

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **4307**



Introduced by Representative Florida P. Robes

EXPLANATORY NOTE

Margaret Mead, a renowned cultural anthropologist, once said, "If we are to achieve a richer culture, rich in contrasting values, we must recognize the whole gamut of human potentialities, and so we weave a less arbitrary social fabric, one in which each diverse human gift will find a fitting place." This is precisely the primary motivation behind this legislative proposal. Despite the fact that Filipinos nowadays are tolerant of the community comprising of lesbians, gays, bisexuals, transsexuals and other sexual identities, many of them are still subjected to discrimination and homophobic bullying, specifically in our educational institutions. In absence of a law which will protect LGBTs, the State must intercede by providing LGBTs a venue or space where they will not be isolated and alienated. One of the worst-case scenarios which this bill seeks to avert is the commission of suicide by LGBT members because they are not accepted by the society. Needless to stay, our present educational system and the prevailing cultural norms fail to recognize the needs of students struggling with their identities. It is hoped that one day, all educational institutions in the country shall be all-inclusive. But in the meantime, there is a need to provide an alternative or option for them.

As enunciated in the 2014 report entitled, "*Being LGBT in Asia: The Philippines Country Report - A Participatory Review and Analysis of the Legal and Social Environment for Lesbian, Gay, Bisexual and Transgender (LGBT) Individuals and Civil Society*", it was found out that LGBT people are subject to discrimination, bullying and abuse under the guise of "academic freedom." Although educational institutions are allowed to create their own policies, LGBT issues are not included in the curricula. While the Department of Education in 2012 issued an

order to protect children from violence, abuse and exploitation regardless of sexual orientation and gender identity; homophobia, which interferes with the mental development of all young people dealing with issues of sexual orientation, is still prevalent within schools. Since the issue on sexual orientation could be responded through legislative intervention, the passage of this Bill is earnestly sought.


FLORIDA P. ROBES

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**AN ACT ESTABLISHING AN ALTERNATIVE EDUCATION FACILITY FOR
LGBTs TO BE KNOWN AS LGBT SPECIALIST SCHOOL AND SITUATED
IN THE CITY OF SAN JOSE DEL MONTE, BULACAN, AND
APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. Declaration of Policy – It is declared policy of the State that no one shall be denied equal protection of laws and that we shall be governed under the rule of law and regime of equality. Inasmuch as the State recognizes that members of the lesbian, gay, bisexual and transgender (LGBT) community face many form of discrimination and prejudice which can thwart their opportunities to be involved, included and valued in society as equals, the State shall provide a safe social and support space, deliver high quality professional services that are responsive to their needs and challenge the inequalities created by society.

SEC. 2. Objectives.– The objectives of this Act are to provide safe, accessible and appropriate services, venue and support for LGBT to combat the social isolation, exclusion and discrimination experienced by them and to promote a positive environment that empowers those who have such sexual identities and educate those who are not.

SEC. 3. Establishment. - There is hereby established in the City of San Jose Del Monte, Province of Bulacan an alternative education facility for lesbian, gay, bisexual and transgender people which shall be known as LGBT Specialist School.

SEC. 4. General Mandate. – The LGBT Specialist School, though specifically designed for LGBT young people who are struggling in mainstream schools, will not be exclusive to them. Envisioned to be an alternative education provider, it will operate through referral system and will offer an extensive range of learning opportunities for all LGBTs regardless of age, race, creed and religious orientation, as well as other professionals and individuals who seek to gain greater awareness and understanding of lesbian, gay, bisexual, trans and other LGBT identities. Its curriculum will be closely tailored to each LGBT's needs and shall incorporate academic work with youth-work techniques, such as building self-esteem and functional skills aimed towards boosting the potentials of LGBT people.

SEC. 5. School Site. - The LGBT Specialist School shall be in a suitable site with an area of not less than five (5) hectares for its academic and instructional programs, research, and development activities within the Lone Legislative District of San Jose Del Monte, Province of Bulacan.

SEC. 6. Development Plan. - Within the period of one hundred twenty (120) days after the approval of this Act, the Department of Education (DepEd) and the Commission on Higher and Technical Education (CHED) shall submit a five (5) year development plan, including its corresponding program budget and recommendation to the Department of Budget and Management and which shall serve as the basis for its policy decisions.

SEC. 7. Monitoring and Evaluation. - DepEd and CHED shall conduct regular monitoring and evaluation to determine continuing compliance with the objectives of this Act.

SEC. 8. Appropriations. - The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC 9. Implementing Rules and Regulations. - The DepEd and CHED, in consultation with the local chief executive and the legislative representative, shall formulate the guidelines to fully implement the provisions of this Act.

SEC. 10. Separability Clause. - If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SEC. 11. Repealing Clause. - All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. Effectivity. - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,