

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3952



Introduced by Representatives Sonny L. Lagon and Daphne A. Lagon

EXPLANATORY NOTE

This bill seeks to establish a specialty school in Cebu City to be known as the Visayas School for the Arts that shall specialize in the teaching of contemporary arts and spearhead the preservation and promotion of the traditional arts of the Visayan peoples.

Art, in its various forms, is an important part of society. It helps preserve our identity as a people and represents our common dreams and aspirations for the noblest of values and ideals. It complements the sciences in improving the quality of human life and promotes the holistic development of the nation. The Constitution considers the country's artistic and historic wealth as the cultural treasure of the nation that should be protected by the State.

By virtue of Presidential Decree No. 1287, the Philippine Science High School for the Arts was established in Laguna. It is now considered as the leading public institution that incorporates arts subjects into the general secondary curriculum.

Access, however, into the PSHS is very limited and it is doubly difficult for students from the Visayas to gain admission therein, laying to waste precious talents from the region who do not have the option nor the wherewithal to leave the comforts of home to pursue formal training in Luzon. More so, very few parents would allow their minor children to study hundreds of miles away for very practical reasons.

Amidst this backdrop, promising talents from the Visayas, and even Mindanao, have not been developed to their fullest potential for lack of formal training. Most especially, the traditional art forms of the Visayan peoples are gradually fading away as the new generation of artists focus on mainstream arts.

It is for the above reasons that the creation of the Visayan School for the Arts is doubly important not only to develop promising artists from the Visayas but likewise to spearhead the preservation and promotion of the traditional art forms of the Visayan peoples such as the drama, balak, harana, folk dances and folk songs of the Cebuanos, Bol-anons, Siquijodnons, Illonggos, Hiligaynons and other Visayan ethnic groups.

In view of the above premises, the prompt approval of this measure is earnestly sought and recommended.


SONNY L. LAGON
Party List, AKO BISAYA


DAPHNE A. LAGON
6th District, Cebu

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AN ACT
ESTABLISHING A SPECIALTY SCHOOL IN CEBU CITY TO SPECIALIZE IN THE
ARTS TO BE KNOWN AS THE VISAYAS SCHOOL FOR THE ARTS AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “Visayas School for the Arts Charter.”

SECTION 2. *Creation of the Visayas School for the Arts.* - There is hereby created a body corporate to be known as the Visayas School for the Arts, hereinafter referred to as the School, which shall have its principal offices, subsidiaries and facilities in Cebu City, the primary purposes of which are the development of talents in the arts and the preservation and promotion of Visayan traditional arts.

SECTION 3. *Purposes and Objectives.* – The School shall have the following purposes and objectives:

- (a) To construct, establish, equip, maintain, administer and operate an institution that shall integrate to the general secondary education program a special curriculum on the arts such as dance, music, theater, literature and other art forms with special emphasis on the traditional arts of the Visayan people;
- (b) To establish a special curriculum on the arts mentioned in the preceding paragraph that is age-appropriate and specifically designed for young children, young adults and out-of-school youths who are artistically gifted;
- (c) To conduct studies and researches pertaining to Visayan traditional arts of the various ethnic groups in the Visayas region such as folk dances, folk songs, stage dramas, balak, harana, and literature among others;
- (d) To finance, sponsor, organize or participate in congresses, conventions, conferences, seminars, workshops and training programs on the arts, especially the traditional arts of the Visayas in the country and abroad;
- (e) To initiate and encourage the education and training of young people for the preservation and promotion of the traditional Visayan arts at the grassroots level;
- (f) To establish linkages with universities and other organizations, both public and private, for the preservation and promotion of Visayan arts and culture;

- (g) To stimulate the formation of organizations on the national, regional, provincial, city and/or local levels, and to coordinate the various efforts and activities of such organizations for the attainment of the purposes and objectives of this Act.

SECTION 3. *Powers of the School.* – For the attainment and/or furtherance of the above purposes and objectives, the Visayas School for the Arts, as a body corporate, acting through its Board of Trustees, shall have all the powers pertaining to a juridical person, and is authorized, among other powers:

- a) To adopt and use a corporate seal;
- b) To contract and be contracted with;
- c) To adopt its by-laws, rules and regulations as it may deem proper and necessary for the attainment of the purposes of this Act;
- d) To award, enter into, make, execute, perform and carry out domestic or foreign contracts;
- e) To acquire, hold, and own in any manner, property of whatever nature or description, and to dispose of such property under any mode of encumbrance or conveyance;
- f) To obtain loans, borrow funds, arrange financing or credit assistance of whatever kind and nature from all sources, whether domestic or foreign and whether government or private, and to mortgage, pledge or otherwise encumber any of its properties and assets for the purpose of securing or guaranteeing the performance or fulfillment of any obligation it may undertake for itself;
- g) To invest idle funds, as it may deem proper, in government securities and other evidence of indebtedness;
- h) To levy, assess and collect such fees, charges and assessments as may be necessary or proper to support, finance and maintain its operations;
- i) To exercise such other powers and functions as may be incidental or necessary to carry out the purposes and objectives of this Act.

SECTION 4. *Board of Trustees.* – The School shall be governed, and its activities and properties shall be directed, controlled and managed by a Board of Trustees, hereinafter referred to as the Board, composed of the following members:

- a) The President of the Cultural Center of the Philippines as the ex-officio Chairman;
- b) The School Director as the Vice-Chairman;
- c) Sixteen (16) representatives from the private sector with known track record in the promotion and preservation of the local arts to be appointed by the President of the Philippines upon recommendation by the governors of the provinces Aklan, Antique, Biliran, Bohol, Capiz, Cebu, Eastern Samar, Guimaras, Iloilo, Leyte, Negros Occidental, Negros Oriental, Northern Samar, Samar, Siquijor and Southern Leyte;
- d) The Regional Directors of the Department of Education for Central, Eastern and Western Visayas as ex-officio members;

SECTION 5. *Powers and Functions of the Board.* – For the attainment and furtherance of the provisions of this Act, the Board of Trustees of the School shall have the following powers:

- a) To formulate policies, guidelines and programs to effectively implement and carry out the purposes and objectives of this Act;

- b) To prescribe, review and revise the amount of fees, charges, and assessments levied and collected for the support and maintenance of the operations of the School;
- c) To control the management, operation and administration of the School;
- d) To promulgate such rules and regulations as may be necessary or proper for the effective exercise of the powers and functions as well as the discharge of the duties, responsibilities of the School, its officers and employees;
- e) To authorize such expenditures of the School as may be necessary or proper for the effective management, operation and administration of the School;
- f) To determine and organize the School's organizational and administrative structure or patterns, and to establish, fix, review, revise and adjust the appropriate compensation scheme of the officers, teachers, lecturers and other employees of the School with reasonable allowances, bonuses and other incentives;
- g) To adopt the annual and supplemental budget of receipts and expenditures of the School;
- h) To appoint, promote, transfer, remove, suspend or otherwise discipline officers and employees of the School;
- i) To develop linkages with local government units, institutions and agencies, both public and private, local and foreign, in the furtherance of the purposes and objectives of the School;
- j) To provide fellowships for faculty members and approve the grant of scholarships, stipends and other allowances to qualified students;
- k) To approve the curricula, instructional programs and rules of discipline drawn by the School Director;
- l) To establish criteria for the selection, admission and graduation of students;
- m) To approve the issuance of certificates or diplomas to successful candidates for graduation;
- n) To exercise all the general powers necessary or incidental to the attainment of the purposes and objectives of this Act; and
- o) To do any and all acts as may be necessary or proper for the attainment of the powers and functions of the Institute.

SECTION 6. *Term and Compensation of the Board of Trustees.* – Except for the Vice-Chairman who shall serve for a term of six (6) years and the ex-officio members of the Board, the regular members of the Board of Trustees shall serve for a term of three (3) years, with a right to hold-over until their respective successors shall have been duly appointed and qualified. Any member of the Board may be removed by the President for cause. In case of vacancy, the person appointed to fill the vacancy shall hold office for the unexpired term of the member replaced.

The Board may fix reasonable per diem for each member subject to applicable laws, rules and regulations.

SECTION 7. *Officers of the Institute.* – the Board shall determine the other officers of the School, who, except as provided in this Act, shall be appointed by the Chairman of the Board of Trustees subject to confirmation by the Board. The School may have such executive officers, personnel and staff as the Board may deem necessary for the effective operation of the Institute.

SECTION 8. *Powers and Duties of the School Director.* – The School Director who is also the Vice-Chairman of the Board of Trustees shall be the Chief Executive Officer of the School. He shall exercise the following powers and duties:

- a) To execute the policies, guidelines and programs approved by the Board, and to be responsible for the efficient discharge of management and operational functions;
- b) To submit for the consideration and approval of the Board proposed measures, policies, guidelines and programs as he may deem necessary or proper for the effective implementation of the purposes and objectives of this Act;
- c) To direct and supervise the management, operation and administration of the School, and for this purpose, he may delegate any or some of his administrative responsibilities and duties to the other officers of the School;
- d) To execute, on behalf of the School, all contracts and agreements which the Board may enter into, and to execute, accomplish and deliver any and all documents relative to such contracts and agreements;
- e) To represent the School in all dealings with other offices, agencies, instrumentalities of the Government, and all other persons or entities, domestic or foreign, and whether public or private;
- f) To exercise such other powers and perform such duties as may be vested upon him by the Board.

SECTION 9. *Authority of the Chairman in Emergencies.* – In case of emergencies which require immediate action by the Board and there is no sufficient time to call a meeting thereof, the Chairman of the Board, may decide on any matter or take any action within the authority of the Board itself.

SECTION 10. *Assistance from Government.* – The Board may call upon any Department, Bureau, Agency, Office or instrumentality of the Government, including government-owned and controlled corporations, for such assistance as it may need in the pursuit of the purposes and objectives of this Act.

SECTION 11. *Donations to the School.* – The School is hereby authorized to solicit and receive donations, grants, contributions, gifts or endowments from all sources whether foreign or domestic, and whether public or private, without the need of securing a permit, approval or registration from any government agency. Notwithstanding any provision of law to the contrary, all donations, grants, contributions, gifts or endowments received by the Institute pursuant hereto, shall be exempt from income, gift, donor's and all other kinds of taxes, and shall further be deductible in full for purposes of computing the maximum amount deductible for tax purposes under the National Internal Revenue code, as amended.

SECTION 12. *Exemptions from Fees, Duties and Taxes.* – The School is hereby declared exempt from all income and all other internal revenue taxes, tariffs and customs duties and all other kinds of taxes, fees, charges and assessments levied by the Government and its political subdivisions, agencies and instrumentalities.

The President of the Philippines, upon the recommendation of the Secretary of Finance, may partially or fully lift the exemption herein provided, if he shall find that the School is already self-sustaining and financially capable of paying such taxes, customs duties, fees, charges and other assessments, after providing for the debt service requirements and the projected capital and operating expenditures of the School.

SECTION 13. *Applicability of Civil Service Laws.* – The School and its officials and employees shall be subject to civil service laws and pertinent rules and regulations issued by the Civil Service Commission.

SECTION 14. *Resident Auditor.* – The Commission on Audit shall appoint a representative who shall be the auditor of the Institute together with the necessary personnel to assist said representative in the performance of duties. The Number and salaries of the auditor and said personnel shall be determined by the Commission on Audit, subject to its rules and regulations.

The Auditor shall, as soon as practicable, but not later than three (3) months after the accounts have been submitted for audit, send an annual report to the Board. The Auditor may also submit such periodic and special reports as the Board may deem necessary.

SECTION 15. *Annual Report.* – An annual report of the activities and operations of the School, together with the audit report, shall be submitted by the Board to the President of the Philippines and to both Houses of Congress through the Cultural Center of the Philippines and the Department of Education.

SECTION 16. *Applicability of the Corporation Law.* – The provisions of the general corporation law, insofar as they are not inconsistent with the provisions of this Act shall apply to the School.

SECTION 17. *Effect of Dissolution.* – If for any reason, the School is dissolved, its properties and assets shall revert to the National Government for disposition in accordance with law.

SECTION 18. *Appropriations.* The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment and thereafter.

SECTION 19. *Implementing Rules and Regulations.* – The Cultural Center of the Philippines, in partnership with the Department of Education, shall promulgate such rules and regulations as may be necessary to carry out the provisions of this Act within ninety (90) days from the approval of this Act.

SECTION 20. *Separability Clause.* – If, for any reason, any section of this Act shall be deemed unconstitutional or invalid, the other sections or provisions shall not be affected and shall remain in force and in effect.

SECTION 21. *Effectivity.* – This Act shall take effect immediately.

Approved.