

'04 JUN 30 P3:50

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

RECEIVED BY: Osmeña

SENATE  
S. No. 300

---

Introduced by Senator S. R. Osmeña III

---

#### EXPLANATORY NOTE

We are amazed at how gifted children, in contrast to their contemporaries, learn so much faster during the early stages of infancy. They discover new things, even without the guidance of their elders. Subsequently however, there is uncertainty as to whether their endowments will be fully harnessed and their rapid development sustained.

On the other hand, children with disabilities, whether physical, mental or emotional are often objects of pity. Their chances of survival in the cutthroat competition of this world are likewise fraught with uncertainty.

While being polar opposites, these two classes of children are related with regards to a single consideration - their need for special attention which becomes most apparent at school age.

This bill aims to establish a comprehensive educational program for children and youth the special educational needs. Its essential components include educational diagnosis and assessment; teacher education to ensure staff competence; expanded curriculum development, and evaluation and continuing research.

Though they constitute a minority, special children are by no means the least among the country's human resources. It is the duty of the state to provide institutions for their development.

In view of the foregoing, early passage of this bill is earnestly requested.

*S. Osmeña III*

SERGIO OSMEÑA III  
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
*First Regular Session* )

'04 JUN 30 P3:50

RECEIVED BY: Alu

SENATE  
S. No. 300

---

Introduced by Senator S. R. Osmeña III

---

**AN ACT  
TO EXPAND AND REVITALIZE THE SPECIAL EDUCATION PROGRAM FOR  
GIFTED AND HANDICAPPED CHILDREN AND YOUTH IN THE PHILIPPINES**

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

1 SECTION 1. *Declaration of Policy.* – There shall be established a  
2 comprehensive educational program for children and youth with special needs in  
3 the pre-elementary, elementary, secondary and post secondary levels throughout  
4 the country with the following essential program components:

5 a) Educational diagnosis and assessment essential in the proper  
6 identification of these minors;

7 b) Teacher-education (pre-service and a continuing in-service  
8 training) for teaching and non teaching personnel to ensure staff  
9 competence;

10 c) Expanded curriculum development and evaluation to meet the  
11 diversified needs of the clientele; and

12 d) Continuing research as basis for the improvement of instruction  
13 at all levels and in planning and service programming activities including  
14 the purchase of special facilities and equipment.

15 SEC. 2. *Definition of Terms.* – For the purpose of this bill, the following  
16 terms are operationally defined:

1 a) *Children with behavior problems* – those who cannot adjust to the  
2 socially accepted norms of behavior and, consequently, disrupt their academic  
3 progress, the learning efforts of their classmates, and interpersonal relations. The  
4 two categories of children with behavior problems are:

5 1) The socially maladjusted – they are chronic juvenile offenders  
6 who regularly disregard broader social values and rules as a matter of  
7 course, substituting in their stead and values and rules of their peer group.  
8 Their accepted code of conduct is truancy, fighting, and defiance against  
9 constituted authority.

10 2) The emotionally disturbed – those who, although not afflicted  
11 with insanity or mental defect, are unable to maintain typical social  
12 relations with others and the community, in general, due to emotional  
13 problems or complexes.

14 b) *Children and Youth* – persons below twenty-one years of age  
15 except those emancipated in accordance with law.

16 c) *Fast learner* – one who is endowed with an above average  
17 intellectual capacity.

18 d) *Handicap* – a disadvantage of a given individual resulting from an  
19 impairment or disability.

20 e) *Handicapped individual* – any individual who has a physical or  
21 mental disability which for such individual constitutes or results in a substantial  
22 handicap to employment and can reasonably be expected to profit from training  
23 or vocational rehabilitation.

24 f) *Hearing impaired* – one who is deaf or hard-of-hearing. The deaf  
25 person is one whose hearing is non-functional for ordinary purposes of life. The  
26 hard-of-hearing has a sense of hearing which, although defective, is functional  
27 with or without a hearing aid.

28 g) *Learning disability* – a disorder in one or more of the basic  
29 psychological processes involved in understanding or in using language, spoken

1 or written, which may manifest itself in an imperfect ability to listen, think, speak,  
2 read, write, spell or to do mathematical calculations. The term includes such  
3 conditions as perceptual handicaps, brain injury, minimal brain dysfunction,  
4 dyslexia and development aphasia. The term does not include children who have  
5 learning problems which are primarily the result of visual, hearing, or motor  
6 handicaps, of mental retardation, or of environmental, cultural, or economic  
7 disadvantage.

8 h) Mentally gifted and talented – one who is identified at the  
9 preschool, elementary, or secondary level as possessing demonstrated or  
10 potential abilities that give evidence of high performance capability in areas such  
11 as intellectual, creative, specific academic, or leadership ability, or in the  
12 performing and visual arts, and who by reason thereof, require services or  
13 activities not ordinarily provided by the school

14 i) Mentally retarded – one who possesses significantly sub-average  
15 general intellectual functioning existing concurrently with impairments in adaptive  
16 behavior and manifested during the development period.

17 j) Orthopedically handicapped – one whose impairment permanently  
18 or temporarily interferes with the normal functions of the joints, muscles or limbs.

19 k) Special education – the education of persons who are physically,  
20 mentally, emotionally, or culturally different from the so-called “normal”  
21 individuals such that they require modification of school practices and services to  
22 develop them to their maximum capabilities.

23 It is special service over and above the regular school program to meet  
24 the unique needs of a handicapped child.

25 l) Special Education Center – is an administrative unit serving  
26 children/youths with special needs which:

- 27 1) serves two or more types of children with special needs;  
28 2) is administered by a SPED trained principal/head or any  
29 qualified staff;

1                   3) provides special education services.

2           m) Special education teacher – any teacher who handles a class of  
3 children with special needs or renders special education services whether he is  
4 formally trained or trained through in-service training, seminars, and workshops.

5           n) Special health problems – refer to such health conditions that tend to  
6 keep children out of school; chronic and/or debilitating illness like cardiac (heart)  
7 diseases, asthma, diabetes, TB and other respiratory ailments, carcinoma  
8 allergy, epilepsy, malnutrition, and others.

9           o) Special Schools – an educational unit that:

- 10           1. serves only one exceptionally
- 11           2. may or may not be residential
- 12           3. has its own appropriation

13           p) Speech defective/handicapped – one whose speech differs from the  
14 average so far as to draw unfavorable attention to the manner of speaking rather  
15 than to the thought conveyed.

16           q) Visually impaired – one who is blind or partially sighted. A person is  
17 blind if he has a visual acuity of 20/200 or less in the better eye after maximum  
18 correction. The partially seeing person retains a relatively low degree of vision  
19 and can read only enlarged print or who has some remaining vision thereby  
20 making it possible for him to read limited amounts of regular print under very  
21 special conditions.

22           SEC. 3. *Organizations.* – Every school division shall organized special  
23 classes for gifted and handicapped children and youth. The organization of  
24 preschool classes for these minors shall be strongly encouraged to ensure early  
25 educational intervention.

26           Every school division shall also organize special education centers which  
27 shall include non-formal and outreach program for out-of-school youth.

28           SEC. 4. *Special Services.* – Special schools and special education  
29 centers shall offer a range of special services which shall include medical,

1 psychological and social services, diagnostic counselling, vocational and  
2 recreational services. Regular schools with special education classes shall  
3 likewise provide and above services, among other services.

4 SEC. 5. *Secondary Education.* – Special schools shall provide continuing  
5 or post secondary education services and programs for the gifted and  
6 handicapped especially for those who cannot avail of educational opportunities in  
7 regular colleges and universities.

8 SEC. 6. *Skills Training.* – Vocational education and training shall be  
9 provided and strengthened to render the handicapped children and youth more  
10 skillfull and competitive in the labor market.

11 SEC. 7. *Teacher Items.* – The present items of teachers now handling  
12 special education classes shall be reclassified to special education teachers  
13 items whenever requirements are met. Items for special education supervisor in  
14 each school division and each regional office, and principal of Special Education  
15 Centers shall be created for effective administration and supervision of the  
16 special education program.

17 SEC. 8. *Teacher Training.* – All teacher training institutions, public or  
18 private, offering Bachelors degree in Education shall offer Special Education  
19 courses as basic knowledge to students in teacher education.

20 SEC. 9. *Authority of the Secretary of Education.* – The Secretary of  
21 Education is charged with the administration and enforcement of the provisions  
22 of this Act and shall promulgate and issue the necessary implementing rules and  
23 regulations.

24 He/she is hereby authorized to adopt an ad hoc structure under his office  
25 to intensify the supervision and development efforts in special education at all  
26 levels, including out-of-school children and youth. Such structure will remain until  
27 the DepEd can afford to establish a more permanent structure.

28 SEC. 10. *Appropriation.* – The sum of Twenty million pesos  
29 (P20,000,000.00) is hereby authorized to be appropriated our of the funds in the

1 National Treasury not otherwise appropriated, to carry out the provisions of this  
2 Act. Thereafter, adequate sums as may be necessary to sustain and maintain the  
3 program mandated in this Act shall be included in the budget of the Department  
4 of Education in the General Appropriations Act.

5 SEC. 11. *Separability Clause.* – In the event that any provision of this  
6 Act, or a part or parts thereof is declared invalid or unconstitutional, the  
7 remaining provisions or parts thereof shall be considered valid and binding for  
8 the purposes of this Act.

9 SEC. 12. *Repealing Clause.* – Any law, act, decree, order, proclamation  
10 or regulation or part or parts thereof which are inconsistent with this Act are  
11 hereby repealed or

12 SEC. 13. *Effectivity Clause.* – This Act shall take effect after fifteen (15)  
13 days from its publication in the *Official Gazette* or in a newspaper of general  
14 circulation.

Approved,