



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 2891



**Introduced by: Hon. Julieta R. Cortuna and
Hon. Mariano U. Piamonte Jr. Representatives, A TEACHER Party-list**

EXPLANATORY NOTE

As a policy, the State should protect the rights of the youth including children with special needs (CSN) in recognition of their role in nation building.

Currently, this obligation of the State has not been institutionalized. While there are a few private and public institutions that cater to the need of special children, these facilities are noticeably absent in many areas of the country.

The situation is seemingly similar to neglecting the children with special needs. Some of us are lucky to be normal and we should be thankful for that. Considering that luck, it would be ungrateful for us to continue this neglect on a significant part of our society.

In view of the foregoing, passage of this bill is hereby being earnestly sought.

Mariano U. Piamonte Jr.
MARIANO U. PIAMONTE JR.

Julieta R. Cortuna
JULIETA R. CORTUNA



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**AN ACT
ESTABLISHING A SPECIAL EDUCATION CENTER IN EVERY MUNICIPALITY AND
TWO (2) SPECIAL EDUCATION CENTERS IN EVERY CITY NATIONWIDE**

*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 "Special Education Act of 2014".

SECTION 2. Declaration of Policy. In accordance with Section 13, Article II of the Constitution, the State shall protect the rights of the youth including children with special needs (CSN) in recognition of their role in nation building. In line with this policy, the State shall:

- a) Provide CSN access to basic education through the formal system and other alternative delivery services in education;
- b) Facilitate integration of CSN into mainstream education;
- c) Facilitate the development of CSN's full potentials towards self-sufficiency and become partners in nation building;
- d) Ensure that CSN will understand, appreciate and respect differences among groups in society;

- e) Identify gifted and talented children of ages three (3) to sixteen (16);
- f) Provide parents with information on Special Education (SPED) services for the appropriate options of their children;
- g) Involve private groups, local government units and national government agencies other than the Department of Education (DepEd) in the education of CSN;
- h) Enhance the capabilities of parents to deal with the disabilities and capabilities of CSN;
- i) Promote positive community attitude towards understanding on how to deal with CSN.

SECTION 3. *Definition of Terms.* For the purpose of implementing the provisions of this Act, the following terms shall be interpreted to mean as follows:

- a) *Disability* shall refer a physical or mental impairment that substantially limits one or more physical or mental functions of an individual;
- b) *Impairment* refers to any loss, diminution or aberration of psychological, physiological or anatomical functions of an individual;
- c) *Handicap* refers to a disadvantage of an individual resulting from an impairment or disability that prevents an individual to function normally;
- d) *Persons with disabilities (PWD)* refer to those suffering from restrictions to function normally or have different abilities as a result of a mental or physical impairment;
- e) *Children with special needs (CSN)* refer to those who are gifted, fast learners, disabled, impaired, mentally retarded, handicapped and those in need of special attention or education as well as services for rehabilitation;
- f) *Auxilliary aids and services* refer to services that are basically non-educational but will enhance the educational process of the child with special

need such as: therapy, qualified interpretation for hearing impairment, qualified reading for visual impairment, equipment or device acquisition/modification and those that enhance the educational process of the child;

- g) *Special instructional materials* refer to textbook in Braille, large type or any other medium or apparatus to convey information;
- h) *Special education (SPED)* refers to basic education that is designed to take into account children with special needs (CSN) in a systematic and deliberate process that enables CSN to achieve functional literacy and develop their full potential;
- i) *Functional literacy* refers to the level of literacy necessary for the student or child to become useful citizens or members of society.

SECTION 3. Coverage. This Act shall cover all students and children with special needs (CSN) ages five (5) to sixteen (16) or older if recommended in areas nationwide.

SECTION 4. SPED Centers. There shall be established at least one (1) SPED Center in every municipality and at least two (2) SPED Centers in every city nationwide where there are no existing SPED centers. The SPED Centers shall be administered by the principal of the regular school where it is closely located. It shall:

- a) Support CSN to be integrated/included in regular schools;
- b) Conduct school based training for CSN;
- c) Produce appropriate teaching materials for CSN;
- d) Conduct assessment of CSN.

It shall also be the responsibility of the SPED Centers to assist, facilitate, and monitor the transfer/admission of qualified CSN to post-secondary or tertiary educational institutions.

Each SPED Centers shall have specialized teachers who can handle CSN. Regular teachers currently handling CSN shall henceforth be classified as SPED teachers.

There shall be an assistant principal for each SPED Center who shall administer and supervise the educational program of this Act including early intervention; monitoring and supervision of enhancement programs of SPED personnel; referral and placement procedures; and oversee other components of the programs under this Act. The assistant principal shall also be responsible for the formation and supervision of placement committee as well as the resolution of disagreements on placement and services.

SECTION 5. *Other Personnel of SPED Centers.* The administrative core and placement committee of the SPED unit shall consist of:

- a) one (1) educational psychologist or psychometrician;
- b) one (1) physical therapist;
- c) one (1) occupational therapist;
- d) one (1) speech and language therapist.

They shall be jointly tasked to develop and maintain a database in special education in their respective school jurisdiction. The placement committee shall, in consultation with and active participation of parents among others, ensure that students with disabilities are educated as close as possible to their homes and alongside their age appropriate peer groups, and that these students attend their local schools or travel the shortest distance to avail of educational services.

SECTION 6. *Itinerant SPED Teachers.* Itinerant SPED teachers shall also be appointed whenever necessary. They shall assist isolated or remote schools with specialized equipment, individual programs, curriculum adjustment, teaching aids and building modifications.

SECTION 7. *Authority of the Secretary to Give Grants to, or Enter Into Cooperative Arrangement.* The Secretary of Education is hereby authorized to give grants to, or enter into cooperative arrangement or contracts with public or private non-profit agencies, institutions or organizations for the establishment or creation of SPED Centers for CSN or for programs such as the following:

- a) Technical assistance of SPED Centers;
- b) Training of professionals or related services personnel who are preparing to serve or are serving CSN;
- c) Replication of successful innovative approaches to providing educational or related services to CSN;
- d) Facilitation of parental involvement in the education of their CSN;
- e) Consultative, counseling and training services for the families of CSN;
- f) Familiarization of the city or municipality being served by a SPED Center with the problems and potentials of CSN.

SECTION 8. *Continuing Research to Identify Needs of CSN.* The DepEd by itself or in association with such organizations or institutions shall undertake continuing research to identify and design programs that shall meet the full range of needs of CSN: *Provided* that, such continuing research shall also be used to develop instructional techniques for use of the SPED Centers towards improving the CSN acquisition of skills necessary for their transition to independent living, vocational training or competitive development: *Provided further*, that such continuing research shall further be used to design physical education and therapeutic recreation program for use by the Centers to increase the potential of CSN for community participation.

SECTION 9. *Student Assistance.* The DepEd shall provide financial assistance to economically marginalized but deserving students of special needs at the elementary and secondary levels, which may come in the form of scholarship grants; allowances for

transportation, food, lodging, books; student loan programs; artistic and cultural tours; training and programs; subsidies; and other incentives. Marginalized or disadvantaged persons with disabilities and those coming from indigenous communities shall be the priority in the grant of such financial assistance.

Special equipments like wheelchairs, crutches, special toilet and hygiene requirements, hearing aids, eyeglasses and such other assistive devices required by the students to optimize education and participation in the educational process shall also be provided for free or discounted rates to deserving students and at very affordable rates in general through a reasonable funding scheme that shall be designated by DepEd.

SECTION 10. *Medical Assistance.* The DepEd shall prepare a scheme that will ensure adequate and free medical assistance and intervention programs, including those essential to the student's or child's rehabilitation like therapy, psychometric assessments, medical examinations and the like, with government clinic, hospitals and other facilities. In case the medical facilities are not offered the nearest available government health facility, or cannot be obtained by reason of critical immediacy, or needs a more specialized or advance treatment, CSN shall be entitled to twenty (20) percent discount from the services of any private hospital or clinics, Provided, that these private hospitals and clinics may claim the cost as tax credits.

SECTION 11. *Nutritional Programs.* The nutritional programs of CSN shall be supervised the National Nutrition Council (NNC) and the Department of Health in coordination with the local government unit health officer.

SECTION 12. *Establishment of Specialized Day Care Centers.* Day Care Centers especially designed for pre-school children and their parents, where early identification of disabilities and special needs and introductory and educational intervention programs will be administered, shall also be established near or within

existing SPED Centers or those that will be created by the DepEd with the support of the Department of Social Welfare and Development (DSWD) and the local government units (LGUs) of the area. As far as practicable, the use of the existing day care centers and facilities shall be maximized.

SECTION 13. *Recreational and Artistic Opportunities.* The DepEd shall institute a program for CSN that will afford them full opportunities for the safe and wholesome recreation and activities, individual as well as social, for optimal use of their free hours and for advancement of their physical, mental, social and cultural development.

SECTION 14. *Remuneration and Benefits.* The SPED teachers and school administrators managing SPED Centers and special schools shall be assigned a salary grade that is three (3) salary grade higher than that of a regular teacher and school administrator respectively.

DepEd shall enhance the right of the teachers/instructors to professional advancement and ensure that the teaching staff attract the best available talents through adequate remuneration, scholarship and training grants, teacher exchange programs, incentives and allowances and other means of securing job satisfaction and fulfillment as well as their lone and stable tenure in their respective posts. A similar program shall be designed for support personnel like interpreters, psychologists, social workers and others involved in the education and rehabilitation of CSN.

SECTION 15. *Parent, Sibling and Caregiver Education.* There shall be a formal training and counseling program for parents, siblings and caregivers of CSN for them to acquire a working knowledge of special education, gain an understanding of the psychology of CSN, be aware of their crucial role as the educators so that they maximize their knowledge and skills for optimum development of the potential of CSN.

SECTION 16. *Special Instructional Materials.* Publishers shall provide DepEd the adopted instructional materials in Braille, large type and audio tape at cost as if it was produced in large quantities or minimal margins.

SECTION 17. *Appropriations.* The budget necessary for the implementation of the provision of this Act shall be incorporated in the Annual Budget of the Department of Education and other government agencies that may be involved in the implementation of this Act.

SECTION 18. *Implementing Rules and Regulations.* The Department of Education and other agencies that will be involved in the implementation of this Act shall issue their corresponding rules and regulation to implement the provisions of this Act.

SECTION 19. *Repealing Clause.* All laws or parts of any law, orders, rules, and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 20. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,