

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2839

Introduced by: Hon. Christopher S. Co, Rodel M. Batocabe and Alfredo A. Garbin, Jr.

EXPLANATORY NOTE

The passage of this bill seeks to answer the needs of children with behavioral concerns through the prior assessment of a child's behavioral and psychological levels and conducting programs that will suit their needs.

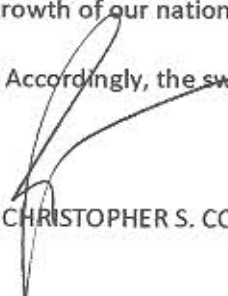
This effort is in due recognition of the State's constitutional responsibility in giving priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development (Article II, Section 17, 1987 Constitution). Further, the State is mandated to protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all (Article XIV, Section 1).

As majority of children with behavioral concerns embark on schooling without sufficient diagnosis, which is counterproductive to their development, the State shall initiate that their education and functional development be given greater commitment.

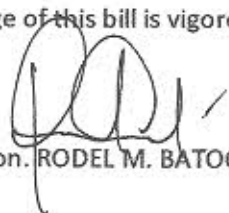
In this bill, the schools are called to perform and be primarily responsible for providing efforts to educate children with behavioral concerns in order to cater to the functional development of such children. They are given the primary responsibility in protecting and promoting the rights of children requiring special attention to an education that fits their needs.

This initiative in special education will redound to the benefit of society. With the help given by the government, their families can remain stable and become significant contributors to the growth of our nation.

Accordingly, the swift passage of this bill is vigorously sought.



Hon. CHRISTOPHER S. CO



Hon. RODEL M. BATOCABE



Hon. ALFREDO A. GARBIN, JR.

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AN ACT
INSTITUTIONALIZING THE ADMINISTRATION OF BEHAVIORAL ASSESSMENT IN PRE-SCHOOL
AND PRIMARY EDUCATION

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

SECTION 1. **Title** – This Act shall be known as the “Behavioral Assessment Act of 2010”,

SECTION 2. **Statement of Policy** –

It is declared that the policy of the State is to protect and promote the rights of children with special needs to quality education and to take appropriate steps to make such education appropriate for them.

It is also the policy of the State to give full support for their welfare and development to ensure their full integration to society as well as to facilitate their active participation in the affairs of the State.

The State shall institutionalize an adequate and relevant education program for every child with behavioral problems through the conduct of evaluation and assessment and of their vital support mechanisms.

SECTION 3. **Definition of Terms.** – For purposes of this Act, these terms are defined as follows:

- A) Students or Children with Behavioral Concerns shall mean a child -
 - 1) who cannot adjust to the socially accepted norms of behavior and, consequently disrupt their academic progress, the learning effort of their classmates and interpersonal relations. It shall include, but not limited to the following disorders: Pervasive Developmental Disorder, Attention Deficit Hyperactivity Disorder (ADHD), Disruptive Behavior Disorder, Tourette syndrome, Separation Anxiety Disorder, Selective Mutism, Conduct Disorder, and Oppositional Defiant Disorder (ODD)
 - 2) with a record of such impairment; or
 - 3) being regarded as having such impairment.
- B) Impairment is any loss, diminution or aberration of psychological and cognitive structure or function; or other possession of other disabilities requiring modified

school practices or special education services to develop to higher maximum capability.

- C) Special/Alternative Education is basic education that takes into account the special needs of diagnosed children that requires a systematic and deliberate process for them to achieve functional literacy and which will bring the individual to the highest level of his potential and capacity. It is also defined as that type of education tailored to meet the needs of children who cannot profit because of disabilities or exceptional abilities.
- D) Functional Literacy is the level of literacy necessary for the student or child to become a useful citizen and effective member of the community.

SECTION 4. Evaluation in Regular Schools. All schools shall conduct evaluation prior to enrolment to determine if a child has behavioral concerns and to determine the educational needs of such child. The evaluation of children shall involve the parents, the child, child psychologists and behavioral/psychological experts, the guidance councilor, and teachers.

SECTION 5. School-endorsed Programs for Children with Behavioral Concerns.

- A) All pre-school and elementary schools shall designate special sections for diagnosed children so as to provide them with specialized and modified special education and services and supplementary aids and services.
- B) The schools, based on evaluation and assessment results, shall introduce programs and projects for development that will respond to the needs of diagnosed children and ensure that the diagnosed children will have opportunities to engage with other school children.
- C) The school shall provide teachers for special sections who shall conduct and administer special/alternative educational programs and early intervention programs for the children.

Section 6. Role of the Department of Education, Culture and Sports (DECS). The DECS shall be the primary agency which will implement the programs to attain the objectives of this Act. It is tasked to administer the conduct of evaluation and implementation of programs for diagnosed children. It shall also carry out the following tasks:

- A) undertake continuing research to identify and design programs that meet the full range of children with behavioral concerns;
- B) conduct formal training and counselling program for the individuals involved in the education and evaluation of the child that is aimed at optimum development of the potentials of the child; and
- C) give grants to, or enter into cooperative arrangements or contracts with public or private non-profit agencies, institutions or organizations.

SECTION 7. Implementation. - The DECS, in coordination with other concerned agencies, shall promulgate and issue the necessary Implementing Rules and Regulations for the administration of the evaluation of children in regular pre-school and elementary schools. It shall commence the development of a comprehensive systems and procedure for evaluation within sixty (60) days after the effectivity of this Act.

SECTION 8. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.
6 Approved.

SECTION 10. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

Hon. CHRISTOPHER S. CO

Hon. RODEL M. BATOCABE

Hon. ALFREDO A. GARBIN, JR.