

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **2302**



Introduced by **HONORABLE LANI MERCADO-REVILLA**

EXPLANATORY NOTE

The Constitution, Article XIV, Section 19 provides:

- (1) "The State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry."
- (2) "All educational institutions shall undertake regular sports activities throughout the country in cooperation with athletic clubs and other sectors."

It is the obligation of the State to promote and encourage the importance of physical education and sports in forming a healthy and functioning citizenry. However, K. Hardman in 2005 wrote in "Global Vision of the Situation. Trends and Issues of Sport and Physical Education", that there was a decline or marginalization (of the subject of physical education in schools). He said that deficiencies were apparent in curriculum, time allocation, subject status, materials, human and financial resources, gender and disability issues and quality and program delivery. Leonard A. de Vries asserts that 60% of the physical education and sports programs in Asian schools suffer from low resources and deprived conditions because important decisions on physical education and sports are often made by government officials with no academic or professional qualifications in the discipline and that physical education and sports are commonly considered as "play" rather than subjects that develop the "thinking" capacity.

One of the basic strategies for sports development to enable our country to become competitive in international competitions is to have a two-pronged approach to talent/player development. This approach looks at grassroots development on the one hand and elite training on the other hand. The former allows the development of a broader base of talent from which the elite athletes in a sport are to be chosen and developed. At the same time this part of the approach allows also the general development of the sport in terms of it becoming more popular and widely played and followed.

The establishment of the Philippine High School for Sports (PHSS) seeks to address both aspects of this two-pronged approach with the goal of developing world class athletes who will represent the country in international tournaments as well as encourage the Filipino youth to excel in sports and in education. The PHSS is also founded on the basic philosophy of education that sports and physical development is a basic element in the education and formation of the youth, especially on the level or stage of basic education.

In view of the foregoing reasons, the approval of this bill is earnestly sought.


REP. LANI MERCADO-REVILLA
2nd District, Cavite

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**AN ACT ESTABLISHING A PHILIPPINE HIGH SCHOOL FOR SPORTS AND
APPROPRIATING FUNDS THEREFOR**

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

Section 1. There is hereby established a high school to be known as the "Philippine High School for Sports."

Section 2. The purpose of the said high school shall be to offer, on a free scholarship basis, a secondary course with special emphasis on developing the athletic skills of the students, with the end in view of training young Filipinos for international sports competitions.

Section 3. The head of this high school shall be known as the Director of the Philippine High School for Sports. He shall be appointed by the President of the Republic of the Philippines with a fixed term of eight (8) years commencing from his assumption into office. He shall not be removed from office except for just cause. His functions, powers and duties, in addition to those specifically provided for in this Act, shall be those usually pertaining to the office of the principal of a public high school.

Section 4. The Philippine High School for Sports shall have the power and capacity:

- a. To sue and be sued in its;
- b. To adopt and use a corporate seal;
- c. To purchase, receive, take or grant, hold, convey, sell, lease, pledge, mortgage and otherwise deal with such real and personal property, including securities and bonds of other corporations, as the transaction of the lawful business of this institution may reasonably and necessarily require, subject to the limitations prescribed by law and the Constitution; and
- d. To exercise such other powers as may be essential or necessary to carry out its purpose or purposes as stated in this charter.

Section 5. The exercise of its corporate powers is hereby vested exclusively in the Board of Trustees and in the Director of the High School insofar as authorized by the said Board.

The Board of Trustees shall be composed of the following: (a) the Secretary of Education, who shall be the *ex-officio* Chairman of the Board; (b) the Director of the Philippine High School for Sports, who shall be *ex-officio* Vice-Chairman; and (c) three (3) representatives from accredited sports association or societies, to be appointed by the President of the Republic of the Philippines.

All the members who are not receiving regular compensation from the government shall receive a per diem of five thousand pesos each per session of the Board.

The members of the Board shall serve for eight (8) years.

The Undersecretary of Education shall, in the absence of the Secretary, act as *ex-officio* Chairman of the Board of Trustees, respectively.

Section 6. The Board of Trustees shall exercise for the Philippine High School for Sports all the powers and prerogatives of a board of directors of a private corporation. It shall also have the following powers and duties:

- (a) To fix the site of the Philippine High School for Sports;
- (b) To receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the High School;
- (c) To approve appointments made and contracts entered into by the Director in connection with the employment of professors, instructors, lecturers, and other employees of the school, subject to the provisions of Section eleven of this Act; to fix their compensation and other conditions of employment; and to remove them for the cause after an investigation and hearing shall have been had;
- (d) To approve curricula, course of study and rules of discipline drawn up by the Executive Council as hereinafter provided;
- (e) To provide fellowship for faculty members and approve the grant of scholarship, stipends and such other allowances to deserving students;
- (f) To approve the issuance of certificates of diplomas to successful candidates for graduation;
- (g) To provide its own rules of procedure, and to prescribe for the administration of the High School such general rules and regulations, not contrary to law, as are consistent with the purpose of the High School, as defined in Section two of this Act;
- (h) To receive in trust legacies, gifts, and donations of real and personal property of all kinds and to administer the same in accordance with the directions and instructions of the donor, and in default thereof, in such manner as the Board of Trustees may in its discretion determine, for the benefit of the High School or for aid to any of its students; and
- (i) To establish the criteria for the selection and admission of students which shall include, among others, national competitive screenings, tryouts and examinations.

Section 7. A quorum of the Board of Trustees shall consist of a majority of all the members holding office at the time the meeting of the Board is called. All processes against the Board of Trustees shall be served on the Director or the Secretary of the Board of trustees thereof.

Section 8. On or before the fifteenth of January of each year, the Board of Trustees shall file with the President and Congress of the Philippines a detailed report, setting forth the progress, condition, and needs of the High School.

Section 9. There shall be a Executive Council consisting of the Director, the heads of departments, and such other ranking faculty members or officials of the High School as may be determined by the Director. The Council shall have the power to screen and select the students to be admitted to the High School; to select students who shall be recipients of scholarship, stipends and other allowances; and to develop the curricula, course of study, training and rules of discipline, all subject to the approval of the Board. The Council shall have the exclusive power to recommend students eligible for graduation. Through the Director it shall have disciplinary power over the students.

The Council shall implement and execute the policies laid down by the Board of Trustees and exercise such other functions, powers and duties as the Board may prescribe.

Section 10. There shall be a registrar of the High School who shall also act as Secretary of the Board, to be appointed by the Director with the approval of the Board of Trustees. He shall keep such records as may be prescribed by the Board.

Section 11. There shall be a treasurer of the Philippine High School for Sports who shall be appointed by the Director with the approval of the Board of Trustees. All accounts and expenses shall be audited by the Commission on Audit or its duly authorized representative.

Section 12. Professors, instructors, trainers, coaches and other faculty members of the High School shall be exempt as such criteria as may be established by the Board of Trustees which shall include, if necessary and practicable, screening and competitive examination.

Section 13. All legacies, gifts and conditions for the benefit of the High School or for its support and maintenance or for aid to any of its students shall be tax exempt and shall be an allowable deduction from the gross income of the donors. For the purpose of the income tax, the High School shall be exempt from the payment of all taxes, fees, assessments and other charges of the Government, its branches and subdivisions.

Section 14. All incomes and donations to the High School created under this Act shall constitute a special fund to be known as a Philippine High School for Sports Fund. This fund shall be expended by the Board of trustees exclusively for the purpose of this Act.

Section 15. Heads of bureaus or offices of the National Government are hereby authorized to loan or transfer, upon request of the Director of the High School, such apparatus, supplies and other properties as may be needed by the High School, and to detail employees for duty therein, when in the judgment of the head of the bureau or office, they can be spared without serious detriment to the public service. Employees so detailed shall perform such duties as are required under such detail, and the time employed shall be counted as part of their regular official hours, all laws, rules and regulations limiting the detail of government employees notwithstanding.

Section 16. *Appropriations.* To carry out the purpose of this Act, including the operation of the High School, the acquisition, improvement, and conditioning of the land on which the High School shall be located, the construction, maintenance, and repair of buildings and improvements, and the acquisition of furniture, fixtures and equipment, the sum of two hundred million pesos (Php 200,000,000.00) is hereby appropriated out the National Treasury not otherwise appropriated. Said sum shall be released for upon approval of this Act.

Thereafter, The Secretary of education shall immediately include in the Department's program the operationalization of the Philippine High School for Sports, the funding of which shall be included in the annual General Appropriations Act: *Provided, however,* That any unexpected balance for any shall also form part of the aforementioned Philippine High School for Sports Fund.

Section 17. *Implementation.* The Secretary of Education shall issue rules and regulations that may be necessary to carry out the purpose of this Act.

Section 18. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or application of such provision of other persons or circumstances shall not be affected thereby.

Section 19. All laws, rules and orders inconsistent with the provisions of this Act are hereby repealed.

Section 20. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the official Gazette.

Approved,