

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS
Second Regular Session

House Bill No. 5270

Introduced by Representative ESTRELLITA "GING" B. SUANSING

EXPLANATORY NOTE

Persons with disability (PWDs) are one of the most vulnerable groups in our country. This realization led to the enactment of Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons. More than a decade and several amendments later, there is still the need to improve legislation for PWDs, especially those who are underprivileged.

A discussion paper published by the Institute of Developing Economies in 2010 showed that there is remarkable income disparity among PWDs which is associated with education and sex.¹ A similar 2009 study on PWDs in Metro Manila found that there is a large variation among PWDs when it comes to income and education.² A substantial number of PWDs have very low monetary income with low level of education.

From a survey conducted in 2009, only 25% of the total respondents either reached or finished college education.³

It is important to help the PWDs who have the academic capacity to study in State universities and colleges in order for them to complete their education and

¹ Albert, J.R. et al. IDE Discussion Paper No. 159: Income Disparity among Persons with Disabilities Assessed by Education and Sex: Findings from a Field Survey Conducted in Metro Manila, the Philippines. Online.

² Soya Mori and Tatsufumi Yamagata. A Note on Income and Poverty of Persons with Disabilities in Metro Manila. Institute of Developing Economies. 2009.

³ Yap, J. et al. DP 2009-25 Preliminary Results of the Survey on Persons with Disabilities Conducted in Selected Metro Manila Cities. Philippine Institute for Development Studies. 2009.

receive their college degrees. Providing free auxiliary aids and services for the less privileged PWD student shall help them achieve these goals.

This bill aims to address this need by establishing Accessible Education Centers in every State university and college in the Philippines. Such centers will not only provide free auxiliary aids and services but will also render the necessary support for all persons with disabilities who are enrolled in these institutions of higher education, with the end in view of enabling them to finish their college education, thus help them get better opportunities for better paying jobs.

In view of the above, early passage of this bill is earnestly sought.


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AN ACT

**ESTABLISHING AN ACCESSIBLE EDUCATION CENTER IN EVERY
STATE UNIVERSITY AND COLLEGE, AND APPROPRIATING FUNDS THEREOF**

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

SECTION 1. TITLE. – This Act shall be known as the "**Accessible Education Act.**"

SECTION 2. DECLARATION OF POLICY. – The Constitution recognizes the key role of education in society. As such, the State shall 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, including persons with disabilities.

SECTION 3. DEFINITION OF TERMS. – The following terms used in this Act are hereby defined:

- a) A State University or College refers to any public institution of higher learning that was created by law;
- b) A person with disability refers to one who is suffering from restriction of different abilities as a result of a mental, psychological, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being;
- c) An impairment is any loss, diminution, or aberration of psychological, physiological, or anatomical structure or function;

- d) A disability shall mean:
- 1) A physical, mental, or psychological impairment that substantially limits one or more physiological, psychological, or anatomical function of an individual or activities of such individual,
 - 2) A record of such an impairment, or
 - 3) Being regarded as having such an impairment;
- e) A qualified student with disability refers to a person with disability who meets the academic and technical standards requisite to admission and participation in the education program of a State University or College;
- f) Auxiliary aids and services refer to:
- 1) Certified sign language interpreters or other effective methods of delivering materials to individuals with hearing impairments;
 - 2) Qualified readers, taped tests, or other effective methods of delivering materials to individuals with visual impairments;
 - 3) Typists, door-to-door transportation, or other effective methods of delivering materials to individuals with manual impairments;
 - 4) Acquisition or modification of equipment or devices; and,
 - 5) Other similar services and actions, or all types of aids and services that facilitate the learning process of a person with disability;
- g) Reasonable accommodation includes:
- 1) Improvement of existing facilities used by students, faculty, and staff in order to render these readily accessible to and usable by qualified disabled students;
 - 2) Modifications to the course program or educational requirements that are necessary and appropriate so that such requirements do not discriminate or have the effect of discriminating on the basis of disability, provided that these modifications do not fundamentally alter the essential nature of a course or academic program;
 - 3) Modifications to university or college policies, rules, and regulations that discriminate or have the effect of discriminating on the basis of ability against qualified students with disability;
 - 4) Adjustment of class schedules, acquisition or alteration of equipment or devices, appropriate adjustments or modifications of examinations,

class materials, and the provision of auxiliary aids and services, and other similar accommodations for qualified students with disability.

SECTION 4. ACCESSIBLE EDUCATION CENTER. – There shall be established an Accessible Education Center in every State University and College. The Accessible Education Center shall:

- a) Review existing infrastructure, academic and non-academic policies, rules, and regulations to see if it discriminates or have the effect of discriminating in the basis of ability against qualified students with disability;
- b) Submit the aforementioned review as well as recommendations to the proper university or college official or office for appropriate action in order to improve infrastructure, academic and non-academic policies, rules, and regulations to cater to qualified students with disability;
- c) Inform and train teachers and staff regularly on academic and non-academic policies, rules, and regulations, reasonable accommodation, and auxiliary aids and services for qualified students with disability;
- d) Provide auxiliary aids and services to qualified students with disability such as but not limited to certified sign language interpreters, qualified readers, note-takers, Brailled or large print materials, mobility training for students with visual impairments, typists for students with manual impairments, and door-to-door transportation, for the purpose of attending lecture and laboratory classes, taking examinations, taking part in activities outside the classroom that are required for the course, and meeting professors for academic purposes;
- e) Determine at the start of every academic year the number of qualified students with disability, and coordinate and customize the number of resources offered by the center to accommodate a wide range of disabilities, specifically the disabilities of qualified students with disability.
- f) Receive complaints on discrimination against students with disability by faculty, staff, and students, and refer these complaints to the proper university or college official or office for appropriate action;
- g) Conduct regular consultations with qualified students with disability, faculty, staff, and students on how to improve reasonable accommodation, infrastructure, and services for qualified students with disability.

SECTION 5. IMPLEMENTING RULES AND REGULATIONS. – The Commission on Higher Education and the National Council on Disability Affairs shall jointly promulgate the rules and regulations necessary to implement the provisions under this law.

SECTION 6. APPROPRIATIONS. – The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SECTION 7. SEPARABILITY CLAUSE. Should any provision of this Act be found unconstitutional by a court of law, such provision shall be severed from the remainder of this Act, and such action shall not affect the enforceability of the remaining provisions of this Act.

SECTION 8. REPEALING CLAUSE. All laws, presidential decrees, executive orders, rules and regulations or part thereof, contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. 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,