



SENATE

S. No. 1086

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

PREPARED BY THE COMMITTEE ON BASIC EDUCATION, ARTS
AND CULTURE JOINT WITH THE COMMITTEES ON
SPORTS; WAYS AND MEANS; AND FINANCE, WITH
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VILLANUEVA AND DELA ROSA 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 House of Representatives of
the Philippines in Congress assembled:*

1 SECTION 1. *Short Title.* – This Act shall be known as
2 “The Philippine High School for Sports Act of 2019”.

3 SEC. 2. *Declaration of Principles.* – Article XIV of the
4 1987 Constitution recognizes the role of the State to
5 protect and promote the right of all citizens to quality

1 education at all levels and to take appropriate steps to
2 make such education accessible to all. The State also
3 recognizes the vital role of the youth in nation-building
4 and shall promote and protect their physical, moral,
5 spiritual, intellectual, and social well-being. Towards
6 this end, the State shall establish a national sports
7 program which shall promote physical education and
8 encourage sports programs, intramurals, league
9 competitions, and amateur sports, including training for
10 international competitions, and foster self-discipline,
11 teamwork, and excellence for the development of a healthy
12 and alert citizenry. The State shall provide adequate
13 training for students with athletic abilities for competitive
14 sports to foster the holistic development of the youth and to
15 prepare the students for a long-term career in sports
16 development.

17 SEC. 3. *Creation and Establishment of the Philippine*
18 *High School for Sports.* – There is hereby created and
19 established a Philippine High School for Sports (PHSS)
20 that shall accept students who have demonstrated the

1 potential of excelling in sports to train in a world class
2 sports facilities which is at par with international
3 standards while continuing their high school education.

4 The PHSS shall be attached to the Department of
5 Education (DepEd) which shall also coordinate with the
6 Philippine Sports Commission (PSC) for policy and
7 program formulation and implementation on subjects
8 pertaining to sports. The organizational structure and
9 staffing pattern of the school shall be submitted by the
10 DepEd, in coordination with the PSC, to the Department of
11 Budget and Management (DBM) for evaluation and
12 approval.

13 In compliance with Republic Act No. 10533 or the
14 "Enhanced Basic Education Act of 2013", the PHSS shall at
15 the same time provide its students with quality secondary
16 education in their chosen track which shall not be limited
17 to the sports track. The establishment of the PHSS shall
18 likewise not prejudice the creation of other school for
19 sports in different cities, municipalities, and provinces all
20 over the country.

1 SEC. 4. *Purpose of the PHSS.* – The PHSS shall offer,
2 on a full or partial scholarship basis, a holistic center for
3 students who have shown potential in excelling in sports
4 and shall provide them with access to education that takes
5 into consideration their training needs.

6 The PHSS shall likewise ensure an alternative and
7 equitable admission process to enhance the access of
8 indigenous peoples, persons with disabilities, and students
9 from other marginalized groups.

10 SEC. 5. *Site, Construction, Operation, and*
11 *Maintenance of the PHSS.* – The PHSS shall be established
12 within the New Clark City in Capas, Tarlac. The students
13 shall have access to existing sports facilities in the New
14 Clark City.

15 The Bases Conversion and Development Authority
16 (BCDA) shall provide the land for the site by way of
17 usufruct. The BCDA shall also be in charge of the
18 construction of classrooms, dormitories, and other sports
19 facilities, and related amenities as may be determined by
20 the Board of Trustees at the New Clark City campus.

1 The PHSS shall at all times be given utmost priority
2 in the use of these school and sports facilities and
3 infrastructure which shall be free of charge as long as
4 utilized to carry out the purposes and functions of the
5 PHSS.

6 The PHSS shall be in charge of the annual operation
7 expenses and maintenance costs of the school facilities.

8 SEC. 6. *Director of the PHSS.* – Upon the
9 recommendation of the Board of Trustees, the Chairperson
10 shall appoint the Director who shall serve as head for a
11 period of six (6) years. The functions, powers, and duties of
12 the Director, in addition to those specifically provided for
13 under this Act, shall be those usually pertaining to the
14 office of the principal of any high school in the Philippine
15 educational system.

16 SEC. 7. *Board of Trustees.* – The PHSS shall have a
17 Board of Trustees, hereinafter referred to as the Board,
18 which shall be composed of the Secretary of the DepEd as
19 Chairperson, the Chairperson of the PSC as Vice
20 Chairperson, and the following members: the Director of

1 the PHSS; two (2) representatives from the private sector
2 who have distinguished themselves in the field of sports,
3 education or both, to be appointed by the Chairperson upon
4 consultation with the Board; the President of the
5 Philippine Olympic Committee (POC); and, two (2)
6 representatives from different POC-accredited national
7 sports associations to be nominated by their respective
8 sports associations and appointed by the Chairperson of
9 the Board.

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

15 In case of vacancy in the Board, the appointee shall
16 serve the unexpired term of the predecessor.

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

1 SEC. 8. *Powers and Functions of the Board of*
2 *Trustees.* – The exercise of the powers of the PHSS is
3 hereby vested exclusively in the Board of Trustees. The
4 Board shall have the following specific powers and duties,
5 in addition to its general powers of administration and the
6 exercise of all the powers granted to the board of directors
7 of a corporation under Section 35 of Republic Act No.
8 11232, otherwise known as the “Revised Corporation Code
9 of the Philippines”:

10 (a) To formulate policies, guidelines and criteria in
11 order to rationalize the establishment, administration and
12 operation of the sports high schools under the PHSS
13 system in accordance with a national sports program;

14 (b) To identify the satellite branches and regional
15 campuses of the PHSS;

16 (c) To approve the curricula, course of study, and
17 rules of discipline drawn up by the Executive Committee
18 as hereinafter provided;

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

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

10 (f) To determine the conditions of the acceptance of
11 paying students and establish the qualifications and
12 criteria thereof;

13 (g) To provide and approve fellowships and trainings
14 for faculty members;

15 (h) To fix the tuition fees and other necessary
16 school charges, as the Board may deem proper to impose,
17 after due and comprehensive consultation with the
18 students concerned.

19 Such fees and charges and other internally-generated
20 income by the PHSS shall constitute the Sports High

1 School Fund, as created under Section 18 of this Act, and
2 shall be deposited in any authorized government
3 depository bank, and all interests which shall accrue
4 therefrom shall form part of the same fund for the use of
5 the PHSS.

6 Any provision of existing laws, rules and
7 regulations to the contrary notwithstanding, any income
8 generated by the PHSS from tuition fees and other
9 charges, as well as from the operation of auxiliary services
10 and land grants, shall be retained by the PHSS, and may
11 be disbursed by the Board for instruction, research,
12 extension, or other programs or projects of the PHSS:
13 *Provided*, That all fiduciary fees shall be disbursed for
14 the specific purposes for which they were collected;

15 (i) To approve the grant of scholarships, stipends, and
16 such other allowances to deserving students;

17 (j) To establish the criteria for the selection and
18 admission of students which shall include, among others,
19 national competitive trials and examinations;

1 (k) To recruit the best student athletes for the
2 different regions of the Philippines to be enrolled in the
3 PHSS to better hone their skills and talents;

4 (l) To develop the athletic potential of every student
5 together with a sound and strong academic base;

6 (m) To provide a training program for students with
7 the end goal of creating athletes who are competitive in the
8 national, South East Asian, Asian, and Olympics levels;

9 (n) To approve the issuance of certificates or diplomas
10 to successful candidates for graduation;

11 (o) To receive, in trust, legacies, gifts and
12 donations of real and personal properties of all kinds
13 and to administer the same for the benefit of the PHSS or
14 for aid to any of its students;

15 (p) To enact rules and regulations, not contrary to
16 law, as may be necessary to carry out the purposes and
17 functions of the PHSS; and

18 (q) To perform any and all other acts incident to or
19 required by virtue of its creation.

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

7 A quorum of the Board shall consist of a majority of
8 all the members holding office at the time the meeting is
9 called: *Provided*, That the Chairperson of the Board is
10 among those present in the meeting. In the absence of the
11 Chairperson, an Undersecretary of the DepEd, duly
12 designated by the Chairperson, shall represent him/her in
13 the meeting.

14 SEC. 10. *Reporting Requirements and Auditing of*
15 *Accounts.* – The Board shall submit to the Commission on
16 Audit (COA), DBM, Office of the President of the
17 Philippines (OP), and Congress a detailed report on the
18 progress, condition, and needs of the PHSS containing,
19 among others, the financial statements, statement of
20 assets and liabilities, other revenue sources and program

1 for expenditures, physical and financial accountability
2 reports, and other similar reportorial requirements on or
3 before the fourteenth (14th) day of February of each year.
4 All accounts and expenses of the PHSS shall be audited by
5 the COA or its duly authorized representative.

6 SEC. 11. *Executive Committee.* – There shall be an
7 Executive Committee, hereinafter referred to as the
8 Committee, consisting of the Director, the Assistant
9 Director whose position is created under Section 12 of this
10 Act, the heads of departments of PHSS, and such other
11 ranking faculty members or officials of the PHSS as may
12 be determined by the Board.

13 The Committee shall have the power to screen and
14 select the students subject for admission, select students
15 who shall be recipients of scholarships, stipends and other
16 allowances, and develop the curricula, course of study, and
17 rules of discipline. The Committee shall implement and
18 execute the policies laid down by the Board and exercise
19 such other powers, functions, and duties as the Board may
20 prescribe.

1 SEC. 12. *Assistant Director of the PHSS.* – There shall
2 be an Assistant Director who shall assist the Director. In
3 the absence of the Director, he/she shall assume the
4 administrative and supervisory functions of the Director.
5 He/she shall be appointed by the Chairperson of the Board,
6 subject to the approval of such Board which shall also fix
7 his/her compensation.

8 SEC. 13. *Registrar of the PHSS.* – There shall be a
9 Registrar of the PHSS who shall also act as Secretary of
10 the Board, to be appointed by the Director with the
11 approval of the Board. The Registrar shall keep all records
12 of the PHSS.

13 SEC. 14. *Treasurer of the PHSS.* – There shall be a
14 Treasurer of the PHSS who shall be appointed by the
15 Director with the approval of the Board.

16 SEC. 15. *Personnel of the PHSS.* – The Director shall,
17 upon approval of the Board, employ professional and
18 highly skilled managers, educators, teachers, coaches,
19 trainers, sports and medical professionals, who are experts

1 in the field and other personnel to ensure proper operation
2 and maintenance of the PHSS.

3 Any officer or employee of the government engaged as
4 a lecturer at the PHSS may receive a compensation in
5 addition to his/her salary at the rate to be fixed by the
6 Board: *Provided*, That his/her duties as such lecturer are
7 performed outside of the regular office hours.

8 SEC. 16. *Payment of National Taxes and Customs*
9 *Duties.* – The payment of national taxes, including customs
10 duties, of the PHSS shall be charged against the Tax
11 Expenditure Fund (TEF) provided for in the annual
12 General Appropriations Act.

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

16 SEC. 17. *Tax Deduction and Exemption of Donations*
17 *and Contributions.* – All legacies, gifts and donations for
18 the benefit of the PHSS, its support and/or
19 maintenance, or for aid to any of its students shall be tax-
20 exempt and fully deductible from the gross income of the

1 donors in accordance with the National Internal Revenue
2 Code (NIRC), as amended.

3 SEC. 18. *Sports High School Fund.* – All incomes and
4 monetary donations to the PHSS created under this Act
5 shall be formed into a fund to be known as the Sports High
6 School Fund, which the PHSS shall be authorized to retain
7 without need of a separate approval from any government
8 agency and subject to existing budgeting, accounting and
9 auditing rules and regulations. This fund shall be
10 expended as authorized by the Board and exclusively for
11 the purpose of this Act.

12 SEC. 19. *Funding.* – The Secretary of the DepEd shall
13 immediately include in the department's programs the
14 operation of the PHSS whose funding shall be included in
15 the annual General Appropriations Act.

16 SEC. 20. *Implementing Rules and Regulations.* – The
17 DepEd and the PSC, in consultation and coordination
18 with the DBM, the Commission on Higher Education
19 (CHED), the Department of Public Works and Highways
20 (DPWH), the BCDA, and other relevant stakeholders shall

1 promulgate, not later than sixty (60) days upon the
2 effectivity of this Act, the necessary rules and regulations
3 for its effective implementation: *Provided*, That the failure
4 to promulgate such rules and regulations shall not prevent
5 the implementation of this Act upon its effectivity.

6 SEC. 21. *Separability Clause.* – If any part or
7 provision of this Act shall be held unconstitutional or
8 invalid, other provisions thereof which are not affected
9 thereby shall continue to be in full force and effect.

10 SEC. 22. *Repealing Clause.* – All other laws, decrees,
11 executive orders, and other administrative issuances and
12 parts thereof which are inconsistent with the provisions of
13 this Act are hereby modified, superseded or repealed
14 accordingly.

15 SEC. 23. *Effectivity.* – This Act shall take effect fifteen
16 (15) days following its publication in the *Official Gazette* or
17 in a major daily newspaper of national circulation in the
18 Philippines.

19 Approved,