

COTESCUP vs. SECRETARY OF EDUCATION**EN BANC****[G.R. No. 216930, October 09, 2018]**

COUNCIL OF TEACHERS AND STAFF OF COLLEGES AND UNIVERSITIES OF THE PHILIPPINES (CoTeSCUP), SENTRO NG MGA NAGKAKAISANG PROGRESIBONG MGA MANGGAGAWA (SENTRO), FEDERATION OF FREE WORKERS (FFW), NATIONAL CONFEDERATION OF LABOR (NCL), PUBLIC SERVICES LABOR INDEPENDENT CONFEDERATION (PSLINK), PARTIDO MANGGAGAWA (PM), ADAMSON UNIVERSITY FACULTY AND EMPLOYEES ASSOCIATION, FACULTY ALLIED AND WORKER UNION OF CENTRO ESCOLAR UNIVERSITY, FACULTY ASSOCIATION MAPUA INSTITUTE OF TECHNOLOGY, FAR EASTERN UNIVERSITY FACULTY ASSOCIATION, HOLY ANGEL UNIVERSITY TEACHERS AND EMPLOYEES UNION, LYCEUM FACULTY ASSOCIATION, SAN BEDA COLLEGE ALABANG EMPLOYEES ASSOCIATION, SILIMAN UNIVERSITY FACULTY ASSOCIATION, UNIVERSITY OF THE EAST RAMON MAGSAYSAY EMPLOYEES ASSOCIATION-FFW (UERMEA-FFW), UNION OF FACULTY AND EMPLOYEES OF ST. LOUIS UNIVERSITY, UNIVERSITY OF SANTO TOMAS FACULTY UNION, PROF. FLORDELIZ ABANTO (IN HER CAPACITY AS VICE PRESIDENT OF ST. SCHOLASTICA'S COLLEGE FACULTY ASSOCIATION), PROF. REBECCA T. AÑONUEVO (IN HER CAPACITY AS PRESIDENT OF MIRIAM COLLEGE FACULTY ASSOCIATION), PROF. MARIA RITA REYES CUCIO (IN HER CAPACITY AS FACULTY OF SAN BEDA COLLEGE), AND MR. JOMEL B. GENERAL (IN HIS CAPACITY AS EMPLOYEE OF PHILIPPINE SCHOOL OF BUSINESS ADMINISTRATION AND OFFICER OF THE FFW), *Petitioners*, v. SECRETARY OF EDUCATION, SECRETARY OF LABOR AND EMPLOYMENT, CHAIRPERSON OF THE COMMISSION ON HIGHER EDUCATION, SECRETARY OF THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY, SECRETARY GENERAL OF THE HOUSE OF REPRESENTATIVES, AND MIRIAM COLLEGE, *Respondents*.

[G.R. NO. 217451, October 9, 2018]

DR. BIENVENIDO LUMBERA (PAMBANSANG ALAGAD NG SINING AT PROFESSOR EMERITUS, UNIVERSITY OF THE PHILIPPINES/UP); CONG. ANTONIO TINIO (ACT TEACHERS' PARTYLIST); CONG.

FERNANDO “KA PANDO” HICAP (ANAKPAWIS PARTYLIST AT TAGAPANGULO NG PAMALAKAYA); CONG. JAMES MARK TERRY RIDON (KABATAAN PARTYLIST); DR. RHODERICK NUNCIO (VICE-DEAN, NG KOLEHIYO NG MALALAYANG SINING, DE LA SALLE UNIVERSITY/DLSU); PROP. AURA ABIERA (TAGAPANGULO NG DEPARTAMENTO NG FILIPINO AT PANITIKAN NG PILIPINAS SA UNIVERSITY OF THE PHILIPPINES-DILIMAN); DR. ERNESTO CARANDANG II (TAGAPANGULO NG DEPARTAMENTO NG FILIPINO, DE LA SALLE UNIVERSITY-MANILA); DR. ROBERTO AMPIL (TAGAPANGULO NG DEPARTAMENTO NG FILIPINO NG UNIVERSITY OF SANTO TOMAS); PROP. MARVIN LAI (TAGAPANGULO NG DEPARTAMENTO NG FILIPINOLOHIYA NG POLYTECHNIC UNIVERSITY OF THE PHILIPPINES/PUP); PROP. NELSON RAMIREZ (TAGAPANGULO NG DEPARTAMENTO NG FILIPINO, UNIVERSITY OF THE EAST/UE-MANILA); DR. ESTER RADA (TAGAPANGULO NG KAGAWARAN NG FILIPINO, SAN BEDA COLLEGE-MANILA); PROP. JORGE PACIFICO CUIBILLAS (TAGAPANGULO NG DEPARTAMENTO NG FILIPINO, FAR EASTERN UNIVERSITY-MANILA); PROP. ANDREW PADERNAL (TAGAPANGULO NG KAGAWARAN NG FILIPINO, PAMANTASAN NG LUNGSOD NG PASIG/PLP); PROP. MICHAEL DOMINGO PANTE (FACULTY MEMBER SA HISTORY DEPARTMENT, ATENEO DE MANILA UNIVERSITY); BENJAMIN VALBUENA (TAGAPANGULO NG ALLIANCE OF CONCERNED TEACHERS/ACT-PHILIPPINES); DR. PRISCILLA AMPUAN (PANGULO NG QUEZON CITY PUBLIC SCHOOL TEACHERS’ ASSOCIATION/QCPSTA); PROP. CARL MARC RAMOTA (PANGULO NG ALLIANCE OF CONCERNED TEACHERS-STATE UNIVERSITIES AND COLLEGES/ACTSUC); DR. ROWELL MADULA (PANGULO NG ALLIANCE OF CONCERNED TEACHERS-PRIVATE SCHOOLS/ACTPRIVATE); DR. AURORA BATNAG (PANGULO NG PAMBANSANG SAMAHAN SA LINGGWISTIKA AT LITERATURANG FILIPINO/PSLLF); DR. JUDY TAGUIWALO (FULL PROFESSOR SA COLLEGE OF SOCIAL WORK AND COMMUNITY DEVELOPMENT, UP DILIMAN); DR. DANILO ARAO (ASSOCIATE PROFESSOR SA DEPARTMENT OF JOURNALISM, COLLEGE OF MASS COMMUNICATION, UP DILIMAN); DR. DAVID MICHAEL SAN JUAN (EXECUTIVE COUNCIL MEMBER NG NATIONAL COMMISSION FOR CULTURE AND THE ARTS-NATIONAL COMMITTEE ON LANGUAGE AND TRANSLATION/NCCANCLT); RONNEL B. AGONCILLO JR., (PANGULO NG PHILIPPINE NORMAL UNIVERSITY/PNU-STUDENT GOVERNMENT); DR. REUEL MOLINA AGUILA (PALANCA HALL OF FAMER AT TAGAPAYO NG KATAGASAMAHAN NG MGA MANUNULAT SA PILIPINAS); ERICSON

ACOSTA (MANUNULAT AT DATING BILANGGONG POLITIKAL, AT KASAPI NG ANAKPAWIS PARTYLIST); PROP. ADRIAN BALAGOT (DIREKTOR NG CENTER FOR CONTINUING EDUCATION, PAMANTASAN NG LUNGSOD NG MARIKINA/PLMar); PROP. PENAFRANCIA RANIELA BARRAZA (ASSOCIATE PROFESSOR, DEPARTAMENTO NG FILIPINO AT PANITIKAN NG PILIPINAS, UNIVERSITY OF THE PHILIPPINES-DILIMAN); PROP. HERMAN MANALO BOGNOT (FACULTY MEMBER SA DEPARTMENT OF EUROPEAN LANGUAGES, UNIVERSITY OF THE PHILIPPINES); PROP. LAURENCE MARVIN CASTILLO (INSTRUCTOR SA DEPARTMENT OF HUMANITIES, UNIVERSITY OF THE PHILIPPINES-LOS BAÑOS); DR. ANTONIO CONTRERAS (FULL PROFESSOR SA POLITICAL SCIENCE DEPARTMENT, DE LA SALLE UNIVERSITY/DLSU); PROP. RAMILITO CORREA (PANGULO NG SANGGUNIAN SA FILIPINO/SANGFIL); GEROME NICOLAS DELA PEÑA (PANGULO NG SAMAHAN NG MGA MAG-AARAL SA ASIGNATURANG FILIPINO, SAMFIL-PAMANTASAN NG LUNGSOD NG PASIG/PLP); PROP. WENNIELYN FAJILAN (FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO, UNIVERSITY OF SANTO TOMAS); FLODY FERNANDEZ (PANGULO NG RAMON MAGSAYSAY HIGH SCHOOL (CUBAO) FACULTY CLUB); PROP. SANTIAGO FLORA (VICE-PRESIDENT FOR OPERATIONS NG QUEZON CITY POLYTECHNIC UNIVERSITY); PROP. MELANIA FLORES (NATIONAL PRO NG ALL UP ACADEMIC EMPLOYEES' UNION, UNIVERSITY OF THE PHILIPPINES/UP); DR. LAKANDUPIL GARCIA (FULL PROFESSOR NG DEPARTAMENTO NG FILIPINO, DE LA SALLE UNIVERSITY-DASMARIÑAS); DR. FANNY GARCIA (PALANCA AWARDEE AT FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO, DE LA SALLE UNIVERSITY/DLSU); PROP. JONATHAN GERONIMO (COORDINATOR NG KATAGA-MANILA UNIVERSITY OF SANTO TOMAS/UST); PROP. VLADIMEIR GONZALES (ASSISTANT PROFESSOR SA DEPARTAMENTO NG FILIPINO AT PANITIKAN NG PILIPINAS-UNIVERSITY OF THE PHILIPPINES-DILIMAN); PROP. FERDINAND PISIGAN JARIN (PALANCA AWARDEE AT PANGULO NG KATAGA-SAMAHAN NG MGA MANUNULAT SA PILIPINAS); JOHN ROBERT MAGSOMBOL (PANGULO NG UNIVERSITY OF SANTO TOMAS-PANULAT); PROP. JOEL MALABANAN (TAGAPAYO NG KAPISANANG DIWA AT PANITIK/KADIPAN SA PHILIPPINE NORMAL UNIVERSITY/PNU); PROP. DENNIS MANGUBAT (FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO NG SAN BEDA COLLEGE-MANILA); PROP. JOANNE MANZANO (FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO AT PANITIKAN NG PILIPINAS-UNIVERSITY OF THE PHILIPPINES-

DILIMAN); PROP. BERNADETTE NERI (ASSISTANT PROFESSOR SA DEPARTAMENTO NG FILIPINO AT PANITIKAN NG PILIPINAS, UNIVERSITY OF THE PHILIPPINES-DILIMAN); RAYMOND PALATINO (TAGAPANGULO NG BAGONG ALYANSANG MAKABAYAN/BAYAN-NATIONAL CAPITAL REGION); PROP. APRIL PEREZ (ASSISTANT PROFESSOR SA DEPARTAMENTO NG FILIPINO AT PANITIKAN NG PILIPINAS, UNIVERSITY OF THE PHILIPPINES-DILIMAN); PROP. JAYSON PETRAS (DEPUTY DIRECTOR NG INSTITUTE OF CREATIVE WRITING, UNIVERSITY OF THE PHILIPPINES-DILIMAN); PROP. CRIZEL SICAT-DE LAZA (KATUWANG NG KALIHIM NG SANGGUNIAN NG FILIPINO/SANGFIL AT FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG UNIVERSITY OF SANTO TOMAS/UST); PROP. DENNIS JOSEPH RAYMUNDO (FACULTY MEMBER NG KALAYAAN COLLEGE); DR. BEVERLY SARZA (FACULTY MEMBER NG PHILOSOPHY DEPARTMENT, DE LA SALLE UNIVERSITY-MANILA); DR. RAQUEL SISON-BUBAN (ASSOCIATE PROFESSOR SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); PROP. VIVENCIO M. TALEGON, JR. (FULL-TIME FACULTY SA UNIVERSITY OF ASIA AND THE PACIFIC, ORTIGAS CENTER, PASIG); ISAAC ALI TAPAR (PANGULO NG MANILA SCIENCE HIGH SCHOOL FACULTY ASSOCIATION); DR. DOLORES TAYLAN (ASSOCIATE PROFESSOR SA DEPARTAMENTO NG FILIPINO, DE LA SALLE UNIVERSITY-MANILA); DR. ALITA TEPACE (PROFESOR SA PHILIPPINE NORMAL UNIVERSITY-MANILA); PROP. OM NARAYAN VELASCO (INSTRUCTOR SA UNIVERSITY OF THE PHILIPPINES-LOS BAÑOS); ANDREA JEAN YASOÑA (PANGULO NG KAPISANANG DIWA AT PANITIK-PNU); PROP. REYNELE BREN ZAFRA (FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO NG UNIVERSITY OF SANTO TOMAS); DR. RUBY ALUNEN (FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); PROP. BAYANI SANTOS, JR. (FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO NG MANUEL LUIS QUEZON UNIVERSITY/MLQU); PROP. CHRISTO REY ALBASON (GURO SA SINING NG BAYAN/GUSI); PROP. LILIBETH OBLENA-QUIORE (FACULTY MEMBER NG DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); PROP. DANIM MAJERANO (DIREKTOR NG PANANALIKSIK AT EDUKASYON, SAMAHANG SALIKSIK PASIG, INC.); RUSTUM CASIA (KM 64 POETRY COLLECTIVE); CHARISSE BERNADINE BAÑEZ (TAGAPAGSALITA NG LEAGUE OF FILIPINO STUDENTS/LFS); DR. JENNIFOR AGUILAR (CHAIRPERSON NG DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION NG POLYTECHNIC UNIVERSITY OF THE PHILIPPINES/PUP); PROP.

MOREAL NAGARIT CAMBA (TAGAPANGULO NG DEPARTAMENTO NG FILIPINO, UNIVERSITY OF ASIA AND THE PACIFIC - PASIG); PROP. CLEVE ARGUELLES (CHAIRPERSON NG POLITICAL SCIENCE PROGRAM, DEPARTMENT OF SOCIAL SCIENCES, UNIVERSITY OF THE PHILIPPINES-MANILA); DR. MARIA LUCILLE ROXAS (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); PROP. VOLTAIRE VILLANUEVA (FACULTY MEMBER SA PHILIPPINE NORMAL UNIVERSITY); DR. JOSEFINA MANGAHIS (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); PROP. EMMA SISON (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); AYLEEN ORTIZ (MANUNULAT); PROP. EFREN DOMINGO (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); PROP. LESLIE ANNE LIWANAG (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); DR. LAKANGITING GARCIA (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); PROP. MIRYLLE CALINDRO (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); DR. LAKANDUPIL GARCIA (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-DASMARIÑAS); DR. DEXTER CAYANES (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); DR. TERESITA FORTUNATO (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); DR. MA. RITA ARANDA (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA); DR. EMMA BASCO (FACULTY MEMBER SA DEPARTAMENTO NG FILIPINO NG DE LA SALLE UNIVERSITY-MANILA), *Petitioners. v. PANGULONG BENIGNO SIMEON “NOYNOY” C. AQUINO III, AT PUNONG KOMISYUNER NG KOMISYON SA LALONG MATAAS NA EDUKASYON/COMMISSION ON HIGHER EDUCATION (CHED) DR. PATRICIA LICUANAN, Respondents.*

[G.R. NO. 217752, October 9, 2018]

ANTONIO “SONNY” F. TRILLANES IV, GARY C. ALEJANO AND FRANCISCO ASHLEY L. ACEDILLO, *Petitioners, v. HON. PAQUITO N. OCHOA, JR., IN HIS CAPACITY AS EXECUTIVE SECRETARY, HON.*

ARMIN A. LUISTRO, IN HIS CAPACITY AS SECRETARY OF EDUCATION AND THE DEPARTMENT OF EDUCATION, *Respondents*.

[G.R. NO. 218045, October 9, 2018]

EDUARDO R. ALICIAS, JR. AND AURELIO P. RAMOS, JR., *Petitioners*, v. DEPARTMENT OF EDUCATION (DepEd) AND THE SECRETARY OF THE DepEd, *Respondent*.

[G.R. NO. 218098, October 9, 2018]

RICHARD TROY A. COLMENARES, RENE LUIS M. TADLE, ERLINDA C. PALAGANAS, RUTH THELMA P. TINGDA, RONALD TAGGAOA, JOSEPH PORFIRIO ANDAYA, FLORANTE DULACA, FROILAN A. ALIPAO; KATHLEA FRANCYNN GAWANI D. YAÑGOT, MIEL ALEXANDRE A. TAGGAOA, AGATHA ZITA DISTOR, ISABELLE C. UMINGA, ALDWIN GABRIEL M. PINAS, ATREENA MARIE DULAY, ZION GABRIEL SANTOS, SIBLINGS BRENNAN KEANE, BREN KIMI, AND BASLEY KICH, ALL SURNAMED DELA CRUZ, JASSEL ANGELO ENRIQUEZ, SIBLINGS GYRO MATTHEW AND MARGA RAUXIELLE AGLAIA, BOTH SURNAMED GUEVARRA, SIBLINGS ALTHEA, ALEXA, AND AMANDA, ALL SURNAMED ABEJO, AND ELEANNIE JERECE S. CAWIS, REPRESENTED BY THEIR PARENTS LEANDRO B. YAÑGOT, JR., JENNIFERA. TAGGAOA, MILO DISTOR, JOSE MARI UMINGA, GABRIEL PAUL PINAS, SOFRONIO DULAY, LUZ A. SANTOS, BARBY M. DELA CRUZ, RUBY G. ENRIQUEZ, ROWENA C. GUEVARRA, MARISEL P. ABEJO, AND VITTORIO JERICO L. CAWIS, RESPECTIVELY, FOR THEMSELVES AND THE CLASS THEY REPRESENT; REVENENDO R. VARGAS, ANNIELA R. YU-SOLIVEN, VILMA C. BENIGNO, MARIA CRISTINA F. DUNGCA, LIZA DAOANIS, ROMMEL M. FRANCISCO, FELIZA G. AGUSTIN, EMELITA C. VIDAL, ROMMEL D. RAMISCAL, JOCELYN ELEAZAR DE GUZMAN, ANDREA P. VILLALON, AND JOYCE FE T. ALMENARIO, FOR THEMSELVES AND THE CLASS THEY REPRESENT, *Petitioners*, v. DEPARTMENT OF EDUCATION SECRETARY ARMIN A. LUISTRO, COMMISSION ON HIGHER EDUCATION CHAIRPERSON PATRICIA B. LICUANAN, TECHNICAL SKILLS AND DEVELOPMENT AUTHORITY DIRECTOR-GENERAL JOEL J. VILLANUEVA, DEPARTMENT OF LABOR AND EMPLOYMENT SECRETARY ROSALINDA D. BALDOZ, DEPARTMENT OF FINANCE SECRETARY CESAR V. PURISIMA, SENATE PRESIDENT

FRANKLIN M. DRILON, AND HOUSE OF REPRESENTATIVES SPEAKER FELICIANO R. BELMONTE, *Respondents*.

[G.R. NO. 218123, October 9, 2018]

CONG. ANTONIO TINIO (REPRESENTATIVE, ACT TEACHERS PARTY-LIST); CONG. NERI COLMENARES (REPRESENTATIVE, BAYAN MUNA PARTY-LIST); DR. BIENVENIDO LUMBERA (NATIONAL ARTIST FOR LITERATURE AND PROFESSOR EMERITUS, UP); CONG. CARLOS ZARATE (REPRESENTATIVE, BAYAN MUNA PARTY-LIST); CONG. FERNANDO “KA PANDO” HICAP (REPRESENTATIVE, ANAKPAWIS PARTY-LIST; CHAIRPERSON, PAMALAKAYA); CONG. LUZVIMINDA ILAGAN (REPRESENTATIVE, GABRIELA WOMEN’S PARTY); CONG. EMMI DE JESUS (REPRESENTATIVE, GABRIELA PARTY-LIST); CONG. TERRY RIDON (REPRESENTATIVE, KABATAAN PARTYLIST); RENATO REYES, JR. (SECRETARY-GENERAL, BAGONG ALYANSANG MAKABAYAN/ BAYAN AND PARENT OF AN ELEMENTARY STUDENT); BENJAMIN VALBUENA (CHAIRPERSON, ALLIANCE OF CONCERNED TEACHERS-PHILIPPINES); MARTIN DIÑO (CHAIRPERSON OF THE VOLUNTEERS AGAINST CRIME AND CORRUPTION); JOVITA MONTES (SPOKESPERSON, PARENTS’ MOVEMENT AGAINST K TO 12); KHARLO FELIPE MANANO (SECRETARY-GENERAL, SALINLAHI ALLIANCE FOR CHILDREN’S CONCERNS); GERTRUDES LIBANG, (NATIONAL VICE-CHAIRPERSON, GABRIELA); RONEL AGONCILLO (STUDENT REGENT, PNU); VENCER MARIE CRISOSTOMO (NATIONAL CHAIRPERSON, ANAKBAYAN); CHARISSE BERNADINE BAÑEZ (NATIONAL SPOKESPERSON, LEAGUE OF FILIPINO STUDENTS/LFS); EINSTEIN RECEDES (NATIONAL CHAIRPERSON STUDENT CHRISTIAN MOVEMENT OF THE PHILIPPINES); MICHAEL BELTRAN (NATIONAL SPOKESPERSON, KABATAANG ARTISTA PARA SA TUNAY NA KALAYAAN); SARAH JANE ELAGO (NATIONAL PRESIDENT, NATIONAL UNION OF STUDENTS OF THE PHILIPPINES); MARC LINO ABILA (NATIONAL PRESIDENT, COLLEGE EDITORS GUILD OF THE PHILIPPINES); VANESSA FAYE BOLIBOL (CONVENOR, STOP K TO 12); DR. ROLANDO TOLENTINO (DEAN, COLLEGE OF MASS COMMUNICATION, UP); DR. FEDELIZ TUY (ASSOCIATE VICE DEAN, COLLEGE OF ARTS AND SCIENCES, SBC MANILA); DR. ERNESTO CARANDANG II (CHAIRPERSON, FILIPINO DEPARTMENT, DLSU MANILA); PROF. MARIA LOURDES AGUSTIN (CHAIRPERSON, INSTITUTE OF TEACHING AND LEARNING, PNU); PROF. ROWENA

RIVERO (CHAIR, ENGLISH, FOREIGN LANGUAGES AND LITERATURE DEPARTMENT, SBC MANILA); PROF. CLEVE ARGUELLES (CHAIRPERSON, POLITICAL SCIENCE PROGRAM, DLSU MANILA); DR. ANNABEL QUILON (CHAIR, PSYCHOLOGY DEPARTMENT, SBC MANILA); DR. BAYANI MATITU (CHAIR, HUMAN KINETICS DEPARTMENT, SBC MANILA); PROF. MARVIN LAI (CHAIRPERSON, DEPARTAMENTO NG FILIPINOLOHIYA, PUP MANILA); PROF. MERDEKA C. MORALES (CHIEF, PUP CENTER FOR CREATIVE WRITING); DR. ROBERTO AMPIL (CHAIRPERSON, FILIPINO DEPARTMENT, UST); PROF. NELSON RAMIREZ (CHAIRPERSON, FILIPINO DEPARTMENT, UNIVERSITY OF THE EAST MANILA); DR. JENNIFOR AGUILAR (CHAIRPERSON, MA FILIPINO PROGRAM, GRADUATE SCHOOL, PUP); DR. LIWAYWAY ACERO (CHAIRPERSON, HUMAN BIOLOGY AND SCIENCES DEPARTMENT, SBC MANILA); DR. ESTER RADA (CHAIRPERSON, FILIPINO DEPARTMENT, SBC MANILA); DR. MARVIN REYES (PREFECT OF STUDENT ACTIVITIES, COLLEGE OF ARTS AND SCIENCES, SBC MANILA); PROF. NEILIA BALANON-RAMIREZ (ASSISTANT PREFECT OF STUDENT DISCIPLINE, COLLEGE OF ARTS AND SCIENCES, SBC MANILA); PROF. LUISITO MACAPAGAL (CHAIRPERSON, MATHEMATICS DEPARTMENT, SBC MANILA); DR. NOEL SANTANDER (CHAIRPERSON, THEOLOGY DEPARTMENT, SBC MANILA); PROF. GERARD SANTOS (ASSISTANT PREFECT OF STUDENT DISCIPLINE, COLLEGE OF ARTS AND SCIENCES, SBC MANILA); PROF. ALBERT OASAN (ASSISTANT PREFECT OF STUDENT DISCIPLINE, COLLEGE OF ARTS AND SCIENCES, SBC MANILA); PROF. JULIUS TUTOR (ASSISTANT PREFECT OF STUDENT ACTIVITIES, COLLEGE OF ARTS AND SCIENCES, SBC MANILA); PROF. SYBIL AGREDA (ASSISTANT PREFECT OF STUDENT ACTIVITIES, COLLEGE OF ARTS AND SCIENCES, SBC MANILA); PROF. LEOMAR REQUEJO (CHIEF, MUSIC SECTION, PUP); DR. AURORA BATNAG (PANGULO, PAMBANSANG SAMAHAN SA LINGGWISTIKA AT LITERATURANG FILIPINO); PROF. RAMILITO CORREA (PRESIDENT, SANGGUNIAN SA FILIPINO/SANGFIL); PROF. CHRISTO RAY ALBAZON (PRO, GURO SA SINING NG BAYAN, PUP); DR. RAMON GUILLERMO (PRESIDENT, ALL UP ACADEMIC EMPLOYEES' UNION); PROF. MELANIA FLORES (NATIONAL PRO, ALL UP ACADEMIC EMPLOYEES' UNION); PROF. ORESTES DE LOS REYES (PRESIDENT, ADAMSON UNIVERSITY FACULTY AND EMPLOYEES); PROF. JAMES PLATON (VICE PRESIDENT FOR LABOR EDUCATION, UST FACULTY UNION); MR. FELIX PARINAS, JR., (PUBLIC RELATIONS OFFICER, ALL UP WORKERS' UNION); PROF. MICHAEL PANTE (FACULTY, HISTORY DEPARTMENT, ATENEO DE MANILA UNIVERSITY); PROF. VLADIMEIR

B. GONZALES (FACULTY, UP-DILIMAN); PROF. LAURENCE MARVIN S. CASTILLO (FACULTY, UP-LOS BAÑOS); DR. ROMMEL RODRIGUEZ (ASSOCIATE PROFESSOR, UP-DILIMAN); DR. DOLORES TAYLAN (FACULTY MEMBER, FILIPINO DEPARTMENT, DLSU MANILA); DR. TERESITA FORTUNATO (FACULTY MEMBER, FILIPINO DEPARTMENT, DLSU MANILA); DR. RAQUEL SISONBUBAN (FACULTY MEMBER, FILIPINO DEPARTMENT, DLSU MANILA); PROF. LILIBETH QUIORE (FACULTY MEMBER, FILIPINO DEPARTMENT, DLSU MANILA); DR. MA RITA ARANDA (FACULTY MEMBER, FILIPINO DEPARTMENT, DLSU MANILA); PROF. PORTIA PLACINO (FACULTY MEMBER, UP DILIMAN); PROF. JOEL MALABANAN (FACULTY MEMBER, COLLEGE OF LANGUAGE AND LITERATURE, PNU); DR. LUCIA B. DELA CRUZ (REGISTERED GUIDANCE COUNSELOR; PROFESSOR, UNIVERSITY OF MAKATI); PROF. GERARDO LANUZA (PROFESSOR, DEPARTMENT OF SOCIOLOGY, UP DILIMAN); PROF. SARAH JANE S. RAYMUNDO (ASSISTANT PROFESSOR, CENTER FOR INTERNATIONAL STUDIES, UP DILIMAN); PROF. FERDINAND JARIN (FACULTY MEMBER, PHILIPPINE NORMAL UNIVERSITY); PROF. EMELITO SARMAGO (FACULTY MEMBER, UST); PROF. MARY ANNE MALLARI (FACULTY MEMBER, UST); PROF. WENNIELYN FAJILAN (FACULTY MEMBER, UST); PROF. REYNELE BREN ZAFRA (FACULTY MEMBER, UST); PROF. JOHN KELVIN BRIONES (FACULTY MEMBER, ENGLISH DEPARTMENT, COLLEGE OF ARTS AND LETTERS, BULACAN STATE UNIVERSITY); PROF. DENNIS MANGUBAT (FACULTY MEMBER, FILIPINO DEPARTMENT, SBC MANILA); PROF. MINERVA SERRANO (FACULTY MEMBER, MATHEMATICS DEPARTMENT, SBC MANILA); PROF. MARIE JOCELYN BENGCO (FACULTY MEMBER, PSYCHOLOGY DEPARTMENT, SBC MANILA); PROF. CLYDE CORPUZ (FACULTY MEMBER, SOCIAL SCIENCES DEPARTMENT, SBC MANILA); DR. LIZA CRUZ (FACULTY MEMBER, HUMAN BIOLOGY AND SCIENCES DEPARTMENT, SBC MANILA); DR. SOCORRO DE JESUS (FACULTY MEMBER, ENGLISH, FOREIGN LANGUAGES, AND LITERATURE DEPARTMENT); PROF. TERESITA DULAY (FACULTY MEMBER, MATHEMATICS DEPARTMENT, SBC MANILA); PROF. JULIO CASTILLO, JR. (FACULTY MEMBER, DEPARTMENT OF MANAGEMENT, SBC MANILA); PROF. ESTHER CUARESMA (FACULTY MEMBER, INFORMATION AND COMMUNICATION TECHNOLOGY DEPARTMENT, SBC MANILA); PROF. ARNOLD DONOZO (FACULTY MEMBER, MATH DEPARTMENT, SBC MANILA); PROF. ROAN DINO (FACULTY MEMBER, KAGAWARAN NG FILIPINOHIYA, PUP); DR. MARIA ELIZA CRUZ (FACULTY MEMBER, NATURAL SCIENCES DEPARTMENT, SBC MANILA); PROF. JOSEPHINE

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[G.R. NO. 218465, October 9, 2018]

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EDUCATION SECRETARY BR. ARMIN LUISTRO, NCR REGIONAL DIRECTOR LUZ S. ALMEDA, MANILA SCHOOLS DIVISION SUPERINTENDENT PRISCILA C. DE SAGUN, MANILA SCIENCE HIGH SCHOOL PRINCIPAL MARIA EVA S. NACION, SENATE PRESIDENT FRANKLIN M. DRILON AND HOUSE OF REPRESENTATIVES SPEAKER FELICIANO R. BELMONTE, *Respondents*.

DECISION

CAGUIOA, J.:

Facts

These are consolidated petitions under Rule 65, assailing the constitutionality of RA No. 10533 (K to 12 Law), RA No. 10157 (Kindergarten Education Act), and related issuances of the Department of Education (DepEd), Commission on Higher Education (CHED), Department of Labor and Employment (DOLE) and Technical Education and Skills Development Authority (TESDA) implementing the K to 12 Basic Education Program. The *Kindergarten Education Act* institutionalized kindergarten education, which is one (1) year of preparatory education as part of basic education and is made compulsory for entrance to Grade 1. On the other hand, the K to 12 Law expanded basic education from ten (10) years to thirteen (13) years, divided into one (1) year of kindergarten, six (6) years of elementary education, and six (6) years of secondary education—which was divided into four (4) years of junior high school and two (2) years of senior high school. In line with this, one of the petitioners' contentions is that the expansion of compulsory education to include kindergarten and secondary education violates the Universal Declaration of Human Rights (UDHR), the International Covenant of Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC). The Court ruled in the negative upon this issue and denied the consolidated petitions, ultimately upholding the constitutionality of the subject laws and issuances.

Ruling

Petitioners' argument is misleading.

There is nothing in the UDHR, ICESCR and CRC which proscribes the expansion of compulsory education beyond elementary education.

Article 26 of the UDHR states:

1. Everyone has the right to education. **Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.** Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children. (Emphasis and underscoring supplied)

There is absolutely nothing in Article 26 that would show that the State is prohibited from making kindergarten and high school compulsory. The UDHR provided a minimum standard for States to follow. Congress complied with this minimum standard; as, in fact, it went beyond the minimum by making kindergarten and high school compulsory. This action of Congress is, in turn, consistent with Article 41 of the CRC which provides that “[n]othing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in: (a) [t]he law of a State party; or (b) [i]nternational law in force for that State.”

xxx

WHEREFORE, the consolidated petitions are hereby **DENIED**. Accordingly, the Court declares Republic Act No. 10533, Republic Act No. 10157, CHED Memorandum Order No. 20, Series of 2013, Department of Education Order No. 31, Series of 2012, and Joint Guidelines on the Implementation of the Labor and Management Component of Republic Act No. 10533, as **CONSTITUTIONAL**. The Temporary Restraining Order dated April 21, 2015 issued in G.R. No. 217451 is hereby **LIFTED**.

SO ORDERED.