

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



23 JUL 17 P2:39

SENATE
S. No. 2311

RECEIVED BY: 

Introduced by Senator MARK A. VILLAR

AN ACT
STRENGTHENING THE SPECIAL PROGRAM IN CREATIVE ARTS FOR
JUNIOR AND SENIOR HIGH SCHOOL, AND APPROPRIATING FUNDS
THEREFOR

EXPLANATORY NOTE

In 2000, the Department of Education (DepEd) launched the Special Program in the Arts which aims to foster the potentials of artistically-inclined students by providing a curriculum with additional subject that is centered in the arts. This is in line with the State's policy to promote the role of the Filipino youth in nation-building, and promote their physical, moral, spiritual, intellectual, and social well-being.

This bill will strengthen the existing Special Program in the Creative Arts in order to provide a continuing source of artists of excellence and leaders in the preservation and promotion of culture, arts, and the creative industry in the Philippines. Further, this bill will mandate DepEd and the schools with SPCA to enter into agreements with the private sector for the training and development of the skills and talents of its SPCA learners. Finally, tax exemptions for importation of equipment relating to the implementation of this bill will be provided.

Immediate passage of this bill is earnestly sought.


MARK A. VILLAR



Senate
Office of the Secretary

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

23 JUL 17 P2:39

RECEIVED BY: 

SENATE
S. No. 2311

Introduced by Senator MARK A. VILLAR

AN ACT
STRENGTHENING THE SPECIAL PROGRAM IN CREATIVE ARTS FOR
JUNIOR AND SENIOR HIGH SCHOOL, AND APPROPRIATING FUNDS
THEREFOR

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

1 Section 1. *Declaration of Policy.* - The State recognizes the vital role of the
2 youth in nation-building and shall promote and protect their physical, moral,
3 spiritual, intellectual, and social well-being. Moreover, the government is committed
4 to fulfil its constitutional mandate to foster the preservation, enrichment, and
5 dynamic evolution of a Filipino national culture based on the principle of unity in
6 diversity in a climate of free artistic and intellectual expression and to place arts,
7 design and other intellectual creative creation under the patronage of the State.

8 To this end, the State shall promote creative arts education, encourage arts
9 programs, support national art competitions, and strengthen education for the
10 development of creative industries. The State shall provide adequate training for
11 students with artistic abilities, with the end in view of producing world-class artists
12 with firm academic foundation and strong patriotic ideals.

13 Sec. 2. *Objective.* - The Special Program in the Creative Arts (SPCA) is hereby
14 strengthened to provide a continuing source of artists of excellence and leaders in
15 the preservation and promotion of culture, arts, and the creative industry in the

1 Philippines. Admitted students shall be trained under a special curriculum oriented in
2 the fields of architecture and allied arts, cinema, dance, dramatic arts, literary arts,
3 music, visual arts, design, digital fabrication and new media, along with financial
4 literacy, entrepreneurship skills, and basic knowledge on intellectual property rights,
5 with the end in view of providing quality education to students while giving way to
6 opportunities for a sustainable profession.

7 *Sec. 3. The SPCA Council.* - The SPCA Council, herein referred to as the
8 council, is hereby created which shall be under the administrative supervision of the
9 Department of Education (DepEd), and composed of seven (7) members, namely:
10 (1) Secretary of the DepEd, as Chairperson; (2) Chairperson of the National
11 Commission for Culture and the Arts (NCCA), as Vice-Chairperson; (3) Secretary of
12 the Department of Trade and Industry (DTI); (4) President of the Cultural Center of
13 the Philippines (CCP); (5) Chairperson of the Commission on Higher Education
14 (CHED); (6) Executive Director of the Philippine Creative Industries Development
15 Council (PCIDC); and (7) President of the Creative Economy Council of the
16 Philippines (CECP).

17 Members may designate a representative who shall be of rank no lower than
18 that of an Undersecretary.

19 Members of the Council shall serve without compensation but shall be entitled
20 to reimbursement for expenses related to their participation in the official activities
21 of the Council, in accordance with pertinent laws, rules and regulations.

22 The Council shall regularly meet at least once every quarter of the academic
23 year. The Chairperson or a majority of the Council's members may call a special
24 meeting whenever necessary.

25 A meeting may be conducted virtually only in circumstances when meeting in
26 person is impossible or impractical and all the Council members are able to
27 communicate adequately during the meeting.

28 *Sec. 4. Duties and Functions of the Council,* - The Council shall have the
29 following duties and functions:

- 1 (a) Periodically consult with various creative industries to ensure that the
2 programs, curriculum, courses, and other activities of the SPCA respond to
3 the current and future trends to secure opportunities for the commercial
4 success of SPCA graduates;
- 5 (b) Guarantee that the curriculum in the SPCA shall be in accordance with the
6 qualification levels in terms of the three (3) Philippine Qualifications
7 Framework domains: knowledge, skills, and values; application; and
8 degree of independence;
- 9 (c) Design and implement plans, programs, and activities that will encourage
10 experienced and well-established talented artists to mentor the learners
11 under the SPCA;
- 12 (d) Provide guidance on the career path of the SPCA learners through the
13 conduct of programs and activities apprising the learners of the
14 opportunities, including those in higher education, and the state of the
15 various creative industries;
- 16 (e) Urge higher education institutions to offer programs for scholarships and
17 grants in creative arts courses, and inform the schools with SPCA of such
18 programs;
- 19 (f) Encourage various creative industries to employ graduates of the SPCA
20 through information campaigns and different programs that shall
21 showcase their talents and abilities;
- 22 (g) Maintain a pool of instructors composed of experts in various creative arts
23 domains who are willing to teach the SPCA learners and assign them to
24 various schools with SPCA;
- 25 (h) Call on the local government units (LGUs), their respective local school
26 boards and other agencies, especially where the schools with SPCA are
27 located, for assistance, coordination and collaboration for alignment,
28 synchronicity, and complementarity of plans, resources and efforts of the
29 schools and the pertinent LGUs; and
- 30 (i) Other duties and functions that may be necessary or incidental for the
31 effective implementation of this Act.

1 *Sec. 5. Roles of Government Agencies.* - To achieve the objectives of this Act,
2 the following government agencies shall carry out their respective roles:

3 (a) DepEd - The DepEd shall formulate the academic curriculum to ensure
4 that learners under the SPCA possess the knowledge and competencies
5 that can lead to a successful professional career and to be eligible for
6 higher education in the event that graduates choose the pathway. It shall
7 set the standards in the selection or qualification of schools with SPCA,
8 and shall appoint and designate the qualified instructors who shall train
9 the learners in accordance with the curriculum set by the NCCA and the
10 CCP.

11 (b) NCCA and CCP - The NCCA and the CCP shall formulate the creative arts
12 curriculum for the SPCA to train the learners and hone their skills and
13 abilities to achieve their full potential. They shall provide the qualifications
14 of instructors for the effective implementation of this Act.

15 (c) DTI, CECP, and PCIDC - The DTI, CECP, and PCIDC shall advocate for the
16 employment of SPCA graduates by linking the schools with SPCA with
17 different creative industries for work immersion and eventual job posts.
18 They shall further conduct programs and activities in schools with SPCA to
19 inform the learners of the current and future trends they may engage in
20 for their careers in creative arts.

21 (d) CHED - The CHED shall promote the further studies of SPCA graduates by
22 constantly ensuring that its policies, standards, and guidelines for college
23 courses in creative arts are responsive to the current and future trends
24 and urging higher education institutions to provide scholarships and
25 grants.

26 *Sec. 6. Partnerships with the Private Sector.* - The DepEd and the schools
27 with SPCA may enter into agreements with the private sector for the training and
28 development of the skills and talents of its SPCA learners.

29 *Sec. 7. Hiring of Special Instructors for SPCA.* - Notwithstanding the relevant
30 provisions of Republic Act No. 7836, as amended by Republic Act No. 9293,
31 otherwise known as the "Philippine Teachers Professionalization Act of 1994", the

1 DepEd shall hire and retain experts In the various creative arts domains, without the
2 additional requirements of completing teaching units and passing the board exam for
3 teachers, to teach the pertinent subjects in the curriculum: Provided, That they shall
4 teach only the subjects of their expertise: Provided, further. That they satisfy the
5 qualification standards set by the DepEd, NCCA and CCP: Provided, finally. That they
6 shall receive salaries and benefits befitting their status, distinctions, and
7 achievements.

8 *Sec. 8. Tax Exemptions.* - The importation of equipment relating to creative
9 industry, books, art related supplies, musical instruments, materials and goods,
10 including those donated to the SPCA shall, upon certification by the DepEd be
11 exempt from customs duties in accordance with the provisions of Republic Act No.
12 10863, otherwise known as the "Customs Modernization and Tariff Act (CMTA)":
13 Provided, That these are of international standards and are not available from local
14 manufacturers: Provided, further. That the Importation shall only be in such
15 numbers as may be required in the development programs and/or training of the
16 students: Provided, finally. That all importations shall be made in the name of SPCA
17 as recipient and shall be immediately registered in the name of SPCA.

18 *Sec. 9. Appropriations.* - The Secretary of the DepEd shall include in the
19 Department's program the implementation of this Act, the funding of which shall be
20 included in the annual General Appropriations Act.

21 *Sec. 10. Implementing Rules and Regulations.* - The DepEd shall, in
22 consultation with the NCCA, CCP, DTI, CHED, PCIDC, and CECP, promulgate not
23 later than thirty (30) days upon the effectivity of this Act, the rules and regulations
24 for its effective implementation: Provided, That the failure to promulgate the rules
25 and regulations shall not prevent the implementation of this Act upon its effectivity.

26 *Sec. 11. Separability Clause.* - If any provision of this Act is held invalid or
27 unconstitutional, the other provisions not so declared shall remain in force and
28 effect.

1 Sec. 13. *Repealing Clause.* - All laws, decrees, orders, and rules and
2 regulations contrary to or inconsistent with the provisions of this Act are hereby
3 repealed or amended accordingly.

4 Sec. 14. *Effectivity.* - Notwithstanding the non-issuance of the implementing
5 rules and regulations, this Act shall take effect fifteen (15) days after its publication
6 in the *Official Gazette* or in a newspaper of general circulation.

Approved,