

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS

First Regular Session

House Bill No. 3888

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

The State has the responsibility to provide free access to education for its citizens, especially those who have difficulty availing the same. Article XIV of the 1987 Constitution mandates the State 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. Indeed, state intervention becomes so crucial and imperative when it comes to providing services to the groups that need government attention the most. In short, the idea is to equally serve its constituents, no matter how vastly different they are.

Aside from the poor, children with special needs also need to be attended to as this group is very vulnerable because of their medical condition.

Special children (or children with special needs) are children with a variety of different disabilities and their situation require special intervention, services, or support. These kids need constant monitoring and treatment and usually entails very challenging parenting and nurturing. However, these kids, we must all

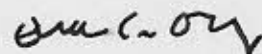
recognize, are still capable of learning and growing as people just like all the other normal kids, except only that they acquire information and knowledge rather differently. They are capable of understanding although it usually entails a special method or program to get them to absorb a learning material.

As such, this group of people needs the intervention and the help of the State not just to provide them education that they want, but also to encourage them to seize the opportunity to be educated and make them and their families realize that special children can excel in their own fields, in their own ways without regard to their disabilities.

This bill seeks to compel every city in this country to provide for special education centers that will exclusively serve the needs of our special children and that will enhance and hone their special abilities, talents and skills, which other public schools might fall short on giving. With the establishment of special education centers with special curricula and programs, these special children will be given sufficient focus and attention which can help expedite their learning process.

Certainly, education is a very important and powerful weapon one can possess to fight off poverty and repression. Therefore, it is only right that our government ensures that all people who are capable of learning, and who are eager to learn, have access to free education regardless of their mental, physical or psychological condition, and have equal opportunity to grow and develop their intelligence for a more secure future ahead of them.

It is only for this reason that the approval of this bill is being sought.



ERIC L. OLIVAREZ

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**“AN ACT ESTABLISHING AT LEAST ONE SPED CENTER FOR
EVERY COMPONENT CITY AND AT LEAST TWO SPED CENTERS
FOR EVERY HIGHLY URBANIZED CITY”**

SECTION 1. *Short Title.* This Act shall be known as the
“*Sped Centers Act of 2014*”.

SECTION 2. *Declaration of Policy.* It shall be the policy of
the State to ensure that Filipino children with special needs shall
have easy and adequate access to special education, with programs
adjusted or tailor-fit to their individual learning abilities.

SECTION 3. Definition of Terms. The following terms as used in this Act shall be taken to mean, as follows:

Child – a person not more than eighteen (18) years of age, or over eighteen (18) but is incapable of self-support due to any mental and/or physical defect and/or disability.

Special Child – a child who has been medically determined to require special attention and specific necessities that other children do not;

SPED Center – (Special Education Center); an institution that offers education to children with special needs. Sped centers are required to be established under this Act by any component city and highly urbanized city.

Joint SPED Center – a sped center established and maintained under this Act by a group of cities, each of which either having insufficient income to maintain its own SPED CENTER, and/or having relatively small population of special children so as to make it impractical to establish and operate one sped center exclusively for its disproportionately few constituents (i.e. special children) only.

Indigent special child - any special child belonging to a household with an aggregate annual income of not more than P100,000.00, or any special child that is

orphaned and/or not living with his/her immediate family.

SECTION 4. Establishment of One Sped Center for a Component City and Two Sped Center for every Highly Urbanized City. Every component city in the Philippines is hereby mandated to establish at least one Sped Center to cater to its respective constituents and every highly urbanized city is hereby mandated to establish at least two Sped Centers to cater to a higher population

SECTION 5. Joint Sped Center. In special circumstances, instead of establishing separate sped centers, two or more component cities described in Section 4, each of which either having insufficient income to maintain its own sped center, and/or having relatively small population of special children so as to make it impractical to establish and operate one center for its disproportionately few constituents only, with the approval in writing of the Department of Social Welfare and Development (DSWD), may enter into an agreement to establish and maintain a joint sped center. Provided, that the component cities under this section are neighboring cities. Provided further, that the site where the Sped Center shall be established is the most accessible to all the constituents of all the neighboring cities under this section. Provided further, that the proposal to establish a joint sped center, along with other requirements required under the Implementing Rules of this Act, shall first be submitted to and approved by the Department of Social Welfare and Development (DSWD).

SECTION 6. *Administration Committee.* The City Mayors shall appoint an administration committee who shall act as the governing body of the Sped Centers. Their compensation shall be subject to the determination of the Sangguniang Panglungsod of the city, consisting of one Chairman and four members for the sped center whose qualifications shall be defined by the DSWD.

SECTION 7. *Composition of the Administration Committee.* The administration committee shall be composed of one Chairman and two members whose qualifications and term of office shall be prescribed by the DSWD.

Site Requirements

SECTION 8. *Ocular inspection and Site Visit.* Before selecting or acquiring a site where the sped center shall be erected, the *City Mayors together with the representative of the DSWD* shall conduct an ocular inspection of the site to determine whether it will best serve the programs of the center and the best interests of the potential special children who might avail of such free services, and shall conduct a survey of the community and review of population

requirements in accordance with the rules and regulations to be prescribed by the DSWD.

SECTION 9. *Eminent Domain.* Any private lands, properties, highways and/or roads may be acquired by the local government unit concerned for the purpose of constructing the sped center and all the necessary building or facilities thereof provided that due compensation shall be made to the owners of the said private lands, properties, highways and/or roads.

Staffing

SECTION 10. *Core Organizational Hierarchy.* Each sped center shall have one principal and shall have as many teachers as necessary who are trained in special education.

SECTION 11. *Appointment of Staff.* The Administration Committee of a sped center shall appoint such staff as the DSWD will prescribe to facilitate the enrollment of children with special needs, for the processing of papers and records of students therein and for the proper and efficient operation of the said center.

SECTION 12. *Resident Physician.* The Administration Committee of a Sped Center shall appoint a legally qualified medical practitioner, preferably with experience in dealing with children with special needs, as the resident physician of the Sped Center,

and who shall be responsible for the medical, paramedical and nursing care and services provided to the students therein.

SECTION 13. *Other Employees.* The Administration Committee shall hire all other staff and employees whose duties are deemed necessary and desirable to the operation and maintenance of the said sped center.

Applicants

SECTION 14. *Eligibility.* All special children as defined under this Act shall have the right to enroll in the Sped Center established in the city where he or she resides, without having to pay any kind of fee.

SECTION 15. *Admission of Applicants.* The Sped Center shall admit all special children residing in the city where the said center is established without regard to sex, actual age, income of the household where he or she belongs and degree of disability. However, indigent special children, as defined in this Act, may be extended privileges and/or priorities in the special assistance programs for Sped Center students e.g. free books, free school supplies, etc. which the local government or any third person may provide.

SECTION 16. *Non-admission of Applicants.* An applicant may only be denied admission to a Sped Center for compelling

medical reasons. Special children whose health or general well-being might be jeopardized by having to go to the sped center every day, or for any other legitimate reason connected thereto, shall not be allowed to enroll provided that the Sped Center denies the same only after acquiring a certification from a public hospital and the DSWD attesting that the special child is unfit to go to the center.

SECTION 17. *No Tuition and other Fees Collection Permitted.* It shall be unlawful for any city, or any Administration Committee, its officers or employees, or any other person to demand, charge and accept tuition and other fees and any other payment from any applicant (i.e. the child, his/her parent, guardian or any person enrolling him or her) as a prerequisite for the child's admission in the Sped Center. However, donations may be accepted provided the same was not obtained through inducement, stealth, strategy, manipulation or force.

CURRICULUM and PROGRAM

SECTION 18. *Standard Curriculum.* The Department of Education (Dep-Ed) shall prescribe a standard curriculum for special children which shall be based on methods, strategies, and lessons that would best cater to the special needs of its students.

SECTION 19. *Specialized Programs.* The Sped Center may take the initiative to devise its own specialized program in addition to, but must not be contrary or inconsistent with, the standard curriculum prescribed by the Department of Education. Considering that the DepEd cannot encompassingly anticipate

every individual need of a special child, this specialized program shall be geared to address the unforeseen peculiar needs of students which the standard program falls short in addressing.

SCHOOL POLICIES

SECTION 20. *Applicable Policies.* All policies and regulations being implemented by the Department of Education in all public schools, in so far as not inconsistent with this Act, shall be applicable to all Sped Centers.

SECTION 21. *Information Campaign.* The Department of Education (Dep-Ed), the Department of Social Welfare and Development (DSWD), and all the Local Government Units concerned shall conduct an extensive information campaign for the public to know the existence and respective locations of the Sped Centers.

SECTION 22. *Implementing Rules and Regulations.* The Dep-Ed and DSWD in coordination with the Local Government Units concerned shall jointly promulgate the implementing rules and regulations for the effective and immediate implementation of this Act.

SECTION 22. *Repealing Clause.* All laws, decrees, executive orders, letters of instructions, rules and regulations or parts

thereof, which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 23. *Separability Clause.* If any provision of this Act is judicially declared invalid or unconstitutional, the remaining provisions of this Act not affected thereby shall continue to be in full force and effect.

SECTION 24. *Effectivity Clause.* This act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

APPROVED.