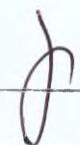


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



23 JUL 24 P1 :27

SENATE

RECEIVED BY: 

S. No. 2345

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
STRENGTHENING THE SPECIAL PROGRAM IN THE ARTS FOR JUNIOR AND
SENIOR HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Introduced in 2000, the Department of Education's (DepEd) Special Program in the Arts (SPA) aims to develop the potential of students who are artistically-inclined. This program became available to public high schools that were selected based on DepEd's criteria¹. The SPA implemented a secondary education curriculum that was centered on the arts and allowed learners an opportunity to develop their talents in a number of disciplines such as: Visual Arts, Music, Theater, Dance, Media, and Creative Writing.

Through the SPA, the preservation of Philippine culture in various art forms among the younger generation is ensured. This will also help fuel the growth of creative industries in the country.

This bill seeks to strengthen the SPA to provide a continuous source of artists and leaders in the preservation and promotion of Philippine culture, arts, and creative industries. Under the bill, a Special Program in the Arts Council shall be created and

¹ Leocario, R. and Pawilen, G. "Implementation of the Special Program in the Arts Curriculum in a Public Secondary School." *Alipato* Volume 6 (2015).

placed under the supervision of DepEd. The SPA Council is mandated to consult with creative industries to ensure that the programs, curriculum, and courses under the SPA are responsive to current and future trends that will ensure the commercial success of graduates of the SPA, urge higher education institutions to offer scholarships and grants in creative arts courses, and encourage creative industries to employ graduates of the SPA.

Further, this bill mandates the DepEd to formulate the academic curriculum and set the standards in the selection or qualification of schools with SPA. The DepEd shall also hire and retain experts in various creative arts domains to teach pertinent subjects in the curriculum.

In view of the foregoing circumstances, immediate passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA

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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 “*Special Program in the*
2 *Arts Act*”.

3 Sec. 2. *Declaration of Policy.* – The State recognizes the vital role of the youth
4 in nation-building and shall promote and protect their physical, moral, spiritual,
5 intellectual, and social well-being. Moreover, the government is committed to fulfill its
6 constitutional mandate to foster the preservation, enrichment, and dynamic evolution
7 of a Filipino national culture nurtured in an environment of free artistic and intellectual
8 expression and to place arts, design, and other intellectual creative achievements
9 under the patronage of the State.

10 To this end, the State shall promote arts education, encourage arts programs,
11 support national art competitions, and strengthen education for the development of
12 creative industries. The State shall provide adequate training for students with artistic
13 abilities, with the end in view of producing world class artists with firm academic
14 foundation and strong patriotic ideals.

15 Sec. 3. *Objective.* – The Special Program in the Arts (SPA) is hereby
16 strengthened to provide a continuing source of artists of excellence and leaders in the
17 preservation and promotion of culture, arts, and the creative industry in the
18 Philippines. Admitted students shall be trained under a special curriculum oriented in

1 the fields of architecture and allied arts, cinema, dance, dramatic arts, literary arts,
2 music, visual arts, design, digital fabrication, and new media, and basic knowledge on
3 intellectual property rights, with the end in view of providing quality education to
4 students while giving way to opportunities for a sustainable profession.

5 *Sec. 4. The SPA Council.* – The SPA Council, herein referred to as the Council,
6 is hereby created which shall be under the administrative supervision of the
7 Department of Education (DepEd), and composed of seven (7) members, namely: (1)
8 Secretary of the DepEd, as Chairperson; (2) Chairperson of the National Commission
9 for Culture and the Arts (NCCA), as Vice-Chairperson; (3) Secretary of the Department
10 of Trade and Industry (DTI); (4) President of the Cultural Center of the Philippines
11 (CCP); (5) Chairperson of the Commission on Higher Education (CHED); (6) Executive
12 Director of the Philippine Creative Industries Development Council (PCIDC); and (7)
13 President of the Creative Economy Council of the Philippines (CECP).

14 Members may designate a representative who shall be of rank no lower than
15 that of an Undersecretary.

16 Members of the Council shall serve without compensation but shall be entitled
17 to reimbursement for expenses related to their participation in the official activities of
18 the Council, in accordance with pertinent laws, rules and regulations.

19 The Council shall regularly meet at least once every quarter of the academic
20 year. The Chairperson or a majority of the Council’s members may call a special
21 meeting whenever necessary.

22 A meeting may be conducted virtually only in circumstances when meeting in
23 person is impossible or impractical and all the Council members are able to
24 communicate adequately during the meeting.

25 *Sec. 5. Duties and Functions of the Council.* – The Council shall have the
26 following duties and functions:

- 27 a) Periodically consult with various creative industries to ensure that the
28 programs, curriculum, courses, and other activities of the SPA respond to
29 current and future trends to secure opportunities for the commercial success
30 of SPA graduates;
- 31 b) Guarantee that the curriculum in the SPA shall be in accordance with the
32 qualification levels in terms of the three (3) Philippine Qualifications

- 1 Framework domains: knowledge, skills, and values; application; and degree
2 of independence;
- 3 c) Design and implement plans, programs, and activities that will encourage
4 experienced and well-established talented artists to mentor the learners
5 under the SPA;
- 6 d) Provide guidance on the career path of the SPA learners through the
7 conduct of programs and activities apprising the learners of the
8 opportunities, including those in higher education, and the state of the
9 various creative industries;
- 10 e) Urge higher education institutions to offer programs for scholarships and
11 grants in creative arts courses, and inform the schools with SPA of such
12 programs;
- 13 f) Encourage various creative industries to employ graduates of the SPA
14 through information campaigns and different programs that shall showcase
15 their talents and abilities;
- 16 g) Maintain a pool of instructors composed of experts in various creative arts
17 domains who are willing to teach the SPA learners and assign them to
18 various schools with SPA;
- 19 h) Call on the local government units (LGUs), their respective local school
20 boards and other agencies, especially where the schools with SPA are
21 located, for assistance, coordination and collaboration for alignment,
22 synchronicity, and complementarity of plans, resources, and efforts of the
23 schools and the pertinent LGUs; and
- 24 i) Other duties and functions that may be necessary or incidental for the
25 effective implementation of this Act.

26 *Sec. 6. Role of Government Agencies.* – To achieve the objectives of this Act,
27 the following government agencies shall carry out their respective roles:

- 28 a) DepEd – The DepEd shall formulate the academic curriculum to ensure that
29 learners under the SPA possess the knowledge and competencies that can
30 lead to a successful professional career and to be eligible for higher
31 education if graduates choose the pathway. It shall set the standards in the
32 selection or qualification of schools with SPA and shall appoint and designate

1 qualified instructors who shall train the learners in accordance with the
2 curriculum set by the National Commission for Culture and the Arts (NCCA)
3 and the Cultural Center of the Philippines (CCP).

4 b) NCCA and CCP – The NCCA and the CCP shall formulate the arts curriculum
5 for the SPA to train the learners and hone their skills and abilities to achieve
6 their full potential. They shall provide the qualifications of instructors for the
7 effective implementation of this Act.

8 c) Department of Trade and Industry (DTI), Creative Economy Council of the
9 Philippines (CECP), and Philippine Creative Industries Development Council
10 (PCIDC) – The DTI, CECP, and PCIDC shall advocate for the employment of
11 SPA graduates by linking the schools with SPA with different creative
12 industries for work immersion and eventual job posts. They shall further
13 conduct programs and activities in schools with SPA to inform the learners
14 of current and future trends they may engage in for their careers in creative
15 arts.

16 d) Commission on Higher Education (CHED) – The CHED shall promote the
17 further studies of SPA graduates by constantly ensuring that its policies,
18 standards, and guidelines for college courses in creative arts are responsive
19 to current and future trends and urging higher education institutions to
20 provide scholarships and grants.

21 *Sec. 7. Partnership with the Private Sector.* – The DepEd and the schools with
22 SPA may enter into agreements with the private sector for the training and
23 development of the skills and talents of its SPA learners.

24 *Sec. 8. Hiring of Special Instructors for SPA.* – Notwithstanding the relevant
25 provisions of Republic Act No. 7836, as amended by Republic Act No. 9293, otherwise
26 known as the “Philippine Teachers Professionalization Act of 1994”, the DepEd shall
27 hire and retain experts in the various creative arts domains, without the additional
28 requirements of completing teaching units and passing the board exam for teachers,
29 to teach the pertinent subjects in the curriculum: *Provided*, That they shall teach only
30 the subjects of their expertise: *Provided, further*, That they satisfy the qualification
31 standards set by the DepEd, NCCA and CCP: *Provided, finally*, That they shall receive
32 salaries and benefits befitting their status, distinctions, and achievements.

1 Sec. 9. *Tax Exemptions.* – The importation of equipment relating to creative
2 industry, books, art related supplies, musical instruments, materials and goods,
3 including those donated to the SPA shall, upon certification by the DepEd be exempt
4 from customs duties in accordance with the provisions of Republic Act No. 10863,
5 otherwise known as the “Customs Modernization and Tariff Act (CMTA)”: *Provided,*
6 That these are of international standards and are not available from local
7 manufacturers: *Provided, further,* That the importation shall only be in such numbers
8 as may be required in the development programs and/or training of the students:
9 *Provided, finally,* That all importations shall be made in the name of SPA as recipient
10 and shall be immediately registered in the name of SPA.

11 Sec. 10. *Tax Exemption on Donations.* – All grants, bequests, endowments,
12 donations, and contributions made to the SPA, to be used directly and exclusively by
13 the SPA shall be exempt from donor’s tax and the same shall be considered as
14 allowable deduction from gross income for purposes of computing the taxable income
15 of the donor in accordance with the provisions of the National Internal Revenue Code
16 of 1997, as amended.

17 Sec. 11. *Appropriations.* – The amount necessary for the initial implementation
18 of this Act shall be charged against the current year’s appropriation of the DepEd.
19 Thereafter, such amount shall be included in the annual General Appropriations Act.

20 Sec. 12. *Implementing Rules and Regulations.* – Within thirty (30) days upon
21 approval of this Act, the DepEd shall, in consultation with the NCCA, CCP, DTI, CHED,
22 PCIDC, and CECP, promulgate and issue the rules and regulations to effectively
23 implement the provisions of this Act.

24 Sec. 13. *Separability Clause.* – Should any provision herein be declared
25 unconstitutional, the other provisions not affected shall remain in full force and effect.

26 Sec. 14. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
27 other issuances or parts inconsistent with the provisions of this Act are hereby
28 repealed, amended, or modified accordingly.

29 Sec. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its
30 publication in the *Official Gazette* or in at least two (2) national newspapers of general
31 circulation.

Approved,