

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **5497**



Introduced by **Hon. GABRIEL LUIS R. QUISUMBING**

EXPLANATORY NOTE

The problem of drug abuse has always been one of the priorities of the Government because of its debilitating effects and adverse consequences;

Statistics show that drug dependency and substance abuse are rampant in the Country;

A program, involving the collaboration of local law enforcement agencies and local schools to educate students about the personal and social consequences of substance abuse and violence, is deemed necessary;

Studies show that drug use and abuse can be prevented;

Sections 42, 43 & 44 of Republic Act 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002", provide for the involvement of students, teachers and school authorities in the enforcement of said act as follows:

Section 42. *Student Councils and Organizations.* – All elementary, secondary and tertiary schools' student councils and campus organizations shall include in their activities a program for the prevention of and deterrence in the use of dangerous drugs, and referral for treatment and rehabilitation of students for drug dependents.

Section 43. *School Curricula.* – Instruction on drug abuse prevention and control shall be integrated in the elementary, secondary and tertiary curricula of all public and private schools, whether general, technical, vocational or agro-industrial as well as in non-formal, informal and indigenous learning systems. Such instructions shall include:

- (1) Adverse effects of the abuse and misuse of dangerous drugs on the person, the family, the school and the community;
- (2) Preventive measures against drug abuse;
- (3) Health, socio-cultural, psychological, legal and economic dimensions and implications of the drug problem;
- (4) Steps to take when intervention on behalf of the drug dependent is needed, as well as the services available for the treatment and rehabilitation of drug dependents; and
- (5) Misconceptions about the use of dangerous drugs such as, but not limited to, the importance and safety of dangerous drugs for

medical and therapeutic use as well as the differentiation between medical patients and drug dependents in order to avoid confusion and accidental stigmatization in the consciousness of the students.

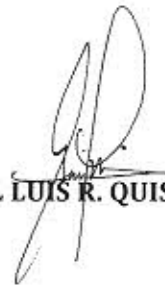
Section 44. *Heads, Supervisors, and Teachers of Schools.* - For the purpose of enforcing the provisions of Article II of this Act, all school heads, supervisors and teachers shall be deemed persons in authority and, as such, are hereby empowered to apprehend, arrest or cause the apprehension or arrest of any person who shall violate any of the said provision, pursuant to Section 5, Rule 113 of the Rules of Court. They shall be deemed persons in authority if they are in the school or within its immediate vicinity, or even beyond such immediate vicinity if they are in attendance at any school or class function in their official capacity as school heads, supervisors, and teachers.

Any teacher or school employee, who discovers or finds that any person in the school or within its immediate vicinity is liable for violating any of the said provisions, shall have the duty to report the same to the school head or immediate superior who shall, in turn, report the matter to the proper authorities.

Failure to do so in either case, within a reasonable period from the time of discovery of the violation shall, after due hearing, constitute sufficient cause for disciplinary action by the school authorities;

There is a tremendous necessity of fostering anti-drug culture among our youth, believing that it is one of the very cogent and durable measures in thwarting the drug menace;

In the 15th Congress, The House Committee on Youth and Sports Development formed a technical working group (TWG) to further discuss this measure. Hence, the early approval of this bill is earnestly sought.



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**AN ACT CREATING THE YOUTH DRUG ABUSE
RESISTANCE EDUCATION AND PREVENTION
PROGRAM (Y - DARE) AND PROVIDING FUNDS
THEREFOR**

*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 as the Youth Drug Abuse Resistance Education and Prevention Program (Y-DARE).

SECTION 2. Purpose - This Act is enacted for the purpose of providing the youth with skills on how to avoid opportunities of drug abuse and live productive drug- and violence-free lives. This is also created to establish positive relationships between students and law enforcement, teachers, parents and other community leaders.

SECTION 3. Implementation - The Youth Drug Abuse Resistance and Prevention Program shall be implemented by the Department of Health as lead agency and in coordination with the Department of Education (DepEd), and Commission on Higher Education (CHED)

SECTION 4. The Department of Health shall administer, coordinate, and recommend policies and programs that are designed to:

- a. Provide financial assistance for drug prevention activities and activities that promote the health and well being of students in elementary and secondary schools, and institutions of higher education. Activities may be carried out by State and local educational agencies and by other public and private nonprofit organizations.
- b. Participate in the formulation and development of policy and legislative proposals and in overall Administration policies related to drug prevention; drafting program regulations.
- c. Participate in interagency committees, groups, and partnerships related to drug prevention, coordinating with other government agencies on issues related to comprehensive school health, and advising the Secretary of the Department of Education on the formulation of comprehensive school health education policy.
- d. Participate with other government agencies in the development of a national research agenda for drug prevention.

- e. Provide national leadership on issues and programs in correctional education.

SECTION 5. The Department of Education (DepEd) and Commission on Higher Education (CHE) shall supervise the following courses of action:

a. Action Steps for Schools

Some of the ways in which schools can ensure safety and discipline are:

1. Establish a team of educators, students, parents, law enforcement and community and business leaders to develop a plan for creating a safe, disciplined and drug-free school.
2. Develop a Safe School Plan based upon an examination of problems and resources and a review of strategies that work.
3. Ensure that students are engaged in school work that is challenging, informative, and rewarding.
4. Establish, publish, publicize, and enforce policies that clearly define acceptable and unacceptable behavior. These policies should include zero tolerance for weapons, violence, gangs, and use or sale of alcohol and drugs.
5. Work with law enforcement agencies for support in reporting violations of drug policies as well as other delinquent or criminal behavior.
6. Take immediate action on all reports of drug use or sales, threats, bullying, gang activity, or victimization. Anyone caught bringing a gun or drugs to school should be reported immediately to the appropriate law enforcement agency.
7. Create an environment that encourages parents and other adults to visit the school and participate in the school's activities. Develop a sense of community within the school.
8. Encourage staff to treat each other and students with respect and to act as good role models.
9. Encourage community members to support schools in their community and to participate in school programs and services that promote the safety of students and all school staff.
10. Work with community groups and law enforcement officials to keep schools open after normal operating hours so that students and their families have places where they can engage in productive, well-supervised, and safe activities. Help create safe corridors to and from school.
11. Involve youth in program and policy development.
12. Offer programs that teach peaceful, nonviolent methods for managing conflict to students and their families, as well as to staff.
13. Work with the media to make the public aware of the crime and safety issues that confront the schools. Provide accurate assessments of school crime and violence to the public.
14. Learn about effective practices based on research and proven programs used in other districts. Share the knowledge.
15. Monitor implementation and progress of the Safe School Plan, making improvements based on what is learned as well as on new developments in the field.

b. Action Steps for Students

Students have an important role to play in ensuring that their schools are safe and orderly. They can take steps to help make their

schools places where learning can take place without disruption and without the fear of being victimized or bullied. They can:

1. Participate in, or help develop, student government organizations and guidelines that promote a drug- and gun-free, safe, and orderly environment for learning.
2. Volunteer to serve on decision-making or advisory committees such as the group developing the overall Safe School Plan.
3. Become advocates for programs such as peer mediation, conflict resolution, peer assistance leadership, teen courts, or anger management.
4. Reduce conflict situations rather than making them worse. Practice good citizenship, and treat peers and teachers with respect.
5. Report weapon possession, drug use or sale, bullying threats or intimidation, victimization, gang activity, or vandalism to school authorities and parents.
6. Learn the consequences of gang involvement and alcohol, drug, and gun use and the methods for resisting alcohol, drugs, and tobacco. Use this understanding to help other students avoid alcohol or drug use or seek help if they are already involved in alcohol or drugs.
7. Follow the school code of conduct, understand that rules are made for everyone, and recognize the consequences of violating the rules.
8. Whenever possible, travel with others to and from school and to special school events. Students must always be aware of their surroundings.
9. Work with teachers, principals, and other students in developing a community service program, where students give back to the community in a positive manner.
10. Encourage their parents to come to the school and be involved in activities that support the school.
11. Serve as a big brother/big sister, tutor, or mentor for a younger student.

c. Action Steps for Parents

Parents play a key role in ensuring that their children are safe and drug-free. Without the active support and participation of parents, schools and communities cannot be safe. Parents have to be part of a school's effort to create an orderly, respectful environment. Some of the actions parents can take to assist schools are:

1. Set standards of behavior, limits, and clear expectations for children both in and out of school and develop mutually agreed-upon rules about homework, extracurricular participation, grades, curfews, chaperoned parties, and places that are off limits.
2. Teach standards of right and wrong and demonstrate these standards through example.
3. Discuss with their children the school's discipline policies, reinforcing the belief that school rules support the rights of all students to attend schools with disciplined environments safe from influences of violence and alcohol or substance abuse.
4. Encourage their children to talk about school, their social activities, their interests and problems, and even their walk to and from school.
5. Be involved in their children's school life by reviewing homework, meeting their teachers, and attending school functions such as parent-teacher conferences, PTA meetings, class programs, open houses, plays, concerts, and sporting events.

6. Build a network of other adults with whom they can talk about school safety issues and alcohol and drug use.
7. Join a community association to ensure that issues related to alcohol, drugs, and violence are made part of the organization's agenda and that community groups work together to create a safe school corridor by supervising walking routes to and from school.
8. Talk to their children about the consequences of drug and weapon use, gang participation, and violence and ensure that firearms that parents keep in the home or automobile are unloaded and inaccessible to children. Other dangerous weapons should also be kept out of the reach of children.
9. Work with the school to develop a comprehensive Safe School Plan that incorporates a clearly articulated statement to students, parents, and the community regarding what will and will not be tolerated and that also provides a strong emphasis on programs to prevent violence and the use of alcohol and drugs.
10. Monitor the programs their children watch, the video games they play, and the music they listen to regularly. Take time to explain to their children the actual nature and consequences of what is being said and done.
11. Encourage their children to participate in school-sponsored, after-class activities to help limit the amount of time their children spend watching television.

d. Action Steps for Community and Business Groups

Making schools safe, orderly, and drug-free requires the support and cooperation of the entire community. Children spend a significant amount of their time in the community, and it is essential that community groups (including law enforcement and social services, juvenile justice agencies, foundations, and not-for-profit organizations) and businesses provide students with the assistance and support needed to live in a community and go to school without the fear or threat of violence. Some of the actions community and business groups can take to assist schools are:

1. Participate on a school's Safe School Plan committee.
2. Adopt and support a school.
3. Sponsor extracurricular social and cultural activities, entrepreneurial opportunities, and other positive alternative activities for students.
4. Work collaboratively with the schools in developing and sponsoring community projects for youth living in the community.
5. Assist in creating safe corridors for students going to and from school.
6. Adopt policies that permit and encourage employees to become active in youth-related activities, like tutoring, mentoring, or coaching.
7. Encourage employees who are parents to visit their children's schools regularly without being penalized at work.
8. Open businesses and corporate facilities for field trips, apprenticeships, and internships for students.
9. Promote awareness of career and college opportunities and the availability of financial aid and nontraditional scholarships. Sponsor a scholarship program.
10. Sponsor fundraising events for schools to support their safe schools initiatives, focusing on preventing and resisting drug use.
11. Become knowledgeable about the operation of schools in their community and participate in school reform efforts.

SECTION 6. Appropriation - The amount necessary for the implementation of this Act shall be taken from the appropriations for the Department of Health, Department of Education and Commission on Higher Education under the General Appropriations Act.

SECTION 7. Separability Clause - If any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions shall not be affected.

SECTION 8. Repealing Clause - All laws, presidential decrees, executive orders and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. Effectivity Clause - This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

APPROVED,