

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5440



Introduced by Representatives Mariano Michael M. Velarde Jr. and William Irwin
Tieng (BUHAY Party List)

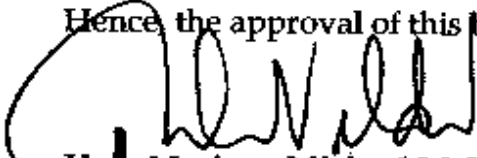
EXPLANATORY NOTE

Article XIV, Section 2(1) of the Constitution stipulates that the State shall establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society. Pursuant to this mandate, the State enacted Presidential Decree No. 603 or The Child and Youth Welfare Code which provides that: "The gifted child shall be given opportunity and encouragement to develop his special talents."

Presently, according to a University of the Philippines publication, the country's school system does not have adequate programs that go beyond identifying gifted children by nurturing them until they have completed their education. Considering that the Department of Education found that there are 77,152 gifted children or fast learners in the country just in the school year 2004-2005, it is crucial that the State acts to address the needs of these Filipinos for the benefit of our society.

To this end, this bill seeks to improve the quality of existing programs for gifted and talented pupils and to provide for experimentation in the delivery of the programs that go beyond the structures of a typical education system. Moreover, it seeks to provide for the identification of gifted and talented pupils by schools divisions in a variety of ways that do not diminish the quality of programs for individual pupils.

Hence, the approval of this bill is earnestly requested.



Hon. Mariano Michael M. Velarde Jr.



Hon. William Irwin Tieng
(BUHAY Party List)

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AN ACT ESTABLISHING A PROGRAM FOR GIFTED AND TALENTED PUPILS
ENROLLED IN PUBLIC ELEMENTARY SCHOOLS, PROVIDING FUNDS THEREFOR,
AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the "*Gifted and Talented Pupil
Program of 2011*".

SEC. 2. Definition of Terms. - For the purposes of this Act,

a. "Gifted and talented pupil" shall mean a pupil enrolled in a public elementary school
who is identified as possessing demonstrated or potential abilities that give evidence of
high performance capability;

b. "Highly gifted pupil" shall mean a gifted and talented pupil who has achieved a
measured intelligence quotient (IQ) of 150 or more points on an assessment of
intelligence administered by qualified personnel or has demonstrated extraordinary
aptitude and achievement in language arts, mathematics, science, or other academic
subjects, as evaluated and confirmed by both the pupil's teacher and principal. Highly
gifted pupils shall generally constitute not more than one percent (1%) of the pupil
population.

c. "Participating pupil" shall mean a pupil identified as a gifted and talented pupil who
takes part in a program for at least one semester of a school year.

SEC. 3. The Program - There is hereby created a "Gifted and Talented Pupil Program",
hereinafter referred to as the "Program", which shall be an appropriately differentiated
curriculum provided by the Department of Education for gifted and talented pupils
which meets the standards established pursuant to this Act, and which also include the
identification of these pupils.

SEC. 4. Categories for Defining Pupils' Capabilities. - For the purposes of this Act, the
demonstrated or potential abilities that give evidence of high performance capability
shall be defined by each local school district in accordance with regulations established
by the Department of Education, hereinafter referred to as the DepEd.

Each DepEd division shall use one or more of the following categories III defining the capability: intellectual, creative, specific academic, or leadership ability; high achievement; performing and visual arts talent; or any other criterion that meets the standards set forth by the DepEd. Each DepEd schools division shall also consider identifying as gifted or talented any pupil who has transferred from a division in which he or she was identified as a gifted and talented pupil.

SEC. 5. Coverage of the Program. - The DepEd shall maintain regulations governing the following areas:

- a. Procedures that DepEd schools divisions shall use in identifying gifted and talented pupils who are eligible for the program and in providing programs pursuant to this Act;
- b. Definitions of special day classes, part-time grouping, enrichment activities, cluster grouping, independent study, acceleration, postsecondary education opportunities and other programs that the DepEd deems appropriate;
- c. Establishment of allowable indirect cost expenditures that may be funded by gifted and talented program funds;
- d. Establishment of subsidies, scholarships, and grants for economically disadvantaged pupils that may be funded by gifted and talented program funds; and
- e. Other areas that the DepEd schools division deem necessary to implement fully the intent and provisions of this Act.

SEC. 6. DepEd. - The DepEd shall:

- a. Apportion funds pursuant to this Act to each DepEd schools division for which an application to offer programs pursuant to this Act has been approved by the DepEd according to this Act and regulations adopted by the DepEd;
- b. Assist schools division, upon their request, to design, implement, and evaluate programs funded under this Act;
- c. Ensure that the expenditure of funds authorized for programs pursuant to this Act is consistent with the Act;
- d. Encourage the development of locally designed, innovative programs for gifted and talented pupils;
- e. Assist schools divisions in the development and implementation of staff development programs related to gifted and talented pupils; and
- f. Encourage the development of procedures that assure the ongoing participation of parents of gifted and talented pupils in the planning and evaluation of programs funded pursuant to this Act.

SEC. 7. Schools Divisions. -

- a. Schools divisions that elect to provide programs pursuant to this Act may establish programs for gifted and talented pupils consisting of special day classes, part-time

groupings, and cluster groupings, consistent with the regulations of the DepEd. These programs shall be planned and organized as an integrated, differentiated learning experience within the regular school day, and may be augmented or supplemented with other differentiated activities related to the core curriculum using such strategies as independent study, acceleration, postsecondary education, and enrichment.

b. Each participating schools division shall determine the most appropriate curricular components for participating pupils within its division.

c. For all programs for gifted and talented pupils, including programs for pupils with high creative capabilities and talents in the performing and visual arts, each participating school district shall concentrate part of its curriculum on providing participating pupils with an academic component and, where appropriate, with instruction in basic skills.

SEC. 8. Operation of the Program. - The participating schools division that provides a program for gifted and talented pupils pursuant to this Act may:

a. Conduct programs, seminars, and classes for gifted and talented pupils within or outside the boundaries of the schools division and, for that purpose, employ instructors, supervisors, and other personnel and provide necessary equipment and supplies; and

b. Transport or arrange for transportation of pupils to or from educational institutions where regularly scheduled programs and classes are being conducted.

SEC. 9. Appropriation. - The amount of Fifty Million Pesos (Php50,000,000.00) is hereby authorized to be appropriated from the Special Activities Fund of the President of the Republic of the Philippines, or from any other source that may be identified for the purpose. Thereafter, such sum required for the operation, maintenance, and development activities of the Program shall be included in the annual budget of the Department of Education.

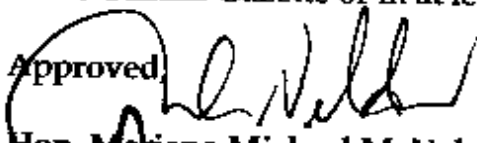
SEC. 10. Repealing Clause. - All laws, rules, regulations, orders, circulars, and memoranda inconsistent with any provisions of this Act are hereby repealed or modified accordingly.

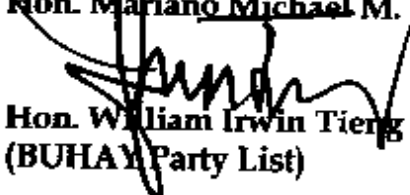
SEC. 11. Separability Clause. - Should any provision of this Act be declared invalid or unconstitutional, no other provisions hereof shall be thereby affected.

SEC. 12. Implementing Rules and Regulations. - The DepEd, shall, within sixty (60) days after the approval of this Act, prepare and issue the necessary guidelines to implement the same.

SEC. 13. Effectivity. - This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,


Hon. Mariano Michael M. Velarde Jr.


Hon. William Irwin Tieng
(BUHAY Party List)