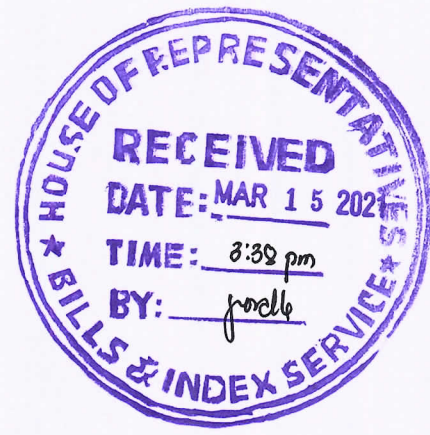




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8995

Introduced by Representative Shirlyn L. Bañas-Nogralles

EXPLANATORY NOTE

This bill seeks to establish a center for children with special needs in every city and municipality of the country and appropriating funds therefor.

Paragraph 2, Section 3 of the Article XV of the 1987 Philippine Constitution provides that *“The State shall defend the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.”*

Section 11, Article XIII of the Constitution also provides that *“The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children.”* Section 13, Article XIII further states that *“The State shall establish a special agency for disabled persons for their rehabilitation, self-development and self-reliance, and their integration into the mainstream of society.”*

Under Presidential Decree No. 603, otherwise known as the *“Child and Youth Welfare Code,”* every child has the right to a well-rounded development of personality to the end that the child may become a happy, useful, and active member of society.

This proposed measure aims to protect the most vulnerable sector of our society, the children with special needs. It mandates every city and municipality to establish a center for children with special needs, to implement programs, and provide necessary interventions, facilities, and services that will address the needs of these children, which range from medical, educational, and developmental care and protection, to help them develop their potentials and become productive members of our society.

Children with special conditions, such as children with physical, intellectual, cognitive or developmental disabilities shall be treated with sympathy, patience, and understanding, and entitled to treatment, education, and care required by their particular condition. Every child has the right to the assistance and protection of the State, particularly when the parents or guardians fail or are unable to provide the fundamental needs of the child.

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



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b) Establish centers to implement the programs for children with special needs;

c) Identify the children with special needs and group them into categories in order to determine the appropriate interventions for them;

d) Provide special training programs for teachers, guidance counsellors, other personnel and parents;

e) Provide logistical and infrastructure support that will effectively supplement the programs for the children with special needs; and

f) Establish and maintain linkages with national, international, governmental, and non-governmental organizations, institutions, and counterpart agencies involved in or relevant to programs for Filipino children with special needs.

SEC. 3. *Center for Children with Special Needs.* – There shall be established a center for children with special needs, hereinafter referred to as the “Center”, in every city and municipality of the country, which shall be in charge of the implementation of programs for children with special needs. The Center shall be under the supervision of the city or municipal social welfare and development office, and shall provide free interventions, services and special education programs to children with special needs.

The Center shall perform its functions in coordination with the Department of Social Welfare and Development, National Council on Disability Affairs, Department of Interior and Local Government (DILG), Department of Health (DOH) and Department of Education (DepEd).

1 For purposes of this Act, *children with special needs* refer to children who
2 suffer disabilities such as developmental delays, or medical, mental, congenital,
3 or other conditions which make learnings or activities difficult, including
4 children with behavioral or learning issues, vision or hearing impairments,
5 speech defects, or other diagnoses or disabilities that require special care.

6 SEC. 4. ***Social Welfare and Development Officers.*** – The Center shall
7 be headed by the social welfare and development officers who shall be
8 appointed by the local chief executives. The social welfare development officers
9 shall be responsible for the day-to-day operations of the center and shall
10 coordinate with relevant agencies the implementation of the policies and
11 guidelines set by the executive council under Section 6 of this Act.

12 SEC. 5. ***Programs Offered.*** – The Center shall offer, as far as practicable,
13 early intervention and transition programs and allied medical services including
14 occupational therapy, physical therapy, and speech therapy to children with
15 special needs.

16 It shall also provide programs that address the concerns and skills deficit
17 brought about by intellectual disability, global development delay, autism
18 spectrum disorder, communication disorder, attention deficit disorder or
19 attention deficit hyperactivity disorder, specific learning disorders, motor
20 disorders, visual and hearing impairment, other neurodevelopmental disorders
21 and related behavioral, sensory, and cognitive delays and other programs and

services that prepare the children with special needs on activities in mainstream society. The Center shall also implement special education programs.

SEC. 6. *Executive Council.* – ~~The executive council is hereby created to~~ ensure the effective coordination and implementation of the programs established under this Act. It shall be composed of the following officers:

- a) Secretary of Social Welfare and Development, as chairperson;
- b) Secretary of the Interior and Local Government, as vice chairperson;
- c) Chairperson of the National Council on Disability Affairs;
- d) Secretary of the Department of Health (DOH);
- e) Secretary of the Department of Education (DepEd);
- f) Representative of the league of cities;
- g) Representative of the league of municipalities;
- h) Representative of social welfare and development officers;
- i) One (1) distinguished citizen of the community representing the parents of children with special needs; and
- j) Two (2) private sector representatives from industries and institutions involved in providing programs for children with special needs; as members.

The representatives of the Social Welfare and Development officers, parents of children with special needs and private sector shall be appointed by the President upon the recommendation of the Secretary of Social Welfare and Development.

1 The members shall serve without compensation, but they shall be
2 reimbursed for necessary expenses incurred in their attendance in meetings of
3 the executive council or in connection with their official duties.

4 SEC. 7. ***Powers and Duties.*** – The executive council shall exercise the
5 following powers and duties:

6 a) Formulate programs for children with special needs with
7 appropriate educational surroundings with the end view of integrating them into
8 the national educational system;

9 b) Provide means of advancing the welfare of children with special
10 needs not only through equal opportunities and non-discriminatory practices,
11 but with pro-active approach through intervention and education;

12 c) Adopt programs by offering occupational, physical and speech
13 therapy, special education and related early intervention classes and transition
14 programs for children with special needs;

15 d) Adopt policies for admission to the center which shall facilitate the
16 enrollment of children with special needs regardless of gender, religious beliefs,
17 status or political affiliations: *Provided*, That the admission shall be given
18 priority to *bonafide* indigent families or low-income families, subject to the
19 rules and regulations on admission and retention to be prescribed by the
20 executive council;

21 e) Formulate policies and guidelines for the administration and
22 operation of the centers;

f) Formulate policies on the staffing, appointment, promotion, retention, removal, renewal, rewards, and incentives for support personnel;

g) Approve the grant of scholarships, stipends and allowances for children with special needs with exceptional abilities;

h) Receive grants, donations, contributions, bequests, gifts in cash or in kind and to formulate policies for the administration thereof;

i) Provide the Social Welfare and Development officers with technical, administrative and other support services for the efficient and effective implementation of the functions; and

j) Provide for its own rules of procedure, and prescribe rules and regulations for the administration of the center, consistent with the objectives of this Act.

SEC. 8. ***Appropriations.*** – The amount necessary for the initial implementation of this Act shall be charged to the current appropriations of each city and municipality. Thereafter, such sum as may be necessary for the continued operation and maintenance of the centers shall be included in the annual budget of cities and municipalities under the General Appropriations Act.

SEC. 9. ***Implementing Rules and Regulations.*** – The Secretary of the Interior and Local Government shall, in coordination with the DSWD, DepEd, DOH and National Council for Disability Affairs, issue the rules and regulations necessary for the effective implementation of this Act.

1 SEC. 10. ***Repealing Clause.*** – All laws, decrees, executive orders,
2 proclamations, rules and regulations, and issuances, or parts thereof, which are
3 ~~inconsistent with the provisions of this Act are hereby repealed or amended~~
4 accordingly.

5 SEC. 11. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
6 publication in the *Official Gazette* or in a newspaper of general circulation.

7 Approved,