

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

7 JUL -4 11:48

SENATE  
 S. B. NO. 1052

RECEIVED BY: 


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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article II, Section 17, states that:

“The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.”

Batas Pambansa Bilang 232, otherwise known as the “Education Act of 1982”, states that one of the policies of the State is to promote the right of every individual to relevant quality education regardless of sex, age, breed, socio-economic status, physical and mental condition, social or ethnic origin, political and other affiliation. The State shall therefore promote and maintain equality of access to education as well as the enjoyment of benefits of education by all its citizens.

Every child with special needs has a right to an educational program that is suitable to his needs. Special education shares with regular education basic responsibilities of the educational system to fulfill the right of the child to develop to his full potential. According to the Department of Education (DepEd), as of SY 2004-2005, there are 79,118 children with disabilities in the Philippines. Among the disabilities of these children are hearing impairment, visual impairment, mental retardation, behavioral problem, orthopedic handicap, autism, speech defects, chronic illness, and cerebral palsy. Throughout the country, there are 2,149 schools offering programs for special education.

According to the DepEd, as of the year 2005, only 4.8% of children with special needs are given appropriate educational service, leaving 95.2% of these children lacking in educational needs.<sup>1</sup>

  
 MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> This bill was originally filed in the Thirteenth Congress, Third Regular Session.

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7 JUL -4 2009

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1 AN ACT  
2 PROVIDING FOR THE ESTABLISHMENT OF ONE SCHOOL FOR CHILDREN  
3 WITH SPECIAL NEEDS IN EVERY MUNICIPALITY  
4 THROUGHOUT THE COUNTRY

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

7 SECTION 1. *Short Title.* - This Act shall be known as the "Schools for Children  
8 with Special Needs Act of 2007".

9 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State  
10 to promote the well-being of the youth, particularly children with special needs. The  
11 State gives emphasis to the need to provide these children with basic education to enable  
12 them to fully realize their own potentials for development and productivity as well as  
13 being capable of self-expression of their rights in the society.

14 SECTION 3. *Definition of Terms.*

15 1. Children with special needs – shall refer to children with mental disabilities  
16 such as autism, mental retardation, etc; learning disabilities such as attention  
17 deficiency disorder (ADD), dyslexia, etc.; and children who are suffering  
18 from other illnesses and defects such as, but not limited to, hearing  
19 impairment, visual impairment, behavioral problems, orthopedic handicap,  
20 speech defects, chronic illness, and cerebral palsy.

21 2. Accredited teachers – teachers accredited by the Department of Education  
22 (DepEd) to teach children with special needs

23 SECTION 4. *Schools for special children* - there shall be established one school  
24 for children with special needs in every municipality throughout the country. Each of

1 these schools shall be divided into divisions which are required in order to adopt to the  
2 different needs of the children, *e.g.* one section for the physically disabled, one section  
3 for the mentally challenged, and another section for those with learning disabilities.  
4 These schools shall be administered by teachers who are accredited by the DepEd for this  
5 purpose.

6 SECTION 5. *Free education* - Education in these schools for children with  
7 special needs shall be for free and no monetary fee shall be collected from the students  
8 except for donations and other contributions. Provided, that the amount of contributions  
9 allowed to be collected by the schools for children with special needs shall be regulated  
10 by the implementing rules and regulations to be set by the DepEd.

11 SECTION 6. *Levels of education* - The schools for children with special needs,  
12 which shall be established in every municipality, shall providing for basic elementary  
13 education, secondary education, and tertiary education. Vocational courses shall also be  
14 offered. The curriculum shall be formulated and duly approved by the DepEd.

15 SECTION 7. *Implementing Agency*. – The DepEd shall be the overall  
16 implementing agency for this Act. The DepEd shall coordinate with the respective local  
17 government units.

18 SECTION 8. *Implementing Rules and Regulations* - The DepEd shall formulate  
19 the implementing rules and regulations (IRR) for this Act. The IRR shall provide  
20 specifically for, but not limited to, the qualifications and recruitment processes for  
21 teachers who will teach in these schools, the standard curriculum for all schools for  
22 children with special needs throughout the country, and the amount of contributions  
23 allowed to be collected from students.

24 SECTION 9. *Separability Clause*. – If any provision or part thereof, is held  
25 invalid or unconstitutional, the remainder of the law or the provision not otherwise  
26 affected shall remain valid and subsisting.

1           SECTION 10. *Repealing Clause.* – Any law, presidential decree or issuance,  
2 executive order, letter of instruction, administrative order, rule or regulation contrary to,  
3 or inconsistent with the provisions of this Act is hereby repealed, modified or amended  
4 accordingly.

5           SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days  
6 after its publication in at least two (2) newspapers of general circulation.

Approved.

Rcc/5/28/07