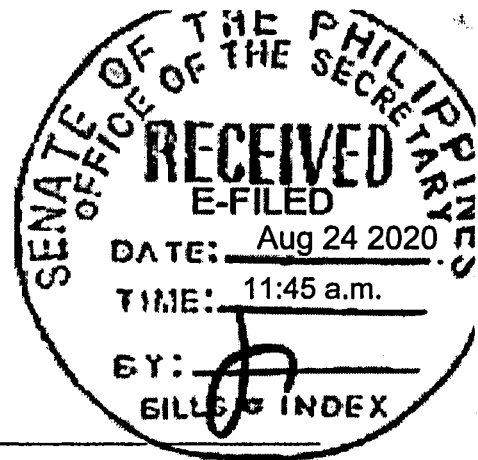


**EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)**

**SENATE
S.B. No. 1786**



Introduced by Senator Maria Lourdes Nancy S. Binay

EXPLANATORY NOTE

Section 14, Article XIV of the Philippine Constitution provides that the State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression. To fulfill this constitutional mandate, this bill seeks to establish a Philippine High School for Creative Arts System (PHSCA).


At present, there are only two (2) specialized arts-focused public high school in the country, namely the Philippine High School for the Arts in Laguna and the Bataan High School for the Arts.

Similar to the Philippine Science High School System, this bill aims to establish a specialized high school system intended to hone the artistic skills and talents of the youth throughout the country, as well as to provide a continuing source of artists of notable excellence and leaders in the preservation and promotion of culture, arts and creative industry in the Philippines.

The PHSCA, as created, will implement a general secondary education program with a special curriculum oriented to the various fields of art. It shall be geared towards the early recognition and development of highly talented children exceptionally gifted in such field.

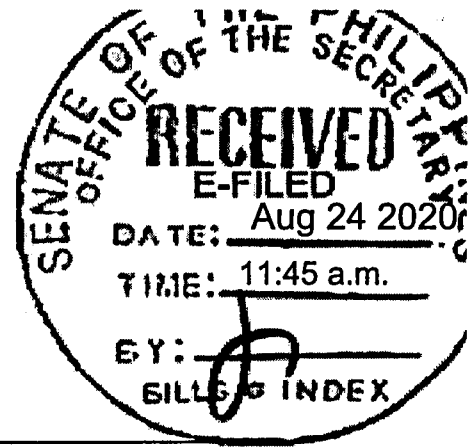
Furthermore, education, arts and culture play an important role in fostering patriotism and nationalism. Thus, there is a need to rekindle the love and passion for the arts of the Filipino people, in order to preserve the richness and depth of our culture.

In view of the foregoing, the passage of this measure is earnestly sought.


MARIA LOURDES NANCY S. BINAY

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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AN ACT

ESTABLISHING THE PHILIPPINE HIGH SCHOOL FOR CREATIVE ARTS SYSTEM AND APPROPRIATING FUNDS THEREFOR

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

Section 1. Short Title. - This Act shall be known as the "Philippine High School for Creative Arts System Act".

Sec. 2. Declaration of Principles. - The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Moreover, the government is committed to fulfill its constitutional mandate to foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression and to place arts, design and other intellectual creative creation under the patronage of the State. To this end, the State shall promote creative arts education and encourage arts programs, national art competitions, and the strengthening of education for the development of creative industries. This shall include a complete and harmonious development of citizenry who can contribute most meaningfully towards the creation and enhancement of a democratic, just, and humane society imbued with national identity and pride. The State shall provide adequate training for students with artistic abilities with the end view of producing world-class artists with solid academic background and strong patriotic ideals. In line with this, an educational system to foster the holistic development of the youth and to prepare the students for a long-term career in the various fields of creative industry is hereby established.

Sec. 3. Creation and Establishment of the Philippine High School for Creative Arts (PHSCA) System. - There is hereby established a Philippine High School for Creative Arts (PHSCA) System which are secondary schools offering full scholarships to deserving students with considerable potential in the fields of performing arts, creative writing, visual arts, and applied arts. Admitted students shall be trained under a special curriculum oriented in the fields of architecture and allied arts, cinema, dance, dramatic arts, literary arts, music, visual arts, design, digital

1 fabrication and new media, along with financial literacy, entrepreneurship skills, and
2 basic knowledge on intellectual property rights, with the end in view of providing
3 quality education to students while preparing them for various creative industry
4 related career as well a readiness for entrepreneurial endeavors or employment. It
5 will, thus, provide a continuing source of artists of excellence and leaders in the
6 preservation and promotion of culture, arts and the creative industry in the Philippines.
7

8 The PHSCA System shall be administratively attached to the Department of
9 Education (DepEd) in consultation with the National Commission on Culture and the
10 Arts (NCCA) for program implementation.
11

12 **Sec. 4. Board of Trustees.** - The PHSCA System shall be governed by a Board of
13 Trustees, hereinafter referred to as the "Board", which shall be composed of the
14 following:
15

16 (a) Secretary or the duly designated Undersecretary of the Department of
17 Education, as Chairperson;
18

19 (b) Chairperson or the Executive Director of the National Commission on
20 Culture and the Arts (NCCA), as Co-chairperson;
21

22 (c) Secretary or the duly designated Undersecretary of the Department of Trade
23 and Industry (DTI), as member;
24

25 (d) Secretary or the duly designated Undersecretary of the Department of
26 Information and Communication Technology (DICT), as member;
27

28 (e) President or the Artistic Director of the Cultural Center of the Philippines
29 (CCP), as member;
30

31 (f) President of the Creative Economy Council of the Philippines (CECP), as
32 member;
33

34 (g) Director-General of the Technical Education and Skills Development
35 Authority (TESDA), as member;
36

37 (h) Executive Director of the PHSCA System as created in Section 9 of this
38 Act, as member.
39

40 The Board shall also include as members, three (3) representatives from the
41 fields of performing arts, visual arts and applied arts who may either be a respected
42 member of the academe in the field of culture and the arts or a representative from
43 the creative industries of known expertise, integrity and probity, all of whom shall be
44 appointed by the Chairperson of the Board of Trustees, subject to the confirmation of
45 the members of the Board. The members from the academe and creative industry
46 community shall have a term of three (3) years, renewable for another three (3)
47 years, and shall not be eligible for reappointment.
48

1 All members who are not receiving regular compensation from the government
2 shall receive reasonable *per diem* to be determined by the Board subject to current
3 practices, for every meeting of the Board.
4

5 **Sec. 5. Powers and Functions of the Board of Trustees.** - The exercise of the
6 corporate powers of the PHSCA System is hereby vested exclusively in the Board.
7

8 The Board shall have the following specific powers and duties in addition to its
9 general powers of administration and the exercise of all the powers granted to the
10 board of directors of a corporation under Section 35 of Republic Act No. 11232,
11 otherwise known as the Revised Corporation Code of the Philippines:
12

13 (a) To formulate policies and guidelines for the administration and operation
14 of the PHSCA System;
15

16 (b) To determine the site of the first PHSCA campus. After the first site for the
17 PHSCA campus shall have been established, to determine other sites for future
18 expansion of the PHSCA System;
19

20 (c) To approve the curricula, course of study, and rules of discipline drawn up
21 by the Executive Council as hereinafter provided;
22

23 (d) To receive and appropriate for the ends herein specified such sums as may
24 be provided by law for the support of the PHSCA;
25

26 (e) To formulate policies on personnel organization, appointment, promotion,
27 retention/renewal of contracts, fixing of their compensations, subject to existing
28 Compensation and Position Classification System, removal for just cause, rewards,
29 incentives and other conditions of employment for administrators, faculty and staff of
30 the PHSCA;

31 (f) To approve appointments made and contracts entered into by the
32 Executive Director in connection with the employment of administrative officers,
33 teachers, lecturers and other employees of the school;
34

35 (g) To provide and approve fellowship grants and trainings for administrators,
36 faculty members and staff;
37

38 (h) To approve the grant of scholarships, stipends and such other allowances
39 to deserving students based on the guidelines and implementing rules;
40

41 (i) To establish the criteria for the selection and admission of students which
42 shall include, among others, national competitive auditions and examinations;
43

44 (j) To approve the issuance of certificates or diplomas to successful candidates
45 for graduation;
46

1 (k) To call on creative industries sector and establish partnership to ensure
2 employability of the PHSCA graduates;

3
4 (l) To receive, in trust, legacies, gifts, and donations of real and personal
5 property of all kinds and to administer the same for the benefit of the PHSCA or for
6 aid to any of its students;

7
8 (m) To enact rules and regulations not contrary to law as may be necessary to
9 carry out the purposes and functions of the PHSCA; and

10
11 (n) To perform any and all other acts incident to or required by virtue of its
12 creation.

13
14 **Sec. 6. *Hiring of Foreign Educators and Consultants.*** - In addition to the
15 powers and functions vested to the Board under Section 5 of this Act, the Board shall
16 be allowed to approve the hiring of foreign educators and consultants: *Provided*, That
17 the NCCA shall certify the necessity of hiring such educators and consultants, including
18 their competence and skills which are not available locally or proved to be
19 incomparable with their local counterparts.

20
21 The Board shall provide guidelines and mechanisms to ensure that the new
22 knowledge and training methods introduced by the foreign educators and consultants
23 shall be passed on to the student-artists and local educators, trainers and consultants
24 of the PHSCA.

25
26 **Sec. 7. *Campuses.*** - The Board shall provide for policies for the organization of
27 regional nationally funded high schools for creative arts. The Board shall also provide
28 for policies to enter into a memorandum of agreement with existing locally funded
29 high schools for the arts for consideration as extension campuses or branches of the
30 PHSCA System. The extension campuses shall be organized in coordination with the
31 concerned local government unit and the DepEd, and in consultation with the
32 Department of Budget and Management.

33
34 **Sec. 8. *Meetings of the Board of Trustees.*** - The Board shall regularly convene
35 at least once every quarter of the PHSCA school calendar: *Provided*, That within sixty
36 (60) days upon the effectivity of this Act, the Board shall immediately convene and
37 conduct monthly meetings for purposes of determining the site for the first PHSCA
38 campus, choosing and appointing the Executive Director, the three (3) members of
39 the Board from the academe and/or creative arts community, and plan for the effective
40 organization of the PHSCA System.

41
42 The Chairperson or the Co-chairperson of the Board may call a special meeting
43 whenever necessary: *Provided*, That members are notified in writing at least three
44 (3) days prior to said meeting.

45
46 A majority of all members holding office, in person or virtually, shall constitute
47 a quorum for board meetings: *Provided*, That the Chairperson or the Co-chairperson
48 of the Board are among those present in the meeting.

1 **Sec. 9. Executive Director.** - The PHSCA System shall be headed by an Executive
2 Director who shall serve for a fixed term of six (6) years. The Executive Director shall
3 be appointed by the Chairperson of the Board of Trustees, subject to the approval of
4 the members of the Board based on the guidelines and qualifications set forth in the
5 implementing rules and regulations. The Board shall also fix the compensation of the
6 Executive Director. The Executive Director shall coordinate the implementation of
7 policies and guidelines set by the Board. As a member of the Board, the Executive
8 Director shall articulate to the Board the mutual concern of all the campuses.

9
10 The Executive Director shall perform the following functions:

11 (a) Coordinate curriculum planning activities for the PHSCA System;

12 (b) Coordinate exchange programs with other educational institutions for
13 creative arts both local and foreign;

14 (c) Coordinate the implementation of the program for the identification and
15 selection of scholars for the PHSCA System;

16 (d) Provide legal, technical support and secretariat for the PHSCA System.

17
18
19
20
21
22 **Sec. 10. Executive Council.** - There shall be an Executive Council consisting of the
23 Executive Director, the Deputy Executive Director, as created in Section 11 of this Act,
24 and the Campus Directors, as created in Section 12 of this Act.

25
26 The Executive Council shall be responsible for the development of the artistic
27 potential of every student with a strong academic base and for providing programs
28 for the students with the end goal of training gifted youths in various fields of creative
29 art. The Council shall implement and execute the policies laid down by the Board and
30 exercise such other functions, powers and duties as the Board may prescribe.

31
32 **Sec. 11. Deputy Executive Director.** - There shall be a Deputy Executive Director
33 who shall assist the Executive Director. In the absence of the Executive Director, the
34 Deputy Executive Director shall assume the administrative and supervisory functions
35 of the Executive Director. The Deputy Executive Director, who shall have a fixed term
36 of four (4) years, renewable for another four (4) years, shall be appointed by the
37 Chairperson of the Board subject to the approval of the same Board, which shall also
38 fix the compensation of the Deputy Executive Director.

39
40 **Sec. 12. Campus Director.** - Each PHSCA shall be headed by a Campus Director
41 who shall be appointed by the Board, upon recommendation of the Executive Director
42 on the basis of a search process. The Campus Director shall have a fixed term of six
43 (6) years. The Campus Director shall not be removed from office except for cause.

44
45 The Campus Director shall be the administrative and academic head of the
46 campus assigned to, and will be responsible for its effective and efficient operations.
47 The Campus Director may constitute a management committee which may act as a

1 consultative body for the educational needs, standard of living in campus and other
2 related services for the students, faculty and staff of the campus.

3
4 **Sec. 13. *Civil Service Coverage.*** - Personnel of the PHSCA shall be classified into:

5
6 (a) Career service personnel, namely, those of the finance, administrative, and
7 personnel staff of the PHSCA and the general education faculty, who shall be covered
8 by civil service examinations and regulations; and

9
10 (b) Non-career service personnel, consisting of the members of the faculty
11 who specialized in the various fields of creative industry, who shall be exempt from
12 civil service examinations and regulations.

13
14 Career and non-career service personnel shall be subject to Compensation and
15 Position Classification System. They shall be entitled to retirement benefits enjoyed by
16 all government personnel, in accordance with existing laws, rules and regulations.
17 Provisions for retirement shall be included in the annual budget of the PHSCA.

18
19 **Sec. 14. *Annual Report.*** - The Board shall submit to the Office of the President of
20 the Philippines and Congress a detailed report on the progress, condition and needs
21 of the PHSCA two (2) months prior to the opening of every school year.

22
23 **Sec. 15. *Joint Congressional Oversight Committee.*** - There is hereby created a
24 Joint Oversight Committee to oversee, monitor and evaluate the implementation of
25 this Act.

26
27 The Oversight Committee shall be composed of five (5) members each from
28 the Senate and from the House of Representatives, including the Chairs of the
29 Committees on Basic Education and Culture, and Finance in the Senate and
30 Appropriations in the House of Representatives. The membership of the Committee
31 for each House shall have at least one (1) opposition or minority member.

32
33 **Sec. 16. *Tax Exemptions of the PHSCA System.*** - The importation of equipment
34 relating to creative industry, books, art related supplies, musical instruments,
35 materials and goods, including those donated to the PHSCA System shall be exempt
36 from customs duty in accordance with the provisions of Republic Act No. 10863,
37 otherwise known as the "Customs Modernization and Tariff Act (CMTA)": *Provided,*
38 That these are of international standards and are not available from local
39 manufacturers: *Provided, further,* That the importation shall only be in such numbers
40 as may be required in the development programs and/or training of the students:
41 *Provided, finally,* That all importations shall be made in the name of PHSCA System
42 as recipient and shall be immediately registered in the name of PHSCA System.

43
44 **Sec. 17. *Tax Exemption on Donations.*** - All grants, bequest, endowments,
45 donations and contributions made to the PHSCA and that are actually, directly and
46 exclusively used by the PHSCA, shall be exempt from donor's tax and the same shall
47 be considered as allowable deduction from the gross income in the computation of

1 the income tax of the donor in accordance with the provisions of the National Internal
2 Revenue Code of 1997, as amended.

3
4 **Sec. 18. *Creative Arts School Fund.*** - All incomes and donations to the PHSCA
5 created under this Act shall be formed into a fund, to be known as the Creative Arts
6 School Fund, which the PHSCA shall be authorized to retain, without need of a
7 separate approval from any government agency, and subject only to existing
8 accounting and auditing rules and regulations. This fund shall be expended as
9 authorized by the Board exclusively for the purpose of this Act.

10
11 **Sec. 19. *Appropriations.*** - The amount necessary for the effective implementation
12 of this Act shall be included in the DepEd budget in the annual General Appropriations
13 Act.

14
15 **Sec. 20. *Implementing Rules and Regulations.*** - The DepEd, NCCA, DTI, TESDA
16 and CECP shall promulgate not later than thirty (30) days upon the effectivity of this
17 Act, the necessary rules and regulations for the effective implementation of this
18 Act: *Provided*, That the failure to promulgate the rules and regulations shall not
19 prevent the implementation of this Act upon its effectivity.

20
21 **Sec. 21. *Separability Clause.*** - If any part or provision of this Act shall be held
22 unconstitutional or invalid, other provisions thereof which are not affected thereby
23 shall continue to be in full force and effect.

24
25 **Sec. 22. *Repealing Clause.*** - All other laws, decrees, executive order and other
26 administrative issuances and parts thereof which are inconsistent with the provisions
27 of this Act are hereby modified, superseded or repealed accordingly.

28
29 **Sec. 23. *Effectivity.*** - This Act shall take effect thirty (30) days following its
30 publication in the *Official Gazette* or in a major daily newspaper of national circulation
31 in the Philippines.

Approved,