribed in the pertinent laws, rules and regulations, insofar as they are applicable, shall be used to determine the fair market value of the property, subject to the review and approval by the DepEd Secretary or his or her authorized representative.

SEC. 15. *Order of Registration Immediately Executory.* – All judgements ordering the registration of a qualified school site shall be immediately executory. The Register of Deeds, upon receipt of such order, shall forthwith register and issue the title and the corresponding certificate of title in favor of DepEd.

SEC. 16. *School Sites Privately-Owned under Contract of Usufruct.* – To protect the rights and interest of DepEd in its use and enjoyment of a school site that are privately-owned under a Contract of Usufruct, the same shall be registered with the Registry of Deeds concerned and annotated in the Certificate of Title of such real property. All reasonable efforts should be exerted for the subsequent acquisition of these properties in favor of DepEd.

SEC. 17. *School Sites Owned by Government Housing Agencies under Contract of Usufruct.* – All public school sites in use by DepEd within housing projects or relocation sites established by housing agencies of the national government which are covered by contracts of usufruct or similar instruments shall be titled in favor of the DepEd in accordance with the provisions of this Act.

SEC. 18. *Titling and Registration of School Sites based on Tax Declarations registered to DepEd.* – Real properties with tax declarations registered in the name of the DepEd which are being used as school sites shall be processed through the Department of Environment and Natural Resources (DENR) for titling through the issuance of Special Patents and Presidential Proclamations. The DENR shall facilitate the immediate issuance of special patents to school sites through a Memorandum of Agreement with the DepEd which must be consummated not more than one hundred eighty (180) days after the effectivity of this Act.

SEC. 19. *Expeditious Registration of Land Titles for School Sites.* – The Registry of Deeds, Bureau of Internal Revenue (BIR), Department of Agrarian Reform (DAR), DENR, and LGUs concerned shall process the registration and titling of the properties as provided herein in favor of DepEd in the most efficient and expeditious manner, the consummation of which must be made not more than one hundred eighty (180) days after the effectivity of this Act.

SEC. 20. *Exemption from Payment of Fees and Taxes for the registration of Land titles for School Sites.* – The DepEd shall be exempt from payment of all related costs, fees, charges or all taxes to the National Government Agencies, including the BIR, Land Registration Authority (LRA), Registry of Deeds, DENR, and LGUs, and other government agencies involved in the registration and titling of school sites as provided herein. The DepEd shall also enjoy all the other rights, exemptions and privileges authorized by the law, in all its official transactions with National Government Agencies and LGUs involving titling and registration of its current school sites. Donations of land or other properties, real or personal for the benefit of the DepEd shall also be exempt from donor's tax.

SEC. 21. *School Sites within Forest Land.* – The DepEd shall cause the application for the reclassification of land occupied by school sites, which are classified as forest or timber, into alienable or disposable, to the Office of the President through the DENR. Upon reclassification of school sites from forest land to alienable and disposable, the Office of the President shall issue Presidential Proclamation over such lands.

SEC. 22. *School Sites within Ancestral Domain.* – The National Commission on Indigenous Peoples shall assist the DepEd in securing Free, Prior and Informed Consent (FPIC) from leaders or representatives of Indigenous Cultural Communities (ICCs) for school sites within ancestral domain for the eventual grant of usufruct by ICC's to DepEd for the use of their lands. The requirement for FPIC, however, is deemed waived if the ICCs have passed a resolution asking DepEd to establish and construct a new school or repair and rehabilitate an existing one.

SEC. 23. *Ecological and Environmental Concerns.* – In cases involving the acquisition of private real property used as public school sites, the DepEd shall take into account and consider environmental laws, land use ordinances and the pertinent provisions of RA No. 7160, otherwise known as the "*Local Government Code of 1991*", as amended.

SEC. 24. *Titles of real properties registered under the name of DepEd.* –

a. Existing titles of real properties registered under the name of the DepEd, or its predecessors-in-interest, such as but not limited to Ministry of Education, Department of Education, Culture and Sports, or in the name of any person or private individual where the title is in the possession of the DepEd, whether the title is Spanish, American or Torrens Certificate of Title, shall be cancelled upon application of the DepEd for cancellation thereof at the Register of Deeds, free from all transfer taxes, charges and fees, and a new title will be issued to reflect the name "Republic of the Philippines, represented by the Department of Education". The possession by DepEd of the original duplicate owner's copy of the title of a person or private individual over a property occupied as a school site shall be deemed prima facie evidence of a valid and accepted donation.

b. Certificate of Land Ownership or CLOA covering DepEd school sites shall be cancelled and recalled by DAR upon application thereof by the DepEd stating that the area subject matter in the CLOA is an existing DepEd school site.

c. Lands donated to the government or DepEd and occupied as a school site within a parcel of land registered in the name of a person or private individual shall be issued a separate title in the name of the "Republic of the Philippines, represented by the Department of Education". For this purpose, the DepEd shall cause the segregation thereof after complying with the procedure of segregation or partition mandated by the Office of the Register of Deeds.

d. The transaction for segregation shall be free from registration expenses, such as but not limited to filing fees, docket fees or the like. It is understood that the Donor under this paragraph shall be exempt from donor's tax, or estate tax, documentary stamp tax, as the case may be. Appropriate tax credit shall be given to the donor, commensurate to the value of the property at the time of donation, as may hereinafter be determined by the Bureau of Internal Revenue.

SEC. 25. *Sites Titling and Management Office.* - The existing Sites Titling Office of the DepEd shall be reorganized and expanded to the Sites Titling and Management Office, which shall, in addition to its current responsibilities, be responsible for the following:

a. Identification and acquisition of qualified school sites for future use of the DepEd;

b. Maintaining all relevant records in connection to public school sites owned by the DepEd, or those considered for acquisition;

c. Coordination with all relevant government agencies and private entities for the acquisition of school sites; and

d. Any other task which is required for the full implementation of the provisions of this Act.

SEC. 26. *Implementing Rules and Regulations.* - The Department of Education, in cooperation with all other relevant agencies, shall promulgate the rules and regulations for the proper implementation of this Act within six (6) months from its effectivity.

SEC. 27. *Appropriations.* - Funds necessary for the implementation of this Act shall be included in the annual appropriations for the DepEd in the General Appropriations Act.

SEC. 28. *Separability Clause.* - If any portion or provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

SEC. 29. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

SEC. 30. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette and at least two (2) newspapers of national circulation.

Approved,