

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2817



Introduced by Honorable Roque R. Ablan, Jr.

EXPLANATORY NOTE

As embodied in our Constitution in Section 17 Art. II, under State Policies, which reads as follows: “The State shall give priority to education, **science and technology, arts, culture,** and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development”, and pursuant to this mandate, the Department of Education (DepEd) is responsible for the education and total development of the nation’s manpower resources and population

In response to the challenges posed by the Informaion Age of the 21st century, the DepEd has to prepare the secondary school students to be globally competitive, productive and creative. It has to adopt special programs responsive to the current trends, advances in information and communication technologies, robotics, cyberspace, nd biotechnologies which have dramatically revolutionized our national economic and social order, and the very fiber of Philippine society.

It has to devise and implement a Special Program in the Arts, that is, Media Arts, Theater Arts, Literary Arts, Visual Arts, Music and Dance in the regular secondary schools that will equip and prepare the Filipino youth to join and live in a borderless advanced information age society and by this legislative act provide mechanisms for identifying and assisting qualified students to develop their potential, talent, and skills and provide opportunities for our Filipino youth to popularize their works locally and internationally.

In pursuit of these objectives, approval of this measure to be known as SPECIAL PROGRAM IN THE ARTS ACT OF 2004, is earnestly hoped for.


ROQUE R. ABLAN, JR.

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AN ACT
PROVIDING FOR A SPECIAL PROGRAM FOR THE ARTS IN REGULAR
SECONDARY SCHOOLS, PROVIDING FUNDS THEREFOR AND FOR OTHER
PURPOSES.

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

SECTION 1. This Act shall be known as the “SPECIAL PROGRAM IN THE ARTS ACT OF 2004

SEC. 2. Policy and Objectives. – The Department of Education (DepEd) has been mandated by the State to be responsible for the education and total development of its manpower/population. In response to the challenges posed by the information age in the 21st century, DepEd implements the Special Program in the Arts to prepare secondary school students to be globally competitive, productive and creative. The Special Program in the Arts responds to the current trend/advances in information, communication technologies, robotics, cyberspace, and biotechnologies which have dramatically revolutionize our national economic and social order, and the very fiber of Philippine society.

DepEd in its mission to preserve, promote and develop arts and culture has to implement a special program in the arts, i.e., Media Arts, Theater Arts, Literary Arts, Visual Arts, Music and Dance, in regular secondary schools. Hopefully, the program will equip and prepare the Filipino youth to join and live in a borderless advanced society.

The objectives of the Act shall be as follows:

- a. To acknowledge and prepare the students to be globally competitive and technologically competent in the Arts, i.e., Media Arts, Theater Arts, Literary Arts, Visual Arts, Music and Dance;

- b. To provide mechanisms for identifying and assisting qualified students to develop their potential, talents and skills;
- c. To create opportunities for our Filipino youth to popularize their works locally and internationally.

SEC. 3. Definition of Terms. – For purposes of this Act, “Special Program in Arts” shall mean a school implementing any areas in the Arts, Media Arts, Theater Arts, Literary Arts, Visual Arts, Music and Dance, whose distinctive purpose is to develop the skills of the students to a high level of technical and artistic excellence and practice the same in the community with the same degree of technical and artistic competence.

“Secondary Schools” refers to an institution offering the DepEd Basic Secondary Curriculum.

SEC. 4. – Criteria and Qualification. To become a pilot –school in the “Special Program in the Arts”, the school must satisfy the following minimum criteria:

- a. The school should be a regular high school.
- b. It must be strategically located where there are available resources, and accessible to local artists.
- c. It must have an administrator who is supportive of and interested in the arts.
- d. It must have a department head knowledgeable in the Arts.
- e. It must have teachers with strong interest in and commitment to the Arts.
- f. It should have site for a dormitory and additional classrooms for studio, laborator, storage rooms, computer rooms and practice rooms.
- g. Student Selection/Admission. A qualifying test and audition shall be given to elementary school graduate applicants who have demonstrated special talent/potential and special ability in the Arts. The student shall be required to maintain an average grade of 85%.
- h. Qualification of the School Administrator. The school administrator must be supportive of and interested in the Arts. He must have excellent administrative skills and good rapport with the community and the local government units.
- i. Teacher Qualifications. – The teacher must be willing to be trained in Humanities. He must hold a Bachelor’s Degree in Education or any equivalent thereof, major or specialization in a subject to be handled in the Arts. The teacher must have a strong interest in the Arts.

The implementing agency may require and impose additional criteria and qualifications in pursuance of the purposes in this Act.

SEC. 5 – Awards and other Incentives. – The following incentives shall be given:

- a. An initial grant of ONE MILLION PESOS (Php1,000,000.00) for each of the 15 pilot schools be given every year to cover the necessary expenses. This grant may be increased whenever circumstances so warrant.
- b. Documentation. – All conferences of regional administrators and pilot program implementers shall be catalogued, photographed and documented.

SEC. 6 – Duties and Responsibilities. The pilot school implementing the Special Program for the Arts shall undertake the following:

- a. To transfer the desired skills to the students;
- b. To cooperate with the implementing agency in the promotion and propagation of the different programs in the Arts;
- c. To undertake information programs intended to effectively broaden community awareness of and instill appreciation in the Arts.

SEC. 7. – Plantilla of Personnel. The individual pilot schools shall determine the number and qualifications of needed personnel to be recruited and appointed.

Sec. 8. – Implementing Agency. The Department of Education, through its Bureau of Secondary Education shall develop and implement the program to effectuate the provisions of this Act and promulgate such rules, regulations and criteria that will govern the program implementation.

For the purposes of this Act, the Department of Education's Bureau of Secondary Education shall have the following powers and functions:

- a. To constitute and appoint panels of experts in each of the different areas in the Arts, i.e., Media Arts, Theater Arts, Literary Arts, Visual Arts, Music and Dance;
- b. To increase the monetary grant whenever circumstances so warrant;
- c. To design, monitor and evaluate the programs that shall ensure the transfer of skills to clients and to coordinate with pertinent agencies, public and private;
- d. To generate funds from the government and private sector for implementation of the provisions of this Act.

Sec. 9. Appropriations. The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act (GAA) each year following its enactment into law and thereafter.

Sec. 10. Tax Privileges. Pursuant to the existing provisions under the National Internal Revenue Code (NIRC), as amended, and the Tariff and Customs Code of the Philippines (TCCP), as amended, any gifts or donations which shall be made to or for the use of the Special Program for Arts shall be entitled to the following privileges:

- a. exemption from donor's tax pursuant to Section 94 (a) (3) of the NIRC, as amended;
- b. deductibility of donations from the donor's gross income for purposes of computing taxable income in accordance with Section 29 (h) of the NIRC, as amended;
- c. exemption from taxes and duties of donations from foreign countries subject to the provisions of Section 105 of TCCP, as amended, and Section 103 of the NIRC, as amended.

Sec. 11. Repealing Clause. All laws, issuances, decrees or any part or parts thereof inconsistent with the provisions of this Act are deemed amended or repealed accordingly.

Sec. 12. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.