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SENATE

S.B. No. 1086

(In Substitution of S.B. Nos. 330, 397, 506 and 732)

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Prepared by the Committee on Basic Education, Arts and Culture joint with the Committees on Sports; Ways and Means; and Finance, with Senators Angara, Go, Cayetano and Gatchalian as authors thereof.

AN ACT

**CREATING AND ESTABLISHING THE PHILIPPINE HIGH SCHOOL FOR
SPORTS AND PROVIDING FUNDS THEREFOR**

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

1 **Section 1. Short Title.** – This Act shall be known as "The Philippine High
2 School for Sports Act of 2019."
3

4 **Sec. 2. Declaration of Principles.** – The State recognizes the vital role of
5 the youth in nation-building and shall promote and protect their physical, moral,
6 spiritual, intellectual, and social well-being. Towards this end, the State shall
7 promote physical education and encourage sports programs, league
8 competitions, and amateur sports, including training for international
9 competitions, and foster self-discipline, teamwork, and excellence for the
10 development of a healthy and alert citizenry. The State shall provide adequate
11 training for students with athletic abilities for competitive sports to foster the holistic
12 development of the youth and to prepare the students for a long-term career in
13 sports development.
14

1 **Sec. 3. Creation and Establishment of the Philippine High School for**

2 **Sports.** – There is hereby created and established a Philippine High School for Sports
3 (PHSS) to develop the athletic skills and talents of high school students. This shall
4 be attached to the Department of Education (DepEd) which shall also coordinate with
5 the Philippine Sports Commission (PSC) for policy and program formulation and
6 implementation on subjects pertaining to sports. The organizational structure and
7 staffing pattern of the school shall be submitted by the DepEd, in coordination with
8 the PSC, to the Department of Budget and Management (DBM) for evaluation and
9 approval.

10
11 **Sec. 4. Purpose of the PHSS.** – The PHSS shall offer, on a full or
12 partial scholarship basis, a secondary course with special emphasis on developing
13 the athletic skills of the students through subjects pertaining to physical education
14 and sports development, with the end in view of educating its students who have
15 shown their early potential of excelling in sports for a sports-related career while
16 undergoing quality secondary education. The Board of Trustees, as created under
17 Section 7 of this Act, may agree to accept paying students based on the criteria that
18 it will hereafter establish.

19
20 **Sec. 5. Site, Construction, Operation, and Maintenance of the PHSS.**

21 – After a period of planning not exceeding one (1) year upon the effectivity of this
22 Act, the necessary sports facilities and amenities, which are at par with international
23 standards, shall be constructed at New Clark City in Capas, Tarlac.

24 The Bases Conversion and Development Authority (BCDA) shall provide the
25 land for the site, by way of usufruct, and shall be in charge of the construction of
26 classrooms, dormitories, sports facilities, and other related amenities at the New
27 Clark City campus.

28 The PHSS shall be in charge of its annual operation expenses and maintenance
29 costs.

30
31 **Sec. 6. Director of the PHSS.** – Upon the recommendation of the Board of
32 Trustees, the President shall appoint the Director who shall serve as head for a period

1 of six (6) years. The functions, powers, and duties of the Director, in addition to
2 those specifically provided for under this Act, shall be those usually pertaining to the
3 office of the principal of any high school in the Philippine educational system.

4
5 **Sec. 7. Board of Trustees.** – The PHSS shall have a Board of Trustees,
6 hereinafter referred to as the Board, which shall be composed of the Secretary of
7 the DepEd as Chairperson, the Chairperson of the PSC as Vice Chairperson, and the
8 following members: the Director of the PHSS; one (1) representative each from
9 the House of Representatives and the Senate; the President of the Philippine Olympic
10 Committee (POC); and, three (3) representatives from different POC-accredited
11 national sports associations to be nominated by their respective sports associations
12 and appointed by the Chairperson of the Board.

13 The three (3) representatives from the different POC-accredited national
14 sports associations shall be appointed for a term of two (2) years, renewable every
15 two years by the Chairperson of the Board in due consultation with the Vice
16 Chairperson.

17 In case of vacancy in the Board, the appointee shall serve the unexpired term
18 of the predecessor.

19 All members who are not receiving regular compensation from the
20 government shall receive per diem for every meeting of the Board, subject to existing
21 rules and regulations of the DBM for the purpose.

22
23 **Sec. 8. Powers and Functions of the Board of Trustees.** – The exercise
24 of the corporate powers of the PHSS is hereby vested exclusively in the Board of
25 Trustees. The Board shall have the following specific powers and duties, in addition
26 to its general powers of administration and the exercise of all the powers granted to
27 the board of directors of a corporation under Section 35 of Republic Act No. 11232,
28 otherwise known as the Revised Corporation Code of the Philippines:

- 29 (a) To identify the satellite branches and regional campuses of the PHSS;
30 (b) To approve the curricula, course of study, and rules of discipline drawn
31 up by the Executive Council as hereinafter provided;

1 (c) To receive and appropriate for the ends herein specified such sums as
2 may be provided by law for the support of the PHSS;

3 (d) To approve appointments made and contracts entered into by the
4 Director in connection with the employment of teachers, lecturers, and other
5 employees of the school, fix their compensation and other conditions of employment,
6 and remove them for cause after proper investigation;

7 (e) To provide and approve fellowships and trainings for faculty members;

8 (f) To fix the tuition fees and other necessary school charges, as
9 the Board may deem proper to impose, after due and comprehensive consultation
10 with the students concerned.

11 Such fees and charges and other internally-generated income by the PHSS
12 shall constitute the Sports High School Fund, as created under Section 18 of this Act,
13 and shall be deposited in any authorized government depository bank, and all
14 interests which shall accrue therefrom shall form part of the same fund for the use
15 of the PHSS.

16 Any provision of existing laws, rules and regulations to the contrary
17 notwithstanding, any income generated by the PHSS from tuition fees and other
18 charges, as well as from the operation of auxiliary services and land grants, shall be
19 retained by the PHSS, and may be disbursed by the Board for instruction, research,
20 extension, or other programs or projects of the PHSS: Provided, That all fiduciary
21 fees shall be disbursed for the specific purposes for which they were collected;

22 (g) To approve the grant of scholarships, stipends, and such other
23 allowances to deserving students;

24 (h) To establish the criteria for the selection and admission of students
25 which shall include, among others, national competitive trials and examinations;

26 (i) To develop the athletic potential of every student together with a sound
27 and strong academic base;

28 (j) To provide a training program for students with the end goal of creating
29 athletes who are competitive in the national, South East Asian, Asian, and Olympics
30 levels;

31 (k) To approve the issuance of certificates or diplomas to successful
32 candidates for graduation;

1 (l) To receive, in trust, legacies, gifts and donations of real and
2 personal properties of all kinds and to administer the same for the benefit of the
3 PHSS or for aid to any of its students;

4 (m) To enact rules and regulations, not contrary to law, as may be
5 necessary to carry out the purposes and functions of the PHSS; and

6 (n) To perform any and all other acts incident to or required by virtue of
7 its creation.
8

9 **Sec. 9. Meetings and Quorum of the Board of Trustees.** – The Board
10 shall regularly convene at least once every quarter. The Chairperson of the Board
11 may call a special meeting whenever necessary: Provided, That members are notified
12 in writing at least three (3) calendar days prior to said special meeting.

13 A quorum of the Board shall consist of a majority of all the members holding
14 office at the time the meeting is called: Provided, That the Chairperson of the Board
15 is among those present in the meeting. In the absence of the Chairperson, an
16 Undersecretary of the DepEd, duly designated by the Chairperson, shall represent
17 him/her in the meeting.
18

19 **Sec. 10. Reporting Requirements and Auditing of Accounts.** – The
20 Board shall submit to the Commission on Audit (COA), DBM, Office of the President
21 of the Philippines (OP), and Congress a detailed report on the progress, condition,
22 and needs of the PHSS containing, among others, the financial statements,
23 statement of assets and liabilities, other revenue sources and program for
24 expenditures, physical and financial accountability reports, and other similar
25 reportorial requirements on or before the fourteenth (14th) day of February of each
26 year. All accounts and expenses of the PHSS shall be audited by the COA or its duly
27 authorized representative.
28

29 **Sec. 11. Executive Council.** – There shall be an Executive Council,
30 hereinafter referred to as the Council, consisting of the Director, the Assistant
31 Director whose position is created under Section 12 of this Act, the heads of

1 departments of PHSS, and such other ranking faculty members or officials of the
2 PHSS as may be determined by the Board.

3 The Council shall have the power to screen and select the students subject
4 for admission, select students who shall be recipients of scholarships, stipends and
5 other allowances, and develop the curricula, course of study, and rules of discipline.
6 The Council shall implement and execute the policies laid down by the Board and
7 exercise such other powers, functions, and duties as the Board may prescribe.

8
9 **Sec. 12. Assistant Director of the PHSS.** – There shall be an Assistant
10 Director who shall assist the Director. In the absence of the Director, he/she shall
11 assume the administrative and supervisory functions of the Director. He/she shall be
12 appointed by the Chairperson of the Board, subject to the approval of such Board
13 which shall also fix his/her compensation.

14
15 **Sec. 13. Registrar of the PHSS.** – There shall be a Registrar of the PHSS
16 who shall also act as Secretary of the Board, to be appointed by the Director with
17 the approval of the Board. The Registrar shall keep all records of the PHSS.

18
19 **Sec. 14. Treasurer of the PHSS.** – There shall be a Treasurer of the PHSS
20 who shall be appointed by the Director with the approval of the Board.

21
22 **Sec. 15. Personnel of the PHSS.** – The Director shall, upon approval of
23 the Board, employ professional and highly skilled managers, educators, teachers,
24 and personnel with long and vast experience in sports administration, education, and
25 management to ensure proper operation and maintenance of the PHSS.

26 Any officer or employee of the Government engaged as a lecturer at the PHSS
27 may receive a compensation in addition to his/her salary at the rate to be fixed by
28 the Board: Provided, That his/her duties as such lecturer are performed outside of
29 the regular office hours.

30
31 **Sec. 16. Payment of National Taxes and Customs Duties.** – The
32 payment of national taxes, including customs duties, of the PHSS shall be charged

1 against the Tax Expenditure Fund (TEF) provided for in the annual General
2 Appropriations Act.

3 The PHSS shall be exempt from withholding taxes on the honoraria or fees
4 paid by the PHSS to visiting lecturers or professors from abroad.

5
6 **Sec. 17. Tax Deduction and Exemption of Donations and**
7 **Contributions.** – All legacies, gifts and donations for the benefit of the PHSS,
8 its support and/or maintenance, or for aid to any of its students shall be tax-
9 exempt and fully deductible from the gross income of the donors in accordance with
10 the National Internal Revenue Code (NIRC), as amended.

11
12 **Sec. 18. Sports High School Fund.** – All incomes and monetary donations
13 to the PHSS created under this Act shall be formed into a fund to be known as the
14 Sports High School Fund, which the PHSS shall be authorized to retain without need
15 of a separate approval from any government agency and subject to existing
16 budgeting, accounting and auditing rules and regulations. This fund shall be
17 expended as authorized by the Board and exclusively for the purpose of this Act.

18
19 **Sec. 19. Funding.** – The Secretary of the DepEd shall immediately include
20 in the department's programs the operation of the PHSS whose funding shall be
21 included in the annual General Appropriations Act.

22
23 **Sec. 20. Implementing Rules and Regulations.** – The DepEd and the
24 PSC, in consultation and coordination with the DBM, the Commission on Higher
25 Education (CHED), the Department of Public Works and Highways (DPWH), the
26 BCDA, and other relevant stakeholders shall promulgate, not later than sixty (60)
27 days upon the effectivity of this Act, the necessary rules and regulations for its
28 effective implementation: Provided, That the failure to promulgate such rules and
29 regulations shall not prevent the implementation of this Act upon its effectivity.

30

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

4
5 **Sec. 22. *Repealing Clause.*** – All other laws, decrees, executive orders, and
6 other administrative issuances and parts thereof which are inconsistent with the
7 provisions of this Act are hereby modified, superseded or repealed accordingly.

8
9 **Sec. 23. *Effectivity.*** – This Act shall take effect fifteen (15) days following
10 its publication in the Official Gazette or in a major daily newspaper of national
11 circulation in the Philippines.

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13 Approved,