



HOUSE OF REPRESENTATIVES

H. No. 9731

BY REPRESENTATIVES ROMULO, GARCIA (J.E.), DIMAPORO (A.), DIMAPORO (M.K.), RODRIGUEZ, TAMBUNTING, VILLAFUERTE, SALCEDA, YAP (E.), VIOLAGO, DE VENECIA, SY-ALVARADO, ROMAN, SAVELLANO, NIETO, CASTELO, BARBA, ABUEG-ZALDIVAR, ESCUDERO, GO (M.), CHATTO, VERGARA, REYES, BALINDONG, ACOP, SAULOG, ROBES, LACSON, CASTRO (F.L.), LOYOLA, ABUNDA, BENITEZ, PANOTES, LUSOTAN, BORDADO, TIANGCO, MARIANO-HERNANDEZ, BAÑAS-NOGRALES, TUTOR, QUIMBO, CABOCHAN, ELAGO, CABREDO, DY (F.M.C.), OUANO-DIZON, OLIVAREZ, GONZALES (A.), DAGOOC, BASCUG, ONG (J.), CUA, SUANSING (E.), EBCAS, NOGRALES (J.J.), GARIN (S.), SINGSON-MEEHAN, CRISOLOGO, SACDALAN, PADUANO, SALO, BOLILIA, TAN (A.S.), ARENAS, GARCIA (P.J.), ESPINO, DELOSO-MONTALLA, FORTUN, CANAMA, JIMENEZ, TEJADA, SUANSING (H.), HARESCO, SUAREZ (A.), DEFENSOR (L.), PIMENTEL, FARIÑAS (R.C.), LAGON, CUARESMA, LAZATIN, DALOG, ESPINA, CARI, DALIPE, BAGATSING, ERMITA-BUHAIN, BAUTISTA-BANDIGAN, GASATAYA, GO (E.C.), SUAREZ (D.), DUJALI, GORRICETA, GULLAS, GUYA, LABADLABAD, MACEDA, MARIÑO, NAVA, SANCHEZ, ACOSTA-ALBA, BROSAS, FERRER (J.M.), GATO, SANGCOPAN, UMALI (M.V.) AND HOFER, PER COMMITTEE REPORT No. 1066

AN ACT

ESTABLISHING THE PHILIPPINE HIGH SCHOOL FOR CREATIVE ARTS SYSTEM AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** – This Act shall be known as “The Philippine High School for
2 Creative Arts System Act.”
3

4 **SEC. 2. Declaration of Principles.** – The State recognizes the vital role of the youth in
5 nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and
6 social well-being. Moreover, the government is committed to fulfill its constitutional mandate
7 to foster the preservation, enrichment, and dynamic evolution of a Filipino national culture
8 based on the principle of unity in diversity in a climate of free artistic and intellectual
9 expression and to place arts, design and other intellectual creative creation under the patronage
10 of the State. To this end, the State shall promote creative arts education, encourage arts
11 programs, national art competitions, and strengthen education for the development of creative
12 industries. This shall include a complete system geared towards the development of a citizenry
13 who can contribute most meaningfully towards the creation and enhancement of a democratic,
14 just, and humane society imbued with national identity and pride. The State shall provide

1 adequate training for students with artistic abilities, with the end view of producing world-class
2 artists with solid academic background and strong patriotic ideals. In line with this, an
3 educational system to foster the holistic development of the youth and to prepare the students
4 for a long-term career in the various fields of creative industry is hereby established.

5
6 **SEC. 3. *Creation and Establishment.*** – There is hereby established a Philippine High
7 School for Creative Arts System (PHSCA) which are secondary schools offering full
8 scholarships to deserving students with considerable potential in the fields of performing arts,
9 creative writing, visual arts, and applied arts. Admitted students shall be trained under a
10 special curriculum oriented in the fields of architecture and allied arts, cinema, dance, dramatic
11 arts, literary arts, music, visual arts, design, digital fabrication and new media, along with
12 financial literacy, entrepreneurship skills, and basic knowledge on intellectual property rights,
13 with the end in view of providing quality education to students while preparing them for various
14 creative industry related career as well as a readiness for entrepreneurial endeavors or
15 employment. It will, thus, provide a continuing source of artists of excellence and leaders in
16 the preservation and promotion of culture, arts and the creative industry in the Philippines.

17
18 The PHSCA System shall be administratively attached to the Department of Education
19 (DepEd) in consultation with the National Commission on Culture and the Arts (NCCA) for
20 program implementation.

21
22 **SEC. 4. *Board of Trustees.*** – The PHSCA System shall be governed by a Board of
23 Trustees, hereinafter referred to as the “Board”, which shall be composed of the following
24 members:

- 25
26 a) Secretary or the duly designated Undersecretary of the DepEd, as Chairperson;
27 b) Chairperson or the Executive Director of the NCCA as Co-chairperson;
28 c) Secretary or the duly designated Undersecretary of the Department of Trade and
29 Industry (DTI), as member;
30 d) Secretary or the duly designated Undersecretary of the Department of Information
31 and Communication Technology, as member;
32 e) Chairperson of the Commission on Higher Education, as member;
33 f) President or the Artistic Director of the Cultural Center of the Philippines (CCP), as
34 member;
35 g) President of the Creative Economy Council of the Philippines (CECP), as member;
36 h) Director-General of the Technical Education and Skills Development Authority
37 (TESDA), as member; and
38 i) Executive Director of the PHSCA System, as created in Section 9 of this Act.

39
40 The Board shall also include as members, two (2) representatives from the fields of
41 performing arts, visual arts and applied arts who may either be a respected member of the
42 academe in the field of culture and the arts or a representative from the creative industries of
43 known expertise, integrity and probity, all of whom shall be appointed by the Chairperson of
44 the Board, subject to the confirmation of the members of the Board. The members from the
45 academe and creative industry community shall have a term of three (3) years, renewable for
46 another three (3) years, and shall not be eligible for reappointment.

47
48 All members who are not receiving regular compensation from the government shall
49 receive reasonable *per diem* to be determined by the Board, subject to current practices, for
50 every meeting of the Board.

1 **SEC. 5. Powers and Functions of the Board.** – The exercise of the corporate powers of
2 the PHSCA System is hereby vested exclusively to the Board.
3

4 It shall have the following specific powers and duties in addition to its general powers
5 of administration and the exercise of all the powers granted to the board of directors of a
6 corporation under Section 35 of Republic Act No. 11232, otherwise known as the Revised
7 Corporation Code of the Philippines:
8

- 9 (a) To formulate policies and guidelines for the administration and operation of the
10 PHSCA System;
11
- 12 (b) To determine the site of the first PHSCA campus as well as other sites for future
13 expansion of the PHSCA System;
14
- 15 (c) To approve the curricula, course of study, and rules of discipline drawn up by the
16 Executive Council as hereinafter provided;
17
- 18 (d) To receive and appropriate for the ends herein specified such sums as may be
19 provided by law for the support of the PHSCA;
20
- 21 (e) To formulate policies on personnel organization, appointment, promotion,
22 retention or renewal of contracts, fixing of their compensations, subject to the
23 Compensation and Position Classification System, removal for just cause,
24 rewards, incentives and other conditions of employment for administrators,
25 faculty and staff of the PHSCA;
26
- 27 (f) To approve appointments made and contracts entered into by the Executive
28 Director in connection with the employment of administrative officers, teachers,
29 lecturers and other employees of the school;
30
- 31 (g) To provide and approve fellowship grants and trainings for administrators, faculty
32 members and staff;
33
- 34 (h) To approve the grant of scholarships, stipends and such other allowances to
35 deserving students based on the guidelines and implementing rules;
36
- 37 (i) To establish the criteria for the selection and admission of students which shall
38 include national competitive auditions and examinations;
39
- 40 (j) To approve the issuance of certificates or diplomas to successful candidates for
41 graduation;
42
- 43 (k) To call on creative industries sector and establish partnership to ensure
44 employability of the PHSCA graduates;
45
- 46 (l) To receive, in trust, legacies, gifts, and donations of real and personal property of
47 all kinds and to administer the same for the benefit of the PHSCA or for aid to
48 any of its students;
49
- 50 (m) To enact rules and regulations not contrary to law as may be necessary to carry
51 out the purposes and functions of the PHSCA; and

1
2 (n) To perform any and all other acts incident to or required by virtue of its creation.
3

4 **SEC. 6. *Hiring of Foreign Educators and Consultants.*** – In addition to the powers and
5 functions vested to the Board under Section 5 of this Act, the Board shall be allowed to approve
6 the hiring of foreign educators and consultants: *Provided*, That the NCCA shall certify the
7 necessity of hiring such educators and consultants, including their competence and skills which
8 are not available locally or proved to be incomparable with their local counterparts: *Provided*,
9 *further*, That the hiring of foreign educators and consultants shall be in accordance with the
10 rules and regulations set by the Department of Labor and Employment and the Bureau of
11 Immigration.
12

13 The Board shall provide guidelines and mechanisms to ensure that the new knowledge
14 and training methods introduced by the foreign educators and consultants shall be passed on to
15 the student-artists and local educators, trainers and consultants of the PHSCA.
16

17 **SEC. 7. *Campuses.*** – The Board shall provide for policies for the organization of
18 regional nationally funded high schools for creative arts. The Board shall also provide for
19 policies to enter into a memorandum of agreement with existing locally funded high schools
20 for the arts for consideration as extension campuses or branches of the PHSCA System. The
21 extension campuses shall be organized in coordination with the concerned local government
22 unit and the DepEd, and in consultation with the Department of Budget and Management
23 (DBM).
24

25 **SEC. 8. *Meetings of the Board.*** – The Board shall regularly convene at least once every
26 quarter of the PHSCA school calendar: *Provided*, That within sixty (60) days upon the
27 effectivity of this Act, the Board shall immediately convene and conduct monthly meetings for
28 purposes of determining the site for the first PHSCA campus, choosing and appointing the
29 Executive Director, the three (3) members of the Board from the academe and/or creative arts
30 community, and plan for the effective organization of the PHSCA System.
31

32 The Chairperson or the Co-Chairperson of the Board may call a special meeting
33 whenever necessary: *Provided*, That members are notified in writing at least three (3) days
34 prior to said meeting.
35

36 A majority of all members holding office in person or virtually shall constitute a quorum
37 for board meetings: *Provided*, That the Chairperson or the Co-Chairperson of the Board are
38 among those present in the meeting.
39

40 **SEC. 9. *Executive Director.*** – The PHSCA System shall be headed by an Executive
41 Director who shall serve for a fixed term of six (6) years. The Executive Director shall be
42 appointed by the Chairperson of the Board, subject to the approval of the members, based on
43 the guidelines and qualifications set forth in the implementing rules and regulations. The Board
44 shall also fix the compensation of the Executive Director in accordance with the Compensation
45 and Position Classification System, subject to the review and approval of the DBM. The
46 Executive Director shall coordinate the implementation of policies and guidelines set by the
47 Board. As a member of the Board, the Executive Director shall articulate to the Board the
48 mutual concern of all the campuses.
49

50 The Executive Director shall perform the following functions:
51

1 (a) Coordinate curriculum planning activities for the PHSCA System;

2
3 (b) Coordinate exchange programs with other educational institutions for creative arts,
4 both local and foreign;

5
6 (c) Coordinate the implementation of the program for the identification and selection
7 of scholars for the PHSCA System; and

8
9 (d) Provide legal, technical support and secretariat for the PHSCA System.
10

11 **SEC. 10. *Executive Council.*** – There shall be an Executive Council consisting of the
12 Executive Director, the Deputy Executive Director as created in Section 11 of this Act, and the
13 Campus Directors, as created in Section 12 of this Act.
14

15 The Executive Council shall be responsible for the development of the artistic potential
16 of every student with a strong academic base and for providing programs for the students with
17 the end goal of training gifted youths in various fields of creative art. The Council shall
18 implement and execute the policies laid down by the Board and exercise such other functions,
19 powers and duties as the Board may prescribe.
20

21 **SEC. 11. *Deputy Executive Director.*** – There shall be a Deputy Executive Director who
22 shall assist the Executive Director. In the absence of the Executive Director, the Deputy
23 Executive Director shall assume the administrative and supervisory functions of the Executive
24 Director. The Deputy Executive Director, who shall have a fixed term of four (4) years,
25 renewable for another four (4) years, shall be appointed by the Chairperson of the Board subject
26 to the approval of the same Board, which shall also fix the compensation of the Deputy
27 Executive Director in accordance with the Compensation and Position Classification System
28 subject to the review and approval of the DBM.
29

30 **SEC. 12. *Campus Director.*** – Each PHSCA shall be headed by a Campus Director who
31 shall be appointed by the Board, upon recommendation of the Executive Director on the basis
32 of a search process. The Campus Director shall have a fixed term of six (6) years and shall not
33 be removed from office except for cause.
34

35 The Campus Director shall be the administrative and academic head of the campus
36 assigned to, and will be responsible for its effective and efficient operations. The Campus
37 Director may constitute a management committee which may act as a consultative body for the
38 educational needs, standard of living in campus and other related services for the students,
39 faculty and staff of the campus.
40

41 **SEC. 13. *Civil Service Coverage.*** – The personnel of the PHSCA shall be classified into:
42

43 (a) Career service personnel, namely, those of the finance, administrative, and
44 personnel staff and the general education faculty, who shall be covered by civil service
45 examinations and regulations; and
46

47 (b) Non-career service personnel, consisting of the members of the faculty specializing
48 in the various fields of creative industry, who shall be exempt from civil service examinations
49 and regulations.
50

1 Career and non-career service personnel shall be subject to Compensation and Position
2 Classification System. They shall be entitled to retirement benefits enjoyed by all government
3 personnel, in accordance with existing laws, rules and regulations. Provisions for retirement
4 shall be included in the annual budget of the PHSCA.
5

6 **SEC. 14. *Annual Report.*** – The Board shall submit to the Office of the President of the
7 Philippines and Congress a detailed report on the progress, condition and needs of the PHSCA
8 two (2) months prior to the opening of every school year.
9

10 **SEC. 15. *Joint Congressional Oversight Committee.*** – There is hereby created a Joint
11 Congressional Oversight Committee on the PHSCA System to oversee, monitor and evaluate
12 the implementation of this Act.
13

14 The Oversight Committee shall be composed of five (5) members each from the Senate
15 and from the House of Representatives, including the chairpersons of the Committees on Basic
16 Education and Culture, and Finance in the Senate, and Appropriations in the House of
17 Representatives. The membership of the Committee for each House shall have at least one (1)
18 member from the minority.
19

20 **SEC. 16. *Tax Exemptions.*** – The importation of equipment relating to creative industry,
21 books, art related supplies, musical instruments, materials and goods, including those donated
22 to the PHSCA System shall, upon certification by the DepEd be exempt from customs duties
23 in accordance with the provisions of Republic Act No. 10863, otherwise known as the
24 “Customs Modernization and Tariff Act (CMTA)”: *Provided*, That these are of international
25 standards and are not available from local manufacturers: *Provided, further*, That the
26 importation shall only be in such numbers as may be required in the development programs
27 and/or training of the students: *Provided, finally*, That all importations shall be made in the
28 name of PHSCA System as recipient and shall be immediately registered in the name of
29 PHSCA System.
30

31 **SEC. 17. *Tax Exemption on Donations.*** – All grants, bequest, endowments, donations
32 and contributions made to the PHSCA, to be used actually, directly and exclusively used by
33 the PHSCA, shall be exempt from donor’s tax and the same shall be considered as allowable
34 deduction from the gross income of the donor for purposes of computing the taxable income
35 of the donor in accordance with the provisions of the National Internal Revenue Code of 1997,
36 as amended.
37

38 **SEC. 18. *Creative Arts School Fund.*** – All donations, contributions, grants, bequests,
39 or gifts, in cash or in-kind, received by the PHSCA from various sources shall be placed into a
40 fund, to be known as the Creative Arts School Fund. This fund shall be expended as authorized
41 by the Board exclusively for the purpose of this Act in accordance with existing budgeting,
42 accounting and auditing rules and regulations.
43

44 A similar fund may also be established for the regional high school for creative arts,
45 which may hereinafter be created subject to the existing budgeting, accounting and auditing
46 rules and regulations.
47

48 **SEC. 19. *Appropriations.*** - The amount necessary for the effective implementation of
49 this Act shall be included in the DepEd budget in the annual General Appropriations Act.
50

1 **SEC. 20. *The Philippine High School for the Arts.*** – The Philippine High School for
2 the Arts (PHSA), reorganized and existing under Executive Order No. 420, issued on 7
3 September 1990, shall continue to exist and operate according to law. It shall continue to be
4 attached to the DepEd, in close coordination with the CCP.
5

6 **SEC. 21. *Implementing Rules and Regulations.*** – The DepEd, NCCA, DTI, TESDA
7 and CECF shall promulgate not later than thirty (30) days upon the effectivity of this Act, the
8 necessary rules and regulations for the effective implementation of this Act: *Provided*, That the
9 failure to promulgate the rules and regulations shall not prevent the implementation of this
10 Act upon its effectivity.
11

12 **SEC. 22. *Separability Clause.*** – If any part or provision of this Act shall be held
13 unconstitutional or invalid, other provisions thereof which are not affected thereby shall
14 continue to be in full force and effect.
15

16 **SEC. 23. *Repealing Clause.*** – All other laws, decrees, executive order and other
17 administrative issuances and parts thereof which are inconsistent with the provisions of this
18 Act are hereby modified, superseded or repealed accordingly.
19

20 **SEC. 24. *Effectivity.*** – This Act shall take effect thirty (30) days after its publication in
21 the *Official Gazette* or in a newspaper of general circulation.

Approved,