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SENATE

S. NO. 235

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Article XIV, Section 2(1) of the Constitution stipulates that the State shall establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society. It is in the public interest to support unique opportunities for high-achieving and underachieving pupils in the public elementary schools who are identified as gifted and talented. Special efforts should be made to ensure that economically disadvantaged pupils be provided with full participation in these unique opportunities.

However, the country's school system does not have adequate programs that go beyond identifying gifted children by nurturing them until they have completed their education.¹ This bill seeks to improve the quality of existing programs for gifted and talented pupils and to provide for experimentation in the delivery of the programs that go beyond the structures of time-honored education system. Moreover, it seeks to provide for the identification of gifted and talented pupils by schools divisions in a variety of ways as long as this does not serve to diminish the quality of programs for individual pupils.

The programs for gifted and talented pupils shall include all of the following:

- (1) differentiated opportunities for learning commensurate with the gifted and talented pupil's particular abilities and talents;
- (2) alternative learning environments in which gifted and talented pupils can acquire skills and understanding at advanced ideological and creative levels commensurate with their potentials;
- (3) elements that help gifted and talented pupils develop sensitivity and responsibility to others;
- (4) elements that help to develop a commitment in gifted and talented pupils to constructive ethical standards;
- (5) elements that assist gifted and talented pupils to develop self-generating problem-solving abilities to expand each pupil's awareness of choices for satisfying contributions in his or her environment; and
- (6) elements that help gifted and talented pupils develop realistic, healthy self-concepts.

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


ANTONIO "SONNY" F. TRILLANES
Senator

¹ UP explores early placement for gifted children. UP Newsletter.
<http://www.up.edu.ph/upnewsletter.php?i=215&archive=yes&yr=2006&mn=9>. Information retrieved on 18 June 2008.

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AN ACT
ESTABLISHING A PROGRAM FOR GIFTED AND TALENTED PUPILS
ENROLLED IN PUBLIC ELEMENTARY SCHOOLS, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

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 “*Gifted and Talented*
2 *Pupil Program of 2010*”.

3
4 SEC. 2. *Definition of Terms.* – For the purposes of this Act,

5
6 a. “*Gifted and talented pupil*” shall mean a pupil enrolled in a public elementary school
7 who is identified as possessing demonstrated or potential abilities that give evidence of
8 high performance capability;

9 b. “*Highly gifted pupil*” shall mean a gifted and talented pupil who has achieved a
10 measured intelligence quotient (IQ) of 150 or more points on an assessment of
11 intelligence administered by qualified personnel or has demonstrated extraordinary
12 aptitude and achievement in language arts, mathematics, science, or other academic
13 subjects, as evaluated and confirmed by both the pupil's teacher and principal. Highly
14 gifted pupils shall generally constitute not more than one percent (1%) of the pupil
15 population.

16 c. “*Participating pupil*” shall mean a pupil identified as a gifted and talented pupil who
17 takes part in a program for at least one semester of a school year.

18
19 SEC. 3. *The Program.* – There is hereby created a “Gifted and Talented Pupil
20 Program”, hereinafter referred to as the “Program”, which shall be an appropriately
21 differentiated curriculum provided by the Department of Education for gifted and

1 talented pupils which meets the standards established pursuant to this Act, and which also
2 include the identification of these pupils.

3
4 **SEC. 4. *Categories for Defining Pupils' Capabilities.*** – For the purposes of
5 this Act, the demonstrated or potential abilities that give evidence of high performance
6 capability shall be defined by each local school district in accordance with regulations
7 established by the Department of Education, hereinafter referred to as the DepEd.

8 Each DepEd division shall use one or more of the following categories in
9 defining the capability: intellectual, creative, specific academic, or leadership ability;
10 high achievement; performing and visual arts talent; or any other criterion that meets the
11 standards set forth by the DepEd. Each DepEd schools division shall also consider
12 identifying as gifted or talented any pupil who has transferred from a division in which he
13 or she was identified as a gifted and talented pupil.

14
15 **SEC. 5. *Coverage of the Program.*** – The DepEd shall maintain regulations
16 governing the following areas:

- 17 a. Procedures that DepEd schools divisions shall use in identifying gifted and talented
18 pupils who are eligible for the program and in providing programs pursuant to this
19 Act;
- 20 b. Definitions of special day classes, part-time grouping, enrichment activities, cluster
21 grouping, independent study, acceleration, postsecondary education opportunities and
22 other programs that the DepEd deems appropriate;
- 23 c. Establishment of allowable indirect cost expenditures that may be funded by gifted and
24 talented program funds;
- 25 d. Establishment of subsidies, scholarships, and grants for economically disadvantaged
26 pupils that may be funded by gifted and talented program funds; and
- 27 e. Other areas that the DepEd schools division deem necessary to implement fully the
28 intent and provisions of this Act.

1 **SEC. 6. *DepEd*.** – The DepEd shall:

- 2 a. Apportion funds pursuant to this Act to each DepEd schools division for which an
3 application to offer programs pursuant to this Act has been approved by the DepEd
4 according to this Act and regulations adopted by the DepEd;
- 5 b. Assist schools division, upon their request, to design, implement, and evaluate
6 programs funded under this Act;
- 7 c. Ensure that the expenditure of funds authorized for programs pursuant to this Act is
8 consistent with the Act;
- 9 d. Encourage the development of locally designed, innovative programs for gifted and
10 talented pupils;
- 11 e. Assist schools divisions in the development and implementation of staff development
12 programs related to gifted and talented pupils; and
- 13 f. Encourage the development of procedures that assure the ongoing participation of
14 parents of gifted and talented pupils in the planning and evaluation of programs
15 funded pursuant to this Act.

16

17 **SEC. 7. *Schools Divisions*.** –

- 18 a. Schools divisions that elect to provide programs pursuant to this Act may establish
19 programs for gifted and talented pupils consisting of special day classes, part-time
20 groupings, and cluster groupings, consistent with the regulations of the DepEd. These
21 programs shall be planned and organized as an integrated, differentiated learning
22 experience within the regular school day, and may be augmented or supplemented
23 with other differentiated activities related to the core curriculum using such strategies
24 as independent study, acceleration, postsecondary education, and enrichment.
- 25 b. Each participating schools division shall determine the most appropriate curricular
26 components for participating pupils within its division.
- 27 c. For all programs for gifted and talented pupils, including programs for pupils with high
28 creative capabilities and talents in the performing and visual arts, each participating

1 school district shall concentrate part of its curriculum on providing participating pupils
2 with an academic component and, where appropriate, with instruction in basic skills.

3
4 **SEC. 8. Operation of the Program.** – The participating schools division that
5 provides a program for gifted and talented pupils pursuant to this Act may:

6 a. Conduct programs, seminars, and classes for gifted and talented pupils within or
7 without the boundaries of the schools division and, for that purpose, employ
8 instructors, supervisors, and other personnel and provide necessary equipment and
9 supplies; and

10 b. Transport or arrange for transportation of pupils to or from educational institutions
11 where regularly scheduled programs and classes are being conducted.

12
13 **SEC. 9. Appropriation.** – The amount of Fifty Million Pesos (Php
14 50,000,000.00) is hereby authorized to be appropriated from the Special Activities Fund
15 of the President of the Republic of the Philippines, or from any other source that may be
16 identified for the purpose. Thereafter, such sum required for the operation, maintenance,
17 and development activities of the Program shall be included in the annual budget of the
18 Department of Education.

19
20 **SEC. 10. Repealing Clause.** – All laws, rules, regulations, orders, circulars, and
21 memoranda inconsistent with any provisions of this Act are hereby repealed or modified
22 accordingly.

23
24 **SEC. 11. Separability Clause.** – Should any provision of this Act be declared
25 invalid or unconstitutional, no other provisions hereof shall be thereby affected.

26
27 **SEC. 12. Implementing Rules and Regulations.** – The DepEd, shall, within sixty
28 (60) days after the approval of this Act, prepare and issue the necessary guidelines to
29 implement the same.

1 **SEC. 13. *Effectivity.*** – This Act shall take effect fifteen (15) days following its
2 publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,