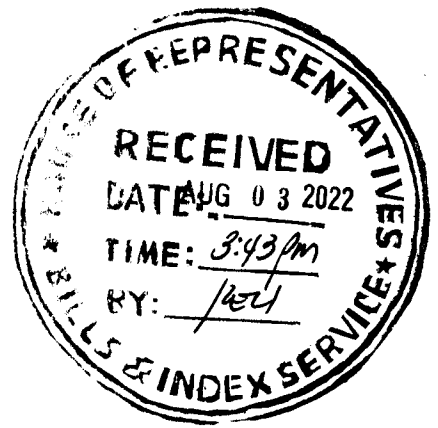


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3144



Introduced by Rep. Sittie Aminah Q. Dimaporo and Rep. Mohamad Khalid Q. Dimaporo

EXPLANATORY NOTE

This bill seeks to establish a Philippine High School for the Design and Arts (PHSDA) System which will promote, establish, maintain, and support an adequate integrated system of education in every region and will ensure that all students with relevant inclination to arts and culture will be given an equal opportunity to benefit secondary education. This will also serve as an avenue for local and international students to learn the different cultures and art forms our country has to offer.

Through the establishment of the Philippine High School for the Design and Arts System in every region, the different types of art and culture in the country can be preserved and recognized.

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


SITTIE AMINAH Q. DIMAPORO
Second District, Lanao del Norte


MOHAMAD KHALID Q. DIMAPORO
First District, Lanao del Norte

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HOUSE BILL NO. 3144

Introduced by Rep. Sittie Aminah Q. Dimaporo and Rep. Mohamad Khalid Q. Dimaporo

**AN ACT ESTABLISHING THE PHILIPPINE HIGH SCHOOL
FOR DESIGN AND ARTS SYSTEM**

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

Section 1. *Short Title.* – This Act shall be known as “The Philippine High School for the Design and Arts System Act of 2022.”

Sec. 2. *Declaration of Principles.* – The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Moreover, the government is committed to fulfill its constitutional mandate to foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression and to place arts, design and other intellectual creation under the patronage of the State. Towards this end, the State shall promote arts and design education and encourage arts programs, national art competitions, and the strengthening of education for the development of creative industries. This shall include a complete and harmonious development of citizenry who can contribute most meaningfully towards the creation and enhancement of a democratic, just, and humane society imbued with national identity and pride. The State shall provide adequate training for students with artistic abilities with the end view of producing world-class artists with solid academic background and strong patriotic ideals. In line with this, an educational system to foster the holistic development of the youth and to prepare the students for a long-term career in the various fields of creative industry is hereby established.

Sec. 3. *Objectives.* – In implementing the foregoing policy, the State shall pursue the following objectives:

- (a) Integrate the existing high schools for the arts in other regions into one system of governance and management and create the Philippine High School for the Design and Arts System (PHSDA)
- (b) Ensure uniformity in quality standards and systematize operations of schools under the PHSDA System; and
- (c) Rationalize the establishment of Philippine High School for Design and Arts as defined in this Act.

Sec. 4. Creation and Establishment of the Philippine High School for Design and Arts (PHSDA) - There is hereby established a Philippine High School for Design and Arts System (PHSDA) which are secondary schools offering full scholarships to deserving students with considerable potential in the various fields of performing arts, creative writing, visual arts, and applied arts. Admitted students shall be trained under a special curriculum oriented in the fields of Arts Crafts, Audiovisuals, Design, Digital Fabrication, New Media, Performing Arts, Publishing and Visual Arts, with the end in view of providing quality education to students while preparing them for various creative industry related career. It will, thus, provide a continuing source of artists of excellence and leaders in the preservation and promotion of culture and the arts in the Philippines.

The PHSDA System shall be administratively attached to the Department of Education (DepEd) for budgetary purposes.

Sec. 5. Scope. - The Philippine High School for Design and Arts System shall be composed of existing high schools for the arts in other regions and future campuses in every region which shall be established under this law.

Sec. 6. Board of Trustees. - The PHSDA System shall be governed by a Board of Trustees, hereinafter referred to as the "Board", which shall be composed of, the Secretary of the Department of Education as Chairperson the Chairperson of the National Commission on Culture and Arts (NCCA) as Vice Chairperson and the following members: the President or the Artistic Director of the Cultural Center of the Philippines (CCP), the President of the Creative Economy Council of the Philippines (CECP) and the Executive Director of the PHSDA system as created in Section 10 of this Act. The Board of Trustees shall also include as members, four (4) representatives from the fields of performing arts, visual arts and applied arts which may either be a respected member of the academe in the field of culture and the arts or a representative from the arts and design community of known expertise, integrity and probity, all of whom shall be appointed by the Chairperson of the Board of Trustees, subject to the confirmation of the members of the Board. The members from the academe and creative industry community shall have a fixed term of six (6) years and shall not be eligible for reappointment.

All members who are not receiving regular compensation from the government shall receive reasonable *per diem* to be determined by the Board subject to current practices, for every meeting of the Board.

Sec. 7. Powers and Functions of the Board of Trustees. - The exercise of the corporate powers of the PHSDA system is hereby vested exclusively in the Board of Trustees.

The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the board of directors of a corporation under Section 35 of Republic Act No. 11232, otherwise known as the Revised Corporation Code of the Philippines:

- (a) To formulate policies and guidelines for the administration and operation of the PHSA System;

- (b) To determine the sites for the other campuses of the PHSDA for later expansion after the first PHSA campus shall have been established as provided in Section 5 hereof;
- (c) To approve the curricula, course of study, and rules of discipline drawn up by the Executive Council as hereinafter provided;
- (d) To receive and appropriate for the ends herein specified such sums as may be provided by law for the support of the PHSDA;
- (e) To formulate policies on personnel organization, appointment, promotion, retention/renewal of contracts, compensation, removal for just cause, rewards, incentives and other conditions of employment for administrators, faculty and staff of the PHSDA;
- (f) To approve appointments made and contracts entered into by the Executive Director in connection with the employment of administrative officers, teachers, lecturers and other employees of the school;
- (g) To provide and approve fellowship grants and trainings for administrators, faculty members and staff;
- (h) To approve the grant of scholarships, stipends and such other allowances to deserving students based on the guidelines and implementing rules;
- (i) To establish the criteria for the selection and admission of students which shall include, among others, national competitive trials and examinations;
- (j) To approve the issuance of certificates or diplomas to successful candidates for graduation;
- (k) To receive, in trust, legacies, gifts, and donations of real and personal property of all kinds and to administer the same for the benefit of the PHSDA or for aid to any of its students;
- (l) To enact rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the PHSDA; and
- (m) To perform any and all other acts incident to or required by virtue of its creation.

Sec. 8. *Hiring of Foreign Educators and Consultants.* – In addition to the powers and functions vested to the Board under Section 7 of this Act, the Board shall be allowed to approve the hiring of licensed foreign educators and consultants: *Provided*, That the NCCA shall certify the necessity of hiring such educators, consultants, including their competence and skills which are not available locally or proved to be incomparable with their local counterparts.

The Board shall provide guidelines and mechanisms to ensure that the new knowledge and training methods introduced by the foreign educators, consultants shall be passed on to the student-artists and local educators, trainers and consultants of the PHSDA.

Sec. 9. Meetings of the Board of Trustees. – The Board of Trustees shall regularly convene at least once every semester of the PHSDA school calendar: *Provided*, That upon the effectivity of this Act, the Board of Trustees shall immediately convene for purposes of choosing and appointing the Executive Director, the members from the academe and/or arts community, and plan for the effective organization of the Philippine High School for the Arts System.

The Chairperson of the Board of Trustees may call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (3) days prior to said meeting.

A majority of all members holding office shall constitute a quorum for board meetings: *Provided*, That the Chairperson and the Vice Chairperson of the Board are among those present in the meeting.

Sec. 10. Executive Director of the PHSDA. – The PHSDA System shall be headed by an Executive Director who shall serve for a period of six (6) years. The Executive Director shall be appointed by the Chairperson of the Board of Trustees, subject to the approval of the members of the Board based on the guidelines and qualifications set forth in the implementing rules and regulations. The Board shall also fix the compensation of the Executive Director. The Executive Director shall coordinate the implementation of policies and guidelines set by the Board of Trustees. As a member of the Board, the Executive Director shall articulate to the Board the mutual concern of all the campuses.

The Executive Director shall perform the following functions:

- (a) Coordinate curriculum planning activities for the PHSDA System;
- (b) Coordinate exchange programs with other educational institutions for the arts and design both local and foreign;
- (c) Coordinate the implementation of the program for the identification and selection of scholars for the PHSDA System.
- (d) Provide legal, technical support and secretariat for the PSHS System.

Sec. 11. Executive Council. – There shall be an Executive Council consisting of the Executive Director, the Deputy Executive Director, as created in Section 12 of this Act, and the Campus Directors, as created in Section 13 of this Act.

The Executive Council shall be responsible for the development of the artistic potential of every student with a strong academic base and for providing programs for the students with the end goal of training gifted youths in various fields of art. The Council shall implement and execute the policies laid down by the Board and exercise such other functions, powers and duties as the Board may prescribe.

Sec. 12. Deputy Executive Director of the PHSDA. – There shall be a Deputy Executive Director who shall assist the Executive Director. In the absence of the Executive Director, the Deputy Executive Director shall assume the administrative and supervisory functions of the Executive Director. The Deputy Executive Director shall be appointed by

the Chairperson of the Board subject to the approval of the same Board, which shall also fix compensation of the Deputy Executive Director.

Sec. 15. *Campus Director.* – Each PHSDA shall be headed by a Campus Director who shall be appointed by the Board, upon recommendation of the Executive Director on the basis of a search process. The Campus Director shall have a fixed term of six (6) years. The Campus Director shall not be removed from office except for cause.

The Campus Director shall be the administrative and academic head of the campus assigned to, and will be responsible for its effective and efficient operations. The Campus Director may constitute a management committee which may act as a consultative body for the educational needs, standard of living in campus and other related services for the students, faculty and staff of the campus.

Sec. 16. *Civil Service Coverage* - Personnel of the PHSDA shall be classified into:

(a) Career service personnel, namely, those of the finance, administrative, and personnel staff of the PHSDA and the general education faculty, covered by civil service regulations.

(b) Non-career service personnel, namely, visiting professors and instructors in the various fields of creative industry, who shall be exempt from civil service regulations.

Career and non-career service personnel shall be subject to civil service rules and regulations on wage and position classifications. They shall be entitled to retirement benefits enjoyed by all government personnel, in accordance with existing laws, rules and regulations. Provisions for retirement shall be included in the annual budget of the PHSDA.

Sec. 17. *Annual Report.* – The Board shall submit to the Office of the President of the Philippines and Congress a detailed report on the progress, condition and needs of the PHSDA two (2) months prior to the opening of every school year.

Sec. 18. *Joint Congressional Oversight Committee on the Philippine High School for Design and Arts System (PHSDA System).* – There is hereby created a Joint Oversight Committee to oversee, monitor and evaluate the implementation of this Act.

The Oversight Committee shall be composed of five (5) members each from the Senate and from the House of Representatives, including the Chairs of the Committees on Basic Education and Culture, and Finance in the Senate and Appropriations in the House of Representatives. The membership of the Committee for each House shall have at least one (1) opposition or minority member.

Sec. 19. *Tax Exemptions of the PHSDA System.* – The importation of equipment relating to creative industry, books, art related supplies, musical instruments, materials and goods, including those donated to the PHSDA System shall be exempt from customs duty in accordance with the provisions of Republic Act No. 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”: *Provided*, That these are of international standards and are not available from local manufacturers: *Provided, further*, That the importation shall only be in such numbers as may be required in the development programs and/or training of the students: *Provided, finally*, That all importations shall be made in the

name of PHSDA System as recipient and shall be immediately registered in the name of PHSDA System.

Sec. 20. *Tax Exemption on Donations.* – All grants, bequest, endowments, donations and contributions made to the PHSDA and that are actually, directly and exclusively used by the PHSDA, shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

Sec. 21. *Design and Arts School Funds.* – All incomes and donations to the PHSDA created under this Act shall be formed into a fund, to be known as the Arts Academy Fund, which the PHSDA shall be authorized to retain, without need of a separate approval from any government agency, and subject only to existing accounting and auditing rules and regulations. This fund shall be expended as authorized by the Board exclusively for the purpose of this Act.

Sec. 22. *Appropriations.* - The amount necessary for the effective implementation of this Act shall be included in the DepEd budget in the annual General Appropriations Act.

Sec. 24. *Implementing Rules and Regulations.*— The NCCA, DepEd, CECF and CCP shall promulgate not later than thirty (30) days upon the effectivity of this Act, the necessary rules and regulations for the effective implementation of this Act: *Provided*, That the failure to promulgate the rules and regulations shall not prevent the implementation of this Act upon its effectivity.

Sec. 25. *Separability Clause.* – If any part or provision of this Act shall be held unconstitutional or invalid, other provisions thereof which are not affected thereby shall continue to be in full force and effect.

Sec. 26. *Repealing Clause.* — All other laws, decrees, executive order and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby modified, superseded or repealed accordingly.

Sec. 27. *Effectivity.* — This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in a major daily newspaper of national circulation in the Philippines.