

## PROMOTING A QUALITY PHYSICAL EDUCATION CHARTER

Building better humans and active communities is a responsibility of all. One of the platforms of achieving this is through Quality Physical Education. QPE must be pursued in formal educational structures but also in non-traditional, homeschool, community environments. QPE is a challenge which must be addressed and taken up by National Olympic Committees, National Paralympic Committees, National Federations/National Sports Associations, local government units, schools, universities and colleges, clubs, gyms, associations, and leagues.

Institutionalizing QPE is the call. The Author crafted a QPE Charter which may referred to by the above. Below is the template.

- 1.4. The 1987 Constitution declares that "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" (Section 17, Article II) and mandates that "The State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry" and "All educational institutions shall undertake regular sports activities throughout the country in cooperation with athletic clubs and other sectors (Section 19 (1) and (2), Article XIV)";
- 1.5. The International Charter of Physical Education, Physical Activity and Sport states that, "The practice of physical education, physical activity and sport is a fundamental right for all" and Article 2 thereof also states that, "Physical education, physical activity and sport can yield a wide range of benefits to individuals, communities and society at large (Article 1)";
- 1.6. There has been a rise in mental health issues among persons forced into involuntary inactivity due to the COVID-19 pandemic;
- 1.7. Physical education can improve one's physical, mental and emotional well-being, and help people develop social and intellectual skills. Physical education instills in the youth the values of team work, grit, resilience, merit, perseverance and accountability;
- 1.8. The Olympic Charter mandates the National Olympic Committees "to promote the fundamental principles and values of Olympism in their countries, in particular, in the fields of sport and education, by promoting Olympic educational programmes in all levels of schools, sports and physical education institutions and universities, as well as by encouraging the creation of institutions dedicated to Olympic education, such as National Olympic Academies, Olympic Museums and other programmes, including cultural, related to the Olympic Movement"; and

- 2.6. QPE shall celebrate and promote Filipino culture, especially indigenous Filipino games and sports; and
- 2.7. QPE shall be taught and promoted by QPE teachers and instructors, who understand and value the benefits of physical activity on the overall well-being of persons, and are committed to ensuring that their students benefit from the QPE program.

### 3. Commitments

#### 3.1. Accessible Curricula

- 3.1.1. In cooperation with the Department of Education and the Commission on Higher Education, the [•] shall develop accessible curricula for QPE for students in traditional and homeschool programs;
- 3.1.2. In cooperation with the Department of Interior and Local Government, the [•] shall develop programs for implementation on the local government level for out-of-school youth;
- 3.1.3. In partnership with residential and hospital facilities, QPE activities and programs that the residents can follow via prepared modules and videos shall also be developed.

#### 3.2. Teacher Education

- 3.2.1. Development programs for training QPE teachers, instructors, trainers, and coaches on the significance and benefits of QPE shall be developed and implemented, with the aim of reaching as many educators and trainers as possible.

#### 3.6. Zero Tolerance Against Gender-based Violence.

- 3.6.1. Safeguards must be put in place to guarantee the safety of all persons against gender-based violence in physical education and sports, whether physical, emotional, psychological, or other forms of violence, in-person or online.
- 3.6.2. Appropriate sanctions, including expulsion or termination of employment, membership, accreditation, or affiliation must be developed and imposed against any instructor, athlete, coach, staff, member, or officer found in violation of any national law, rule, or regulation protecting women, regardless of whether the violation was committed in relation to physical education instruction, including but not limited to the Violence Against Women and Children Act, and the Safe Spaces Act.
- 3.6.3. Seminars or workshops must be organized and be made available to attendance to these must be required of all QPE instructors, compliance with which shall be a requirement for employment, membership, accreditation, or affiliation.

#### 3.7. Promotion of QPE in Media.

- 3.7.1. [•] shall partner with media outlets to promote QPE for all, with due regard for equality of exposure given to persons of different races, ages, religions, genders, and sexual orientations.
- 3.7.2. Any form of media or communication which allows, supports, or perpetuates prejudice against women and girls' engagement in QPE and/or physical activity shall be immediately taken down, and sanctions shall be imposed against the writer, creator, producer, or owner of such media or communication.
- 3.7.3. Sexist messaging shall be banned from all QPE programs sanctioned by [•]. Sponsorship agreements shall explicitly forbid the use or communication of any sexist or gender-biased message. Any sponsor's violation of this policy shall cause the immediate termination of the agreement, without prejudice to the right of [•] to seek other legal remedies against the sponsor.

## QUALITY PHYSICAL EDUCATION CHARTER BY [•]

### 1. Preamble

WHEREAS:

- 1.1. The United Nations Declaration on Human Rights, in its Preamble, recognizes the "inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world";
- 1.2. The United Nations Educational, Scientific and Cultural Organization (UNESCO) in its Policy Brief on Making the Case for Inclusive Quality Physical Education Policy Development, posits that "Quality physical education is distinct from physical education. Critical distinctions relate primarily to frequency, variety, inclusivity and meaning or value content. Quality physical education places emphasis on peer-led learning and rounded skill development" and that "Investment in QPE supports students to develop the physical, social and emotional skills which define healthy, resilient and socially responsible citizens";
- 1.3. The World Health Organization in its Global Action Plan on Physical Activity 2018-2030 title More Active People for a Healthier World links physical activity with the UN Sustainable Development Goals and asserts that "Investing in policies to promote walking, cycling, sport, active recreation and play can contribute directly to achieving many of the 2030 Sustainable Development Goals (SDGs). Policy actions on physical activity have multiplicative health, social and economic benefits, and will directly contribute to achieving SDG3 (good health and well-being), as well as other Goals including SDG2 (ending all forms of malnutrition); SDG4 (quality education); SDG5 (gender equality); SDG8 (decent work and economic growth), SDG9 (industry, innovation and infrastructure); SDG10 (reduced inequalities); SDG11 (sustainable cities and communities); SDG12 (responsible production and consumption); SDG13 (climate action); SDG15 (life on land); SDG16 (peace, justice and strong institutions) and SDG17 (partnerships)";

- 1.9. The By-Laws of the Philippine Olympic Committee states that it aims to "propagate the fundamental principles of Olympism at the national level within the framework of sports activity and otherwise contribute, among other things, to the diffusion of Olympism in the teaching programmes of physical education and sport in schools and universities."

NOW THEREFORE, in consideration of the foregoing, the [•] hereby approves and ratifies this Quality Physical Education (QPE) Charter to use sports to deliver inclusive education, sustainable development, and support and encourage a healthier citizenry:

### 2. Principles

- 2.1. QPE represents active, inclusive, peer-led learning. A tailored QPE programme supports students to develop the physical, social and emotional skills which define self-confident and socially responsible citizens (UNESCO);
- 2.2. QPE must promote the values of teamwork, camaraderie, sportsmanship, honesty and integrity;
- 2.3. QPE must be inclusive of all people, regardless of race, colour, gender or sexual orientation, disability, dialect, religion, political or other opinion, social origin, property, birth or other immutable status;
- 2.4. QPE develops physical literacy, which gives persons the motivation, confidence, physical competence, knowledge and understanding that establishes healthful physical activity as part of their day-to-day lives;
- 2.5. QPE programs must include children and youth outside the formal school setting, such as out-of-school youth, homeschoolers, children in conflict with the law (CICL), those in residential or hospital facilities, etc.;

- 3.2.2. Technology Development shall be encouraged and recognized in the furtherance of the goals of QPE.
- 3.2.3. All QPE providers shall undergo regular standard re-training, accreditation and certification courses.

#### 3.3. Active Engagement of the Community

- 3.3.1. The Filipino community in the Philippines and abroad shall be encouraged and incentivized to participate in the development of QPE programs for the benefit of all citizens.
- 3.3.2. Stakeholder consultations shall be regularly undertaken to ensure that the needs and interests of the citizenry is solicited and considered for implementation.

#### 3.4. Targeted Investment for Indigenous Communities and Indigenous Games and Sports.

- 3.4.1. Within six (6) months from the adoption of this QPE Charter, a strategic action plan for funding and implementing programs to increase the participation of indigenous Filipino communities in national QPE programs shall be developed and implemented.
- 3.4.2. Funding for research on indigenous sports and games shall also be earmarked for the purpose. It shall be the goal of [•] to publish and promote knowledge and enjoyment of Filipino indigenous sports and games.

#### 3.5. Accommodations for Muslim Customs/Practices.

- 3.5.1. In consultation with the Filipino Muslim community, the [•] shall enact policies and implement programs to reduce the hurdles that Muslims face in engaging in QPE and sports.

#### 3.8. Monitoring and Reporting of Progress.

- 3.8.1. An annual report on the [•]'s progress in promoting QPE shall be produced and made available to the general public. This shall primarily be the responsibility of the President and the Chairperson of the [•] Committee.
- 3.8.2. The [•] shall develop or adopt measurement standards in the realization of the objectives of QPE.
- 3.8.3. The [•] shall extend incentives and benefits to QPE instructors and proponents who initiate and implement innovative ways in the pursuit of QPE.

**4. Adoption.** This QPE Charter is adopted by the [•] on the [•] day of [•], 2021 in [•], Philippines.

## Sports Law-for-All

For your comments, inquiries and suggestions, email the author at [agrasportslawforall@gmail.com](mailto:agrasportslawforall@gmail.com).



The Author is the President of the Pilipinas Obstacle Sports Federation, Obstacle Sports Federation Asia-Pacific and East Asia and Southeast Asia Freerunning Parkour Union, and Vice-President of the Asia Freerunning Parkour Union. He is the Chairman of the Arbitration Committee of the Philippine Olympic Committee and Deputy Chef de Mission for the 31st Vietnam Southeast Asian Games. He is a Law Professor teaching Local Government Law, Administrative Law, Election Law, Law on Public Officers and Law on Public-Private Partnerships.