

**[ PSHS IMPLEMENTING RULES AND REGULATIONS  
(IRR) OF R.A. NO. 7877, FEBRUARY 6, 2002,  
February 06, 2002 ]**

**PSHS IMPLEMENTING RULES AND REGULATIONS (IRR) OF R.A.  
NO. 7877 OR THE ANTI-SEXUAL HARASSMENT ACT OF 1995, FOR  
THE PHILIPPINE SCIENCE HIGH SCHOOL SYSTEM (PSHS  
SYSTEM)**

In compliance with Section 4 of R.A. No. 7877 or the Anti-Sexual Harassment Act of 1995 and Section 58 of the "Administrative Disciplinary Rules on Sexual Harassment Cases" embodied in CSC Resolution No. 01-0940 and CSC MC No. 17, Series of 2001, the PSHS System Board of Trustees hereby promulgates these rules and regulations to effectively carry out the provisions of R.A. No. 7877, within the premises and jurisdiction of the PSHS System campuses.

**RULE I.**

**Affirmation of State Policy and Commitment**

*SECTION 1.* The PSHS System:

- 1.1 values the dignity of every individual
- 1.2 enhances the development of its human resources
- 1.3 guarantees full respect for human rights
- 1.4 upholds the dignity of teachers, staff, employees, applicants for employment, students or those undergoing training, instruction or education.

*SECTION 2.* The PSHS System commits itself to provide a teaching-learning-working environment that is free from all forms of sexual harassment.

**RULE II  
Coverage**

*SECTION 1.* These Rules and Regulations cover the following:

- 1.1 all school officials, teachers, staff, employees of agents of the school under a contract and students within the jurisdiction of the PSHS System.
- 1.2 all applicants for a teaching or administrative position, applicants for admission as students, after receipt of the application by the campus.

*SECTION 2.* Definition of Terms. —

2.1 *PSHS System* — includes the Office of the Executive Director, the PSHS Main Campus in Diliman, and the six (6) regional campuses, namely, PSHS Nueva Vizcaya, PSHS Camarines Sur, PSHS Western Visayas, PSHS Eastern Visayas, PSHS Northern Mindanao and PSHS Central Mindanao.

2.2 *Student* — means any person enrolled in the four-year secondary course at the PSHS System, including those who are participants in short-term training courses, seminars, workshops, review programs, contests or competitions conducted by any of the system campuses, on or off campus.

2.3 *Employee/staff* — means any person holding an appointment or designation in any unit of the PSHS System, including contractual employees and employees of agents of the school under a Contract assigned at a particular PSHS campus.

2.4 *Faculty/teacher* — any teacher of the PSHS System, regardless of rank, including the guidance counselors, librarians, research assistants, as well as trainers/coaches, specialists, consultants and speakers invited during seminars, workshops, training and the like.

### **RULE III Sexual Harassment**

SECTION 1. Sexual Harassment is committed by:

1.1 school officials, teachers, staff, coach, trainer and employees of agents of the school under a contract or any other person.

1.2 such official, teacher, staff, etc., has authority, influence or moral ascendancy over another in any aspect of academic or administrative work in any campus, classroom, office or unit of the PSHS System;

1.3 such official, teacher, staff, etc., demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted or not by the object of such act.

SECTION 2. Other persons liable for sexual harassment:

2.1 Any person who directs or induces another to commit any act of sexual harassment as herein defined;

2.2 Any person who cooperates in the commission thereof by another without which sexual harassment would not have been committed.

SECTION 3. In a work-related environment, sexual harassment is committed when:

3.1 the sexual favor is made as condition for the hiring/employment/re-employment of the individual who is the object of sexual harassment; or

3.2 the sexual favor is made as a condition for granting such a person favorable compensation or promotion or any other terms, conditions or privileges; or

3.3 the refusal to grant sexual favor results in limiting, segregating or classifying a

faculty/teacher/staff which would discriminate, deprive him or her or diminish employment opportunities or otherwise adversely affect such faculty member or staff;

3.4 the above acts would impair the teacher's/staff's rights or privileges under existing Civil Service laws, rules and regulations; or

3.5 the above acts would result in an intimidating, hostile or offensive environment for the teacher or staff.

SECTION 4. In the school or training environment, sexual harassment is committed:

4.1 against a student, tutee, trainee or one who is under the care, custody, supervision or advisorship of the offender;

4.2 against one whose education, training, apprenticeship or tutorship is entrusted to the offender;

4.3 when the sexual favor is made as a condition to the giving of a passing or a high grade, or the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges or considerations; or

4.4 when the sexual advances result in an intimidating, hostile or offensive environment for the student, trainee or apprentice.

SECTION 5. Sexual Harassment under these rules includes those in peer relationships, such as:

5.1 Faculty-faculty

5.2 employee-employees and

5.3 student-student relations

SECTION 6. Sexual Harassment under these rules also include those involving harassment of teachers or employees by students.

SECTION 7. Forms of Sexual Harassment. —

7.1 Physical

7.1.1 Malicious touching

7.1.2 Overt sexual advances

7.1.3 Gestures and lewd insinuations

7.2 Verbal, such as, but not limited to, requests or demands for sexual favors and lurid remarks

7.3 Use of objects, pictures or graphics, letters, written notes, texts via cellular phones with sexual underpinnings

7.4 Other forms analogous to the foregoing

SECTION 8. It shall be the duty of the Executive Director/Campus Director to:

8.1 prevent or deter the commission of acts of sexual harassment;

8.2 cause the settlement, prosecution or resolution of acts of sexual harassment in accordance with the procedure in these IRR.

**RULE IV**  
**Committee on Decorum and Investigation**

SECTION 1. A Committee on Decorum and Investigation is hereby created in each PSHS System campus under the office of the Campus Director.

SECTION 2. The Committee shall be composed of the following:

2.1 a Division Chief or Academic Chief as representative Administration, who shall act as Chairperson

2.2 a supervisor/area coordinator or unit head

2.3 a union member, if any

2.4 a rank and file faculty

2.5 a rank and file staff

SECTION 3. The Chairperson and members shall serve for a term of two (2) years.

SECTION 4. The Committee shall:

4.1 disseminate these rules, regulations procedures to the different sectors of the PSHS community to increase understanding and prevent incidents of sexual harassment.

4.2 receive and act on reports and complaints of sexual harassment.

4.3 provide support measures to victims of sexual harassment

4.4 conduct the preliminary investigation of sexual harassment cases

4.5 conduct the formal; investigation of the case, once formal charges are filed by the Campus Director.

4.6 submit a report of its findings to the Campus Director

**RULE V. Procedure**

**A. Informal**

SECTION 1. Informal procedure refers to PSHS System action, through the CDI of each campus, which does not involve formal investigation nor the filing of formal charges. It may consist of counseling, providing information, referral to an agency offering professional help and advice on options available as well as other means of support.

SECTION 2. The aggrieved party or anyone who witnesses or discovers the commission of any act of sexual harassment shall report the incident/act, in writing, to the CDI or to any school official, faculty or staff who shall in turn endorse the said report to the CDI within twenty-four (24) hours from the receipt of such report.

SECTION 3. The aggrieved party shall be interviewed by the CDI, and where necessary referred to the Guidance Center or agency offering professional help for counseling and assistance.

SECTION 4. The CDI, after consultation with the persons concerned, shall recommend measures to be adopted to prevent the repetition of the incident.

SECTION 5. Incidents of sexual harassment dealt with in this manner shall be documented by the CDI to determine whether patterns of sexual harassment are present. If the situation requires resort to formal charges of sexual harassment, the procedure set out in the succeeding sections shall be complied with.

## **B. Formal Investigation of Sexual Harassment Case**

SECTION 1. Complaint. —

1.1 The Complaint may be filed directly with the Committee on Decorum and Investigation (CDI) or with the Campus Director who shall endorse the same within 24 hours from receipt thereof to the CDI.

1.2 The Complaint must be in writing, signed and sworn to by the complainant. It must contain the following:

- (1) full name and address of the complainant
- (2) full name, address and position of the respondent
- (3) a specification of the charge/charges
- (4) a brief statement of the relevant and material facts
- (5) evidence, in the form of affidavits of witnesses, in support of the Complaint, if any
- (6) a certification of non-forum shopping

1.3 In the absence of any one of the aforementioned requirements, the Complaint shall be dismissed without prejudice to its re-filing.

1.4 Where the Complaint is ,not under oath, the complainant shall be summoned by