

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVE

H.B. No. 5425

Introduced by **Representative TEODORICO T. HARESCO, JR.**

EXPLANATORY NOTE

According to the 1987 Philippine Constitution, the State recognizes the youth's role in nation-building. Thus, it necessarily acknowledges its responsibility to provide opportunities to all its youth, including its student-athletes, or those who desire to hone their skills in sports and athletics. Sports and physical development are basic elements in the education and formation of the youth. Unfortunately, the present public and private school educational system provide inadequate support to the student-athlete.

Public school students have very limited options if they opt to pursue sports within the public education structure which is only through the Palarong Pambansa or the Philippine National Games that is, if they are talented enough to be recruited. In terms of curriculum, physical education (PE) is consolidated with music, arts, and health in just one academic subject that translates to less time and focus devoted to sports.

This proposed measure intends to create a Philippine High School for Sports (PHSS) which will have an academic curriculum that will teach academic skills but at the same time provide the needed time and support for developing the students' skills in sports.

It is about time that we put importance to our young athletes.


TEODORICO T. HARESCO, JR.

HOUSE OF REPRESENTATIVES
H.B. No. ~~5423~~

Introduced by Representative TEODORICO T. HARESCO, JR.

AN ACT
CREATING THE PHILIPPINE HIGH SCHOOL FOR SPORTS
AND PROVIDING FUNDS THEREFOR

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

1 **SECTION 1.** *Short Title.* – This Act shall be known as the “The Philippine High School
2 for Sports Act of 2019”
3

4 **SECTION 2.** *Declaration of Policy.* – The State recognizes the vital role of the youth in
5 nation-building and shall promote and protect their physical, moral, spiritual, intellectual,
6 and social well-being. Towards this end, the State shall promote physical education and
7 encourage sports programs, league competitions, and amateur sports, including training for
8 international competitions, and foster self-discipline, teamwork, and excellence for the
9 development of a healthy and alert citizenry. The State shall provide adequate training for
10 students with athletic abilities for competitive sports to foster the holistic development of
11 the youth and to prepare the students for a long-term career in sports development.
12

13 **SECTION 3.** *Creation and Establishment of the Philippine High School for Sports.*-There
14 is hereby created and established a Philippine High School for Sports (PHSS) to develop the
15 athletic skills and talents of high school students. This shall be attached to the Department
16 of Education (DepEd) which shall also coordinate with the Philippine Sports Commission
17 (PSC) for policy and program formulation and implementation on subjects pertaining to
18 sports. The organizational structure and staffing pattern of the school shall be submitted by
19 the DepEd, in coordination with the PSC, to the Department of Budget and Management
20 (DBM) for evaluation and approval.
21

22 **SECTION 4.** *Purpose of the PHSS.* - The PHSS shall offer, on a full or partial scholarship
23 basis, a secondary course with special emphasis on developing the athletic skills of the

1 students through subjects pertaining to physical education and sports development, with the
2 end in view of educating its students who have shown their early potential of excelling in
3 sports for a sports-related career while undergoing quality secondary education. The Board
4 of Trustees, as created under Section 7 of this Act, may agree to accept paying students based
5 on the criteria that it will hereafter establish.

6
7 **SECTION 5. *Site, Construction, Operation, and Maintenance of the PHSS.*** - After a period
8 of planning not exceeding one (1) year upon the effectivity of this Act, the necessary sports
9 facilities and amenities, which are at par with international standards, shall be constructed
10 at New Clark City in Capas, Tarlac.

11
12 The Bases Conversion and Development Authority (BCDA) shall provide the land for
13 the site, by way of usufruct, and shall be in charge of the construction of classrooms,
14 dormitories, sports facilities, and other related amenities at the New Clark City campus.

15
16 The PHSS shall be in charge of its annual operation expenses and maintenance costs.

17
18 **SECTION 6. *Director of the PHSS.*** - Upon the recommendation of the Board of
19 Trustees, the President shall appoint the Director who shall serve as head for a period of six
20 (6) years. The functions, powers, and duties of the Director, in addition to those specifically
21 provided for under this Act, shall be those usually pertaining to the office of the principal of
22 any high school in the Philippine educational system.

23
24 **SECTION 7. *Board of Trustees.*** - The PHSS shall have a Board of Trustees, hereinafter
25 referred to as the Board, which shall be composed of the Secretary of the DepEd as
26 Chairperson, the Chairperson of the PSC as Vice Chairperson, and the following members:
27 the Director of the PHSS; one (1) representative each from the House of Representatives and
28 the Senate; the President of the Philippine Olympic Committee (POC); and, three (3)
29 representatives from different POC-accredited national sports associations to be nominated
30 by their respective sports associations and appointed by the Chairperson of the Board.

31
32 The three (3) representatives from the different POC-accredited national sports
33 associations shall be appointed for a term of two (2) years, renewable every two years by
34 the Chairperson of the Board in due consultation with the Vice Chairperson.

35
36 In case of vacancy in the Board, the appointee shall serve the unexpired term of the
37 predecessor.

1 All members who are not receiving regular compensation from the government shall
2 receive per diem for every meeting of the Board, subject to existing rules and regulations of
3 the DBM for the purpose.

4
5 **SECTION 8. Powers and Functions of the Board of Trustees.** - The exercise of the
6 corporate powers of the PHSS is hereby vested exclusively in the Board of Trustees. The
7 Board shall have the following specific powers and duties, in addition to its general powers
8 of administration and the exercise of all the powers granted to the board of directors of a
9 corporation under Section 35 of Republic Act No. 11232, otherwise known as the Revised
10 Corporation Code of the Philippines:

11
12 (a) To identify the satellite branches and regional campuses of the PHSS;

13 (b) To approve the curricula, course of study, and rules of discipline drawn up by the
14 Executive Council as hereinafter provided;

15 (c) To receive and appropriate for the ends herein specified such sums as may be
16 provided by law for the support of the PHSS;

17 (d) To approve appointments made and contracts entered into by the Director in
18 connection with the employment of teachers, lecturers, and other employees of the school,
19 fix their compensation and other conditions of employment, and remove them for cause after
20 proper investigation;

21 (e) To provide and approve fellowships and trainings for faculty members;

22 (f) To fix the tuition fees and other necessary school charges, as the Board may deem
23 proper to impose, after due and comprehensive consultation with the students concerned.

24 Such fees and charges and other internally-generated income by the PHSS shall
25 constitute the Sports High School Fund, as created under Section 18 of this Act, and shall be
26 deposited in any authorized government depository bank, and all interests which shall
27 accrue therefrom shall form part of the same fund for the use of the PHSS.

28 Any provision of existing laws, rules and regulations to the contrary notwithstanding,
29 any income generated by the PHSS from tuition fees and other charges, as well as from the
30 operation of auxiliary services and land grants, shall be retained by the PHSS, and may be
31 disbursed by the Board for instruction, research, extension, or other programs or projects of
32 the PHSS: Provided, That all fiduciary fees shall be disbursed for the specific purposes for
33 which they were collected;

34 (g) To approve the grant of scholarships, stipends, and such other allowances to
35 deserving students;

36 (h) To establish the criteria for the selection and admission of students which shall
37 include, among others, national competitive trials and examinations;

(i) To develop the athletic potential of every student together with a sound and strong academic base;

(j) To provide a training program for students with the end goal of creating athletes who are competitive in the national, South East Asian, Asian, and Olympics levels;

(k) To approve the issuance of certificates or diplomas to successful candidates for graduation;

(l) To receive, in trust, legacies, gifts and donations of real and personal properties of all kinds and to administer the same for the benefit of the PHSS or for aid to any of its students;

(m) To enact rules and regulations, not contrary to law, as may be necessary to carry out the purposes and functions of the PHSS; and

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

SECTION 9. *Meetings and Quorum of the Board of Trustees.* - The Board shall regularly convene at least once every quarter. The Chairperson of the Board may call a special meeting whenever necessary: Provided, That members are notified in writing at least three (3) calendar days prior to said special meeting.

A quorum of the Board shall consist of a majority of all the members holding office at the time the meeting is called: Provided, That the Chairperson of the Board is among those present in the meeting. In the absence of the Chairperson, an Undersecretary of the DepEd, duly designated by the Chairperson, shall represent him/her in the meeting.

SECTION 10. *Reporting Requirements and Auditing of Accounts.* - The Board shall submit to the Commission on Audit (COA), DBM, Office of the President of the Philippines (OP), and Congress a detailed report on the progress, condition, and needs of the PHSS containing, among others, the financial statements, statement of assets and liabilities, other revenue sources and program for expenditures, physical and financial accountability reports, and other similar reportorial requirements on or before the fourteenth (14th) day of February of each year. All accounts and expenses of the PHSS shall be audited by the COA or its duly authorized representative.

SECTION 11. *Executive Council.* - There shall be an Executive Council, hereinafter referred to as the Council, consisting of the Director, the Assistant Director whose position is created under Section 12 of this Act, the heads of departments of PHSS, and such other ranking faculty members or officials of the PHSS as may be determined by the Board.

The Council shall have the power to screen and select the students subject for admission, select students who shall be recipients of scholarships, stipends and other

allowances, and develop the curricula, course of study, and rules of discipline. The Council shall implement and execute the policies laid down by the Board and exercise such other powers, functions, and duties as the Board may prescribe.

SECTION 12. *Assistant Director of the PHSS.* - There shall be an Assistant Director who shall assist the Director. In the absence of the Director, he/she shall assume the administrative and supervisory functions of the Director. He/she shall be appointed by the Chairperson of the Board, subject to the approval of such Board which shall also fix his/her compensation.

SECTION 13. *Registrar of the PHSS.* - There shall be a Registrar of the PHSS who shall also act as Secretary of the Board, to be appointed by the Director with the approval of the Board. The Registrar shall keep all records of the PHSS.

SECTION 14. *Treasurer of the PHSS.* - There shall be a Treasurer of the PHSS who shall be appointed by the Director with the approval of the Board.

SECTION 15. *Personnel of the PHSS.* - The Director shall, upon approval of the Board, employ professional and highly skilled managers, educators, teachers, and personnel with long and vast experience in sports administration, education, and management to ensure proper operation and maintenance of the PHSS.

Any officer or employee of the Government engaged as a lecturer at the PHSS may receive a compensation in addition to his/her salary at the rate to be fixed by the Board: Provided, That his/her duties as such lecturer are performed outside of the regular office hours.

SECTION 16. *Payment of National Taxes and Customs Duties.* - The payment of national taxes, including customs duties, of the PHSS shall be charged against the Tax Expenditure Fund (TEF) provided for in the annual General Appropriations Act.

The PHSS shall be exempt from withholding taxes on the honoraria or fees paid by the PHSS to visiting lecturers or professors from abroad.

SECTION 17. *Tax Deduction and Exemption of Donations and Contributions.* - All legacies, gifts and donations for the benefit of the PHSS, its support and/or maintenance, or for aid to any of its students shall be tax- exempt and fully deductible from the gross income of the donors in accordance with the National Internal Revenue Code (NIRC), as amended.

1 **SECTION 18. *Sports High School Fund.*** - All incomes and monetary donations to the
2 PHSS created under this Act shall be formed into a fund to be known as the Sports High
3 School Fund, which the PHSS shall be authorized to retain without need of a separate
4 approval from any government agency and subject to existing budgeting, accounting and
5 auditing rules and regulations. This fund shall be expended as authorized by the Board and
6 exclusively for the purpose of this Act.

7
8 **SECTION 19. *Funding.*** - The Secretary of the DepEd shall immediately include in the
9 department's programs the operation of the PHSS whose funding shall be included in the
10 annual General Appropriations Act.

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12 **SECTION 20. *Implementing Rules and Regulations.*** - The DepEd and the PSC, in
13 consultation and coordination with the DBM, the Commission on Higher Education (CHED),
14 the Department of Public Works and Highways (DPWH), the BCDA, and other relevant
15 stakeholders shall promulgate, not later than sixty (60) days upon the effectivity of this Act,
16 the necessary rules and regulations for its effective implementation: Provided, That the
17 failure to promulgate such rules and regulations shall not prevent the implementation of this
18 Act upon its effectivity.

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20 **SECTION 21. *Separability Clause.*** - If any part or provision of this Act shall be held
21 unconstitutional or invalid, other provisions thereof which are not affected thereby shall
22 continue to be in full force and effect.

23
24 **SECTION 22. *Repealing Clause.*** - All other laws, decrees, executive orders, and other
25 administrative issuances and parts thereof which are inconsistent with the provisions of this
26 Act are hereby modified, superseded or repealed accordingly.

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28 **SECTION 23. *Effectivity.*** - This Act shall take effect fifteen (15) days following its
29 publication in the Official Gazette or in a major daily newspaper of national circulation in the
30 Philippines.

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32 *Approved,*