



Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS

Second Regular Session

House Bill No. **6730**



Introduced by Representative JOSE ENRIQUE S. GARCIA III

EXPLANATORY NOTE

On May 15, 2013, Republic Act 10533 otherwise known as the "*Enhanced Basic Education Act of 2013*" was enacted into law. It modified basic education in the country by requiring kindergarten enrollment and a total of twelve (12) years of elementary and secondary education. With the goal of providing sufficient time for mastery of concepts in preparation for tertiary education and eventual employment, RA 10533 established an additional two (2) years of senior high school studies.

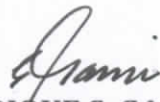
Senior High School (SHS) provides specialized upper secondary education where students choose a concentration based on aptitude and interests. There are seven learning areas all students must study under the core curriculum that include languages, literature, communication, mathematics, philosophy, natural sciences, and social sciences. Meanwhile, the specialized subjects depend on the student's chosen career track that may be Academic, Technical - Vocational - Livelihood, Arts and Design, or Sports.

The SHS program was fully implemented during School Year 2016 - 2017. Figures show that of the over One Million SHS enrollees, roughly 60% enrolled in the Academic Track, 39% enrolled in the Technical- Vocational Livelihood Track, 0.15% enrolled in the Sports Track, and 0.28% enrolled in the Arts and Design Track.

Low enrollment in the Arts and Design and Sports Track is attributed to several factors - the most pressing of which is the scarcity of schools teaching said tracks. While local demand is taken into consideration, school capacity and the availability of learning facilities and teaching staff largely determine track offerings. As a consequence, students who are interested in the two tracks are forced to either enroll in a different school if one is available nearby, or choose a track that is not suited to their innate abilities.

This bill seeks to remedy the current situation by requiring that at least one school in every province and city nationwide offer the Arts and Design Track. It is hoped that with the passage of this bill, the various competencies of students will be maximized and quality education will be more accessible to all.

Support for this bill is therefore earnestly sought.


JOSE ENRIQUE S. GARCIA III
2nd District, Province of Bataan



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**AN ACT MANDATING AT LEAST ONE SCHOOL IN ALL PROVINCES AND
HIGHLY URBANIZED CITIES NATIONWIDE TO OFFER THE ARTS AND
DESIGN TRACK AND APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. Declaration of Principles – The State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all.

The State shall establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society, taking into consideration the different capabilities of each student.

The State shall foster the preservation, enrichment and dynamic evolution of the Filipino culture in a climate of free artistic and intellectual expression, and shall encourage such discourse and learning in an educational setting.

SECTION 2. Mandate – It is mandated that at least one (1) public senior high school (SHS) in all provinces and all highly urbanized cities nationwide shall be required to offer the Arts and Design Track. The Department of Education (DepEd) shall, in coordination with the local government unit concerned, take into consideration the school capacity, faculty readiness, location, and local student demand in identifying and assigning the appropriate SHSs in accordance with this Act.

SECTION 3. Compliance – The DepEd shall develop a list of criteria that each SHS must comply with to ensure the effective implementation of Section 2 of this Act; Provided that, notwithstanding such criteria, all provinces and all highly urbanized cities must have at least one (1) SHS offering the Arts and Design Track. Appropriate incentives shall be given to compliant SHSs which may include a higher budget percentage during the next succeeding year, priority in facilities construction and rehabilitation, preference in faculty

1 trainings, and other benefits deemed fit by the DepEd or the LGU concerned;
2 Provided that, the DepEd shall, in consultation with the LGU concerned,
3 formulate and issue appropriate guidelines for such incentives. A monitoring
4 system shall likewise be established by the DepEd to guarantee the proper
5 execution of this section.

6 **SECTION 4. *Tax Exemptions*** - All legacies, gifts and donations for the
7 benefit of the SHSs offering an Arts and Design Track, or for its support and
8 maintenance, or for aid to any of its students enrolled in the Arts and Design
9 Track shall be exempt from Donor's Tax. The same shall be considered as
10 allowable deductions from the gross income in the computation of the income
11 tax of the donor, in accordance with the provisions of the National Internal
12 Revenue Code (NIRC), as amended: *Provided*, That such donations shall not be
13 disposed of, transferred or sold by the SHS for other purposes.

14 The SHS shall likewise be exempt from taxes and duties on any
15 equipment, books, articles or goods the SHS may import from abroad exclusively
16 for educational purposes in accordance with the provisions of the Tariff and
17 Customs Code, as amended; *Provided* that, if such equipment, books, articles or
18 goods are disposed to third parties, the appropriate taxes and duties on such
19 equipment, books, articles or goods must be paid.

20 Likewise, the SHS shall be exempt from withholding taxes on honoraria or
21 fees paid by the high school to visiting lecturers or professors.

22 Finally, all the revenues, grants, endowments, donations, contributions
23 and assets of the SHS used actually, directly and exclusively for educational
24 purposes and development of the Arts and Design Track shall be exempt from
25 taxes and duties, subject to the conditions set forth in Article XIV, Section 4 of the
26 1987 Philippine Constitution.

27 **SECTION 6. *Academic Freedom and Institutional Autonomy*** - Nothing in
28 this Act shall be construed as encroaching on the academic freedom of
29 educational institutions. The SHS shall enjoy academic freedom and institutional
30 autonomy, pursuant to paragraph 2. Section 5 of Article XIV of the 1987
31 Constitution of the Republic of the Philippines.

32 **SECTION 7. *Faculty***. - No political beliefs, gender preferences, cultural or
33 community affiliation, ethnic origin, and religious opinion or affiliation shall be a
34 matter of inquiry in the appointment of faculty members of the school: *Provided*,
35 That said appointment shall be subject to the guidelines, qualifications and/or
36 standards set by the DepEd. *Provided, further*, That no member of the faculty
37 shall teach for or against any particular church or religious sect.

38 **SECTION 8. *Appropriation*** - Such sums as may be necessary for the
39 continued operation and maintenance all SHSs offering the Arts and Design
40 Track shall be provided in the yearly General Appropriations Act of the national
41 government.

1 The LGUs concerned shall likewise continue to provide assistance to the
2 corresponding SHSs.

3 A portion of the profit of the Philippine Gaming and Amusement
4 Corporation (PAGCOR) shall be allotted annually for the continued operation and
5 improvement of SHSs offering the Arts and Design Track.

6 **SECTION 9. *Supplementary Application*** – The provisions of Republic Act Nos.
7 9155 and 1053, otherwise known as the “Governance of Basic Education Act of
8 2001” and “Enhanced Basic Education Act of 2013” respectively, shall be made
9 an integral part of this Act.

10 **SECTION 10. *Implementing Rules and Regulations*** –The Department of
11 Education, in coordination with the National Commission for Culture and Arts
12 shall, within one hundred twenty (120) days from the effectivity of this Act, issue
13 such rules and regulations as may be necessary to carry out the purposes of this
14 Act.

15 **SECTION 11. *Separability Clause*** – If, for any reason, any part or provision
16 of this Act is declared invalid or unconstitutional, the remaining parts or
17 provisions not affected shall remain in full force and effect.

18 **SECTION 12. *Repealing Clause*** – All laws, presidential decrees, executive
19 orders, rules and regulations contrary to or inconsistent with the provisions of
20 this Act are hereby repealed or modified accordingly.

21 **SECTION 13. *Effectivity*** – This Act shall take effect fifteen (15) days upon
22 the approval and publication thereof.

23 *Approved.*