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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **1014**



Introduced by Hon. Jerry P. Treñas

EXPLANATORY NOTE

No less than the Constitution mandates the State to protect and promote the right of all citizens to quality education at all levels and to take appropriate steps to make such education accessible to all.¹ The Constitution speaks of the right of all citizens, regardless of their mental status, special condition, or level of intellectual development, to quality education. In keeping with this mandate, we are obliged to take the appropriate steps to make quality education accessible to all, including those who have special needs due to their level of intellectual development, special mental status or other handicaps.

The end goal of education is to secure a better future for our people by providing them with the necessary knowledge to find work or other sources of income. Unfortunately, it is a stark reality in the Philippines that a college degree is required in order to find a decent job. On the other hand, the Technical and Education Skills Development Authority (TESDA) provides courses for those who want to enter technical or vocational work.

However, tertiary education or entering a TESDA course is not possible for a good number of our differently abled citizens. A high school degree is a prerequisite to enter college or a TESDA course. Regrettably, a significant number of our differently abled citizens have handicaps which prevent them from obtaining their high school degrees. Children who are slow-learners and those who have autism, Attention Deficit and Hyperactivity Deficiency (ADHD), or other special physical, sensory, cognitive or behavioral characteristics which may prevent them from completing high school are at a serious disadvantage since they are deprived of the opportunity to learn skills and knowledge which they could use to become self-reliant.

Most of our young ones who require special education are sent to public elementary and high schools because it is simply too expensive for most Filipinos to send their special children to a Special Education (SPED) school. SPED is already mandated by the Magna Carta for Disabled Persons.² The SPED bill (House Bill 6547) which establishes SPED centers in all school districts was approved by the House of Representatives in the 15th Congress but it failed to pass in the Senate. In the meantime, our differently abled children are still left with a glaring disadvantage since a lot of them will not qualify for either a college or a technical/vocational degree.

¹ Article IV, Section 1. The 1987 Philippine Constitution

² Section 14, Republic Act 7277, The Magna Carta of Disabled Persons (March 24, 1992)

As a solution to this problem, and in order to give our differently abled citizens a chance to earn a living, this bill seeks to establish, maintain and support basic technical and vocational courses in at least one secondary school for each school district in the country. Differently abled children may enroll in these technical and vocational courses without the necessity of a high school degree. The establishment of these courses will enable our differently abled children to develop skills which they could use to earn a living even if their handicap prevents them from completing high school.

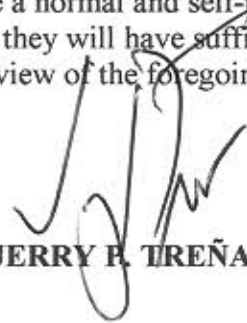
The Department of Education, in consultation with other concerned government agencies and private institutions, can design and provide basic technical and vocational courses and hold these classes in a designated high school per school district. These courses need not be intricate such as the ones provided by TESDA, since the target learners are differently abled students.

The establishment of technical and vocational courses for the differently abled is consistent with the Constitution, which provides that the State shall provide the disabled with trainings in civics, vocational efficiency and other skills.³ It is also in line with the Magna Carta for Disabled Persons, which declares that is the policy of the State that disabled persons are part of Philippine society, thus the State shall give full support to the improvement of the total well-being of disabled persons and their integration into the mainstream of society.⁴

The Declaration on the Rights of Disabled Persons of the United Nations (UN) General Assembly declares that disabled persons have the same fundamental rights as their fellow citizens of the same age, hence they are assured of the right to enjoy a decent life which must be as normal and full as possible.⁵ Moreover, the UN Declaration states that disabled persons are entitled to measures designed to enable them to become self-reliant as possible.⁶

Our country is also a signatory of the UN Convention on the Rights of Persons with Disabilities. The Philippines ratified the Convention on April 15, 2008. The Convention provides that States Parties must undertake to ensure and promote the full realization of all human rights and fundamental freedoms of all persons with disabilities, and that appropriate legislation should be enacted for this purpose.⁷ The Convention also compels States to enable persons with disabilities to have effective access to general technical and vocational guidance programs, placement services and vocational and continuing training.⁸

Let us give our differently abled citizens a chance to live a normal and self-reliant life. By equipping them with basic technical and vocational knowledge, they will have sufficient means to be productive even if they fail to graduate from high school. In view of the foregoing, the approval of this bill is highly recommended.



JERRY R. TREÑAS

³ Section 2(5), Article XIV. The 1987 Philippine Constitution

⁴ Section 2 (a), R.A. 7277

⁵ Paragraph 3. UN General Assembly, *Declaration on the Rights of Disabled Persons*, 9 December 1975, A/RES/3447

⁶ Paragraph 5. *Declaration on the Rights of Disabled Persons*

⁷ Article 4. UN General Assembly, *Convention on the Rights of Persons with Disabilities : resolution / adopted by the General Assembly*, 24 January 2007, A/RES/61/106

⁸ Article 27. *Convention on the Rights of Persons with Disabilities*

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**AN ACT ESTABLISHING BASIC TECHNICAL AND VOCATIONAL COURSES FOR
DIFFERENTLY ABLED PERSONS IN ALL SCHOOL DISTRICTS**

Be it enacted by the Senate and House of Representatives duly assembled:

Section 1. Title. This act shall be known as the “Basic Technical and Vocational Courses for Differently Abled Persons Act of 2013”

Section 2. Declaration of Policy. It is hereby declared the policy of the State to take appropriate measures to protect and promote the rights of differently abled persons.

Section 3. Coverage. Basic technical and vocational courses shall be established for differently abled persons. For the purpose of the act, *differently abled persons* shall refer to individuals who differ from societal or community standards of normalcy due to significant physical, sensory, cognitive or behavioral characteristics. Disabled persons, as defined in Republic Act 7277 or the Magna Carta for Disabled Persons, shall also be considered as differently abled persons. Differently abled persons shall include persons with disabilities who are unable to ensure by themselves, wholly or partly, the necessities of a normal individual and/or social life, as a result of deficiency, either congenital or not, in their physical or mental capabilities.

Section 4. Establishment of Basic Technical and Vocational Courses. The State shall establish, maintain and support basic technical and vocational courses in at least one secondary school for each school district in the country. The secondary school with the technical and vocational courses shall accommodate all differently abled persons within its school district. The courses shall be designed to cater to the learning capacities of the differently abled persons and shall be harmonized and integrated as special courses for differently abled persons within the enhanced education system under Republic Act 10533 or the Enhanced Basic Education Act of 2013.

Section 5. Implementing Rules and Regulations. The Department of Education, in coordination with concerned government agencies and Special Education specialists, shall promulgate the necessary rules and regulations for the proper implementation of this Act.

Section 6. Appropriations. The Secretary of the Department of Education (DepEd) shall include in the Department's programs the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

Section 7. 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 8. Repealing Clause. Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 9. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,