



Republic of the Philippines  
**House of Representatives**  
Quezon City

**EIGHTEENTH CONGRESS**

*First Regular Session*

**House Bill No. 4248**



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**Introduced by Representative Jose Enrique S. Garcia III**

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### **EXPLANATORY NOTE**


The Constitution mandates that the State shall give priority to education science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development. It also directs that the State promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry.

Recognizing the vital role of the youth in nation-building, the proposed creation of the Bataan High School for Sports not only seeks to establish a school that promotes sports programs like any other secondary schools in the country. It seeks to elevate the level of sports consciousness among the youth by providing a general secondary curriculum combined with a special curriculum on sports.

Sports is said to help the youth become better contributors to society. Research shows that sports helps improve social interaction. It increases self-discipline and focus, and builds skills such as teamwork, leadership, and responsibility. It strengthens perseverance and leads to better coping skills, critical thinking, and application skills to meet challenges in life.

The Bataan High School for Sports will be a national high school that caters to the needs not only of the province and the region but all deserving students from across the country. It shall develop and hone the skills and competitiveness of able and athletically inclined students to prepare them into world-class sports competitors with suitable academic foundation. With the proximity and easy access of the New Clark City where sports facilities both for training and international competitions are ongoing development, establishing a High School for Sport in Balanga City is an ideal proposition.

Support for this bill is earnestly requested.

  
**REP. JOSE ENRIQUE S. GARCIA III**  
Second District, Bataan



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1 **AN ACT**  
2 **CREATING A HIGH SCHOOL FOR SPORTS IN THE CITY OF**  
3 **BALANGA, PROVINCE OF BATAAN TO BE KNOWN AS THE BATAAN**  
4 **HIGH SCHOOL FOR SPORTS AND APPROPRIATING FUNDS**  
5 **THEREFOR**

6  
7 *Be it enacted by the Senate and the House of Representatives of the Philippines*  
8 *in Congress assembled:*

9 **SECTION 1.** *Declaration of Policy* – It is hereby the declared policy of the  
10 State to promote the sustained development of young Filipinos whose skill in the  
11 field of sports shall be encouraged and honed through education and specialized  
12 training programs. Towards this end, the State shall establish, maintain, and  
13 support a complete, adequate, and integrated system of education and training to  
14 advance the athletic talents and skills among the youth and promote the growth  
15 and development of young athletes nationwide.

16 **SEC. 2.** *Establishment of the High School for Sports* – There is hereby  
17 created a high school for sports in the City of Balanga, Province of Bataan, to be  
18 known as the “Bataan High School for Sports,” hereinafter referred to as the  
19 “School”. The School shall be attached to and supervised by the Department of  
20 Education (DepEd) in coordination with the Philippine Sports Commission (PSC).

21 **SEC. 3.** *Mandate* – The School is hereby mandated to implement a general  
22 secondary curriculum combined with a special curriculum focused on sports. The  
23 School shall promote the early recognition and development of the athletic skills of  
24 students and prepare them for sports-related careers while equipping them with  
25 suitable secondary education.

26 **SEC. 4.** *Governing Council* - The School shall have a Governing Council  
27 composed of the following members:



- 1 (a) The DepEd Undersecretary for Curriculum and Instruction as  
2 Chairperson;  
3 (b) The School Director as Vice Chairperson;  
4 (c) A representative of the PSC to be designated by the PSC  
5 Chairperson;  
6 (d) The Governor of the Province of Bataan;  
7 (e) The Regional Director of DepEd Region III;  
8 (f) The Schools Division Superintendent, City Schools Division of  
9 Balanga;  
10 (g) A representative elected by the members of the school faculty; and  
11 (h) Four (4) representatives from the sports community to be appointed  
12 by the DepEd Secretary upon the recommendation of the *ex officio*  
13 members of the Council.

14 For purposes of this Act, the members identified in paragraphs (a) to (f)  
15 above shall be considered as *ex officio* members.

16 The faculty representative, who shall serve for a term of two (2) years, shall  
17 be chosen in accordance with the rules and qualifications set by the faculty  
18 members of the School.

19 The four (4) representatives from the sports community, who shall serve for  
20 a term of three (3) years from the date of appointment, shall be recommended by  
21 the *ex officio* members of the Council from a list of at least seven (7) qualified  
22 nominees from Region III duly vetted by a Search Committee constituted by the  
23 Chairperson in consultation with the PSC based on the normal standards and  
24 qualification for the position. The sports representatives may be reappointed.

25 **SEC. 5. Powers and Functions of the Governing Council** – The Governing  
26 Council shall be the policy-making body of the School and shall exercise the  
27 following powers and functions:

- 28 (a) Formulate policies, rules and regulations as may be necessary for  
29 the administration and operation of the School;  
30  
31 (b) Approve the school budget for inclusion in the General  
32 Appropriations Act and appropriate all sums received as may be  
33 specified by law for the support of the School;  
34  
35 (c) Receive in trust all legacies, gifts, and donations of real and personal  
36 property of all kinds, and administer the same for the benefit of the  
37 School, subject to the limitations, directions and instructions of the  
38 donor, if any;  
39  
40 (d) Fix the site of the School, acquire property on its behalf, and approve  
41 the construction or repair of its buildings, equipment and other  
42 facilities;  
43



- 1 (e) Approve the curricula, instructional programs and rules of discipline  
2 of the School;  
3
- 4 (f) Establish the criteria for the selection, admission and graduation of  
5 students which shall include, among others, a national competitive  
6 examination, and approve the issuance of certificates or diplomas to  
7 successful candidates for graduation;  
8
- 9 (g) Adopt strategies for the increase of enrollment and preparation of  
10 purposeful campaigns to enhance the competence of the School and  
11 its students;  
12
- 13 (h) Approve the grant of stipend and such other allowances for  
14 deserving students;  
15
- 16 (i) Prescribe the qualification standards for the hiring, promotion,  
17 retention, or renewal of appointment, and the grounds for removal of  
18 faculty members, lecturers and other officials and employees of the  
19 School;  
20
- 21 (j) Grant the members of the faculty and staff leaves of absences  
22 subject to applicable rules and regulations, and provide fellowship  
23 grants when available;  
24
- 25 (k) Develop consortia and other economic linkages with local  
26 government units (LGUs), institutions and agencies, both public and  
27 private, local and foreign, to further the purposes and objectives of  
28 the School;  
29
- 30 (l) Adopt modern communications technology and other innovative  
31 modes of transmitting knowledge;  
32
- 33 (m) Approve the importation of duty-free books and/or publications, upon  
34 certification by the DepEd that such imported books and/or  
35 publications are for economic, technical, vocational, scientific,  
36 philosophical, historical or cultural purposes, in accordance with the  
37 provisions of the Customs Modernization and Tariff Act;  
38
- 39 (n) Perform any and all other acts incident to or necessary for the proper  
40 implementation of this Act.  
41

42 **SEC. 6. Meetings.** - The Governing Council shall convene at least once  
43 every quarter. However, the Chairperson of the Council may, with prior written  
44 notice of at least three days, call a maximum of two meetings in a quarter  
45 whenever necessary.

46 A quorum of the Council shall consist of majority of all its members holding  
47 office at the time of the meeting; *Provided*, That the Chairperson of the Council or  
48 the School Director shall be among those present in the meeting.



1 In the absence of the Chairperson, a duly authorized representative may  
2 attend in his behalf with all the rights and responsibilities of a regular member:  
3 *Provided, however, That, during such meeting, the School Director, as Vice-*  
4 *Chairperson, shall be the presiding officer.*

5 The members of the Council shall not receive any compensation but shall  
6 be entitled to reimbursements for actual and necessary expenses incurred, either  
7 in their attendance to meetings of the Council or in connection with other official  
8 business authorized by the Chairperson, in case of the other members, and by the  
9 DepEd Secretary, in case of the Chairperson, subject to existing laws and  
10 regulations.

11 **SEC. 7. School Director** – There shall be a School Director who shall serve  
12 as the chief academic officer, head of the school faculty, and the chief executive  
13 officer of the School. His functions, powers and duties, in addition to those  
14 specifically provided in this Act, shall be those usually pertaining to the directors of  
15 similar specialized high schools in the Philippines, and those which are related or  
16 necessary to his functions.

17 The School Director shall coordinate the implementation of policies and  
18 guidelines with the Governing Council, and shall articulate to the Council all  
19 concerns of the School. He shall render fulltime work. He shall have a term of five  
20 (5) years, and shall be eligible for reappointment.

21 The School Director shall be appointed by the DepEd Secretary, subject to  
22 the guidelines and qualifications set forth in the implementing rules and  
23 regulations, and upon recommendation of a Search Committee.

24 The Search Committee shall be constituted by the Chairperson of the  
25 Council in consultation with the PSC representative, and the Provincial Governor  
26 of Bataan. It shall be formed immediately upon the approval of the implementing  
27 rules and regulations as mandated in Section 21 of this Act, and shall be  
28 reconvened or reconstituted not later than sixty (60) days before the expiration of  
29 the term, or the occurrence of vacancy in the office of the School Director.

30 In case of vacancy in the office of the School Director by reason of death,  
31 compulsory retirement, resignation, removal for cause or incapacity to perform the  
32 functions of his office, the DepEd Secretary shall designate an officer-in-charge of  
33 the School within one (1) month from the date of vacancy, pending the selection  
34 and appointment of a new School Director.

35 The School Director appointed to fill in the vacancy mentioned in the  
36 preceding paragraph shall have a fresh term of five (5) years and shall be eligible  
37 for reappointment.

38 The compensation of the School Director shall be in accordance with the  
39 Revised Compensation and Position Classification System, and shall be  
40 comparable to the compensation being received by the heads or directors of



1 similar specialized public high schools.

2 The School Director shall be assisted by a Deputy Director for Student and  
3 Academic Affairs and a Deputy Director for Administration, who shall be appointed  
4 by the DepEd Secretary from a list of nominees to be submitted by the Governing  
5 Council. The salaries of the deputy directors shall likewise be in accordance with  
6 the Revised Compensation and Position Classification System, and shall be  
7 comparable to the compensation being received by officers of the same level of  
8 similar specialized public high schools.

9 **SEC. 8. Director for Student and Academic Affairs.** – There shall be a  
10 Deputy Director for Student and Academic Affairs who shall have the power to  
11 formulate, review, and recommend the curricular offerings, academic policies, and  
12 rules of discipline of the School for approval of the Governing Council upon the  
13 recommendation of the School Director. He shall likewise have disciplinary power  
14 over students of the School.

15 The Deputy Director for Student and Academic Affairs shall work in  
16 consultation with the school department heads and other ranking faculty members  
17 in developing the curricular offerings and rules of discipline.

18 **SEC. 9. Director for Administration.** – There shall be a Deputy Director for  
19 Administration who shall assist the School Director and the Council on policies  
20 governing the administration, financial management and development planning of  
21 the School.

22 **SEC. 10. Admissions Board** – There shall be an Admissions Board  
23 consisting of the School Director, the Deputy Directors for Student and Academic  
24 Affairs and for Administration, the heads of each faculty departments, and such  
25 other ranking faculty members or officials of the School as may be determined by  
26 the School Director. The Board shall have the power to screen and select the  
27 students to be admitted to the School, and to select students who shall be  
28 recipients of stipends and other allowances pursuant to such guidelines  
29 promulgated by the Governing Council.

30 The Admissions Board may also propose to the Council financial assistance  
31 schemes and other affirmative programs to assist underprivileged students who  
32 qualify for admission to the School.

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

35 **SEC. 11. Position Structure and Staffing Pattern.** - The position structure  
36 and staffing pattern of the School shall be adopted by the Governing Council,  
37 recommended by the DepEd, and approved by the Department of Budget and  
38 Management. The positions created thereunder shall be filled with regular  
39 appointments.

40 **SEC. 12. Civil Service Coverage.** – Except for visiting professors and other



1 sports instructors engaged by the School without employer-employee relationship,  
2 all personnel of the School shall be subject to civil service rules and regulations on  
3 wage and position classifications.

4 **SEC. 13. Faculty.** – No political beliefs, gender preferences, cultural or  
5 community affiliation, ethnic origin, and religious opinion or affiliation shall be a  
6 matter of inquiry in the appointment of faculty members of the school: *Provided*,  
7 That, said appointment shall be subject to the guidelines, qualifications and/or  
8 standards set by the Governing Council: *Provided, further*, That no member of the  
9 faculty shall teach for or against any particular church or religious sect.

10 **SEC. 14. School Fund.** – All government appropriations for and other  
11 income generated by the School as well as all legacies, gifts, donations, grants,  
12 endowments, contributions and other similar transfers of real and personal  
13 properties of all kinds received by the School shall constitute the School Fund. The  
14 School Fund shall be expended or used by, or with authority from, the Governing  
15 Council, upon the recommendation of the School Director, to attain the purposes  
16 of this Act.

17 If, for reasons beyond its control, the School shall not be able to pursue any  
18 project for which the funds have been appropriated and allocated under its  
19 approved program of expenditures, the Council, upon the recommendation of the  
20 School Director, may authorize the use of said funds for any reasonable purpose  
21 which, in its discretion, may be necessary and urgent for the attainment of the  
22 objectives and goals of the School.

23 **SEC. 15. Authority to Solicit, Receive Donations, Grants and the Like.** –  
24 Upon the authority of the Governing Council, the School Director may solicit,  
25 negotiate with, and receive in trust from any public or private domestic or foreign  
26 sources legacies, gifts, donations, grants, endowments, contributions or other  
27 transfers of ownership and/or possession of real or personal properties of all kinds  
28 in favor and for the benefit of the School; *Provided*, That, the Council shall, upon  
29 recommendation of the School Director and in accordance with pertinent  
30 accounting and auditing laws, rules and regulations, prescribe the measures  
31 necessary for the proper use, maintenance and safekeeping of said donations,  
32 grants, endowments, contributions or transfers and the compliance of the terms  
33 and conditions thereon, if any.

34 **SEC. 16. Tax Exemptions** - All legacies, gifts and donations for the benefit  
35 of the School, or for its support and maintenance, or for aid to any of its students  
36 shall be exempt from donor's tax. The same shall be considered as allowable  
37 deduction from the gross income in the computation of the income tax of the  
38 donor, in accordance with the provisions of the National Internal Revenue Code  
39 (NIRC), as amended: *Provided*, That such donations shall not be disposed of,  
40 transferred or sold by the School for other purposes.

41 The School shall be exempt from taxes and duties on any equipment,  
42 books, articles or goods it may import from abroad for its exclusive use, in  
43 accordance with the provisions of the Customs Modernization and Tariff Act.



1 The School shall likewise be exempt from withholding taxes on honoraria or  
2 fees paid by the high school to visiting lecturers or professors from abroad.

3 Finally, all the revenues, grants, endowments, donations, contributions and  
4 assets of the School actually, directly and exclusively used for educational  
5 purposes shall be exempt from taxes and duties, subject to the conditions set forth  
6 in Article XIV, Section 4 of the 1987 Philippine Constitution.

7 **SEC. 17. *Appropriation*** – The amount necessary for the initial  
8 implementation of this Act shall be sourced from the current year's appropriation of  
9 the DepEd. Thereafter, such sum as may be necessary for the continuous  
10 implementation of this Act shall be included in the annual General Appropriations  
11 Act.

12  
13 The LGUs concerned may also provide assistance to the School.

14  
15 **SEC. 18. *Development Plan, Organizational Structure*** – Within ninety (90)  
16 days after the promulgation of the rules and regulations implementing this Act, the  
17 School, through the Governing Council, shall organize and accomplish the  
18 following:

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

22 (b) Set up its organizational, administrative as well as academic structure,  
23 including the appointment of the school officials, subject to the  
24 qualifications set forth in this Act.

25 **SEC. 19. *Filing of Report*** – On or before the fifteenth (15th) day of the  
26 second month after the opening of the regular classes each year, the School  
27 Director shall file with the Office of the President of the Philippines, through the  
28 DepEd Secretary, and with both Houses of Congress, a detailed report on the  
29 progress, conditions and needs of the School.

30 **SEC. 20. *Supplementary Application*** – The provisions of Republic Act No. 9155,  
31 otherwise known as the "Governance of Basic Education Act of 2001" shall be  
32 made an integral part of this Act, and shall serve as part of the governing charter  
33 of the School in supplementary character.

34 **SEC. 21. *Implementing Rules and Regulations***. – The DepEd, in  
35 coordination with the PSC shall, within ninety (90) days from the effectivity of this  
36 Act, promulgate such rules and regulations as may be necessary to carry out the  
37 purposes of this Act.

38 **SEC. 22. *Separability Clause*** – If, for any reason, any part or provision of  
39 this Act is declared invalid or unconstitutional, the remaining parts or provisions  
40 not affected shall remain in full force and effect.



1           **SEC. 23. *Repealing Clause*** – All laws, presidential decrees, executive  
2 orders, rules and regulations contrary to or inconsistent with the provisions of this  
3 Act are hereby repealed or modified accordingly.

4           **SEC. 24. *Effectivity*** – This Act shall take effect fifteen (15) days upon the  
5 approval and publication thereof.

**Approved.**