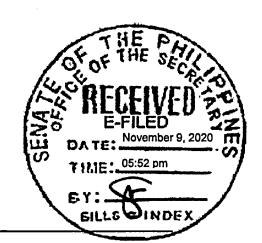
EIGHTEENTH CONGRESS OF THE PHILIPPINES) REPUBLIC OF THE PHILIPPINES)

Second Regular Session



SENATE

)

COMMITTEE REPORT NO. 134

Subm	itted jointly	by the	Committ	ees on Ba	sic Educ	ation, Arts	and C	ulture; \	Nays and
Mean	s; Finance;	and '	Women,	Children,	Family	Relations	and (Gender	Equality;
on	November 9, 20	020	_•						
Re:	Senate Bill N	_{lo.} <u>19</u>	07						
Recommending its approval in substitution of Senate Bill Nos. 55, 69, 171, 329, 338,									
345,	134, 540, 80	4 and	1150.						
Spon	sor: Win Ga	atchalia	an						

MR. PRESIDENT:

The Committees on Basic Education, Arts and Culture; Ways and Means; Finance; and Women, Children, Family Relations and Gender Equality, to which were referred **Senate Bill No. 55**, introduced by Senator Manuel "*Lito*" M. Lapid, entitled:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION AND ESTABLISHING INCLUSIVE EDUCATION HUBS IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR"

Senate Bill No. 69, introduced by Senator Pia S. Cayetano, entitled:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION, ESTABLISHING INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS (CYSNS) IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR"

Senate Bill No. 171, introduced by Senator Win Gatchalian, entitled:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION AND ESTABLISHING LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR"

Senate Bill No. 329, introduced by Senator Sonny Angara, entitled:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION AND THE ESTABLISHMENT OF INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR"

Senate Bill No. 338, introduced by Senator Cynthia A. Villar, entitled:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION, ESTABLISHING INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS (CYSNS) IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREOF"

Senate Bill No. 345, introduced by Senator Joel Villanueva, entited:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION AND ESTABLISHING INCLUSIVE EDUCATION HUBS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR"

Senate Bill No. 434, introduced by Senator Ramon Bong Revilla, Jr., entitled:

"AN ACT

ESTABLISHING AT LEAST ONE (1) SPECIAL EDUCATION (SPED) CENTER FOR EACH SCHOOL DIVISION AND AT LEAST THREE (3) SPED CENTERS IN BIG SCHOOL DIVISIONS FOR CHILDREN WITH SPECIAL NEEDS (CSN) PROVIDING GUIDELINES THEREFOR AND FOR OTHER PURPOSES"

Senate Bill No. 540, introduced by Senator Juan Miguel "Migz" F. Zubiri, entitled:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION THROUGH THE ESTABLISHMENT OF INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR"

Senate Bill No. 804, introduced by Senator Ramon Bong Revilla, Jr., entitled:

"AN ACT

INSTITUTING INCLUSIVE EDUCATION, ESTABLISHING INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS (CYSNS) IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR"

and **Senate Bill No. 1150**, introduced by Senator Maria Lourdes Nancy S. Binay, entitled:

"AN ACT

INCORPORATING A SYSTEM OF SPECIAL EDUCATION IN ALL PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS NATIONWIDE FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS, INSTITUTIONALIZING THE BUREAU OF SPECIAL EDUCATION, CREATING THE IMPLEMENTING MACHINERY THEREOF, PROVIDING GUIDELINES FOR GOVERNMENT FINANCIAL ASSISTANCE AND OTHER INCENTIVES AND FOR OTHER PURPOSES"

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached **Senate Bill No.** ______, prepared by the Committees, entitled:

"AN ACT

INSTITUTING SERVICES AND PROGRAMS FOR LEARNERS WITH DISABILITIES IN SUPPORT OF INCLUSIVE EDUCATION, ESTABLISHING INCLUSIVE LEARNING RESOURCE CENTERS OF LEARNERS WITH DISABILITIES IN ALL MUNICIPALITIES AND CITIES, PROVIDING FOR STANDARDS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES"

be approved in substitution of Senate Bill Nos. 55, 69, 171, 329, 338, 345, 434, 540, 804 and 1150 with Senators Lapid, Cayetano, Gatchalian, Angara, Villar, Villanueva, Revilla, Zubiri, Binay, and Hontiveros as authors thereof.

Respectfully submitted:

Chairpersons:

SENATOR PIA S. KAYETANO

Committee on Ways and Means Vice-Chairperson, Committee on Finance Member, Committees on Basic Education, Arts and Culture; and Women, Children, Family Relations and Gender Equality SENATOR WIN GATCHALIAN

Committee on Basic Education, Arts and

Сожите Vice-Chairperson, Committee Finance

Vice-Chairperson, Committee Finance Member, Committee on Ways and Means; and Women, Children, Family Relations and Gender Equality

SENATOR RISA HONTIVEROS

Committee on Women, Children, Family Relations and Gender Equality Vice-Chairperson, Committee on Finance Member, Committees on Basic Education, Arts and Culture; and Ways and Means SENATOR SONNY ANGARA

Committee on Finance Vice-Chairperson, Committee on Ways and Means

Vice-Chairpersons:

SENÁTOR PÁNFILO M. LACSON

Committee on Finance

Member, Committees on Basic Education, Arts and Culture; and Ways and Means

SENATOR IMEE R. MARCOS

Committee on Finance Member, Committees on Basic Education, Arts and Culture; Ways and Means; and Women, Children, Family Relations and Gender Equality

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Committee on Finance Member, Committee on Basic Education, Arts and Culture; and Ways and Means

SENATOR GRACE POE

Confimittee on Finance
Member, Committees on Basic Education,
Arts and Culture; Ways and Means; and
Women, Children, Family Relations and
Gender Equality

SENATOR JOEL/VILLANUEVA

Committees on Basic Education, Arts and

Culture; and Finance

SENATOR CARISTOPHER BONG GO

Committee of Finance

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SENATOR CYNTHIA A. VILLAR

Committee on Finance

Member, Committee on Women, Children, Family Relations and Gender Equality

Members

SENATOR RAMON BONG REVILLA JR.

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Committees on Basic Education, Arts and Culture; Finance; and Women, Children, Family Relations and Gender Equality

SENATOR EMMANUEL "MANNY" D. PACOUIAO

Committees on Ways and Means; and Finance

SENATOR AQUILINO "KOKO" PIMENTEL III

Committees on Basic Education, Arts and Culture; and Finance

SENATOR FRANCIS-N PANGILINAN

Committees on Basic Education, Arts and Culture; Ways and Means, and Finance

SENATOR LEILA M. DE LIMA

Member, Committees on Basic Education, Arts and Culture; Ways and Means; Finance; and Women, Children, Family Relations and Gender Equality

SENATOR RONALD "BATO" DELA ROSA :

Committees on Ways and Means; Finance; and Women, Children, Family Relations and Gender Equality SENATOR MANUEL "LITO" M. LAPID Committees on Basic Education, Arts and Culture; Ways and Means; and Finance

SENATOR FRANCIS "TOL" N. TOLENTINO

Committee on Finance

Ex-Officio Members

SENATOR RALPH G. RECTO
President Pro-Tempore

SENATOR JUAN MIGUEL F. ZUBIRI Majority Leader

Minority Leader

HON. VICENTE C. SOTTO III

Senate President

EIGHTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Second Regular Session

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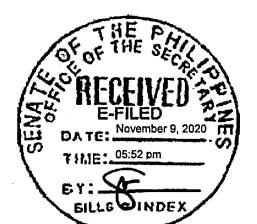
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and quality education.

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SENATE

S.B. No. 1907

(In Substitution of S.B. Nos. 55, 69, 171, 329, 338, 345, 434, 540, 804 and 1150)

Prepared by the Committee on Basic Education, Arts and Culture joint with the Committees on Ways and Means; Finance; and Women, Children, Family Relations and Gender Equality; with Senators Lapid, Cayetano, Gatchalian, Angara, Villar, Villanueva, Revilla, Jr., Zubiri, Binay, and Hontiveros as authors thereof.

AN ACT

INSTITUTING SERVICES AND PROGRAMS FOR LEARNERS WITH DISABILITIES IN SUPPORT OF INCLUSIVE EDUCATION, ESTABLISHING INCLUSIVE LEARNING RESOURCE CENTERS OF LEARNERS WITH DISABILITIES IN ALL MUNICIPALITIES AND CITIES, PROVIDING FOR STANDARDS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

Section 1. Short Title. – This Act shall be known as the "Instituting Services and Programs for Learners with Disabilities in Support of Inclusive Education Act".

Sec. 2. *Declaration of Policy.* – It is the policy of 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. Towards this end, it shall recognize, protect, and promote the rights of all learners with disabilities to education based on equal opportunity. It shall make such education compulsory and accessible to them by ensuring that no learner with disability is deprived of the right of access to an inclusive, equitable,

The State likewise recognizes the vital role of learners with disabilities in society. It shall accordingly include their diverse needs as an integral part of national development strategies, guarantee their social protection, and facilitate their active participation and inclusion in public, civic, and State affairs.

- Sec. 3. *Objectives.* This Act shall pursue the following objectives:
- (a) To provide learners with disabilities free and appropriate public early and basic education and support services and programs based on their needs, and in preparation for adult living and community life;
- (b) To provide learners with disabilities access to the general education system through formal school systems, including alternative delivery services, in accordance with the "United Nations Convention on the Rights of Persons with Disabilities", "UNESCO Convention Against Discrimination in Education", "The Incheon Strategy to Make the Rights Real for Persons with Disabilities in Asia and the Pacific", and other specific rights and benefits under existing laws;
- (c) To establish and maintain Inclusive Learning Resource Centers of Learners with Disabilities in support of their inclusion in the general education system;
- (d) To ensure that learners with disabilities develop their potential toward selfsufficiency and become fully participative members of society;
- (e) To create significant and positive changes in community orientation towards disability to ensure that learners with disabilities are understood, appreciated, and respected for their differences by the members of their communities and by society in general;
- (f) To further develop a system for identification, referral, and intervention for learners with disabilities;
- (g) To identify, through a Child Find System, learners with disabilities who are not receiving early and basic education services;
- (h) To institutionalize the development, implementation, and review of the Individualized Education Plan for the quality education of learners with disabilities;
- (i) To provide parents or guardians with information and opportunities to actively participate in the possible placement options and educational programs for learners with disabilities to enable them to make informed choices and decisions;

(j) To enable and empower all teachers, including those with disabilities, parents, guardians, and family members by training and equipping them with capabilities to detect, refer or intervene concerning disorders, disabilities, and abilities of the learners;

- (k) To train and equip all teachers, including child development teachers and workers, principals, administrators, non-teaching staff of the school, sign language interpreters, parents, and guardians, as partners in the primary care, development, education, and advancement of learners with disabilities;
 - (I) To increase school retention and cohort survival of learners with disabilities;
- (m) To establish an effective consultative mechanism that will actively involve learners with disabilities, when appropriate, and their representative organizations in the implementation of this Act and in resolving issues relating to it; and
- (n) To ensure the inclusion of the Filipino Sign Language as the first language (L1) or mother tongue of the deaf learners under Republic Act (R.A.) No. 10533 or the "Enhanced Basic Education Act of 2013".

Sec. 4. *Definition of Terms.* – As used in this Act, the following shall be defined as follows:

- (a) *Basic Education* refers to education intended to meet basic learning needs that provide the foundation for subsequent learning. It encompasses kindergarten, elementary, and secondary education of learners with disabilities.
- (b) Child Development Centers (CDCs) are the day care centers established in every barangay under R.A. No. 6972 or the 'Barangay-Level Total Development and Protection of Children Act" and converted to CDCs under R.A. No. 10410, otherwise known as the "Early Years Act (EYA) of 2013". CDCs are implementing health, nutrition, early education, and social services development programs that provide for the basic holistic needs of learners with disabilities below five (5) years old to promote their optimum growth and development. These also include national CDCs as provided in R.A. No. 10410.
- (c) Child Find System (CFS) refers to the system of identification, location, and evaluation of all learners with disabilities who are not receiving basic education services for purposes of facilitating their inclusion into the general basic education system. It

likewise covers learners below five (5) years old who are not receiving early education services and programs under R.A. No. 10410.

For purposes of the CFS, a child refers to a person below eighteen (18) years of age.

- (d) *Deaf* refers to a sub-set of deaf individuals with hearing loss who use the natural visual language of the community and support its goals and values as a linguistic and cultural minority.
- (e) *Early Education* refers to the education of learners below five (5) years old pursuant to R.A. No. 10410 which adequately prepares them for the formal learning system that begins at kindergarten.
- (f) Filipino Sign Language (FSL) refers to the national sign language of the Philippines as declared under R.A. No. 11106 or "The Filipino Sign Language Act", and used by deaf Filipinos as their unique visual language and distinct from spoken Filipino.
- (g) *Inclusive Education* refers to a process of addressing and responding to the diversity of needs of all learners by moving towards the end goal of full participation, presence and achievement in learning, cultures and communities, and eliminating exclusion within and from education. It involves accommodation, modification, adaptation, and individualization in content, approaches, structures, and strategies, with a common vision that covers all learners of the appropriate age range, and a conviction that it is the State's responsibility to educate all children.

It also focuses on achieving quality education that fosters diversity and flexibility towards full participation of all learners with disabilities.

- (h) *Inclusion* refers to a process where all learners, regardless of their background and abilities, are given an equal chance to play, learn, and interact together in the same learning environment. It is an approach where every learner is valued, supported, and given access to equal opportunities and learning experiences within an ILRC, CDC or school setting.
- (i) Inclusive Learning Resource Center of Learners with Disabilities (ILRC) refers to a place that provides support to teaching and learning, using appropriate, accessible, disability-, linguistically-, culturally-, and gender-sensitive instructional learning materials, tools, devices, gadgets, and equipment to facilitate and enhance learning, and assessment tools and instruments to evaluate developmental domains and specific areas

of concern to determine appropriate services and placement decisions, with support from medical, health, and allied professionals for care, rehabilitation, and development of learners with disabilities.

- (j) Individualized Education Plan (IEP) refers to the systematic, purposive, and developmental educational programming of curricular and instructional priorities and contents designed to meet the educational requirements of a learner with disability and ensure mastery learning of skills and behaviors. It includes the services to be provided and the duration and frequency of such services, describes the learner's present level of performance, how the learner's disabilities affect academic performance, and specifies accommodations and modifications. An IEP shall be designed to meet the unique educational needs of a learner with disability who shall receive appropriate services and programs, have real opportunities for equality, and fully participate in the general education system and the community. It shall likewise aim at developing the learner's strengths and talents to achieve the greatest possible self-sufficiency and independent living.
- (k) Learners with Disabilities refer to learners in the general early and basic education system, who require additional support and adaptive pedagogic methods due to their long-term physical, mental, intellectual, or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. They are placed in the age-appropriate grade levels by the multidisciplinary team based on the latter's assessments and diagnoses of the learners. For purposes of this Act, age shall be determined either by the learner's chronological or mental age, as may be appropriate.
- (I) *Multidisciplinary Team* is composed of professionals who provide for the learner's overall health and well-being. They participate in developing, implementing, and reviewing an IEP using multidisciplinary, transdisciplinary, or other effective approaches. Each member delivers specific services, including but not limited to, the educational assessment and diagnosis of learners with disabilities.
- (m) *Private Sector* refers to private individuals, partnerships or entities such as organizations of persons with disability, parent-support organizations, health professional organizations, community-based organizations or non-governmental organizations (NGOs), and business and industry groups.

(n) *Quality Education* refers to the appropriateness, relevance and excellence of the education given to meet the diverse needs and aspirations of learners with disabilities and society.

- (o) *Related Services* refer to support services which include, but not limited to, linguistic solutions for deaf learners' concerns, speech-language pathology and audiology services, interpreting services, intervenor services, psychological services, physical and occupational therapy, recreation, social services, school health services, counseling and rehabilitation services, orientation and mobility services, medical services, and transportation services, as may be required to assist a learner with disability to fully enjoy the rights and benefits from education services.
- (p) Reasonable Accommodation refers to the necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure learners with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms including their right to quality education.
- (q) Special Education (SPED) refers to the customized instructional program or service designed to meet the diverse needs of an individual learner with disability, which may necessitate supplementary aids and services and teaching strategies in the classroom or non-academic settings. They include instructions on physical and vocational education, social skills development, and basic survival needs, and providing reasonable accommodations, modifications, adaptations, and individualization, as needed. It is geared towards the inclusion of learners with disabilities into the general education system that will enable them to realize their full potential and prepare them as independent functioning members of society.
- (r) *Teachers* include all persons engaged in the classroom teaching of any subject, including practical or vocational arts, at the elementary and secondary levels of instruction, guidance counselors, and persons performing instructional supervision in all private or public education institutions, but shall not include school nurses, school physicians, school dentists, school administrators, and other school administrative support employees. These include child development teachers in CDCs, mobile or itinerant teachers, teacher aides, all persons who are qualified to teach sign language or Braille, and other persons as may be qualified by the Department of Education (DepEd)

to teach learners with disabilities in the ILRC, CDC, a resource room, or inside or outside a regular classroom.

- (s) *Transition Program* refers to a coordinated set of courses and activities for learners with disabilities that:
 - (1) is designed within an outcome-oriented process, which promotes movement from school to post-school activities that include post-secondary education, vocational training, integrated employment, supported employment, continuing and adult education, adult services, independent living, or community participation;
 - (2) is based upon the individual learner's needs, taking into account the learner's preferences and interests; and
 - (3) includes instruction, related services, and community experiences.
- (t) *Universal Design* as defined in the "United Nations Convention on the Rights of Persons with Disabilities", refers to the design of products, environments, programs, and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

Sec. 5. Inclusion Policy for Learners with Disabilities in Public and Private Schools.

– No learner with disability shall be denied admission and inclusion in any public or private early or basic education school in the country to afford such learners with equitable opportunities to educational services and programs.

Sec. 6. Establishment of ILRCs. – The DepEd, in collaboration with local government units (LGUs), shall establish and maintain at least one (1) ILRC in all cities and municipalities. All existing SPED Centers shall be converted to and renamed as "Inclusive Learning Resource Center".

The LGUs may establish satellite ILRCs in schools, the operations and maintenance of which shall be included in the School Improvement Plan (SIP). The SIP refers to a roadmap that lays down the school's specific interventions and solutions to corresponding identified priority improvement areas and aims to improve the three key result areas in basic education: access, quality, and governance.

Sec. 7. *Functions of the ILRC*. – The ILRC shall function as a learning resource center of learners with disabilities to deliver free support services and implement programs in support of inclusive education towards capacitating all schools in the country to educate learners with disabilities effectively. It shall:

- (a) implement the CFS to ensure that all learners with disabilities who are not receiving early and basic education services are identified, located, and evaluated, and facilitate their inclusion into the general education system;
- (b) utilize the expertise of a multidisciplinary team to conduct educational assessments and diagnoses of learners with disabilities for the preparation of their IEPs, and determine appropriate services and placement options;
 - (c) spearhead the preparation, implementation, and review of the IEP;
- (d) provide support to learners with disabilities and their diverse needs for their inclusion in the general education system;
- (e) produce appropriate teaching and learning materials for learners with disabilities, including but not limited to, FSL materials for deaf learners, Braille for the blind and visually impaired, and augmentative and alternative instructional materials for learners with developmental disabilities;
- (f) provide and facilitate consultative mechanism, counseling, technical assistance, and training to general basic education teachers, administrators, child development teachers and workers, non-teaching personnel, parents, caregivers, guardians, or other family members on the education of learners with disabilities;
- (g) establish a referral system that shall provide and organize multidisciplinary services needed by learners with disabilities and their families to mobilize community resources;
- (h) monitor and ensure that learners with disabilities within the city or municipality receive the appropriate services needed, including FSL interpreting;
- (i) implement the programs of the ILRC which include, but not limited to, the transition program, alternative educational programs, and early intervention program in collaboration with the CDC;
- (j) initiate and implement successful research-based innovative approaches in providing educational or support services to learners with disabilities;

(k) orient the LGUs served by the ILRCs on the psychology, diverse needs, and 1 2 potentials of learners with disabilities; 3 provide access to auxiliary aids and services that are non-educational, but which enhance the education process for the learners with disabilities. These shall include 4 but not limited to: 5 (1) Language and speech therapy, occupational therapy, physical and 6 7 physiotherapy, among other modes of treatment, through a 8 multidisciplinary team; 9 (2) Quality reading and writing materials, especially Braille materials for learners with visual impairments, or other effective methods of 10 delivering communication materials: 11 (3) Acquisition and adaptation of equipment or devices; 12 (4) Provision of consultation for creating appropriate and reasonable 13 accommodation in the classroom, among others; 14 (5) Provision of qualified sign language interpreters for deaf learners; 15 (6) Assistance and monitoring in the transfer, or admission of eligible 16 learners with disabilities to post-secondary or tertiary education 17 institutions; and 18 (7) Other similar services and actions or all types of aids and services that 19 facilitate the learning process of learners with disabilities; 20 (m) provide or facilitate the provision of related services to learners with 21 22 disabilities; and 23 (n) perform other functions as may be necessary. The ILRC may provide the same services to other learners as identified by school 24 25 officials and teachers, parents, guardians, or the learners themselves. 26 Sec. 8. Hiring of Personnel and Staff of the ILRC; Functions. – In addition to 27 teachers with special training, teacher aides, licensed social workers, and other allied 28 professionals with the knowledge, skills, and special training in interacting and dealing 29

with learners with disabilities, the DepEd shall coordinate with the Department of Health

(DOH) and Department of Social Welfare and Development (DSWD) for the hiring of the

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necessary personnel and support staff, including qualified persons with disabilities, to 2 operate, administer, and oversee the ILRC.

Each ILRC shall have an ILRC Supervisor and a multidisciplinary team, and supported by mobile teachers and a mobile multidisciplinary team. They shall have the following functions:

(a) ILRC Supervisor. – The ILRC Supervisor shall:

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- (1) administer and supervise the delivery of support services and programs of the ILRC;
- (2) monitor and supervise the provision of technical assistance, training, and enhancement programs of the ILRC personnel;
- (3) regularly prepare reports on the operations of the ILRC to include the progress of learners with disabilities; and
- (4) perform such other related functions as may be provided in the Implementing Rules and Regulations (IRR).
- (b) Multidisciplinary Team. The multidisciplinary team shall prepare the IEPs of all learners with disabilities based on the multidisciplinary team's assessments and diagnoses, implement the IEP, and ensure that learners with disabilities are educated in the general education system with their peers with or without disabilities.

The multidisciplinary team shall be composed of any or all of the following Guidance Counselor; professionals and specialists: Educational Psychologist; Psychometrician; Developmental Pediatrician; Neurological Psychiatrist; Physical Therapist; Occupational Therapist; Speech and Language Therapist; Speech Language Pathologist; Reading Specialist; Specialist for Braille and other augmentative and alternative modes of communication; FSL Specialist; FSL Interpreter; Sign Communication or Visual Specialist; SPED teacher, who shall be the lead interventionist/implementor of the IEP; and ILRC Supervisor.

The school head for school-based ILRC and the general education teachers are likewise members of the multidisciplinary team.

(c) Mobile Teachers. - Mobile teachers shall be hired whenever necessary. Their principal task is to assist in the CFS and determine appropriate learning modalities using the program and services of the ILRC. They shall likewise share responsibility for program planning and scheduling, assist isolated or remote schools with specialized equipment,

individual programs, curriculum adjustment, and teaching aids, and perform other related functions.

(d) Mobile Multidisciplinary Team. – At least one (1) mobile multidisciplinary team in every municipality and city shall be organized as determined by the ILRC Supervisor. The team members shall serve as mobile consultants of the schools, the ILRCs, and the LGUs. It shall be composed of any one or all of the professionals and specialists in the multidisciplinary team as stated in paragraph (b) of this section.

To ensure the effective implementation of this Act, the DepEd, DOH, and DSWD may hire other necessary personnel and support staff for the ILRC.

Sec. 9. *Remuneration, Benefits, and Incentives for ILRC Personnel and Staff and Teachers.* – The salary grades of the heads supervising the ILRCs, teachers, and other personnel shall be in accordance with the Revised Compensation and Position Classification System and other Civil Service Rules and Regulations.

The DepEd shall endeavor to attract the best available and qualified teaching staff and talents through adequate remuneration, benefits, scholarship and training grants, teacher exchange programs, incentives and allowances, and other means of securing their job satisfaction and tenure in their respective posts.

The DepEd, in collaboration with the CHED, shall likewise develop a scholarship program for in-service teachers who shall take courses or the required master's degree units on Special Needs or Inclusive Education or other related courses to equip them with knowledge on policies, principles, and pedagogies on inclusive education.

Sec. 10. *Pre-Service Education and In-Service Training.* – The DepEd shall collaborate with the CHED to ensure that teacher education institutions offering bachelor of elementary or secondary education degrees include in the curriculum courses on inclusive education which are updated and responsive to the diverse needs of learners with disabilities.

The DepEd shall also collaborate with relevant partners in the government, the academe, and the private sector to develop and conduct appropriate training programs, advanced seminars, and workshops on disability for all in-service teachers to upgrade

their skills and develop new professional competencies and enhance the services and programs for learners with disabilities.

Sec. 11. *IEP Preparation and Review.* – With the active participation of the SPED teachers, in collaboration with the multidisciplinary team, and in consultation with the parents or guardian of the learners with disabilities and the learners with disabilities themselves, when appropriate, IEPs for all learners with disabilities who require specially designed instruction and educational support services and programs shall be prepared by the schools, the CDCs, and the ILRCs. The IEPs shall be based on the educational assessment and diagnosis of the learners with disabilities by the multidisciplinary team and other relevant specialists.

The IEP shall likewise be subject to an annual review or at such other period as may be determined by the multidisciplinary team, which shall not be later than one (1) year from its implementation to assess the progress of learners with disabilities and revise the plan when necessary.

- Sec. 12. The Bureau of Inclusive Education as Implementing Bureau. For purposes of policy integration, and harmonization and coordination of functions, the Bureau of Inclusive Education (BIE) under the DepEd is hereby created. It shall be headed by a Director and shall have the following powers and functions and other relevant functions as may be provided in the IRR of this Act:
- (a) Implement the provisions of this Act in coordination with other national government agencies and offices as implementing partner agencies, and adopt an effective mechanism to ensure the implementation and enforcement of existing laws for learners with disabilities that contribute to their educational, physical and psychosocial well-being;
- (b) In consultation with the Advisory Council on the Education of Learners with Disabilities created pursuant to this Act, other implementing partner agencies and stakeholders, adopt a national policy on inclusive education and prepare and regularly update a multi-year roadmap, supported by annual work and financial plans, for the effective implementation of this Act;

(c) Ensure that learners with disabilities are guaranteed their right of access to free public early and basic education services;

- (d) Participate in the development and implementation of an efficient and effective CFS in collaboration with the LGUs, the ILRCs, the Early Childhood Care and Development (ECCD) Council, and organizations of persons with disabilities;
- (e) Implement policies and standards for the use of learning delivery modalities for learners with disabilities, including the training of their teachers on distance education;
- (f) Supervise, monitor, evaluate, and assess the compliance, operations and performance of the schools and the ILRCs and their personnel pursuant to this Act, and regularly submit reports thereon to the Secretary of Education (Secretary). It shall likewise collaborate and coordinate with the ECCD Council with respect to its mandate, and with other implementing partner agencies;
- (g) Maintain a system for identification, referral, and intervention for learners with disabilities initiated by the DepEd in coordination with the ECCD Council and other relevant stakeholders;
- (h) In consultation with a multidisciplinary team and organizations of persons with disabilities, develop the IEP framework and the guidelines for its preparation, and evaluate fundamental changes both in educational practice and the design of educational services for inclusion of learners with disabilities in the general education system; and
- (i) Such other necessary functions for the effective and efficient implementation of this Act.
- The BIE shall likewise implement programs for learners, other than learners with disabilities, who require diverse educational support services and programs.
- Sec. 13. Advisory Council for Education of Learners with Disabilities. An Advisory Council for Education of Learners with Disabilities (Council), which shall be composed of representatives from various disability sectors and a representative from the academe, is hereby created.
- The Council, which shall directly coordinate and collaborate with the Secretary, shall have the following powers and functions:
- (a) Represent learners with disabilities and their respective organizations, and participate in consultative meetings of the DepEd and other organizations of persons with

- disabilities in the formulation of policies, plans and strategies, educational programs, rules and regulations, guidelines, or regulatory changes on the education of learners with disabilities;
- (b) Conduct research and policy studies on inclusive education and other matters related to the education of learners with disabilities;
- (c) Participate in crafting, amending, or updating the roadmap referred to in Section 12 of this Act, and monitor and evaluate its implementation;
- (d) Subject to compliance with the provisions of R.A. No. 10173 or the "Data Privacy Act of 2012", gather, consolidate, or interpret relevant data on the education of learners with disabilities, and prepare the necessary report for the Secretary;
- (e) Monitor the delivery of services and programs for learners with disabilities as provided in this Act;
- (f) Review existing and recommend new legislation to promote the educational welfare, and physical and psychosocial well-being of learners with disabilities; and
 - (g) Perform other functions as may be necessary.

Subject to a prior consultation with organizations of persons with disabilities, other NGOs and relevant stakeholders regarding the composition of the Council and the qualifications and terms of office of the members, the DepEd, within sixty (60) days from the effectivity of this Act, shall issue the necessary orders on the creation and composition of the Council, and direct the Department, bureaus, and its attached agencies to extend the necessary assistance and cooperation to the Council in the performance of its functions. The composition of the Council and the qualifications and terms of office of its members shall be stated in the IRR of this Act.

The Council is independent from the DepEd and its members shall not be entitled to any compensation in the performance of their functions.

Sec. 14. *Learners with Disabilities Information System.* – The DepEd, through its Information and Communications Technology Service, and in collaboration with the Department of Information and Communications Technology, shall develop, maintain and regularly update a secure Learners with Disability Information System (LWDIS). It shall contain and store relevant disaggregated data of learners with disabilities such as, but not limited to, their personal information, socio-economic profiles, IEP, performance, and

educational progress. The LWDIS shall likewise include information on existing ILRCs, status of implementation of programs and projects, list of public and private partners, and other relevant information that may be identified by the DepEd.

Subject to the accessibility and security guidelines to be included in the IRR of this Act, the LWDIS shall be linked to the CFS of the LGUs, the ECCD Council, and to the information systems of other implementing partner agencies. Access to data by said agencies shall be limited to such data that are relevant to their roles and functions.

All implementing partners, public and private, and their personnel, teachers, and third party service providers shall ensure compliance with the provisions of R.A. No. 10173.

Sec. 15. Continuing Research to Identify the Needs of Learners with Disabilities. — The DepEd, in collaboration with relevant national government agencies and the private sector, shall undertake continuing research to identify and design strategies and programs that shall meet the diverse needs of learners with disabilities. Such continuing research shall also be used to develop instructional techniques for use by the ILRCs towards improving the acquisition of skills by learners with disabilities for their transition to independent living, vocational training or competitive skills development, and to design holistic programs for all schools and ILRCs to enhance the potential of the learners with disabilities for community participation.

Sec. 16. Student Assistance. – The DepEd, DSWD, and the LGUs shall develop programs to support the financial, educational and accessibility needs of all learners with disabilities, particularly the economically disadvantaged learners with disabilities, as envisioned in R.A. No. 8425, otherwise known as the "Social Reform and Poverty Alleviation Act".

The benefits accorded by R.A. No. 8545, otherwise known as the "Government Assistance to Students and Teachers in Private Education (GASTPE) Act" shall likewise be extended to eligible learners with disabilities in the secondary level based on the criteria under the said law on academic qualifications and financial needs of the learners with disabilities, among others.

Sec. 17. *Instructional Materials.* — Publishers shall grant the DepEd the authority to transcribe adopted instructional materials into accessible format which include, but not limited to, Braille, large-print format, electronic, non-print, or multi-media format for learners who are blind, visually impaired or otherwise print disabled, without penalty or payment of royalty as provided in R.A. No. 8293, otherwise known as the "Intellectual Property Code of the Philippines", as amended. The publishers of a newly adopted instructional material shall provide the digital copy in accessible format of such materials for the purpose of producing their accessible versions for learners with disabilities.

The accessible versions shall be produced by the DepEd or by non-profit accessible book producers which shall indicate the copyright owner and the date of the original publication, and shall be copied and distributed without cost to either the learners with disabilities or their teachers-in-charge for instructional purposes. Production of instructional materials for learners with disabilities shall be in compliance with the "Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled", international and local laws, as well as rules and regulations issued by the appropriate government agencies.

Sec. 18. Family Members, Guardians, and Caregivers' Education. – Formal trainings, orientations, and counseling programs for parents, other family members, guardians, and caregivers of learners with disabilities shall be developed and initiated by the DepEd, and implemented in coordination with the LGUs, DSWD, ECCD Council, and the private sector. These programs shall equip and provide them with awareness and understanding of inclusive education such as the rights, privileges, benefits, and diverse needs of learners with disabilities. These shall likewise set their essential roles as partners in educating learners with disabilities, so as to maximize their knowledge and skills to fully participate in developing the potentials of learners with disabilities. Parents, guardians, or other family members should also be apprised of procedural safeguards and processes to resolve disputes and complaints to protect the educational rights of learners with disabilities.

Sec. 19. *Incentives for Private Sector Participation.* – Partnership between the government and the private sector catering to the diverse needs of learners with

disabilities shall be encouraged. Any donation from the private sector for the provision of the necessary educational assistance, facilities, materials, and other appropriate support services for learners with disabilities shall be entitled to the benefits and incentives provided under R.A. No. 8525, otherwise known as the "Adopt-A-School Act" and its IRR.

The DepEd, shall formulate and adopt minimum standards for such donations from the private sector to ensure quality delivery of support services and programs for learners with disabilities.

- Sec. 20. Responsibility of Government Agencies. The DepEd shall be the lead agency in the implementation of this Act. It shall ensure inter-agency coordination and integration of services and programs among relevant national government agencies as provided in their respective charters and mandates. For this purpose, the DepEd shall collaborate and coordinate with the following implementing partner agencies for their respective roles as follows:
- (a) *DOH* The DOH shall provide learners with disabilities with healthcare needs services such as child mental health service, health plans, oral health care, and family-to-family health information and education. It shall likewise coordinate with the ILRC for the services of Barangay Health Workers.
- (b) *DSWD* The DSWD shall be responsible for the effective management and provision of social and welfare services including auxiliary social services, for learners with disabilities based on the assessed needs of the learners with disabilities, subject to its prescribed guidelines.
- (c) Department of Justice The Department of Justice and the Integrated Bar of the Philippines shall establish a mechanism for free legal assistance for learners with disabilities and their parents or guardians in connection with the enforcement of their rights under this Act. It shall likewise be responsible in enforcing existing laws on the protection of learners with disabilities.
- (d) Department of Public Works & Highways The Department of Public Works & Highways shall prescribe the proper physical indoor and outdoor set-up of the ILRC and ensure that the ILRC, roads, sidewalks, ramps, railings, and the like shall be constructed, built, and maintained in accordance with Batas Pambansa Blg. 344, otherwise known as

the "Accessibility Law", and universal design concepts to ensure their accessibility and the mobility of learners with disabilities.

(e) Department of Labor and Employment (DOLE) – The DOLE shall develop a training program for the learners with disabilities' transition from school to work; provide to the ILRC current market analysis and job coaching sessions before and during their employment; and facilitation of apprenticeship and job placements, together with its attached agencies, the Technical Education and Skills Development Authority (TESDA), and the Public Employment Service Office (PESO). The TESDA shall provide vocational training when necessary. The PESO, on the other hand, shall conduct employability enhancement seminars, provide pre-employment counselling and orientation, and offer programs and activities on employment assistance pursuant to R.A. No. 8759, otherwise known as the "PESO Act of 1999", as amended.

The DOLE, TESDA, and PESO shall lead the promotion of inclusion of learners with disabilities among public and private institutions and comply with the requirements set forth under R.A. No. 7277, otherwise known as the 'Magna Carta for Disabled Persons', as amended by R.A. No. 10524. They shall likewise disseminate materials and conduct orientation and information campaign concerning effective practices in working with and training learners with disabilities.

- (f) Department of the Interior and Local Government The Department of the Interior and Local Government, in consultation with the DepEd, LGUs, and other relevant agencies and stakeholders, shall promulgate policies and guidelines relevant to the implementation of this Act by the LGUs.
 - (g) LGUs The LGUs shall also perform the following functions:
 - (1) Partner with public or private volunteers and private organizations, local or international, for technical guidance and information dissemination campaigns and funding support to augment the funding for the programs and activities pertaining to this Act;
 - (2) Participate in all efforts concerning inclusion of learners with disabilities in the general education system, health services, transport services, and other social and welfare services;
 - (3) Adopt measures to raise awareness in the community to respond to the needs of learners with disabilities; and

(4) Share the responsibility with national government agencies and other stakeholders for the implementation, regulation, enforcement and monitoring of the provisions of this Act.

Notwithstanding the provisions of Sections 235 and 272 of R.A. No. 7160, otherwise known as the "Local Government Code of 1991," the Local School Boards shall be authorized to set aside a portion of the proceeds of the Special Education Fund to supplement the funds of the DepEd and other implementing partner agencies for the delivery of support services and programs for learners with disabilities.

(h) Komisyon sa Wikang Filipino – The Komisyon sa Wikang Filipino shall be responsible in the implementation of the provisions of R.A. No. 11106, otherwise known as "The Filipino Sign Language Act" in relation to early and basic education.

Sec. 21. Establishment of Barangay Help Desks. – All cities and municipalities shall establish a help desk in every barangay within their jurisdiction. In coordination with the Persons with Disability Affairs Office (PDAO) established under R.A. No. 7277, as amended by R.A. No. 10070, it shall function as the focal unit in the barangay to assist learners with disabilities, their parents or guardians, caregivers, and other family members on matters affecting the education and provision of services and programs to learners with disabilities.

Sec. 22. *Protection of Learners with Disabilities.* – The DepEd shall ensure the protection of learners with disabilities against neglect, abuse, cruelty or exploitation, bullying, discrimination, and other acts or conditions prejudicial to their physical and psychosocial well-being and development as provided in this Act, R.A. No. 7277, as amended, R.A. No. 10627 or the "Anti-Bullying Act of 2013", R.A. No. 7610 or the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act", and other existing laws.

Sec. 23. *Procedural Safeguards*. – The DepEd shall ensure that learners with disabilities and their parents or guardians are guaranteed procedural safeguards for the enforcement and protection of their rights under this Act. Procedural safeguards refer to policies, procedures, and other administrative approaches which include, but not limited

to, the rights to be informed and be served written notices on matters affecting the education of the learner with disability, to participate in IEP deliberation meetings, to access records, and to file a complaint if dispute resolution fails.

The DepEd shall likewise ensure the speedy disposition of any complaint filed by learners with disabilities, their parents, guardians, caregivers, or other family members, which shall be immediately acted upon and resolved not later than thirty (30) calendar days from receipt of the complaint. Any DepEd official, teacher, or employee, and CDC or ILRC personnel who shall cause any undue delay and fail to comply with the said prescribed period shall be held administratively liable.

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Sec. 24. *Public Information, Education and Communication.* – The DepEd and the Philippine Information Agency shall conduct an intensified nationwide information dissemination campaign on the rights of learners with disabilities under this Act and other existing laws, which shall include the prevention, early identification, assessment of a disabling condition, and the strategic intervention programs for learners with disabilities.

All information dissemination campaign materials shall be in accessible formats which include, but not limited to, Braille, large-print format, electronic, non-print, or multimedia format.

Sec. 25. Whole-of-Community Approach. – For the inclusion of learners with disabilities in the general education system and the community, a whole-of-community approach shall be adopted to facilitate collaborative action in and by the school community, the academe, and other stakeholders, public or private, to foster the involvement and participation of every sector, especially the organizations of persons with disabilities, the learners with disabilities, and their parents and other members of their families.

Sec. 26. *Interpretation Clause.* – The provisions of this Act and its IRR shall be liberally construed in favor of the best interests of the learners with disabilities as enunciated in the "United Nations Convention on the Rights of the Child".

Sec. 27. *Administrative Sanctions.* – The DepEd shall ensure compliance with the provisions of this Act. Any private school, DepEd official, teacher, or employee, and CDC or ILRC personnel who shall violate or fail to comply with any provision of this Act shall be dealt with administratively.

Sec. 28. Mandatory Review; Impact Assessment; Submission of Report to Congress. — The DepEd, in partnership with LGUs, other relevant agencies, and the private sector, shall conduct a mandatory annual review of the implementation of this Act and its IRR and submit a report to Congress to measure its effectiveness, identify the gaps, issues and challenges, and ensure its proper implementation. An evaluation system shall be established to assess the impact of this Act and the progress of learners with disabilities.

Sec. 29. *Appropriations.* – The amount necessary for the implementation of this Act shall be charged against those authorized in the current appropriations of the DepEd and other implementing partner agencies. Thereafter, the amount necessary for its continued implementation shall be included in their budget as a separate line item in the annual General Appropriations Act.

Sec. 30. *IRR.* – Within ninety (90) days from the effectivity of this Act, the DepEd, in consultation with concerned government agencies and other education stakeholders, shall issue the rules and regulations implementing the provisions of this Act. The IRR issued pursuant to this section shall take effect thirty (30) days after its publication in a newspaper of general circulation.

Copies of the IRR and the roadmap referred to in Section 12 shall be transmitted to the Chairs of the Committees on Basic Education of both Houses of Congress not later than six (6) months and one (1) year, respectively, from the effectivity of this Act.

Sec. 31. Joint Congressional Oversight Committee (JCOC) on Inclusive Education.

– There is hereby created a JCOC to oversee, monitor and evaluate the implementation of this Act. The JCOC shall be composed of five (5) members each from the Senate and the House of Representatives with the Chairs of the Committees on Basic Education of

- both Houses as Co-chairs. The Chairs of the Committees on Higher and Technical
- 2 Education of both Houses shall likewise be designated as members of the JCOC. The
- 3 Speaker of the House of Representatives and the President of the Senate shall designate
- 4 the other three (3) members of the JCOC of the House and the Senate, respectively, from
- 5 among the members of the Committees on Basic Education, one (1) member of which
- 6 shall be from the minority.

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Sec. 32. *Separability Clause*. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain in full force and effect.

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Sec. 33. *Repealing Clause.* – All laws, presidential decrees, executive orders, issuances, rules and regulations, or parts thereof contrary or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

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Sec. 34. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,