

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 9008

Introduced by Representative SARAH JANE I. ELAGO - Kabataan Party-list

EXPLANATORY NOTE

The State has the responsibility to provide free access to education for its citizens at all levels. Article XIV of the 1987 Constitution mandates the State to protect and promote the right of all citizens to quality education at all levels. This includes learners with special needs, who are among the most vulnerable due to their medical conditions that need special intervention, services, and support.

This bill aims to realize these children's rights as enshrined in our Constitution. The creation of Special Education (SPED)-friendly SUCs aims to provide an enabling environment for students with physical and mental disabilities by improving the quality and accessibility SUC facilities, creation of a curriculum responsive to their specific needs, and bolster SUCs as communities for students with disabilities to enjoy academic freedom and uphold their right to education.

Furthermore, this bill is supportive of the Philippine Development Plan (PDP) 2017-2022's strategic thrust for improving the employability of persons with disabilities, fully integrating them as productive members of Philippine society.

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


SARAH JANE I. ELAGO
Kabataan Party-list

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AN ACT
MAKING THE STATE UNIVERSITIES AND COLLEGES
SPECIAL EDUCATION (SPED)-FRIENDLY

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

1 SECTION 1. *Short Title.* - This Act shall be known as the "SUCs as SPED Friendly Act"

2
3 SEC. 2. *Declaration of Policy.* As stated in Section 2 of Republic Act no. 7277, otherwise
4 known as the Magna Carta for Disabled Persons, Disabled Persons are entitled to:

- 5
6 a. Disabled persons are part of the Philippine society; thus, the Senate shall give full
7 support to the improvement of the total well-being of disabled persons and their
8 integration into the mainstream of society.

9
10 Toward this end, the State shall adopt policies ensuring the rehabilitation, self-
11 development and self-reliance of disabled persons.

12
13 It shall develop their skills and potentials to enable them to compete favorably for
14 available opportunities.

- 15
16 b. Disabled persons have the same rights as other people to take their proper place in
17 society. They should be able to live freely and as independently as possible. This must
18 be the concern of everyone the family, community and all government and non-
19 government organizations. Disabled person's rights must never be perceived as welfare
20 services by the Government.

- 21
22 c. The rehabilitation of the disabled persons shall be the concern of the Government in
23 order to foster their capability to attain a more meaningful, productive and satisfying
24 life. To reach out to a greater number of disabled persons, the rehabilitation services
25 and benefits shall be expanded beyond the traditional urban-based centers to

community-based programs, that will ensure full participation of different sectors as supported by national and local government agencies.

d. The State also recognizes the role of the private sector in promoting the welfare of disabled persons and shall encourage partnership in programs that address their needs and concerns

e. To facilitate integration of disabled persons into the mainstream of society, the State shall advocate for and encourage respect for disabled persons. The State shall exert all efforts to remove all social, cultural, economic, environmental and attitudinal barriers that are prejudicial to disabled persons.

SEC. 3. *Coverage.* - This Act shall cover all disabled persons, and to the State Universities and Colleges they are enrolled in to fulfill the objectives this Act contains.

SEC. 4. *Objectives.* - The following shall be the objectives of this Act:

a. To create an environment that would positively affect the education of students with disabilities by improving facilities of SUCs;

b. To create an environment that would positively affect the education of students with disabilities by provide a curriculum that caters to their interests and capabilities in SUCs;

c. To inculcate in students, parents, and professors in SUCs the right attitude to deal with students with disabilities which seeks to avoid a sphere of discrimination inside SUCs;

d. To ensure SUCs as a community for students with disabilities to be able to enjoy their academic freedom and to uphold their right to education.

SEC. 5. *Definition of Terms.* - For the purpose of this Act, the following terms shall be defined, with definitions coming from RA 7277, the Magna Carta for Disabled Persons, as follows:

a. SPED student- students suffering limitations of their abilities which resulted from mental, physical or sensory impairment or disability;

b. Impairment- any loss, diminution or aberration of psychological, physiological, or anatomical structure of function;

c. Disability- shall mean (1) a physical or mental impairment that substantially limits one or more psychological, physiological 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;

d. Handicap- refers to a disadvantage for a given individual resulting from an impairment or a disability, that limits or prevents the functions or activity, that is considered normal given the age and sex of the individual;

e. Special Education- refers to education that takes into consideration the special needs of students facing limitations due to mental, physical, or sensory impairment and/or

1 disability. This form of education seeks to maximize the potential and capacities of
2 students facing these problems.

3
4 f. Special Education Friendly- refers to services, facilities, materials, equipment, and aid
5 that immediately caters to the needs of SPED students.

6
7 g. Auxiliary aids and services include:

- 8
9 1. qualified interpreters or other effective methods of delivering materials to
10 individuals with hearing impairments;
11
12 2. qualified readers, taped tests, or other effective methods of delivering materials to
13 individuals with visual impairments;
14
15 3. acquisition or modification of equipment or devices; and
16
17 4. other similar services and actions or all types of aids and services that facilitate the
18 learning process of people with mental disability;
19

20 SEC 6. *SPED Student Rights*. - SPED students enrolled in SUCs are entitled to the following:

- 21
22 a. The right to access free and quality education in SUCs;
23
24 b. The right to have a curriculum fit to their needs and capabilities;
25
26 c. The right to have facilities, materials, and aids that will positively help in their
27 education;
28
29 d. The right to be educated by instructors of whom are accredited to teach SPED
30 students;
31
32 e. The right to financial, material, and medical assistance provided by the SUCs;
33
34 f. The right to participate in any co-curricular and/or extra-curricular activity within
35 the SUC;
36
37 g. The right to join any student organization within SUC as well as to create their own
38 organization;
39
40 h. The right to access facilities within the SUC;
41
42 i. The right to access information on matters concerning the SUC;
43
44 j. The right to access official records, documents, and papers in the SUC;
45
46 k. The right to freedom of speech, of expression, and to address their concerns and
47 grievances;
48
49 l. The right to be free from any discrimination within the SUC.

1
2 SEC. 7. *Access to State Universities and Colleges.* - As stated in Section 6, each SUC are to
3 allow the enrollment of SPED students in relation with Republic Act. 10931, otherwise known
4 as the Universal Access to Quality Tertiary Education. They are allowed to participate in any
5 co-curricular and/or extra-curricular activity within the SUC, to participate in any student
6 organization, to create their own organization, to access facilities, to access information on
7 matters concerning the SUC, to access official records, documents, and papers in the SUC, the
8 freedom of speech, of expression, to address their concerns and grievances and to be free from
9 any form of social, cultural, economic, environmental, and altitudinal barriers, discrimination,
10 and stereotyping.

11
12 SEC. 8. *SPED Friendly Curriculum.* - As stated in Section 6, each SUC shall contain a course
13 on Special Education added to their curriculum. The SUC is also to provide materials,
14 appliances, and aids that would assist on the education regarding Special Education. The SPED
15 Friendly Curriculum is tasked to provide research on the various problems of SPED students,
16 particularly problems of the visually-impaired, hearing-impaired, orthopedically-impaired,
17 mentally retarded, and multi-handicapped and face other related physical and/or mental
18 disabilities as well as addressing solutions to eliminate social, cultural, economic,
19 environmental and attitudinal barriers, discrimination, and stereotyping of SPED students;

20
21 SEC. 9. *SPED Friendly Facilities.* - As stated in Section 6, SPED students are allowed to access
22 facilities within the SUC for academic, co-curricular, extra-curricular, recreational, and
23 personal purposes. If viable, the establishment of Brail and Record facilities as well as other
24 necessary facilities for the visually-impaired, hearing-impaired, speech impaired, and
25 orthopedically-impaired students within the SUC. Auxiliary aids and services are also
26 mandated to be provided by the SUC to cater to the need of SPED students. The National
27 Government shall allocate funds necessary for the creation of these facilities.

28
29 SEC 10. *SPED Friendly Instruction.* - Academic personnel in SUCs are to deal with SPED
30 students in accordance to this act. They are to fit their curriculum to a SPED friendly curriculum
31 provided that SPED students are enrolled in their course.

32
33 The each SUC is also required to have the employment of instructors capable of handling the
34 course on Special Education. There will also be the employment of Itinerant SPED Teachers if
35 deemed necessary by the SUC; these itinerant teachers are tasked to assist in specialized
36 equipment and teaching aid so as to ensure an environment to help in the education of SPED
37 students.

38
39 Academic personnel and itinerant SPED Teachers are also to use, when necessary, auxiliary
40 aids and services to immediately cater to the needs of SPED students.

41
42 SEC. 11. *SPED student assistance.* - Auxiliary aids and services, when necessary, will be
43 utilized by the academic personnel and itinerant SPED Teachers employed within the SUC.
44 These auxiliary aids and services will cater to the immediate needs of SPED Students who are
45 visually-impaired, hearing-impaired, orthopedically-impaired, mentally retarded, and multi-
46 handicapped and face other related physical and/or mental disabilities The National
47 Government shall allocate funds necessary to provide these auxiliary aids and services when
48 necessary to the SUC.

1 SEC. 12. *Appropriations.* - The amount necessary to carry out the provision of this Act shall
2 be included in the General Appropriation Act of the year following its enactment into law and
3 thereafter.

4
5 SEC. 13. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of
6 this Act, the UniFAST Board, in consultation with the CHED shall promulgate the
7 implementing rules and regulation necessary to ensure the efficient and effective
8 implementation of this Act: Provided, That the failure of the Board to promulgate the said rules
9 and regulations shall not prevent or delay the effectivity and implementation of this Act in
10 accordance with Section 15 hereof.

11
12 SEC. 14. *Separability Clause.* - Should any part of this Act be declared unconstitutional or
13 invalid, the other parts or provisions hereof not affected not thereby shall continue to be in full
14 force and effect.

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16 SEC. 15. *Repealing Clause.* - All laws, executive orders, presidential decrees, implementing
17 rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby
18 repealed or modified accordingly.

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20 SEC. 16. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in any
21 two (2) newspaper of general circulation.

Adopted,