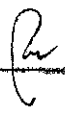


SENATE  
S. No. 2234

RECEIVED BY: 

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article 11, 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 Blg. 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 (DepDd), 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>


*acw*   
MIRIAM DEFENSOR SANTIAGO

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

10 JUN -2 12:09

SENATE  
S. No. 2234

RECEIVED BY 

Introduced by Senator Miriam Defensor Santiago

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

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

4 SECTION 1. *Short Title.* - . This Act shall be known as the "Schools for Children with  
5 Special Needs Act".

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

11 SECTION 3. *Definition of Terms.*

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

17 2. Accredited teachers - teachers accredited by the Department of Education  
18 (DepEd) to teach children with special needs

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

1 shall be divided into divisions which are required in order to adapt to the different needs of the  
2 children, *e.g.* one section for the physically disabled, one section for the mentally challenged,  
3 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 special needs  
7 shall be for free and no monetary fee shall be collected from the students except for donations  
8 and other contributions. Provided, that the amount of contributions allowed to be collected by the  
9 schools for children with special needs shall be regulated by the implementing rules and  
10 regulations to be set by the DepEd.

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

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

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

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

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

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

Approved,

/ptm02july2010