

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
HOUSE BILL No. 6114

INTRODUCED BY HON. RICARDO S. CRUZ, JR.

EXPLANATORY NOTE

Article XIV, Section 19 (1) of the 1987 Philippine Constitution recognizes that "the State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry." This founding principle guides our commitment to nurturing the next generation of Filipino talent.

Student-Athletes are a pool of students who have exceptional talents and skills in sports that could be further honed and developed in a school setting. From a young age, they embrace the demanding dual role of being both a student and an athlete, possessing remarkable skills and dedication, striving for excellence in both the classroom and on the field. Recognizing their special circumstance, this proposed measure aims to provide comprehensive support to help them thrive and excel in their academic pursuits and athletic careers.

In support of Republic Act No. 10676 or the "Student-Athletes Protection Act," this bill aims to directly address long-standing issues and challenges faced by countless student-athletes. This proposed measure provides appropriate recognition and protection for Student-Athletes. This encompasses their academic development, their participation in amateur sports, and crucial aspects of their mental and physical health. In this regard, schools, athletic associations, Student-Athletes and their

parents shall recognize and uphold the amateur nature of the programs and competitions that Student-Athletes participate in.

Furthermore, this bill strictly prohibits discriminatory policies that could restrict Student-Athletes from participating in their chosen amateur sports. These policies not only hinder their athletic development but also prevent them from reaching their full potential as athletes and well-rounded citizens of our country.

Lastly, this proposed measure recognizes the vital role of our schools and accredited athletic associations. Their responsibility extends beyond merely providing opportunities for Student-Athletes to participate and excel in sports, but they are also crucial in ensuring the protection of Student-Athletes from physical harm, discrimination, and any other potential infringement of their rights.

In line with the policy adopted by its original proponent Senator Pia S. Cayetano, this bill therefore serves as a counterpart measure. It is for the reasons stated above that the passage of this measure is earnestly sought.


RICARDO S. CRUZ, JR.

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AN ACT
PROVIDING FOR THE MAGNA CARTA OF STUDENT-ATHLETES

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 “Magna Carta of Student-Athletes.”

Sec. 2. *Declaration of Policy.* – Article XIV, Section 1 of the 1987 Constitution recognizes the role of the State to protect and promote the right of all citizens to quality education at all levels, and to take appropriate steps to make such education accessible to all. Further, Section 19 (1) of the same Article provides that the State shall promote physical education, sports programs, and competitions alongside training for international competitions to foster self-discipline, teamwork, and excellence for the attainment of a healthy and alert citizenry. Thus, the State shall recognize and uphold the rights of Student-Athletes to further hone their skills and abilities in their respective fields of amateur sports without neglecting their education and general well-being.

It is the intention of this law to protect and promote the rights of the Student-Athlete, who is, first and foremost, a student. To this end, the rights guaranteed by this law and the obligations imposed on schools, athletic associations, and their officials and representatives shall seek to ensure that the Student-Athlete attains quality education while honing his/her skill and reaching his/her full potential as an athlete in an amateur sports setting. Ultimately, this law aims to enable the

Student-Athlete to enjoy a balanced life while in school and training or competing for his/her sport.

Sec. 3. *Coverage.* – This Act shall apply to Student-Athletes of any school that conducts sports programs and competitions.

Sec. 4. *Definition of Terms.* – As used in this Act, the following terms shall be defined as follows:

- a) *Athletic Association* – refers to any organization that is responsible for governing inter-school athletic programs and competitions such as, but not limited to, the Private Schools Athletic Association (PRISAA), University Athletic Association of the Philippines (UAAP), National Collegiate Athletic Association (NCAA), Women's National Collegiate Athletic Association (WNCAA), State Colleges and Universities Athletic Association (SCUAA), Cebu Schools Athletic Foundation Inc. (CESAFI), and National Capital Region Athletic Association (NCRAA), among others but shall not include National Sports Associations (NSAs), as defined under Section 3 (a) of Republic Act No. 10676 or the "Student-Athletes Protection Act."
- b) *National Sports Associations (NSAs)* – refer to associations organized for their respective sports in the Philippines, duly recognized by the Philippine Sports Commission (PSC), which is granted autonomy and technical control over the promotion and development of its sport, subject to the supervisory and visitorial powers of the PSC under Section 11 of Republic Act No. 6847 or "The Philippine Sports Commission Act".
- c) *School* – refers to an institution recognized by the State which undertakes educational operations such as grade school, high school, college, university, or technical-vocational education and training institution.
- d) *Student-Athlete* – refers to a student currently enrolled in any school who is part of any of the school's athletic teams or programs and is representing or has an intention to represent the school in an interschool athletic program or competition: *Provided, That* a student shall still be considered a Student-Athlete for purposes of certain provisions of this Act if there is a valid reason for his/her non-enrollment, such as a long-term illness, severe

incapacity, or personal reasons that seriously hinder enrollment for that term: *Provided, Further,* That for purposes of being eligible to represent his/her school in an inter-school athletic program or competition, the Student-Athlete shall be enrolled in at least a minimum full-time program of studies and be in good academic standing.

Sec. 5. *Rights of Student-Athletes.* – Student-Athletes shall have the right to:

a) Education

- i) It is the right of the Student-Athlete to have his/her educational needs prioritized by the participating school or athletic association. To this extent, the school administration will strive to provide tutorials or extra academic support to assist the Student-Athlete in maintaining good scholastic standing.
- ii) It is the right of the Student-Athlete to have his/her academic performance monitored by the participating school to ascertain how his/her involvement in athletic programs and competitions affects his/her class performance.
- iii) It is the right of the Student-Athlete to be allowed by the participating school to be excused from class, which will not be charged against his/her allowable absences, due to sports-related activities and circumstances attested to by the concerned coach or sports official: *Provided,* That he/she makes up for the missed classes, activities, or tests.
- iv) It is the right of the Student-Athlete to continue availing of his/her full or partial scholarship for his/her continued education and/or financial support even after suffering from injury that resulted from his/her participation in the athletic program, which prevents him/her from further training for and competing in inter-school competitions.
- v) It is the right of the Student-Athlete to complete his/her academic requirements on time. In no case shall a Student-Athlete in junior or senior high school be allowed to repeat a year level and play at the same time.

b) Health and Safety

- i) It is the right of the Student-Athlete to train and compete in safe and healthy environments, as provided by the school during practice and training sessions or by the athletic association during inter-school athletic programs and competitions.
- ii) It is the right of the Student-Athlete to have safe, well-maintained, and upgraded equipment, and well-fitted uniforms to be provided by the school or athletic association.
- iii) It is the right of the Student-Athlete to have access to health care professionals who will monitor his/her physical health condition and nutritional needs, particularly during training and competitions and immediately after the competitions, as provided by the school, and to medics in emergency situations during athletic programs or competitions, as provided by the athletic association.
- iv) It is the right of current and former Student-Athletes to receive free or subsidized medical expense coverage from the participating schools or athletic associations he/she represented or is representing in case of any physical injury or sports-related harm suffered by him/her as a result of his/her participation in the athletic program or competition.
- v) It is the right of the Student-Athlete to have privacy with regard to any personal health information that might cause defamation or insult towards himself/herself, such as his/her family's medical history or physical or mental condition requiring treatment, among others.
- vi) It is the right of the Student-Athlete to file for a temporary Leave of Absence (LOA) from his/her participation in school due to valid grounds, such as the need to focus on studies, illness/sickness or any personal/family reasons: *Provided*, That an absence beyond a reasonable period may result in the loss of scholarship or other privileges: *Provided, Further*, That it is understood that he/she cannot participate in events of the athletic associations during such leave.
- vii) It is the right of the Student-Athlete to be protected by the school or athletic association against exploitation, inappropriate influences, and

other circumstances prejudicial to his/her physical, mental, emotional, social, and/or moral development, such as public humiliation, among others.

c) Choice of School

- i) It is the right of the Student-Athlete to transfer from his/her current school to any school that he/she is accepted in for any reason, such as, but not limited to:
 - 1) Unavailability of his/her desired class/course;
 - 2) Failure to pass the class/course leading to dismissal;
 - 3) Violation of the school's policy leading to dismissal; or
 - 4) Personal reasons/considerations.
- ii) It is the right of the Student-Athlete to be free from any act of restriction or punishment by the old and/or the new school due to his/her transfer from the former to the latter, in accordance with Section 4 of Republic Act No. 10676 or the Student-Athletes Protection Act.

d) Other Rights

- i) It is the right of the Student-Athlete to undergo training and workshops for the further development of his/her skills related to his/her sport. To this end, the school or the athletic association cannot prohibit the Student-Athlete from attending such training or workshops: *Provided*, That the Student-Athlete endeavors to schedule the same on a date that does not conflict with the games of the school and/or the athletic association.
- ii) It is the right of the Student-Athlete to try out for and participate in international competitions where he/she will represent the country, and other national competitions. This shall not prevent him/her from playing for his/her school team or in any competitions of athletic associations: *Provided*, That he/she remains in good academic standing.
- iii) It is the right of the Student-Athlete to receive or renew his/her athletic grants for the current semester or term: *Provided*, That he/she

complies with the requirements of the school where he/she is enrolled in.

- iv) It is the right of the Student-Athlete to be coached by skilled sports officials, who are trained in sport-specific safety and equipped with the latest information about the risks and hazards of their respective sports. It is also the right of the Student-Athlete to be trained by a coach other than those associated with his/her school: *Provided*, That the same is coordinated with his/her coach and/or director of the school's athletic program or the latter's equivalent: *Provided, Further*, That the Student-Athlete shall not be prevented from exercising said right without valid cause.
- v) It is the right of the Student-Athlete to have consistent, open, and inclusive dialogue with school officials and athletic associations regarding the establishment of rules, policies, and regulations that concern and affect them.
- vi) It is the right of the Student-Athlete to be treated with respect and dignity, and be free from any form of discrimination on account of age, sex, gender, language, ethnicity, religion, ideology, disability, education, or status.
- vii) It is the right of the Student-Athlete to be free from abuse or violence, be it physical, verbal, sexual, emotional, psychological, spiritual, or cultural in nature.
Student-Athletes are strongly encouraged to promptly report any incident involving abuse or violence in order to facilitate a fast and satisfactory resolution thereof.
- viii) It is the right of the Student-Athlete to have opportunities to engage in other safe recreational activities during his/her leisure hours: *Provided*, That it is not inconsistent with his/her sport and will not expose him/her to undue risks.
- ix) It is the right of the Student-Athlete to engage in gainful employment: *Provided*, That it does not interfere with his/her studies, training schedule, and competitions and does not prevent him/her from playing

for his/her school team or in any competitions of the athletic associations: *Provided, Further,* That he/she remains in good academic standing.

Sec. 6. *Obligations of Student-Athletes.* – For active involvement in the promotion and protection of their rights:

- a) It is the responsibility of the Student-Athlete to conduct himself/herself in a responsible manner at all times, reflective of the values of the school that he/she represents, bearing in mind that he/she carries the name and colors of his/her school and is a role model to the other students.
- b) It is the responsibility of the Student-Athlete to train regularly and obey the rules set by his/her coaches and the school.
- c) It is the responsibility of the Student-Athlete to represent his/her school in competitions chosen by his/her coach and/or school. In case of conflict between a school-sanctioned competition and other sports events, he/she is duty-bound to prioritize the former with the exception of international competitions or pre-qualifying events thereof.
- d) It is the responsibility of the Student-Athlete to voluntarily present himself/herself for the pre-competition and post-competition general health examinations.
- e) It is the responsibility of the Student-Athlete to attend training and workshops designed and conducted for him/her.
- f) It is the responsibility of the Student-Athlete to prioritize his/her academic performance to ensure that his/her participation in athletic programs will not disrupt or hinder the completion of his/her class/course. He/she shall diligently attend classes and comply with the minimum class/course load, passing grade requirement and other requirements set by the school.

A Student-Athlete shall not be allowed to participate in any competition if he/she has not attained the minimum academic requirement, unless he/she completes his/her missing requirements during summer break.

- g) It is the responsibility of the Student-Athlete not to use, offer, or purchase any performance-enhancing drugs (PEDs) and other prohibited substances.

- h) It is the responsibility of the Student-Athlete to uphold the integrity of the games, the name and reputation of his/her school and the athletic association he/she is representing by not being involved in betting, game-fixing, wagering, gambling, and other illicit acts or activities, nor shall he/she be affiliated or involved with persons associated with gambling and/or game-fixing.
- i) It is the responsibility of the Student-Athlete to practice and maintain a respectful and non-violent attitude towards himself/herself, other athletes, coaches, sports officials, and any person in general.
- j) It is the responsibility of the Student-Athlete to preserve and promote the school-sanctioned competition in all stages, from recruitment to competition, in which he/she participates.

Sec. 7. Obligations of Schools. –

- a) It is the duty of the schools and their officials to support the Student-Athlete in fulfilling his/her responsibilities, first and foremost, as a student and then as an athlete.
- b) It is the duty of the schools and their officials to provide counselors, other than coaches, who will help the Student-Athlete in his/her academic work. In balancing his/her responsibilities and in reaching his/her full potential in his/her sport.
- c) It is the duty of the schools and their officials to monitor the academic performance of the Student-Athlete and certify that he/she complies with the minimum class/course load, passing grade requirement, and other conditions set in this Act and by the schools.
- d) It is the duty of the schools and their officials to provide the Student-Athletes with a safe and healthy training environment.
- e) It is the duty of the schools and their officials to provide the Student-Athlete with safe, well-maintained, and upgraded equipment and well-fitted uniforms.
- f) It is the duty of the schools and their officials to provide the Student-Athlete access to health care professionals, who will monitor his/her physical health condition and nutritional needs, particularly during training and immediately after the competitions.

- g) It is the duty of the schools and their officials to provide the Student-Athlete with free or subsidized medical expense coverage in case of any physical injury or sports-related harm suffered by him/her as a result of his/her participation in the athletic program or competition.
- h) It is the duty of the schools and their officials to maintain the Student-Athlete's full or partial scholarship for his/her continued education and/or financial support even after suffering from an injury that resulted from his/her participation in the athletic program, which prevents him/her from further training for and competing in inter-school competitions.
- i) It is the duty of the schools and their officials to allow the Student-Athlete to file a temporary LOA from the athletic team or program due to valid grounds, such as the need to focus on studies, illness/sickness or any personal/family reasons: *Provided*, That an absence beyond a reasonable period may result in the loss of scholarship or other privileges: *Provided, Further*, That it is understood he/she cannot participate in events of the athletic associations.
- j) It is the duty of the schools and their officials to protect the privacy of any personal health information of the Student-Athlete that might cause defamation or insult towards him/herself, such as his/her family's medical history or physical or mental condition requiring treatment, among others.
- k) It is the duty of the schools and their officials to protect the Student-Athlete against exploitation, inappropriate influences, and other circumstances prejudicial to his/her physical, mental, emotional, social, and moral development, such as public humiliation, among others.
- l) It is the duty of the schools and their officials to uphold the Constitutional right of the Student-Athlete to a quality education, which includes the choice of school or the right to transfer to another school for any reason such as, but not limited to, those enumerated in Section 5 (c) (i) of this Act, subject to the provisions of Republic Act No. 10676 or the Student-Athletes Protection Act.
- m) It is the duty of the schools and their officials to allow the Student-Athlete to try out for and participate in international competitions where he/she will represent the country and other national competitions. This shall not prevent

him/her from playing for his/her school team or in any competitions of athletic associations; *Provided*, That he/she remains in good academic standing.

- n) It is the duty of the schools and their officials to grant or renew the Student-Athlete's athletic grants for the current semester or term: *Provided*, That the Student-Athlete complies with the requirements of the school.
- o) It is the duty of the schools and their officials to allow the Student-Athlete to be coached by skilled sports officials who are trained in sport-specific safety and equipped with the latest information about the risks and hazards of their respective sports. To this end, the school and their officials shall respect the right of the Student-Athlete to be trained by a coach other than those associated with the school: *Provided*, That the same is coordinated with his/her coach and/or the director of the school's athletic program or the latter's equivalent, who shall not prevent said Student-Athlete from exercising said right without valid cause.
- p) It is the duty of the schools and their officials to ensure that no Student-Athlete shall, on account of age, sex, gender, language, ethnicity, religion, disability, education, or status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any athletic program or activity.

Schools shall take into account their total women student population in granting athletic scholarships. There shall be a *pro rata* representation of women in the athletic scholarship program, based on the percentage of women in the whole student population.
- q) It is the duty of the schools and their officials to protect the Student-Athlete from abuse or violence, be it physical, verbal, sexual, emotional, psychological, spiritual, or cultural in nature. The schools and their officials shall promptly take notice of and act upon incidents of abuse or violence against the Student-Athletes.
- r) It is the duty of the schools and their officials to protect the health, safety and welfare of the Student-Athlete from PEDs and other prohibited substances. To this end, school officials or representatives who offer or pressure the

Student-Athletes into taking PEDs and other prohibited substances shall be terminated from the school.

- s) It is the duty of the schools and their officials not to sponsor, operate, advertise, or promote any betting, game-fixing, wagering, or gambling scheme based, directly or indirectly, on one or more competitive games in which Student-Athletes participate, or are intended to participate, or on one or more performances of the Student-Athletes in such games.
- t) It is the duty of the schools and their officials not to intentionally suspend or otherwise delay the Student-Athlete in junior or senior high school from graduating in order to lengthen the period of the Student-Athlete's eligibility to play for the school.
- u) It is the duty of the schools not to offer benefits and incentives to the Student-Athlete to the extent that it results in the commercialization of the Student-Athlete, in accordance with Sections 5 and 6 of Republic Act No. 10676 or the Student-Athletes Protection Act.
- v) It is the duty of the schools and their officials to support the Student-Athlete's right to undergo training and workshops for the further development of his/her skills. To this end, the school cannot prohibit the Student-Athlete from attending such training or workshops: *Provided*, That he/she will endeavor to schedule the same on a date that does not conflict with the games of the school.
- w) It is the duty of the schools and their officials to conduct forums to inform all new Student-Athletes and school officials of this Act and their corresponding rights and obligations herein. Various forms of communication shall also be employed to keep all Student-Athletes and school officials informed of updates, issues and reminders regarding the exercise of the rights and observation of the obligations mentioned herein.
- x) It is also the duty of the schools and their officials to conduct forums educating the Student-Athlete on different topics, including discrimination against women, dangers of PEDs and protection from violence and abuse.
- y) It is the duty of the schools and their officials to allow the Student-Athlete the opportunity to engage in other safe recreational activities during his/her

leisure hours: *Provided*, That it is not inconsistent with his/her sport and will not expose him/her to undue risks.

- z) It is the duty of the schools and their officials to allow the Student-Athlete to engage in gainful employment: *Provided*, That it does not interfere with his/her studies, training schedule, and competitions.
- aa) It is the duty of the schools and their officials to preserve and promote the school-sanctioned competitions in all stages, from recruitment to competition, that the Student-Athlete participates in.

Sec. 8. Obligations of Athletic Associations. –

- a) It is the duty of the athletic associations to support the Student-Athlete's choice of school without any restriction or penalty. In the event that the issue is brought to the athletic association, the same shall be resolved in favor of honoring the right of choice of the Student-Athlete: *Provided*, That there are no violations of Section 7(u) of this Act.
- b) It is the duty of the athletic associations to ensure that the Student-Athlete plays in a safe and healthy environment during inter-school athletic programs and competitions.
- c) It is the duty of the athletic associations to provide the Student-Athlete with safe, well-maintained, and upgraded equipment for use during inter-school athletic programs and competitions.
- d) It is the duty of the athletic associations to provide the Student-Athlete access to medics in case of accidents, injuries, and other emergency situations during athletic programs or competitions.
- e) It is the duty of the athletic associations to keep and protect the privacy of any personal health information of the Student-Athlete that might cause defamation or insult towards himself/herself, such as his/her family's medical history or physical or mental condition requiring treatment, among others.
- f) It is the duty of the athletic associations to protect the Student-Athlete against exploitation, inappropriate influences, and other circumstances prejudicial to his/her physical, mental, emotional, social, and moral development, such as public humiliation, among others.

- g) It is the duty of the athletic associations not to sponsor, operate, advertise, or promote any betting, game-fixing, wagering, or gambling scheme on one or more competitive games in which the Student-Athlete participates, or intended to participate, or on one or more performances of the Student-Athlete in such games.
- h) It is the duty of the athletic associations to support the Student-Athlete's right to undergo training and workshops for the further development of his/her skills. To this end, athletic associations cannot prohibit the Student-Athlete from attending such training or workshops: *Provided, That* the Student-Athlete will endeavor to schedule the same on a date that does not conflict with the games of the athletic association.
- i) It is the duty of the athletic associations to allow the Student-Athlete to try out for and participate in international competitions where he/she will represent the country, and other national competitions. This shall not prevent him/her from playing for his/her school team or in any competitions of athletic associations: *Provided, That* he/she remains in good academic standing.
- j) It is the duty of the athletic associations to uphold the rights of Student-Athletes and shall not infringe on their playing years, except for a maximum period of one (1) year residency, as provided in Republic Act No. 10676 or the Student-Athletes Protection Act.
- k) It is the duty of the athletic associations to sanction member-schools which violate the rights of the Student-Athlete or fail to address the same or otherwise allow its officials to do so. In this regard, consistent with Republic Act No. 10676 or the Student-Athletes Protection Act, athletic associations shall enact rules which shall support this Act and provide sanctions for violations thereof.
- l) It is the duty of the athletic associations to preserve and promote the amateur nature of school-sanctioned competitions in all stages, from recruitment to competition, that the Student-Athlete participates in.

Sec. 9. *Obligations of NSAs and the Philippine Sports Commission.* – It is the duty of NSAs to support the schedule of the various athletic associations to the

extent possible, so as not to schedule try-outs, trainings or trips abroad during crucial training periods or competitions. They shall also help strengthen school sports programs by coordinating with schools and athletic associations, providing technical guidance, facilitating access to coaches and training resources, and promoting student-athlete participation in grassroots and age-group competitions.

Sec. 10. *Implementation.* – The Commission on Higher Education (CHED), the Department of Education (DepEd), the athletic associations (UAAP, NCAA, WNCAA and SCUAA, among others), the PSC, and the National Academy of Sports, with the participation of representatives from sports organizations with proven track records of involvement in promotion of the rights and welfare of Filipino athletes, shall promulgate the Implementing Rules and Regulations of this Act within thirty (30) days from its effectivity. The DepEd and CHED shall penalize schools that disregard a Student-Athlete's academic rights and/or that do not sanction their officials for doing so. DepEd and CHED shall also be responsible for penalizing schools that offer or abet in the offer of incentives and benefits beyond those allowed by Section 7 (u) of this Act. To this end, the DepEd and the CHED may impose sanctions such as, but not limited to, diminution or withdrawal of subsidy, recommendation on the downgrading or withdrawal of accreditation program termination, or school closure: *Provided,* That these shall be in accordance with the provisions of Republic Act No. 10676, or the Student-Athletes Protection Act, when applicable.

Sec. 11. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

Sec. 12. *Effect on Republic Act No. 10676.* – Nothing in this Act shall be construed as to have amended or repealed Republic Act No. 10676, or the Student-Athletes Protection Act.

Sec. 13. *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. 14. *Effectivity.* – This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,