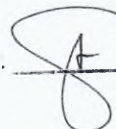




NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

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SENATE

RECEIVED BY: 

P.S. Res. No. 26

INTRODUCED BY SENATOR RISA HONTIVEROS

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON WOMEN, CHILDREN, FAMILY RELATIONS AND GENDER EQUALITY, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED CULTURE OF ABUSE, HARASSMENT AND VIOLENCE AT THE PHILIPPINE HIGH SCHOOL OF THE ARTS WITH THE END IN VIEW OF CREATING SAFER SPACES FOR CHILDREN IN ALL EDUCATIONAL AND TRAINING INSTITUTIONS CONSISTENT WITH THE PROVISIONS OF REPUBLIC ACT NO. 11313 OR THE SAFE SPACES ACT

WHEREAS, Section 13 of Article II of the Constitution provides that the State recognizes the role of youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being;

WHEREAS, the Philippine government, as a state party to the United Nations Convention on the Rights of the Child, is duty bound to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child¹;

WHEREAS, by virtue of Presidential Decree 1287 s. 1978, the Philippine High School for the Arts (PHSA), a specialized school in the Philippines offering arts-focused education, was established. PHSA was later converted into a regular government agency attached to the Department of Education through Executive Order No. 420 in 1990 ;

WHEREAS, PHSA, a government-run boarding school, was created to implement a general secondary level program catering to students as young as 11 years old with outstanding abilities in dance, music, creative writing, theater and visual arts;

WHEREAS, a recent Vice World News report has exposed that, over the years, PHSA students have allegedly experienced gender-based sexual harassment, sexual

¹ Article 19 (1) of the UN CRC

harassment, emotional abuse, and other forms of violence committed by PHSA teachers, non-teaching staff and even co-students². A handful of current and former PHSA students have come out and narrated their harrowing experiences of abuse and violence in the said report;

WHEREAS, just this month, a PHSA student, who incidentally is still a minor, has formally filed a complaint against a PHSA non-teaching staff after being catcalled in November 2019 in campus - a clear violation of Sec. 11 of Republic Act No. 11313 or Safe Spaces Act.

WHEREAS, aside from punishing gender-based sexual harassment committed in the workplace, educational institutions, streets, public and online spaces, the Safe Spaces Act outlines additional duties and corresponding liabilities to employers and heads of schools and institutions in ensuring sexual harassment claims in their institutions are addressed appropriately. One of which is that schools are required to provide a gender-sensitive environment and confidential mechanism for the reporting and redress of grievances on matters of sexual and gender-based harassment;

WHEREAS, under Sec. 21 of the Safe Spaces Act, even if a survivor of abuse does not want to file a complaint, or does not request that the school take any action on behalf of the survivor, the school can *motu proprio* investigate and take appropriate steps to resolve the situation, provided that school authorities have actual knowledge or reasonably should have known details of an the incident. More importantly, if the gender-based sexual harassment or sexual violence has created a hostile environment in the educational and training institution, the school must take "immediate action to eliminate the same acts, prevent their recurrence, and address their effects;

WHEREAS, Sec. 22 (c) (5) of the Act mandates school heads to investigate and decide on complaints within ten (10) days or less;

WHEREAS, however, according to the Vice World News article, reports of different kinds of violence and abuse have reached PHSA administration over the years, but the complaints were downplayed, "brushed off as hearsay", and were not entertained for failing to comply with the "format required under existing Civil Service rules³." Even worse, survivors of abuse claim to have been victim-blamed, silenced, and neglected by the PHSA administrators;

² Gotinga, JC. (28 June 2022) *At an Isolated Boarding School, a Culture of Sexual Abuse Thrived for Decades..* Retrieved 09 July 2022, from <https://www.vice.com/en/article/3adzw5/philippines-high-school-for-the-arts-sexual-abuse>

³ Madarangm C.R. (06 July 2022). *PHSA lists measures for students' safety amid calls to probe abuse allegations.* Retrieved 11 July 2022 from <https://interaksyon.philstar.com/trends-spotlights/2022/07/06/221498/phsa-lists-measures-for-students-safety-amid-calls-to-probe-abuse-allegations/>

WHEREAS, if the accounts are accurate, the repeated failure of PHSA administration to address the violence and abuses is a blatant violation of the Safe Spaces Act and a flagrant disregard of the interests of PHSA students -- interests they are duty bound to protect and promote as persons reposed with special parental authority;

WHEREAS, schools and educational institutions should be safe spaces for students, and more so schools such as PHSA where students live on campus 24/7 and are therefore more vulnerable to abusers, predators and groomers;

WHEREAS, it also important to note that this is not the first time a school was tagged in a social media controversy calling for more proactive handling of harassment cases in campus. Just last year, Miriam College, St. Paul College Pasig, Ateneo de Manila University, School of the Holy Spirit of Quezon City, Marikina Science High School, and Bulacan State University made headlines and also figured in the #DoBetter campaign to make schools as a safe space for all;

WHEREAS, it is imperative that the Senate, exercising its oversight powers, initiate a thorough but expeditious investigation on the matter to ensure that PHSA and other educational institutions are safe spaces, especially with the upcoming blended/face-to face-classes in August;

WHEREAS, there is also an urgent need to review the reporting protocols and the procedures of the Committee on Decorum and Investigation of the educational institutions tasked to investigate and address complaints of abuse and harassment, as well as to determine the lapses and to propose corresponding reforms to improve implementation of the Safe Spaces Act and other child protection policies;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to direct the Senate Committee on Women, Children, Family Relations and Gender Equality to conduct an inquiry, in aid of legislation, into the Reported Culture of Abuse, Harassment, and Violence at the Philippine High School for the Arts with the end in view of creating safer spaces for children in all educational institutions, consistent with the provisions of the Safe Spaces Act.

Adopted,


RISA HONTIVEROS
Senator