



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION

MEMORANDUM FROM THE OFFICE OF THE EXECUTIVE DIRECTOR

TO : CHED REGIONAL OFFICE OFFICIALS AND STAFF
HIGHER EDUCATION INSTITUTION (HEI) PRESIDENTS,
HEADS, OFFICERS-IN-CHARGE, AND ATHLETICS OFFICES

SUBJECT : VIRTUAL PUBLIC CONSULTATION MEETING ON THE
IMPLEMENTING RULES AND REGULATIONS (IRR) OF THE
REPUBLIC ACT (RA) 11180, OTHERWISE KNOWN AS THE
"ATHLETICS REPORTS ACT"

DATE : 09 SEPTEMBER 2020

Consistent with provisions of Republic Act (RA) No. 11180, otherwise known as the "Athletics Reports Act", the Commission on Higher Education (CHED) will conduct a Virtual Public Consultation meeting on September 14, 2020 (Monday) at 10:00 in the morning via Zoom to discuss the Implementing Rules and Regulations (IRR) of the said law.

As our stakeholders, we wish to invite you to the said Virtual Public Consultation Meeting and hear your comments and/or recommendations on the said IRR. You may register for this meeting via the following link: <https://forms.gle/tjkPcYAikeTFiLfq8>. The link to join the Zoom meeting will be given to you once you have registered.

Further, may we also invite you to answer our Holistic Tertiary Sports Development Program Survey Form which can be accessed through this link: <https://forms.gle/dPS7uQeToYai5GvE8>. Your valuable inputs to the said survey will be helpful as we craft our guidelines in the implementation of sports development programs for higher education.

Attached is a copy of the draft IRR for your reference.

Your presence is greatly appreciated.

ATTY. CINDERELLA FILIPINA S. BENITEZ-JARO
Executive Director IV

RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF REPUBLIC ACT NO. 11180 (ATHLETIC PROGRAMS REPORT ACT)

Pursuant to the mandate of the Commission on Higher Education, in coordination with the Philippine Association of State Universities and Colleges, Coordinating Council of Private Educational Associations, the Association of Local Colleges and Universities, and the Philippine Olympics Committee, to administer and implement the provisions of Republic Act No. 11180, known as the *Athletic Programs Report Act*, the following rules and regulations are hereby promulgated to effectively implement the provisions of RA No. 11180.

RULE I GENERAL PROVISIONS

SECTION 1. Title.

These rules and regulations, issued and promulgated pursuant to Section 8 of RA No. 11180, shall be referred to as the Implementing Rules and Regulations (IRR) of RA No. 11180 or the IRR of the *Athletic Programs Report Act*.

SECTION 2. Declaration of Policy.

It is the policy of the State to promote physical education and encourage athletic programs, league competitions, amateur and professional sports, including training for international competitions, to foster self-discipline, teamwork, and excellence towards the development of a healthy and alert citizenry. All educational institutions are also mandated to undertake regular sports activities throughout the country in cooperation with athletic clubs and other sectors. In line with these objectives, both male and female athletes shall be given equal opportunities to receive proper training and participate in sports activities and competitions. For this purpose, CHED shall collect, gather data or information related to athletic program participation rate and financial support, athletic conferences recognized by intercollegiate athletic associations and participated in by the Higher Educational Institutions (HEIs) and formulate and recommend plans, priorities and programs related to sports development of HEIs in order to effectively regulate and oversee school athletic associations.

SECTION 3. Definition of Terms.

- a) **“Act”** refers to RA No. 11180 or the “Athletic Programs Report Act”;
- b) **“Athletic Association”** refers to any public or private organization that is responsible for governing inter-school athletic programs and competitions including, but not limited to, the Private Schools Athletic Association (PRISAA), the University Athletic Association of the Philippines (UAAP), the National College Athletic Association of the Philippines (NCAA), the Women’s National Collegiate Athletic Association (WNCAA), the State Colleges and Universities Athletic Association (SCUAA), The Cebu School’s Athletic Foundation, Inc. (CESAFI), the National Capital Regional Athletic Association (NCRAA), The Association of Local Colleges

and Universities Athletic Association (ALCUAA) and the National Athletic Association of Schools, Colleges and Universities (NAASCU);

- c) **“College Athletic Programs”** refers to college or university athletic programs, league competitions, amateur sports, and other sports activities, including training for international competitions, organized by HEIs or participated in by an individual student or team of students representing a college or university;
- d) **“Commission on Higher Education (CHED)”** refers to a government agency created by virtue of Republic Act No. 7722 or the “Higher Education Act of 1994”;
- e) **“Higher Education Institution (HEI)”** refers to an educational institution, engaged in educating individuals in the college level which offers courses or programs leading to the grant of a degree, with an organized group of students pursuing defined studies in higher education, receiving instructions from teachers, usually located in a building or group of buildings in a particular site specifically intended for educational purposes. For purposes of this IRR, the term higher education institution or HEI shall include Private Higher Education Institutions, State Universities and Colleges, and Local Colleges and Universities.
- f) **“National Sports Associations (NSAs)”** refers to various national sports associations accredited by the Philippine Olympic Committee (POC);
- g) **“Philippine Sports Commission (PSC)”** refers to the governmental regulatory national agency attached to the Office of the President which was created by virtue of Republic Act No. 6847 to serve as the sole policy-making and coordinating body of all amateur sports development programs and institutions in the Philippines.
- h) **“Philippine Olympic Committee (POC)”** refers to the National Olympic Committee of the Philippines. It is autonomous and is primarily responsible for activities pertaining to the country’s participation in the Olympic Games, Asian Games, Southeast Asian Games and other international athletics competitions in accordance with the rules and regulations of the International Olympic Committee, the Olympic Council of Asia, the Southeast Asian Games Federation and other international sports bodies.
- i) **“Private Schools Athletic Association (PRISAA)”** refers to an association of Private Schools, Christian Schools, and Home Schools athletic departments throughout the Philippines.
- j) **“Program Support Expenditures”** refers to the operating, scholarship and other expenditures incurred by the HEI in organizing an athletic team and participating in an athletic program
- k) **“State Universities and Colleges (SUCs)”** refers to public HEIs in the Philippines created and established by law which constitutes their charter and which have independent and separate governing bodies;

- l) **“Student Athlete”** refers to a student currently enrolled in any school who is a member of any of the school’s athletic teams or programs and who represents or has intentions of representing the school in an inter-school athletic program or competition. The Student-Athlete must be enrolled in at least a minimum full-time curricular program and must be in good standing to be eligible to represent the school in an inter-school athletic program or competition.

RULE II

DISCLOSURE OF ATHLETIC PROGRAM PARTICIPATION RATE AND FINANCIAL SUPPORT

SECTION 1. Scope and required information

Each HEI which participates in any athletic program recognized by the CHED and has an intercollegiate athletic program, shall, in consultation with the PSC and POC, submit annually a report to the Chairperson of the CHED through the CHED Office of Student Development and Services (OSDS).

The annual report shall contain the following data of each athletic program:

- (a) the total number of participants in the athletic program and their gender;
- (b) the ratio of male participants to female participants in the entire athletic program;
- (c) the total operating expenses for the athletic program, broken down as follows:
 - 1. benefits and incentives received by the student-athletes, such as:
 - 1.1.1. tuition and miscellaneous school fees including books and other learning materials;
 - 1.1.2. expense for full board and lodging;
 - 1.1.3. expense for school and athletic uniforms including supplies, equipment, and paraphernalia;
 - 1.1.4. regular monthly living allowance;
 - 1.1.5. expenses for medical examinations and consultations, hospitalization, rehabilitation of injured athletes; emergency medical services, life and medical insurance, and other reasonable and similar benefits that would further enhance the academic and athletic performance of the student-athlete; and
 - 1.1.6. other similar benefits received by the student-athlete that would further enhance his/her academic and athletic performance and fund spent for the same;

- 1.1.7. benefits, incentives, and other related-expenses received or spent by the student-athlete while training for and/or participating in amateur or commercial athletic games and/or competition, including pre-competition expenses, actual competition expenses, post-competition expenses, expenses for the payment of coaches' and technical officials (if applicable), salaries and/or honoraria while training for and/or participating in amateur or commercial athletic games and/or competition, training expenses, sports facilities and equipment rentals, travel expenses of the student-athlete, coaches and technical officials (if applicable) during the training and/or actual participation in athletic games or competition, accommodation expenses of the student-athlete, coaches and technical officials (if applicable) during training and/or actual participation in athletic games or competition, and expenses in connection with the participation of the student-athlete, coaches and trainers in international sports training and sports camps and other private and commercial sports leagues;
- 1.1.8. expenses for the conduct of sports and physical activities for all students, including inter-department sports fest or activities, whether athletes or not, designed to promote a healthy lifestyle;
- 1.1.9. expenses in participation of student athletes, coaches and trainers in National Sports Association (NSA) sanctioned or NSA members' sports science training, clinic or sport camp;
- 1.1.10. all other expenses related to the operationalization or implementation of the HEIs' athletic program;

- (d) the total scholarship expenditures *vis-à-vis* the total number of participants;
- (e) the ratio of male scholarship expenses to female scholarship expenses in the entire athletics program;
- (f) the number of sports discipline of the university or college varsity teams for male and female student athletes together with the list of names of the varsity team members and their courses;
- (g) the number of sports discipline of the university or college sports clubs for male and female students together with the list of names of its officers and the university or college designated sports club moderator or coordinator (and coach, if applicable) and their general programs and activities for each school year;

- (h) the total number of contests participated in by the student athlete or the team, including but not limited to the following:
1. inter-collegiate sports league and/or competitions;
 2. regional games and athletic league and/or competitions;
 3. national inter-collegiate sports league and/or competitions;
 4. international inter-collegiate sports league and/or competitions; and
 5. other athletic leagues and/or competitions, i.e. Olympics, SEA Games, etc.
- (i) the number and gender of head coaches and if working full-time or part-time, their educational background, qualifications, athletic background and experiences, coaching skills, and membership and licenses held;
- (j) the number and gender of assistant coaches and if working full-time or part-time, their educational background, qualifications, athletic background and experiences, coaching skills, and membership and licenses held;
- (k) the number and gender of graduate assistant coaches and if working full-time or part-time, their educational background, qualifications, athletic background and experiences, coaching skills, and membership and licenses held;
- (l) the number and gender of volunteer assistants;
- (m) the ratio of participants to coaches; and
- (n) the level of participation in NSAs, including the number of athletes registered with the different NSAs and inventory of sports facilities, hospitalization and rehabilitation.

The HEIs shall be required to make available to the public all the information contained in the report submitted to the CHED through publication by any of the following means: (1) online *via* the website of the institution; (2) the local school paper; (3) bulletin boards in campus premises; (4) and other schemes to disseminate information, subject to the pertinent rules and regulations of RA No. 10173, otherwise known as the “Data Privacy Act of 2012”.

SECTION 2. Period of Filing of Reports by HEIs.

All HEIs which are covered under the preceding section shall submit the reports on the Disclosure of Athletic Program Participation Rate and Financial Support on or before the end of the Calendar Year.

Aside from the report, HEIs shall likewise submit a separate General Plan of Action (GPOA) and/or Annual Sports Athletic Program Plan (ASAPP) to be implemented for the succeeding calendar year which shall also contain, among others, the estimated budget or expenditures as itemized in the preceding section. To ensure a more effective and efficient implementation of the HEIs’ Athletic Programs, said GPOA and/or ASAPP may also include a list of potential partner organizations or individuals that will jointly implement the athletic programs of the HEIs.

In all reports submitted to the Commission under Section 1 and this Section, the names and identities of students, coaches, assistant coaches, and other persons as part of the HEIs' athletic programs shall be redacted or anonymized consistent with the provisions of R.A. No. 10173 or the Data Privacy Act of 2012

SECTION 3. Functions and Responsibilities of CHED, CHEDROs, POC, and HEIs.

(a) Commission on Higher Education

1. In order to effectively comply with the mandate provided for under this Act, CHED shall create a Task Force through the Office of the Executive Director (OED) to perform the following:
 - a. Implement all CHED monitoring activities related to disclosure of athletic program participation rate and financial support as defined and mandated under the Act and these Rules;
 - b. Formulate and/or provide the templates, forms, and formats for the reports to be submitted to CHED consistent with the Act and these Rules;
 - c. Evaluate and assess the reports submitted by the HEIs to CHED and submit reports to the CHED Chairperson as to the status of compliance or non-compliance of the HEIs with the provisions of the Act and these Rules;
 - d. Draft and finalize the report to be submitted to Congress by CHED as required under the Act and Rule II, Section 2 (4) of these Rules; and
 - e. Perform such other tasks, duties, and responsibilities as may be designated by the CHED Chairperson for CHED to fulfill its mandate under the Act and other existing laws, rules, and regulations governing sports, arts and culture.
2. CHED shall compile and publish annually in its website the reports containing the information collected from HEIs. In the formulation of its reports, CHED, together with POC and PSC, shall evaluate the reports submitted by the HEIs to CHED and prepare a comprehensive report on the overall athletic participation rate and financial support.
3. CHED shall submit the overall athletic participation rate and financial support to Congress in an annual basis.
4. CHED shall formulate plans, priorities, and programs in relation to sports development in higher education.
5. CHED shall recommend to Congress appropriate budget necessary for the sports development of SUCs/LUCs.
6. CHED shall monitor the compliance of HEIs to the guidelines through CHEDROs. For this purpose, CHED Regional Offices shall:

- a. receive and evaluate the submitted reports by the HEIs before endorsing the reports to the Task Force;
 - b. monitor compliance of HEIs with the guidelines; and
 - c. submit reports to the Task Force on the status of compliance or non-compliance of the HEIs with the provisions of the Act and these Rules.
7. CHED shall allocate funds for the effective implementation of the provisions of the Act and these Rules.

(b) Philippine Olympic Committee

While maintaining its nature as a private entity independent of CHED and of the government, the POC may, as it deems necessary, provide technical assistance on any matter pertaining to the effective implementation of this IRR.

(c) Higher Education Institutions

1. The HEIS shall designate an official or employee who shall have the responsibility of submitting the information as provided under Rule II, Section 1 of these Rules and who shall certify that the information are based on existing records of the HEI. The responsibility of the employee or official designated by the HEI includes the following:
 - a. recording and documenting the athletic programs participated in by their students;
 - b. preparing an accurate and detailed report of the information required under these Rules based on their records and documentations; and
 - c. submitting the required report annually to the CHEDRO concerned within the period prescribed under Rule II, section 2 of these Rules.
2. The HEIs shall impose sanctions on the foregoing official or employee for failure to comply with the foregoing responsibilities as provided under Section 7 of RA 11180.

The HEIs shall incorporate a provision on the consequences of failure by the official or employee concerned to perform said responsibilities in its appropriate policy on employment.

RULE III VIOLATIONS & SANCTIONS FOR NON-COMPLIANCE

SECTION 1. Failure to submit the report within the required period shall subject the HEI to the appropriate sanctions provided in CMO 40, series of 2008, or the Manual of Regulations for Private Higher Education Institutions for private institutions; and RA 7722 for SUCs and LUCs.

Submission of reports with incomplete or false information shall likewise subject the HEIs to the appropriate sanctions that the CHED has authority to impose.

SECTION 3. Applicability of these Rules to the Bangsamoro Autonomous Region of Muslim Mindanao.

Section 20, Article IX of Republic Act 11054 states the policy of the BARMM on sports development and mandates the parliament to create a BARMM Sports Commission:

“Section 20. *Physical Education, Sports Development, and Bangsamoro Sports Commission.* - The Bangsamoro educational system shall develop and maintain an integrated and comprehensive, physical education program. It shall develop healthy, disciplined, innovative, and productive individuals, and promote sportsmanship, cooperation, and teamwork.

The Bangsamoro educational system shall encourage and supports programs, league competitions, indigenous games, martial arts, and amateur sports including training for regional, national, and international competitions.

The Parliament shall pass a law creating a Bangsamoro sports commission.”

Section 16 of the same article states that the educational system in the BARMM shall comply with the minimum standards set by the national government:

“Section 16. *Integrated System of Quality Education.* - It shall be a top priority of the Bangsamoro Government to establish, maintain, and support a complete and integrated system of quality education, which shall be a subsystem of the national education system. The Bangsamoro Government shall develop an educational framework relevant and responsive to the needs, ideals, and aspirations of the Bangsamoro people. For this purpose, the Bangsamoro Government shall conform to the minimum standards set by the National Government.

The Bangsamoro Government shall institutionalize peace education in all levels of education.

Any school, college or university existing in the Bangsamoro Autonomous Region as of the effectivity of this Organic Law, and such other schools and institutions that may be established hereinafter shall be deemed integral components of the educational system of the Bangsamoro Autonomous Region and shall be governed by their respective charters. The National Government shall continue to support, enhance, and strengthen the Mindanao State University System.”

Consistent with the policy of the BARMM on education and sports development and considering that Republic Act No. 11180 seeks to institute a reporting system on academic athletic programs for the purpose of sports development, BARMM may adopt the provisions of these Rules and require HEIs under its jurisdiction to submit disclosure of athletic participation rate and financial support. Jurisdiction over officials and employees within its territorial jurisdiction will be with BARMM.

RULE IV TRANSITORY PROVISIONS

SECTION 1. Database for Disclosure of athletic program participation rate and financial support

In order to build a database under these Rules, CHED, through the Office of the Executive Director (OED), shall formulate and/or provide the templates, forms, and formats of the reports required, not later than thirty days (30) from the effectivity of these Rules, and consolidate the reports submitted by the CHEDROs.

SECTION 2. Submission of Initial Reports of HEIs

The HEIs shall prepare an accurate and detailed report of the information required under these Rules based on their records and documentations and submit it to the CHEDROs concerned within thirty (30) days from the call of OPRKM. The CHEDROs shall collate the reports and submit a consolidated report to OPRKM.

RULE V FINAL PROVISIONS

SECTION 1. Revisions.

The Commission may revise these Rules whenever it deems necessary and after due consultation with stakeholders.

SECTION 13. Separability Clause.

The declaration of any provision of these Rules as unconstitutional shall not affect the validity or legality of the other provisions.

SECTION 14. Effectivity.

These Rules shall take effect fifteen (15) days after the date of its publication in the Official Gazette or in a newspaper of general circulation.

This IRR shall be registered with the Office of the National Administrative Register of the University of the Philippines Law Center, UP Diliman, Quezon City.

Approved, this _____, Quezon City, Philippines.

J. PROSPERO E. DE VERA III, DPA
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