

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



Senate
Office of the Secretary

'13 AUG 29 P5:10

SENATE
S. No. 1441

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Philippines has always been a strong advocate for gender equality and women's empowerment. The country is a signatory to important international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination Against Women, which the Congress has transformed into a Magna Carta of Women, a comprehensive law that also ensures the safety and well-being of all women and girls participating in sports (Magna Carta of Women, Section 14).

The Magna Carta of Women, Section 2, paragraph 1 states:

Recognizing that the economic, political, and sociocultural realities affect women's current condition, the State affirms the role of women in nation building and ensures the substantive equality of women and men. It shall promote empowerment of women and pursue equal opportunities for women and men and ensure equal access to resources and to development results and outcome. Further, the State realizes that equality of men and women entails the abolition of the unequal structures and practices that perpetuate discrimination and inequality. To realize this, the State shall endeavor to develop plans, policies, programs, measures, and mechanisms to address discrimination and inequality in the economic, political, social, and cultural life of women and men. . .

Based on some studies in the United States, girls comprise 49 percent of the high school population, but receive only 41 percent of all interscholastic athletic participation opportunities nationwide. This translates into 1,300,000 fewer opportunities to play high school sports for girls than for boys. These lost

participation opportunities also result in the loss of athletic scholarships that make it possible for many girls and young women to attend college.¹

Further, there is ample evidence that girls' teams often receive lesser benefits and services when they do play, in areas such as overall budgets; travel; equipment; uniforms; facilities, including locker rooms, fields, and practice and competitive facilities; training and medical services; publicity; access to coaches; and scheduling of practices, games, and sports seasons.²

Without information about how athletic opportunities and benefits are being allocated, students may be deprived of opportunities to play sports and to receive athletic scholarships. Thus, students, parents, and schools should be aware of the athletic opportunities and benefits available to male and female students so that they can work to enhance athletic opportunities for all and address any inequities.³

Hence, this bill seeks to direct coeducational schools, colleges, universities or any other learning institution to make available information on equality in school athletic programs

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¹ <http://thomas.loc.gov/cgi-bin/query/z?c111:H.R.2882.JH>;

² *Id.*

³ *Id.*

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1 AN ACT
2 AMENDING REPUBLIC ACT NO. 9710 ALSO KNOWN AS "THE MAGNA
3 CARTA OF WOMEN" BY DIRECTING COEDUCATIONAL SCHOOLS,
4 COLLEGES, UNIVERSITIES OR ANY OTHER LEARNING INSTITUTION
5 TO MAKE AVAILABLE INFORMATION ON
6 EQUALITY IN SCHOOL ATHLETIC PROGRAMS

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

7 SECTION 1. *Short Title.* – This Act shall be known as the "Athletics Data
8 Transparency Act."

9 SECTION 2. *Purposes of the Act.* –

10 (1) To ensure that information about the allocation of athletic opportunities
11 and benefits at the schools is available to all students.

12 (2) To promote equal opportunities for both boys and girls to engage in
13 school-sponsored athletics.

14 (3) To provide boys and girls with equal access to the physical,
15 psychological, health and other benefits that result from playing sports.

16 SECTION 3. Republic Act No. 9710 aka "The Magna Carta of Women",
17 Section 14 is hereby amended as follows:

18 Section 14. *Women in Sports.* – The State shall develop,
19 establish, and strengthen programs for the participation of women and
20 girl-children in competitive and noncompetitive sports as a means to

1 achieve excellence, promote physical and social well-being, eliminate
2 gender-role stereotyping, and provide equal access to the full benefits
3 of development for all persons regardless of sex, gender identity, and
4 other similar factors.

5
6 For this purpose, all sports-related organizations shall create
7 guidelines that will establish and integrate affirmative action as a
8 strategy and gender equality as a framework in planning and
9 implementing their policies, budgets, programs, and activities relating
10 to the participation of women and girls in sports.

11 The State will also provide material and nonmaterial incentives
12 to local government units, media organizations, and the private sector
13 for promoting, training, and preparing women and girls for
14 participation in competitive and noncompetitive sports, especially in
15 local and international events, including, but not limited to, the
16 Palarong Pambansa, Southeast Asian Games, Asian Games, and the
17 Olympics.

18 No sports event or tournament will offer or award a different
19 sports prize, with respect to its amount or value, to women and men
20 winners in the same sports category: *Provided*, That the said
21 tournament, contest, race, match, event, or game is open to both
22 sexes: *Provided, further*, That the sports event or tournament is
23 divided into male or female divisions.

24 The State shall also ensure the safety and well-being of all
25 women and girls participating in sports, especially, but not limited to,
26 trainees, reserve members, members, coaches, and mentors of national
27 sports teams, whether in studying, training, or performance phases, by
28 providing them comprehensive health and medical insurance
29 coverage, as well as integrated medical, nutritional, and healthcare
30 services.

31 Schools, colleges, universities, or any other learning institution
32 shall take into account its total women student population in granting
33 athletic scholarship. There shall be a *pro rata* representation of
34 women in the athletic scholarship program based on the percentage of
35 women in the whole student population.

36 FURTHER, COEDUCATIONAL SCHOOLS, COLLEGES,
37 UNIVERSITIES OR ANY OTHER LEARNING INSTITUTION
38 SHALL, ANNUALLY, PREPARE A REPORT THAT CONTAINS
39 THE FOLLOWING INFORMATION:

1 (1) THE NUMBER AND GENDER OF STUDENTS THAT
2 ATTENDED THE SCHOOL;

3 (2) A LISTING OF THE TEAMS THAT COMPETED IN
4 ATHLETIC COMPETITION AND FOR EACH SUCH TEAM THE
5 FOLLOWING DATA:

6 (A) THE TOTAL NUMBER AND GENDER OF
7 PARTICIPANTS AS OF THE DAY OF THE FIRST
8 SCHEDULED CONTEST FOR THE TEAM.

9 (B) THE YEAR THE TEAM BEGAN.

10 (C) THE TOTAL EXPENDITURES FOR EACH
11 TEAM FROM SCHOOL AND NONSCHOOL SOURCES,
12 INCLUDING A LISTING OF THE FOLLOWING DATA
13 FOR EACH TEAM:

14 (I) EXPENDITURES FOR TRAVEL.

15 (II) EXPENDITURES FOR EQUIPMENT
16 (INCLUDING ANY EQUIPMENT REPLACEMENT
17 SCHEDULE).

18 (III) EXPENDITURES FOR UNIFORMS
19 (INCLUDING ANY UNIFORM REPLACEMENT
20 SCHEDULE).

21 (IV) EXPENDITURES FOR FACILITIES
22 (INCLUDING LOCKER ROOMS, FIELDS, AND
23 GYMNASIUMS) AND THEIR MAINTENANCE AND
24 REPAIR.

1 (V) EXPENDITURES FOR TRAINING AND
2 MEDICAL FACILITIES AND SERVICES.

3 (VI) EXPENDITURES FOR PUBLICITY FOR
4 COMPETITIONS (INCLUDING PRESS GUIDES,
5 PRESS RELEASES, GAME PROGRAMS, AND
6 PUBLICITY PERSONNEL).

7 (D) THE TOTAL NUMBER OF TRAINERS AND
8 MEDICAL PERSONNEL AND FOR EACH TRAINER OR
9 MEDICAL PERSONNEL AN IDENTIFICATION OF SUCH
10 PERSON'S GENDER AND EMPLOYMENT STATUS
11 (INCLUDING WHETHER SUCH PERSON IS EMPLOYED
12 FULL-TIME OR PART-TIME, AND WHETHER SUCH
13 PERSON IS A HEAD OR ASSISTANT TRAINER OR
14 MEDICAL SERVICES PROVIDER) AND DUTIES OTHER
15 THAN PROVIDING TRAINING OR MEDICAL SERVICES;

16 (E) THE TOTAL NUMBER OF COACHES, AND FOR
17 EACH COACH AN IDENTIFICATION OF SUCH COACH'S

18
19 (I) SEX;

20 (II) EMPLOYMENT STATUS (INCLUDING
21 WHETHER SUCH COACH IS EMPLOYED FULL-
22 TIME OR PART-TIME, AND WHETHER SUCH
23 COACH IS A HEAD OR ASSISTANT COACH) AND
24 DUTIES OTHER THAN COACHING; AND

1 (III) QUALIFICATIONS, INCLUDING
2 WHETHER THE PERSON IS A PROFESSIONAL OR
3 STUDENT.

4 (F) TOTAL ANNUAL REVENUES GENERATED BY
5 THE TEAM (INCLUDING CONTRIBUTIONS FROM
6 OUTSIDE SOURCES), DISAGGREGATED BY SOURCE.

7 (G) THE TOTAL NUMBER OF COMPETITIONS
8 SCHEDULED, AND FOR EACH SCHEDULED
9 COMPETITION AN INDICATION OF WHAT DAY OF THE
10 WEEK AND TIME THE COMPETITION WAS
11 SCHEDULED.

12 (H) THE TOTAL NUMBER OF PRACTICES
13 SCHEDULED, AND FOR EACH SCHEDULED PRACTICE
14 AN INDICATION OF WHAT DAY OF THE WEEK AND
15 TIME THE PRACTICE WAS SCHEDULED.

16 (I) THE SEASON IN WHICH THE TEAM
17 COMPETED.

18 (J) WHETHER SUCH TEAM PARTICIPATED IN
19 POSTSEASON COMPETITION, AND THE SUCCESS OF
20 SUCH TEAM IN ANY POSTSEASON COMPETITION.

21 (3) THE AVERAGE ANNUAL INSTITUTIONAL SALARY
22 ATTRIBUTABLE TO COACHING OF THE HEAD COACHES OF
23 MEN'S TEAMS, ACROSS ALL OFFERED SPORTS, AND THE
24 AVERAGE ANNUAL INSTITUTIONAL SALARY

1 ATTRIBUTABLE TO COACHING OF THE HEAD COACHES OF
2 WOMEN'S TEAMS, ACROSS ALL OFFERED SPORTS.

3 (4) THE AVERAGE ANNUAL INSTITUTIONAL SALARY
4 ATTRIBUTABLE TO COACHING OF THE ASSISTANT
5 COACHES OF MEN'S TEAMS, ACROSS ALL OFFERED
6 SPORTS, AND THE AVERAGE ANNUAL INSTITUTIONAL
7 SALARY ATTRIBUTABLE TO COACHING OF THE ASSISTANT
8 COACHES OF WOMEN'S TEAMS, ACROSS ALL OFFERED
9 SPORTS.

10 FOR THE PURPOSE OF REPORTING THE INFORMATION
11 DESCRIBED IN PARAGRAPHS (3) AND (4) OF SUBSECTION
12 (A), IF A COACH HAS RESPONSIBILITIES FOR MORE THAN
13 ONE TEAM AND THE SCHOOL DOES NOT ALLOCATE SUCH
14 COACH'S SALARY BY TEAM, THE SCHOOL SHOULD DIVIDE
15 THE SALARY BY THE NUMBER OF TEAMS FOR WHICH THE
16 COACH HAS RESPONSIBILITY AND ALLOCATE THE
17 SALARY AMONG THE TEAMS ON A BASIS CONSISTENT
18 WITH THE COACH'S RESPONSIBILITIES FOR THE
19 DIFFERENT TEAMS.

20 SECTION 4. *Disclosure of Information to Students and Public.* – On an
21 annual basis, each coeducational school described in this Act shall:

22 (1) make available to students, potential students, and the public, upon
23 request, the information contained in each report by the school under this Act by
24 end of May of each school year; and

1 (2) ensure that all students at the school and members of the relevant
2 community are informed of their right to request such information.

3 SECTION 5. *Submission; Information Availability.* – On an annual basis,
4 each coeducational school described in this Act shall provide the information
5 contained in each report by the school to the Secretary of Education and
6 Chairperson of the Commission on Higher Education not later than 15 days after
7 the date that the school makes such information available under Section 4.

8 SECTION 6. *Duties of the Department of Education and the Commissioner*
9 *on Higher Education.* – The Secretary of Education and Chairperson of the
10 Commission on Higher Education shall:

11 (1) ensure that the data required under this Act are posted on the respective
12 websites of Department of Education and Commissioner of Higher Education
13 within a reasonable period of time; and

14 (2) not later than 180 days after the date of the effectivity of this Act, notify
15 all coeducational schools about the requirements under Section 3 and issue
16 guidance to all the said schools on how to collect and report the information
17 required under this Act.

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

21 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance,
22 executive order, letter of instruction, administrative order, rule or regulation

1 contrary to or is inconsistent with the provision of this Act is hereby repealed,
2 modified, or amended accordingly.

3 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15)
4 days after its publication in at least two (2) newspapers of general circulation.

Approved,

/fldp22aug2013