

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 3244



Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

**AN ACT ESTABLISHING PARAÑAQUE SCHOOL OF ARTS AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The Philippine High School for the Arts (PHSA) was established through Presidential Decree No. 1287 which was enacted on 20 January 1978. By virtue of Executive Order No. 420 which was implemented on 07 September 1990, PHSA, a public, secular, and non-profit institution, was converted into a regular government institution which aimed to provide and implement a general secondary level program, combined with a special curriculum oriented to the arts and geared to the early recognition and development of highly talented children exceptionally gifted in the arts, thus providing a continuing source of artists of excellence and leaders in the preservation and promotion of the Filipino artistic and cultural heritage.

While PHSA's programs have proven to be effective in identifying and developing artistically gifted and talented children in the fields of ballet and folk dance, creative writing, music, theater, and visual arts, there is still room for improvement in the following areas: for one, students have to pass through rigid examinations as the budget of the school is limited; second, students are required to be housed in Mt. Makiling, Los Banos, Laguna during the program at an early age which is a deterrent to parents; and most importantly, the program is limited to incoming high school students only.

The limitation on age is what this bill earnestly seeks to remedy. There is a need to offer art courses and programs for all ages inasmuch as there are those whose talents need to be honed at an earlier age. There were also those who realized their gifts on arts after high school, and there were also those persons who have no formal education but were artistically gifted.

Among the cities in the Metro Manila, Parañaque is poised to be the best venue of arts and culture where these students may showcase their prowess in view of the development in the City, most especially in its Entertainment City. Also, due to proximity to the airports and availability of other modes of transport, the City has been the haven and refuge to our fellows from all the parts of the country which carries with it the fusion arts and culture making it the ideal place to establish a school of arts for all ages. Thus, the passage of this bill is earnestly sought.


ERIC L. OLIVAREZ

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 3244

Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

**AN ACT ESTABLISHING PARANAQUE SCHOOL OF ARTS AND
APPROPRIATING FUNDS THEREFOR**

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

Section 1. Short Title. - This Act shall be known as the "Parañaque School of Arts Charter."

Section 2. Creation of the Parañaque School of Arts. - There is hereby created a body corporate to be known as the Parañaque School of Arts, hereinafter referred to as the School, which shall have its principal office in Parañaque City, the primary purpose of which are the development of talents in the arts and the preservation and promotion of arts and culture.

Section 3. Purpose 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 education program a special curriculum on the arts such as dance, music, theater, literature, and other artforms,
- (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 traditional arts of the various ethnic groups in the country, such as, but not limited to, folk dances, folk song, stage dramas, and literature;
- (d) To finance, sponsor, organize or participate in conventions, conferences, Seminars, workshops, and training programs on the arts 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 Filipino arts at the grassroots level;
- (f) To establish linkages with universities and other organizations, both public and private, for the preservation and promotion of arts and culture;
- (g) To stimulate the formation of organization on the national, 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. Power of the School.- For the attainment and/or furtherance of the above purposes and objectives, the Parañaque School of Arts, as a body corporate, acting through its Board of Trustees, shall have all the following powers pertaining to a juridical person:

- (a) To succeed on its corporate name;
- (b) To sue and be sued in its corporate name;
- (c) To adopt, alter, and use a corporate seal;
- (d) To adopt, amend, and repeal its by-laws;
- (e) To enter into contracts of any kind and description, to enable it to perform its purposes and functions under this Act;
- (f) To acquire, buy, purchase, hold or lease, such personal and real property as it deems necessary or convenient in the transaction of its business and/or in relation with carrying out its purposes under this Act; and to lease, mortgage, sell, alienate, or otherwise encumber, utilize, exploit or dispose any such personal and real property held by it, subject to prior or existing individual or communal right of private parties or of the government or any agency or enterprise thereof.
- (g) To exercise the right of eminent domain whenever the Board of Trustees deems it necessary for the attainment of its objectives under this Act;
- (h) To borrow funds from any local or foreign financial institutions independent of the bonds it may issue or may continue to issue, to carry out the purposes of this Act;
- (i) To purchase, hold, alienate, mortgage, pledge or otherwise dispose of the shares of the capital stock of, or any bond, securities, or other evidence of indebtedness created by any other corporation, co-partnership, or government agencies or instrumentalities; to exercise all the rights or ownership, including the right to vote thereon, Provided, That the Board of Trustees shall not invest its funds in any high risk debt instruments issued without recourse to commercial banks or investment houses, as well as in any highly speculative stocks;
- (j) To perform any and all acts which a corporation, co-partnership, or natural person is authorized to perform under the law;
- (k) To issue such rules and regulations as may be necessary to effectively carry out the powers and purposes herein provided including the plans, programs and projects of the Authority;

- (l) To levy, assess and collect such fees, charges and assessment as may be necessary or proper to support. finance and maintain its operations:
- (m) To exercise such other powers and function as may be incidental or necessary to carry out the purpose 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 or 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) Two (22) 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 Cultural Center of the Philippines;
- (d) The Regional Director of the Department of Education;

Section 5. Powers and Function of the Board. - For the attainment and furtherance of the provision of this Act, the Board of Trustees of the School shall have the following powers:

- (a) To formulate policies and programs for the effective implementation of the purposes and objectives of this Act,
- (b) To prescribe, review, and revise the amount of fees, charges, and assessment levied and collected for the support and maintenance of the operations of the School:
- (c) To oversee the management, operation, and administration of the School;
- (d) To promulgate such rules and regulation as may be necessary 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 expenditure of the School as may be necessary for its effective management, operation, and administration;
- (f) To determine the School's organizational and administrative structure of pattern, and to establish, fix, review, revise, and adjust the appropriate compensation scheme of the officers, teachers, lecturer, and other employees of the School with reasonable allowances, bonuses and other incentives;
- (g) To adopt the annual and supplemental budget of receipt 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, institution 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 curriculum, instruction program, 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 certificate of diplomas to successful candidates for graduation:
- (n) To exercise all the general powers necessary or incidental to the attainment of the purpose 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 function of 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 member of the Board, the regular member 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 School. 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 School.

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 and programs approved by the Board and discharge 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 for the effective implementation of the purpose 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 officers, agencies, instrumentalities of the Government, and all other persons or entities, whether domestic or foreign, public or private:
- (f) To exercise such other powers and perform such duties as may be vested upon him by the Board.

Section 9. Assistance from Government.- The Board may call upon any Department, Bureau, Agency, Office or instrumentality of the Government, including government-owned and controlled corporation, for such assistance as it may need in the pursuit of the purpose and objectives of this Act.

Section 10. Donation to the School.- The School is hereby authorized to solicit and receive donation, grants, contribution, gift 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, contribution, gift or endowments received by the institute pursuant hereto, shall be exempt from income, gift, donor s and all other kind 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 11. Exemption from Fees, Duties, and Taxes. The School is hereby declared exempt from all income and all other internal revenue taxes, tariff and customs duties and all other kinds of taxes, fees, charges and assessments levied by the Government and its political subdivisions, agencies and instrumentalities.

Section 12. 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 Civil SerVice Commission.

Section 13. Resident Auditor. The CommissiOn on Audit shall point a representative who shall be the auditor of the School 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 bc 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 account has been submitted for audit. send an annual report to the Board. The auditor may also submit such periodic and special report as the Board may deem necessary

Section 14. Annual Report.- An annual report of the activities and operation 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 15. *Applicability of the Corporation Law.* - The provision of the general corporation law, insofar as they are not inconsistent with the provision of this Act shall apply to the School.

Section 16. *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 17. *Appropriations.* The amount necessary to carry out the provision of this Act shall be included in the General Appropriations Act of the year following its enactment and thereafter.

Section 18. *Implementing Rules and Regulations.* The Cultural Center of the Philippines, in partnership with the Department of Education, shall promulgate such rules and regulation as may be necessary to carry out the provisions of this Act within ninety (90) days from the approval of this Act.

Section 19. *Separability Clause.* If for any reason, any section of this Act shall be deemed unconstitutional or invalid, the other section or provision shall not be affected and shall remain in force and in effect.

Section 20. *Effectivity.* This Act shall take effect immediately.

Approved.