



HOUSE OF REPRESENTATIVES

H. No. 7784

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BY REPRESENTATIVES GARCIA (J.E.), DURANO, NOGRALES (K.A.),  
BATAOIL, SY-ALVARADO, UY (J.), CO, NOGRALES (J.J.),  
BELARO, SALO, VELASCO, MERCADO, DE VERA, PLAZA AND CO,  
PER COMMITTEE REPORT NO. 764

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AN ACT CREATING A HIGH SCHOOL FOR THE ARTS IN THE  
PROVINCE OF BATAAN TO BE KNOWN AS THE BATAAN  
HIGH SCHOOL FOR THE ARTS, AND APPROPRIATING  
FUNDS THEREFOR

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

1           SECTION. 1. *Declaration of Policy.* - It is hereby the  
2 declared policy of the State to promote the sustained development of  
3 young Filipinos whose aptitude and skill in culture and the arts  
4 shall be encouraged and honed through education and specialized  
5 training programs. Towards this end, the State shall establish,  
6 maintain, and support a complete, adequate, and integrated system  
7 of education and training to encourage the artistic talent and  
8 cultural aptitude of the Filipino youth as well as support and  
9 promote the growth of young artists nationwide.

10           SEC. 2. *Creation of the Bataan High School for the Arts.* -  
11 There is hereby created a high school for the arts in the Province of

1 Bataan to be known as the "Bataan High School for the Arts",  
2 hereinafter referred to as the "School".

3 The School shall be administered and supervised by the  
4 Department of Education (DepEd), in coordination with the  
5 National Commission for Culture and the Arts (NCCA) and the  
6 Cultural Center of the Philippines (CCP).

7 SEC. 3. *Mandate.* – The School shall implement a general  
8 secondary curriculum prescribed by Republic Act No. 10533, or the  
9 "Enhanced Basic Education Act of 2013", with special focus on the  
10 arts that shall aid in recognizing early the talent and exceptional  
11 giftedness of young children, thereby ensuring the nurturance of  
12 artists of excellence and the preservation and promotion of Filipino  
13 heritage.

14 SEC. 4. *Advisory Board.* – The School shall have an  
15 Advisory Board, composed of the following members:

16 (a) The Regional Director of the DepEd in Region III as  
17 Chairperson;

18 (b) The School Director as Vice-Chairperson;

19 (c) A representative of the NCCA;

20 (d) A representative of the CCP;

21 (e) The Governor of the Province of Bataan;

22 (f) The Schools Division Superintendent of the Schools  
23 Division of Bataan;

24 (g) An elected representative of the members of the school  
25 faculty; and

26 (h) Four (4) prominent citizens from the private sector who  
27 have distinguished themselves in their professions or fields of

1 specialization, specifically music, theater, dance, visual arts,  
2 performance arts and the like, to be appointed by the Chairperson  
3 upon the recommendation of the Advisory Board.

4 The faculty representative shall serve for a term of two (2)  
5 years to be chosen in accordance with the rules and qualifications  
6 set by the faculty members of the School.

7 The four (4) prominent citizens shall serve for a term of  
8 three (3) years to be selected by the Board from a list of at least  
9 seven (7) qualified nominees from Region III. The private sector  
10 representatives may be reappointed.

11 A Search Committee to be constituted by the School Director  
12 with the approval of the Chairperson of the Advisory Board shall be  
13 created to select the nominees based on the normal standards and  
14 qualifications for the position.

15 SEC. 5. *Powers and Functions of the Advisory Board.* - To  
16 accomplish the mandate of the School, the Advisory Board shall  
17 advise the School Director on the following:

18 (a) Formulation of policies, rules and regulations as may be  
19 necessary for the administration and operation of the School;

20 (b) Preparation of school budget and appropriation of all sums  
21 received as may be specified by law for the support of the School;

22 (c) Receiving in trust of legacies, gifts, and donations of real  
23 and personal property of all kinds, and administration of the same  
24 for the benefit of the School, subject to the limitations, directions  
25 and instructions of the donor, if any;

1 (d) Fixing of the site and location of the School, acquire  
2 property on its behalf, and cause the construction or repair of its  
3 buildings, equipment and other facilities when necessary;

4 (e) Approval of the curricula, instructional programs and  
5 rules of discipline drawn by the offices of the Deputy Directors for  
6 Administration and Student and Academic Affairs;

7 (f) Establishment of criteria for the selection, admission and  
8 graduation of students which shall include a regional competitive  
9 examination, and approval of the issuance of certificates or  
10 diplomas to successful candidates for graduation;

11 (g) Development of strategies to increase the enrollment rate  
12 and preparation of purposive campaigns to enhance the competence  
13 of the School and its students;

14 (h) Approval of the grant of stipend and such other  
15 allowances for deserving students;

16 (i) Formulation of qualification standards for the hiring,  
17 promotion, retention, or renewal of appointment, and the grounds  
18 for removal of faculty members, lecturers and other officials and  
19 employees of the School;

20 (j) Granting the members of the faculty and staff leaves of  
21 absence subject to applicable rules and regulations, and provision of  
22 fellowship grants when available;

23 (k) Development of consortia and other economic linkages  
24 with local government units (LGUs), institutions and agencies, both  
25 public and private, local and foreign, in the furtherance of the  
26 purposes and objectives of the School;

1           (l) Adoption of modern communications technology and  
2 other innovative modes of transmitting knowledge;

3           (m) Importation of duty-free books and/or publications, upon  
4 certification by the DepEd that such imported books and/or  
5 publications are for economic, technical, vocational, scientific,  
6 philosophical, historical or cultural purposes, in accordance with the  
7 provisions of the Tariff and Customs Code, as amended; and

8           (n) Delegation of any of the powers and duties of the School  
9 Director to other officials of the School as may be deemed  
10 appropriate, so as to expedite the administration of the affairs of the  
11 School.

12           SEC. 6. *Meetings.* - The Advisory Board shall convene at  
13 least once every quarter. However, the Chairperson of the Board  
14 may, upon three (3) days prior written notice, call a maximum of  
15 two (2) meetings in a quarter whenever necessary.

16           A quorum of the Board shall consist of majority of all its  
17 members holding office at the time of the meeting: *Provided*, That  
18 the Chairperson of the Board or the School Director shall be among  
19 those present in the meeting.

20           In the absence of the Chairperson of the Board, a duly  
21 authorized representative may attend with all the rights and  
22 responsibilities of a regular member: *Provided*, That during such  
23 meeting, the School Director, as Vice-Chairperson, shall be the  
24 presiding officer.

25           The members of the Advisory Board shall not receive any  
26 salary but shall be entitled to reimbursements for actual and  
27 necessary expenses incurred, either in their attendance to meetings

1 of the Board or in connection with other official business authorized  
2 by the DepEd Regional Director, in case of the other Board  
3 members, and by the appropriate DepEd official, in case of the  
4 Chairperson of the Board, subject to existing laws and regulations.

5       SEC. 7. *School Director.* – There shall be a School Director  
6 who shall serve as the chief academic officer, head of the school  
7 faculty and the chief executive officer of the School. The functions,  
8 powers and duties, in addition to those specifically described in this  
9 Act, shall be those usually pertaining to the office of the principal of  
10 any high school in the Philippine education system, and those which  
11 are related or necessary to the School Director's functions.

12       The School Director shall coordinate the implementation of  
13 policies and guidelines with the Advisory Board, and shall  
14 articulate to the Board all concerns of the School. The School  
15 Director shall serve a term of five (5) years, render full-time work,  
16 and shall be eligible for appointment to another term.

17       The School Director shall be appointed by the DepEd Regional  
18 Director, subject to the guidelines and qualifications set forth in the  
19 implementing rules and regulations, upon the recommendation of a  
20 duly constituted Search Committee.

21       A Search Committee shall be constituted by the DepEd  
22 Regional Director in consultation with the representatives of the  
23 NCCA, the CCP, and the Provincial Governor of Bataan to select  
24 the School Director. It shall be formed immediately upon the  
25 approval of the implementing rules and regulations mandated in  
26 Section 20 of this Act, and shall reconvene again within six (6)  
27 months before the expiration of the term of the School Director.

1           In case of vacancy in the office of the School Director by  
2 reason of death, compulsory retirement, resignation, removal for  
3 cause or incapacity to perform the functions of the office, the DepEd  
4 Regional Director shall designate an officer-in-charge of the School  
5 within three (3) months from the date of vacancy, pending the  
6 selection and appointment of a new School Director.

7           The duly appointed successor shall have a fresh term of five  
8 (5) years and shall be eligible for reappointment.

9           The salary of the School Director shall be in accordance with  
10 the Revised Compensation and Position Classification System, and  
11 shall be comparable to that being received by the heads or directors  
12 of similar educational institutions.

13          The School Director shall be assisted by a Deputy Director for  
14 Student and Academic Affairs and a Deputy Director for  
15 Administration, who shall be appointed by the DepEd Regional  
16 Director from a list of nominees to be submitted by the School  
17 Director. The salaries of the Deputy Directors shall likewise be in  
18 accordance with the Revised Compensation and Position  
19 Classification System, and shall also be comparable to that being  
20 received by officers of the same level of similar educational  
21 institutions.

22          SEC. 8. *Director for Student and Academic Affairs.* – There  
23 shall be a Deputy Director who shall serve as Director for Student  
24 and Academic Affairs and shall have the power to review and  
25 recommend the curricular offerings and rules of discipline of the  
26 School, subject to the approval of the School Director. The Director  
27 for Student and Academic Affairs shall likewise have disciplinary

1 power over students of the School, and shall formulate academic  
2 policies and rules and regulations on discipline, subject to the  
3 approval of the School Director.

4 The Director for Student and Academic Affairs shall work in  
5 consultation with the school department heads and other ranking  
6 faculty members in developing the curricular offerings and rules of  
7 discipline.

8 SEC. 9. *Director for Administration.* – There shall be a  
9 Deputy Director who shall serve as Director for Administration  
10 and shall assist the School Director and the Advisory Board on  
11 policies governing the administration, financial management and  
12 development planning of the School.

13 SEC. 10. *Admissions Council.* – There shall be an Admissions  
14 Council consisting of the School Director, the Deputy Directors for  
15 Student and Academic Affairs and for Administration, the heads of  
16 each faculty department, and such other ranking faculty member or  
17 official of the School as may be determined by the School Director.  
18 The Council shall have the power to screen and select the students  
19 to be admitted to the School, and to select the students who shall be  
20 recipients of stipends and other allowances.

21 The Admissions Council shall propose to the Advisory Board  
22 financial assistance schemes and other affirmative programs to  
23 assist underprivileged students who qualify for admission to the  
24 School.

25 No student shall be denied admission to the School by reason  
26 of sex, religion, cultural or community affiliation, or ethnic origin.



1           SEC. 11. *Position Structure and Staffing Pattern.* – The  
2 position structure and staffing pattern of the School shall be  
3 prescribed by the DepEd upon the recommendation of the School  
4 Director, subject to the approval of the Department of Budget and  
5 Management.

6           SEC. 12. *Civil Service Coverage.* – Except for visiting  
7 professors and other arts instructors engaged by the School, all  
8 personnel of the School shall be subject to civil service rules and  
9 regulations on wage and position classifications.

10          SEC. 13. *Faculty.* – No political belief, gender preference,  
11 cultural or community affiliation, ethnic origin, and religious  
12 opinion or affiliation shall be a matter of inquiry in the appointment  
13 of faculty members of the School: *Provided*, That the appointment  
14 of faculty shall be subject to the guidelines and qualification  
15 standards set by the School Director upon the recommendation of  
16 the Advisory Board: *Provided, further*, That no member of the  
17 faculty shall teach for or against any particular church or religious  
18 sect.

19          SEC. 14. *School Fund.* – All government appropriations for  
20 and other income generated by the School, as well as all legacies,  
21 gifts, donations, grants, endowments, contributions and other  
22 similar transfers of real and personal properties of all kinds  
23 received by the School, shall constitute the School Fund. The School  
24 Fund shall be expended or used by, or with authority from, the  
25 School Director upon the recommendation of the Advisory Board.

26          If, for reasons beyond its control, the School shall not be able  
27 to pursue any project for which the funds have been appropriated

1 and allocated under its approved program of expenditures, the  
2 School Director, upon the recommendation of the Advisory Board,  
3 may authorize the use of said funds for any reasonable purpose  
4 which, in his discretion, may be necessary and urgent for the  
5 attainment of the objectives and goals of the School.

6       SEC. 15. *Authority to Solicit, Receive Donations, Grants and*  
7 *the Like.* – Upon the recommendation of the Advisory Board, the  
8 School Director may solicit, negotiate with, and receive in trust from  
9 any public or private, domestic or foreign sources, legacies, gifts,  
10 donations, grants, endowments, contributions or other transfers of  
11 ownership and/or possession of real or personal properties of all  
12 kinds in favor and for the benefit of the School: *Provided*, That the  
13 School Director shall, upon the recommendation by the Advisory  
14 Board and in accordance with pertinent accounting and auditing  
15 laws, rules and regulations, prescribe the measures necessary for  
16 the proper use, maintenance and safekeeping of said donations,  
17 grants, endowments, contributions or transfers and the compliance  
18 of the terms and conditions thereon, if any.

19       SEC. 16. *Appropriations.* – The Secretary of Education shall  
20 immediately include in the Department's programs the  
21 operationalization of the Bataan High School for the Arts, the  
22 funding of which shall be included in the annual General  
23 Appropriations Act.

24       The LGUs concerned may likewise provide financial  
25 assistance to the School.

26       SEC. 17. *Development Plan, Organizational Structure.* –  
27 Within the period of one hundred twenty (120) days after the

1 approval of this Act, and the approval of its implementing rules and  
2 regulations, the School shall accomplish the following:

3 (a) Submit a five (5)-year development plan, including its  
4 corresponding program budget to the DepEd, for corresponding  
5 recommendation to the DBM; and

6 (b) Set up its organizational, administrative, as well as  
7 academic structure, including the appointment of the School  
8 officials, subject to the qualifications set forth in this Act.

9 SEC. 18. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>)  
10 day of the second month after the opening of the regular classes  
11 each year, the School Director shall file with the Office of the  
12 President of the Philippines, through the Secretary of the DepEd,  
13 and with both Houses of Congress, a detailed report on the progress,  
14 conditions and needs of the School.

15 SEC. 19. *Suppletory Application.* – The provisions of Republic  
16 Act No. 9155, otherwise known as the “Governance of Basic  
17 Education Act of 2001” shall be made an integral part of this Act,  
18 and shall serve as part of the governing charter of the School.

19 SEC. 20. *Implementing Rules and Regulations.* – Within one  
20 hundred twenty (120) days from the effectivity of this Act, the  
21 DepEd, in coordination with the NCCA and the CCP, shall issue the  
22 rules and regulations implementing the provisions of this Act.

23 SEC. 21. *Separability Clause.* – If any provision of this Act is  
24 held invalid or unconstitutional, the other provisions not so declared  
25 shall remain in force and effect.

1           SEC. 22. *Repealing Clause.* – All laws, decrees, orders and  
2 rules and regulations contrary to or inconsistent with the provisions  
3 of this Act are hereby repealed or amended accordingly.

4           SEC. 23. *Effectivity.* – This Act shall take effect fifteen (15)  
5 days after its publication in the *Official Gazette* or in any newspaper  
6 of general circulation.

Approved,

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