

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

Office of the Secretary
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SENATE
S. No. **3291**

REG. NO.

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 17 provides:

Section 17. The State shall give priority to education, science and technology, arts, culture and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

Student athletes generate large revenues for many athletic programs. Alumni and sponsors are more willing to contribute if the cause is for their basketball, volleyball, or football team whose games are sometimes televised or hosted by big corporations. Student athletes spend approximately 40 hours per week participating in their respective sports yet they suffer historically low graduation rates. Providing adequate health and safety protection for student athletes can help prevent serious injury and death. Current and former student athletes can be left to pay for medical expenses incurred from injuries suffered while participating in intercollegiate athletics. Institutions of higher education should provide their student athletes with the same due process protection afforded to students who do not participate in athletics.

This bill seeks to protect student athletes. If we are serious about a national sports program, we should start with measures that safeguard the welfare of our youth.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
acc.

OFFICE OF THE SECRETARY
OF THE SENATE

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1 AN ACT
2 TO PROTECT THE RIGHTS OF STUDENT ATHLETES WHO PARTICIPATE IN
3 COLLEGIATE ATHLETIC PROGRAMS

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

4 SECTION 1. *Short Title.* – This Act shall be known as the “Student Athlete Protection
5 Act of 2012.”

6 SECTION 2. *Declaration of Policies and Objectives.* – Pursuant to Article 2, Sec. 17 of
7 the Constitution, the State shall give priority to education, science and technology, arts, culture
8 and sports to foster patriotism and nationalism, accelerate social progress, and promote total
9 human liberation and development.

10 In addition to this, Article 10, Section 19, paragraph 1 of the Constitution provides that
11 the State shall promote physical education and encourage sports programs, league competitions
12 and amateur sports, including training for international competitions, to foster self-discipline,
13 teamwork, and excellence for the development of a healthy and alert citizenry.

14 Towards this end, it is the view of the Legislature that meeting the educational needs of
15 student athletes should be a priority for collegiate athletic programs.

16 SECTION 3. *Definition of Terms.* – For purposes of this Act, these terms are defined as
17 follows:

18 (a) "Athletic program" shall mean an intercollegiate athletic program at any higher
19 education institution;

1 (b) "Higher education institution" or "HEI" shall refer to private tertiary educational
2 establishments;

3 (b) "Student athlete" means any college student who participates in an intercollegiate
4 athletic program of an institution of higher education, and includes student athletes who
5 participate in basketball, football or any other intercollegiate sport.

6 SECTION 4. *Continued Scholarship in Case of Injury.* – If an athletic program does not
7 renew an athletic scholarship of a student athlete who suffers an incapacitating injury or illness
8 resulting from his or her participation in the athletic program, and the higher education
9 institution's (HEI) medical staff determines that he or she is medically ineligible to participate in
10 intercollegiate athletics, the HEI shall provide an equivalent scholarship that, combined with the
11 total duration of any previous athletic scholarship or scholarships received by the student athlete,
12 will be provided for a total of up to five academic years or until the student athlete completes his
13 or her undergraduate degree, whichever period is shorter. Additional years may be provided at
14 the discretion of the HEI.

15 If a student athlete takes a temporary leave of absence from a higher education
16 institution, the duration of that leave of absence shall not count against the five-year limit on
17 eligibility for an equivalent scholarship imposed by the first paragraph of this Section.

18 SECTION 5. *Financial and Life Skills Workshop.* – Each athletic program shall conduct a
19 financial and life skills workshop for all of its first-year and third-year student athletes at the
20 beginning of the academic year. This workshop shall include, but not be limited to, information
21 concerning financial aid, debt management, and a recommended budget for full- and partial-
22 scholarship student athletes living on or off campus during the academic year and the summer
23 term based on the current academic year's cost of attendance. The workshop shall also include
24 information on time management skills necessary for success as a student athlete, and academic
25 resources available on campus.

1 SECTION 6. *Additional Requirements for Athletic Programs.* – An athletic program shall
2 adopt and implement guidelines to prevent, assess, and treat sports-related concussions, injuries
3 and dehydration. In addition, an athletic program shall adopt and implement exercise and
4 supervision guidelines for any student athlete identified with potentially life-threatening health
5 conditions who participates in an athletic program.

6 SECTION 7. *Separability Clause.* – If any provision or part hereof is held invalid or
7 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
8 valid and subsisting.

9 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive
10 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
11 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

12 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
13 complete publication in any two (2) national newspapers of general circulation.

Approved,

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