

Fifteenth Congress of the Republic)
of the Philippines)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

10 JUL 29 P3:30

SENATE

S.B. No. 2198

RECEIVED BY: 

Introduced by Senator Ramon Bong Revilla, Jr.

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.


RAMON BONG REVILLA, JR.

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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:

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

- a) Educational diagnosis and assessment essential in the proper identification of these minors;
- b) Teacher-education (pre-service and a continuing in-service training) for teaching and non teaching personnel to ensure staff competence;
- c) Expanded curriculum development and evaluation to meet the diversified needs of the clientele; and
- d) Continuing research as basis for the improvement of instruction at all levels and in planning and service programming activities including the purchase of special facilities and equipment.

SECTION 2. Definition of Terms. - For the purpose of this bill, the following terms are operationally defined:

- a) Children with behavior problems - those who cannot adjust to the socially accepted norms of behavior and, consequently, disrupt their academic progress, the learning efforts of their classmates, and interpersonal relations. The two categories of children with behavior problems are:
 - 1) The socially maladjusted - they are chronic juvenile offenders who regularly disregard broader social values and rules as a matter of course, substituting in their stead and values and rules of their peer group. Their accepted code of conduct is truancy, fighting, and defiance against constituted authority.

- 2) The emotionally disturbed - those who, although not afflicted with insanity of mental defect, are unable to maintain typical social relations with others and the community, in general, due to emotional problems or complexes.
- b) Children and Youth - persons below twenty-one years of age except those emancipated in accordance with law.
- c) Fast learner - one who is endowed with an above average intellectual capacity.
- d) Handicap - a disadvantage of a given individual resulting from an impairment or disability.
- e) Handicapped individual - any individual who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment and can reasonably be expected to profit from training or vocational rehabilitation
- f) Hearing impaired - one who is deaf or hard-of-hearing. The deaf person is one whose hearing is non-functional for ordinary purposes of life. The hard-of-hearing has a sense of hearing which, although defective, is functional with or without a hearing aid.
- g) Learning disability - a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia and development aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, of mental retardation, or of environmental, cultural, or economic disadvantage.
- h) Mentally gifted and talented - one who is identified at the preschool, elementary, or secondary level as possessing demonstrated or potential abilities that give evidence of high performance capability in areas such as intellectual, creative, specific academic, or leadership ability, or in the performing and visual arts, and who by reason thereof require services or activities not ordinarily provided by the school.
- i) Mentally retarded - one who possesses significantly sub-average general intellectual functioning existing concurrently with impairments in adaptive behavior and manifested during the development period.
- j) Orthopedically-handicapped - one whose impairment permanently or temporarily interferes with the normal functions of the joints, muscles or limbs.
- k) Special education - the education of persons who are physically, mentally, emotionally, or culturally different from the so-called "normal" individuals such that they require modification of school practices and services to develop them to their maximum capabilities.
- l) It is special service over and above the regular school program to meet the unique needs of a handicapped child.
- m) Special Education Center - is an administrative unit serving children/youths with special needs which:
- 1) serves two or more types of children with special needs;
 - 2) is administered by a SPED trained principal head or any qualified staff,
 - 3) provides special education services.

- n) Special education teacher - any teacher who handles a class of children with special needs or renders special education services whether he is formally trained or trained through in-service training, seminars, and workshops.
- o) Special health problems - refer to such health conditions that tend to keep children out of school; chronic and/or debilitating illness like cardiac (heart) diseases, asthma, diabetes, TB and other respiratory ailments, carcinoma allergy, epilepsy, malnutrition, and others.
- p) Special Schools - an educational unit that:
 - 1. serves only one exceptionally
 - 2. may or may not be residential
 - 3. has its own appropriation
- q) Speech defective/handicapped - one whose speech differs from the average so far as to draw unfavorable attention to the manner of speaking rather than to the thought conveyed.
- r) Visually impaired - one who is blind or partially sighted. A person is blind if he has a visual acuity of 20/200 or less in the better eye after maximum correction. The partially seeing person retains a relatively low degree of vision and can read only enlarged print or who has some remaining vision thereby making it possible for him to read limited amounts of regular prints under very special conditions.

SECTION 3. Organizations. - Every school division shall organized special classes for gifted and handicapped children and youth. The organization of preschool classes for these minors shall be strongly encouraged to ensure early educational intervention.

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

SECTION 4. Special Services. - Special schools and special education centers shall offer a range of special services which shall include medical, psychological and social services, diagnostic counseling, vocational and recreational services. Regular schools with special education classes shall likewise provide and above services, among other services.

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

SECTION 6. Skills Training. - Vocational education and training shall be provided and strengthened to render the handicapped children and youth more skilful and competitive in the labor market.

SECTION 7. Teacher Items. - The present items of teachers now handling special education classes shall be reclassified to special education teachers' items whenever requirements are met. Items for special education supervisor in each school division and each regional office, and principal of Special Education Centers shall be created for effective administration and supervision of the special education program.

SECTION 8. Teacher Training. - All teacher training institutions, public or private, offering Bachelors degree in Education shall offer Special Education courses as basic knowledge to students in teacher education.

SECTION 9. Authority of the Secretary of Education. - The Secretary of Education is charged with the administration and enforcement of the provisions of this Act and shall promulgate and issue the necessary implementing rules and regulations.

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

SECTION 10. Appropriation. - The sum of Twenty million pesos (P20, 000,000.00) is hereby authorized to be appropriated out of the funds in the National Treasury not otherwise appropriated, to carry out the provisions of this Act. Thereafter, adequate sums as may be necessary to sustain and maintain the program mandated in this Act shall be included in the budget of the Department of Education in the General Appropriations Act.

SECTION 11. Separability Clause. - In the event that any provision of this Act, or a part or parts thereof is declared invalid or unconstitutional, the remaining provisions or parts thereof shall be considered valid and binding for the purposes of this Act.

SECTION 12. Repealing Clause. - Any law, act, decree, order, proclamation or regulation or part or parts thereof which are inconsistent with this Act are hereby repealed

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

Approved,