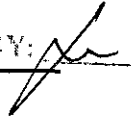


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

'11 OCT 20 P3:44

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 75

Submitted jointly by the Committees on Education, Arts and Culture; Youth, Women and Family Relations; Finance; Ways and Means; and Local Government on
OCT 20 2011

Re: Senate Bill No. 3002

Recommending its approval in substitution of Senate Bill Nos. 660, 907, 1155, 1157, 1161, 1816, 1912, 2198, 2234, 2510, and 2358 taking into consideration Senate Bill Nos. 40, 235, 390, 619, 810, 922, 965, 1273, 1427, 1889, 1979, and 2081.

Sponsor: Senator Angara.

MR. PRESIDENT:

The Committees on Education, Arts and Culture; Youth, Women and Family Relations; Finance; Ways and Means; and Local Government, to which were referred Senate Bill No.660, introduced by Senator Ejercito-Estrada, entitled:

**“AN ACT
TO EXPAND AND REVITALIZE THE SPECIAL EDUCATION
PROGRAM FOR GIFTED AND HANDICAPPED CHILDREN AND
YOUTH IN THE PHILIPPINES”**

Senate Bill No.907, introduced by Senator Ejercito-Estrada, entitled:

**“AN ACT
ESTABLISHING AT LEAST ONE (1) SPECIAL EDUCATION (SPED)
CENTER FOR EACH SCHOOL DIVISION AND AT LEAST (3) SPED**

CENTERS IN EVERY SCHOOL DIVISIONS FOR CHILDREN WITH SPECIAL NEEDS (CSN), CREATING THE IMPLEMENTING MACHINERY THEREOF, PROVIDING GUIDELINES FOR GOVERNMENT FINANCIAL ASSISTANCE AND OTHER INCENTIVES AND SUPPORT FOR OTHER PURPOSES”

Senate Bill No.1155, introduced by Senator Villar, entitled:

“AN ACT

ESTABLISHING FREE SPECIAL EDUCATION CLASSES FOR THE PHYSICALLY DISABLED PERSONS WHO WILL ENROLL IN ALL PUBLIC ELEMENTARY AND SECONDARY SCHOOLS OF THE COUNTRY, AND APPROPRIATING FUNDS THEREFOR”

Senate Bill No.1157, introduced by Senator Villar, entitled:

“AN ACT

TO EXPAND AND REVITALIZE THE SPECIAL EDUCATION PROGRAM FOR GIFTED AND HANDICAPPED CHILDREN AND YOUTH IN THE PHILIPPINES”

Senate Bill No.1161, introduced by Senator Villar, entitled:

“AN ACT

PROVIDING FOR THE CREATION OF MUNICIPAL SPECIAL EDUCATION CENTERS FOR DEAF-MUTE AND BLIND CHILDREN APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES”

Senate Bill No.1816, introduced by Senators Defensor-Santiago; and Lapid, entitled:

“AN ACT

PROVIDING FOR THE CREATION OF MUNICIPAL SPECIAL EDUCATION CENTERS FOR THE DEAF-MUTE AND BLIND CHILDREN APPROPRIATING FUNDS THEREFOR”

Senate Bill No.1912, introduced by Senator Defensor-Santiago, entitled:

“AN ACT

ESTABLISHING AT LEAST ONE (1) SPECIAL EDUCATION CENTER FOR EACH SCHOOL DIVISION AND AT LEAST THREE (3) SPECIAL EDUCATION CENTERS IN BIG SCHOOL DIVISIONS FOR CHILDREN WITH SPECIAL NEEDS, GUIDELINES FOR GOVERNMENT FINANCIAL ASSISTANCE AND OTHER INCENTIVES AND SUPPORT”

Senate Bill No.2198, introduced by Senator Revilla, entitled:

“AN ACT

TO EXPAND AND REVITALIZE THE SPECIAL EDUCATION PROGRAM FOR GIFTED AND HANDICAPPED CHILDREN AND YOUTH IN THE PHILIPPINES”

Senate Bill No.2234, introduced by Senator Defensor-Santiago, entitled:

“AN ACT

PROVIDING FOR THE ESTABLISHMENT OF ONE SCHOOL FOR CHILDREN WITH SPECIAL NEEDS IN EVERY MUNICIPALITY THROUGHOUT THE COUNTRY”

Senate Bill No.2510, introduced by Senator Lapid, entitled:

“AN ACT

TO EXPAND AND REVITALIZE THE SPECIAL EDUCATION PROGRAM FOR GIFTED AND HANDICAPPED CHILDREN AND YOUTH IN THE PHILIPPINES”

and Senate Bill No. 2358 ¹entitled:

“AN ACT

ESTABLISHING AT LEAST ONE (1) SPECIAL EDUCATION CENTER FOR EACH SCHOOL DIVISION AND AT LEAST THREE (3) SPECIAL EDUCATION CENTERS IN BIG SCHOOL DIVISIONS

¹ Per manifestation as reflected in the Journal of August 16, 2011.

**FOR CHILDREN WITH SPECIAL NEEDS, GUIDELINES FOR
GOVERNMENT FINANCIAL ASSISTANCE AND OTHER
INCENTIVES AND SUPPORT”**

Taking into consideration Senate Bill No. 40, introduced by Senators Lapid; and Recto, entitled:

**“AN ACT
INSTITUTING A NATIONAL COMPREHENSIVE PROGRAM ON
AUTISM AND FOR OTHER PURPOSES”**

Senate Bill No. 235, introduced by Senator Trillanes, entitled:

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

Senate Bill No.390, introduced by Senator Trillanes, entitled:

**“AN ACT
STRENGTHENING THE LITERACY PROGRAM FOR BLIND OR
VISUALLY IMPAIRED STUDENTS; DETERMINING THE NEED FOR
BRAILLE INSTRUCTION; PROVIDING FUNDS THEREFOR, AND
FOR OTHER PURPOSES”**

Senate Bill No.619, introduced by Senator Ejercito-Estrada, entitled:

**“AN ACT
PROVIDING FREE AND SUITABLE PUBLIC EDUCATION FOR
HANDICAPPED CHILDREN AND APPROPRIATING FUNDS
THEREFOR”**

Senate Bill No.810, introduced by Senator Ejercito-Estrada, entitled:

**“AN ACT
ESTABLISHING A CENTER FOR AUTISM AND FOR OTHER
PURPOSES”**

Senate Bill No.922, introduced by Senator Ejercito-Estrada, entitled:

**“AN ACT
GIVING INDIGENT BUT GIFTED AND TALENTED STUDENTS THE
OPPORTUNITY TO DEVELOP THEIR CAPABILITIES”**

Senate Bill No.965, introduced by Senator Lapid, entitled:

**“AN ACT
PROVIDING INDIGENT BUT GIFTED AND TALENTED STUDENTS
THE HOLISTIC OPPORTUNITY TO DEVELOP THEIR
CAPABILITIES, AND FOR OTHER PURPOSES”**

Senate Bill No.1273, introduced by Senator Villar, entitled:

**“AN ACT
ESTABLISHING AUTISM REGISTRY”**

Senate Bill No.1427, introduced by Senator Legarda, entitled:

**“AN ACT
PROVIDING FREE AND SUITABLE PUBLIC EDUCATION FOR
CHILDREN WITH DISABILITIES AND APPROPRIATING FUNDS
THEREFOR”**

Senate Bill No.1889, introduced by Senator Defensor-Santiago, entitled:

**“AN ACT
GRANTING INDIGENT BUT GIFTED AND TALENTED STUDENTS
THE OPPORTUNITY TO DEVELOP THEIR CAPABILITIES”**

Senate Bill No.1979, introduced by Senator Revilla, entitled:

**“AN ACT
GIVING INDIGENT BUT GIFTED AND TALENTED STUDENTS THE
OPPORTUNITY TO DEVELOP THEIR CAPABILITIES, AND FOR
OTHER PURPOSES”**

Senate Bill No.2081, introduced by Senator Cayetano P., entitled:

**“AN ACT
ESTABLISHING THE PHILIPPINE SPECIAL CHILDREN CENTER,
PROVIDING FUNDS THEREFOR, 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 bill, Senate Bill No. 3002, prepared by the Committees, entitled:

**“AN ACT
INSTITUTING INCLUSIVE EDUCATION THROUGH SPECIAL
EDUCATION IN ALL PUBLIC AND PRIVATE ELEMENTARY AND
SECONDARY SCHOOLS NATIONWIDE FOR CHILDREN AND
YOUTH WITH SPECIAL NEEDS AND ESTABLISHMENT OF THE
BUREAU OF SPECIAL EDUCATION CREATING THE
IMPLEMENTING MACHINERY THEREOF, PROVIDING
GUIDELINES FOR GOVERNMENT FINANCIAL ASSISTANCE AND
OTHER INCENTIVES AND SUPPORT FOR OTHER PURPOSES”**

be approved in substitution of Senate Bill Nos. 660, 907, 1155, 1157, 1161, 1816, 1912, 2198, 2234, 2510, and 2358, taking into consideration Senate Bill Nos. 40, 235, 390, 619, 810, 922, 965, 1273, 1427, 1889, 1979, and 2081 with Senators Ejercito-Estrada, Villar, Defensor-Santiago, Revilla, Lapid, Recto, Trillanes, Legarda, Cayetano P., Angara, Drilon, Marcos and the Committee on Rules² as authors.

² Per manifestation as reflected in the Journal of August 16, 2011.

Chairs:


PIA S. CAYETANO

Committee on Youth, Women and Family Relations
Member, Committees on Education, Arts and Culture;
Finance; Ways and Means; and Local Government


EDGARDO J. ANGARA

Committee on Education, Arts and Culture
Member, Committees on Youth, Women and
Family Relations; Ways and Means; Finance;
and Local Government

With very strong reservation,
I will amend, Sec 23. Will
interpellate


FRANKLIN M. DRILON

Committee on Finance
Vice-Chair, Committee on Ways and Means
Member, Committee on Education, Arts and Culture

with the same
observations of Sen.


RALPH G. RECTO

will amend
Committee on Ways and Means
Member, Committees on Finance;
and Local Government


FERDINAND R. MARCOS, JR.

Committee on Local Government
Member, Committees on Education, Arts and Culture;
Youth, Women and Family Relations; and Finance

Vice-Chairs:

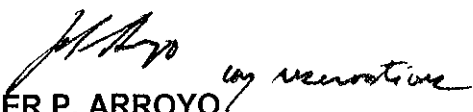

MANNY VILLAR

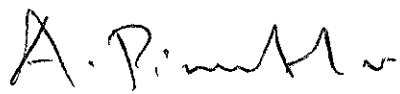
Committee on Youth, Women and Family Relations
Member, Committees on Education, Arts and Culture;
Finance; Ways and Means; and Local Government



LOREN LEGARDA

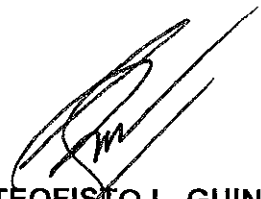
Committees on Education, Arts and Culture;
and Youth, Women and Family Relations
Member, Committees on Finance; and Local
Government

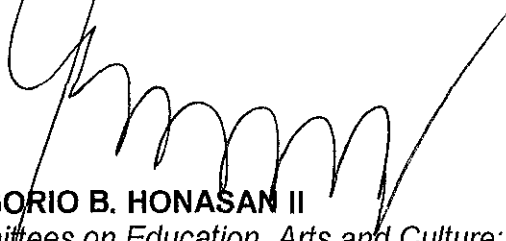
Members:



JOKER P. ARROYO
*Committees on Education, Arts and Culture;
Finance; Ways and Means; and Local Government*

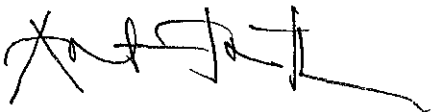

AQUILINO "KOKO" L. PIMENTEL III
*Committees on Education, Arts and Culture;
Youth, Women and Family Relations; Finance
and Local Government*



FRANCIS N. PANGILINAN
*Committees on Education, Arts and Culture;
Finance; and Ways and Means*


TEOFISTO L. GUINGONA III
*Committees on Education, Arts and Culture;
Finance; and Ways and Means*


GREGORIO B. HONASAN II
*Committees on Education, Arts and Culture;
Youth, Women and Family Relations; Finance;
Ways and Means; and Local Government*

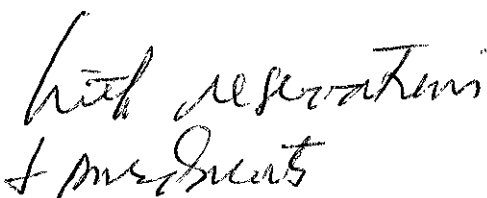

RAMON "BONG" REVILLA, JR.
*Committees on Education, Arts and Culture;
Finance; Ways and Means; and Local
Government*


ANTONIO TRILLANES IV
*Committees on Education, Arts and Culture;
Youth, Women and Family Relations;
Ways and Means; and Local Government*


MANUEL "LITO" M. LAPID
*Committees on Education, Arts and Culture;
Youth, Women and Family Relations; Finance
Ways and Means; and Local Government*




PANFILO M. LACSON
*Committees on Finance; and
Local Government*



*with reservations
& amendments*

SERGIO R. OSMEÑA III
*Committees on Education, Arts and Culture;
Finance; and Ways and Means*



FRANCIS G. ESCUDERO
*Committees on Finance;
Ways and Means; and Local Government*

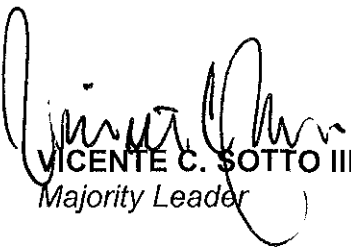


MIRIAM DEFENSOR SANTIAGO
Committees on Finance; and Ways and Means

Ex-Officio Members:



JINGGOY EJERCITO-ESTRADA
President Pro-Tempore



VICENTE C. SOTTO III
Majority Leader

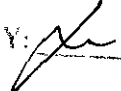
ALAN PETER "COMPAÑERO" S. CAYETANO
Minority Leader

Hon. JUAN PONCE ENRILE
*Senate President
Senate of the Philippines
Pasay City*

11 OCT 20 P3:44

SENATE

S. No. 3002

RECEIVED BY: 

Prepared by the Committees on Education, Arts and Culture; Youth, Women and Family Relations; Finance; Ways and Means; and Local Government with Senators Ejercito-Estrada, Villar, Defensor-Santiago, Lapid, Revilla, Recto, Trillanes, Legarda, Cayetano P., Angara, Drilon, Marcos and the Committee on Rules¹ as authors.

“AN ACT

INSTITUTING INCLUSIVE EDUCATION THROUGH SPECIAL EDUCATION IN ALL PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS NATIONWIDE FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS AND ESTABLISHMENT OF THE BUREAU OF SPECIAL EDUCATION CREATING THE IMPLEMENTING MACHINERY THEREOF, PROVIDING GUIDELINES FOR GOVERNMENT FINANCIAL ASSISTANCE AND OTHER INCENTIVES AND SUPPORT FOR OTHER PURPOSES ”

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

- 1 **SECTION 1. Title.** *This Act shall be known as the “Special Education Act”.*
- 2 **SEC. 2. Declaration of Policy.** It is hereby declared the policy of the State
- 3 to protect and promote the rights of children with special needs (CSN) to quality
- 4 education and to take appropriate steps to make such education accessible to them.
- 5 The State recognizes their vital role in national development and that finding
- 6 solutions to their problems forms an integral part of national development strategies.
- 7 It is also the policy of the State to give full support for their welfare and
- 8 development to ensure their full integration to society as well as to facilitate their
- 9 active participation in the affairs of the State. Towards this end, and also pursuant
- 10 to the mandate stated in Section 13 of Article 2, Sec. 13 of Article 13 of the 1987
- 11 Constitution, Article 3 of P.D. 603, Sections 12-14 of Republic Act No. 7277, Article

¹ Per manifestation as reflected in the Journal of August 16, 2011.

1 24 of the UNCRPD, Convention on the Rights of the Child (CRC), the Salamanca
2 Statement and Framework for Action on Special Needs Education, Education for All
3 (EFA) the State shall institutionalize an adequate and relevant educational program
4 for every child with special needs through the establishment of SPED Centers and of
5 their vital support mechanisms. Thus, all CSN, irrespective of the degree of sensory,
6 physically or intellectual disability or need, will have the opportunity to be educated in
7 the most educationally enhancing environment consistent with the provision of a
8 quality education that best meets their needs.

9 **SEC. 3. Objectives.** The objectives of the Special Education Act are:

10 (a) To provide access to basic education among CYSN namely the gifted
11 and talented, children with developmental delays: those with intellectual disability,
12 with visual impairment, with hearing impairment, with orthopedic impairment, with
13 physical impairment, with learning disability, with speech defects, with behavior
14 problems, with autism, and those with health problems through the formal system
15 and other alternative delivery service in education;

16 (b) To ensure that CYSN fully develop their abilities, talents, interests and
17 all aspects of their development to become more responsible for their lives and more
18 effective partners in all of the affairs and concerns of the country.

19 (c) To ensure the CYSN understand, appreciate and respect differences
20 among groups and members in society and also to understand the nature of society
21 in which they live;

22 (d) To inform the parents about the full continuum of services, possible
23 placement options during discussions about their children's education and other
24 relevant information to enable them to make informed decisions and choices;

25 (e) To equip the parents and other caregivers and the teachers with the
26 capabilities to identify, prevent, refer and intervene with the developmental disorders
27 and disabilities of children as well as in the relevant individual programing, planning
28 for the student where such program differs significantly for the standard curriculum
29 and other matters that enhance the role of parents and other caregivers as the
30 primary educators that caregivers of their children from birth onward;

31 (f) To involve private groups, local government units and national
32 agencies other than the Department of Education, in the education of children with
33 special needs;

1 (g) To effectuate significant and positive changes in community attitudes
2 towards disability and the need to provide special education, care and other needs of
3 children with special needs.

4 **SEC. 4. Definition of Terms.** For the purposes of this Act, these terms are
5 defined as follows:

6 (a) Disability shall mean

7 1) a physical or mental impairment that substantially limits one or more
8 psychological, physiological or anatomical function of an individual or activities of
9 such individual;

10 2) a record of such an impairment;

11 3) being regarded as having such an impairment.

12 (b) Impairment is any loss, diminution or aberration or psychological,
13 physiological or anatomical structure or function;

14 (c) Handicap refers to a disadvantage of a given individual, resulting from
15 an impairment or a disability that limits or prevents the functions or activity that is
16 considered normal given the age and gender of the individual.

17 (d) Persons with disabilities are those suffering from restriction or different
18 abilities as a result of a mental, physical, sensory or neurological impairment, to
19 perform an activity in the manner or within the range considered normal for a human
20 being;

21 (e) Marginalized/disadvantaged disabled persons refer to disabled persons
22 who lack access to rehabilitate service and educational opportunities due to poverty,
23 abandonment, illness and other form of neglect. For purposes of this Act, the word
24 "poor" are those who either have no means of livelihood or have incomes below
25 poverty threshold;

26 (f) Children and youth with special needs are the gifted and talented and
27 those who are disabled, impaired and handicapped persons in need of special
28 education as well as services for rehabilitation. He/she differs from the average child
29 in 1) mental characteristics; 2) sensory abilities; 3) neuro-muscular or physical
30 characteristics; 4) social; 5) multiple handicaps; and/or 6) has a developmental lag
31 to such an extent that requires modified school practices or special education
32 services to develop to his maximum capability. They include persons aged 0-21
33 years old and may be as follows:

1 1. Gifted and Talented children are those capable of superior
2 performance and these include those with demonstrated achievements or potential
3 ability in one or more of the following areas: general intellectual ability, special
4 aptitude, creative or productive thinking ability, leadership ability or those individuals
5 who consistently manifest the following cluster of traits: above average ability
6 (including intelligence), high creativity (implies the developmental appreciation of
7 innovative ideas) and high task commitment (related to a high degree of motivation)
8 and those who by reason thereof, require services or activities not or ordinarily
9 provided by the school

10 2. The Intellectually Disabled are those who have substantial limitation in
11 present functioning characterized by significant sub-average intellectual functioning,
12 existing concurrently with the related limitation in two or more of the applicable
13 adaptive skill areas; communication, self-direction, home living, social skills,
14 community use, self-direction, health and safety, functional academics, leisure and
15 work;

16 3. The Visually impaired are those who are blind or having a low vision. A
17 person is blind if he has a visual acuity of 20/200 or less in a better eye after
18 maximum correction. The low vision person retains a relatively low degree of vision
19 and can read only enlarged print of regular or regular or regular print under special
20 condition;

21 4. The Hearing Impaired are those who are deaf or hard-of-hearing. The
22 deaf person is one whose hearing is functional for ordinary purpose in life. The hard-
23 of-hearing has a sense of hearing which although defective is functional without a
24 hearing aid;

25 5. Children and youth with behavior problems are those who cannot
26 adjust to the socially accepted norms or behavior and consequently disrupt their
27 academic progress, the learning efforts of their classmates and interpersonal
28 relations;

29 6. The Orthopedically Handicapped are those whose impairment
30 permanently or temporarily interferes with the normal functions of the joints, muscles
31 or limbs;

32 7. Children and youth with special health problems are those who have
33 health conditions that tend to keep children out-of –school or those with chronic

1 and/or illness like cardiac (heart) diseases, asthma, diabetes, tuberculosis and other
2 respiratory ailments, carcenonza, epilepsy, malnutrition and others;

3 8. Children and youth with learning disabilities are those whose although
4 normal in sensory, emotional and intellectual abilities exhibit disorders in perception,
5 listening, thinking, reading, writing, spelling or arithmetic. They have such condition
6 as perceptual handicap, brain injury, minimal brain dysfunction, dyslexia and
7 developmental aphasia;

8 9. The Speech impaired are those whose speech differs from the average
9 so far as to draw unfavorable attention to the manner of speaking rather than the
10 thought conveyed;

11 10. Persons with Autism are those with developmental disabilities, having
12 onset before 30 months of age which is marked by disturbance in development,
13 language and relationship with persons, activities and objects and which may co-
14 exist with intellectual disability and epilepsy. Children afflicted with this disorder
15 have perceptual, cognitive communication and social difficulties which change over
16 time.

17 (g) Auxilliary aids and services are services that are basically non-
18 education but impinge on the education process of the child with special needs.
19 These include:

20 1. therapy;

21 2. qualified interpreters or other effective methods of delivering materials
22 to individuals with hearing impairments;

23 3. qualified readers, taped test or other effective methods of delivering
24 materials to individuals with visual impairments;

25 4. acquisition or modification of equipment or device;

26 5. other similar services and actions or all types of aids and services that
27 facilitate the learning process of people with mental disability;

28 (h) Augmentative and alternative communication devices are special
29 instructional materials like a textbook in Braille, large type or any other medium or
30 any apparatus that conveys information to student or otherwise contributes to the
31 learning process.

32 (i) Private sectors participation encompasses all forms of indispensable,
33 substantial and meaningful participation of private individuals, partnership, groups or
34 entities, community-based organization or non-governmental organizations in the

1 delivery of educational and rehabilitative services for students and children with
2 special needs.

3 (j) Basic Education consists of at least six (6) years of elementary
4 education and at least four (4) of secondary education including early years of
5 education.

6 (k) Special Education is basic education that takes into account the special
7 needs of both the disabled children and the gifted and talented that requires a
8 systematic and deliberate process for them to achieve functional literacy and which
9 will bring the individual to the highest level of his (1)potential and capacity. It is also
10 defined as the type of education tailored to meet the needs of children who cannot
11 profit because of disabilities or exceptional abilities.

12 (l) Functional literacy is the level of literacy necessary for the children and
13 youth to become useful citizens and effective members of the society.

14 **SEC. 5. Coverage.** – This Act shall cover student and children and youth
15 with special needs nationwide.

16 **SEC. 6. Creation of the Bureau of Special Education** – To attain the
17 objectives of this Act, the Bureau of Special Education (BSPED), hereinafter referred
18 to as the Bureau, is hereby created to institutionalize and govern special education
19 in the Philippines. The Bureau is primarily tasked in the formulation and
20 administration of an appropriate curriculum and developmentally-suited programs to
21 primarily achieve functional literacy of the children and youth with special needs and
22 ensure their inclusion to society. The full continuum of educational services shall
23 also be made available by the bureau to those CSN below school age through
24 regular home visits, consultations, day care activities and any other properties
25 medium or program.

26 BSPED shall function as a regular bureau of the Department of
27 Education, under the direct supervision of the Department Secretary and to be
28 headed by a director and assistant director.

29 The divisions chiefs shall serve as heads for the (1) Gifted and Talented
30 Children and Youth Division (GCYD); and (2) Children and Youth with Disabilities
31 Division (CYDD) with the staffing needs to be equitably distributed in accordance
32 with the current needs and concerns of their respective divisions. They shall assist
33 the director in the formulation, implementation and improvement of the framework
34 and components of the special education program.

1 The Philippine Printing House for the Blind under the existing organization
2 structure of DepED shall become part of the CYDD.

3 **SEC. 7. SPED Centers in Regular Schools.** – At least one (1) special
4 education (SPED) center for each school division and at least three (3) SPED
5 Centers in big school divisions shall be established in regular schools, where there
6 are no existing SPED Centers. These SPED Centers shall be administered by the
7 principal of the regular school.

8 The SPED Center shall function as the Resource Center for the
9 implementation of inclusive education that will accept all kinds of children in regular
10 schools. It shall support children and youth with special needs integrated and
11 included in regular schools and b) assist in the conduct of school-based training; c)
12 produce appropriate teaching materials, and d) conduct of assessment of children
13 and youth with special needs.

14 Each SPED Center shall have at least the following staff who shall have
15 qualifications as to DepEd standards. They will have a starting salary classification of
16 Grade 13:

- 17 a) 1 SPED teacher for the gifted and talented;
- 18 b) 1 SPED teacher for children and youth with intellectually disabled;
- 19 c) 1 SPED teacher for children and youth with visual impairment;
- 20 d) 1 SPED teacher for children and youth with hearing impairment;
- 21 e) 1 SPED teacher for children and youth with autism;
- 22 f) 1 SPED teacher for children and youth with learning disability;
- 23 g) 1 SPED teacher for children and youth with behavior problems.

24 SPED teachers should work cooperatively with regular teachers.

25 There shall be an assistant principal for each SPED Center. He/she shall
26 administer and supervise the alternative educational program, early intervention
27 programs, monitoring, supervision and technical assistance and human resource
28 training/SPED personnel enhancement programs, referral and placement
29 procedures, advisory services and other components of the special education
30 program in his/her jurisdiction. He/she shall also be responsible for the formation
31 and supervision of placement committee under his/her jurisdiction as well as in the
32 resolution of disagreement on placement and services.

33 **SEC. 8. Other Personnel of SPED Centers.** – One educational
34 psychologist or psychometrician, one social worker, one education supervisor and

1 one medical health officer for each city, and province shall be appointed, among
2 other responsibilities, shall comprise the administrative core and placement
3 committee of the SPED unit in the area. They shall also be jointly tasked to develop
4 and maintain a database in special education in their respective jurisdiction. The
5 placement committee shall, among others, ensure that students with disabilities are
6 educated as close as possible to their homes and alongside their age-appropriate
7 peer groups, and that these students attend their local schools or travel the distance
8 possible in the availment of educational services, in consultation with, and active
9 participation of parents.

10 **SEC. 9. *Itinerant/Mobile SPED teachers.*** – Itinerant/ Mobile SPED
11 teachers shall also be appointed whenever necessary and on a needs basis. He/she
12 shall assist isolated or remote schools with specialized equipment, individual
13 programs, curriculum adjustment, teaching aids and building modifications.

14 **SEC. 10. *Authority of the Secretary of Education to Give Grants to,***
15 ***or Enter into Cooperative Arrangement for the Creation of SPED Centers.*** -
16 The Secretary of Education is hereby authorized to give grants to, or enter into
17 cooperative arrangement or contracts with public or private non-profit agencies,
18 institutions or organization for the establishment or creation of SPED Centers for
19 children and youth with special needs: Provided, That a grant made pursuant to this
20 Section may be made only for the following or similar programs:

21 (a) Technical assistance of SPED Centers providing educational
22 assistance for children with special needs (CSN);

23 (b) Pre-service or in-service training of professionals or related services
24 personnel preparing to serve or serving CSN;

25 (c) Replication of successful innovative approaches to providing
26 educational or related services to CSN;

27 (d) Facilities of parental involvement in the education of their CSN;

28 (e) Diagnosis and educational evaluation of CSN at risk of being certified
29 CSN;

30 (f) Consultative, counseling and training services for the families of CSN;

31 (g) Familiarization of the municipality or city to be served by a SPED
32 Center with the problems and potentialities of such children.

33 **SEC. 11. *Provision for Continuing Research to Identify Special Needs***
34 ***of CYSN.*** – The Bureau of Special Education (BSPED) by itself or in associate with

1 such organizations or institutions as are determined by the DepEd Secretary to be
2 appropriate, shall undertake continuing research to identify and design programs that
3 meet the full range of children with special needs: Provided, That such continuing
4 research shall also be used to develop instructional techniques for used by the
5 SPED Centers that will improve the CSN's acquisition of skills necessary for
6 transition to independent living, vocational training or competitive development.
7 Provided, Finally, That such continuing research shall further be used to design
8 physical education and therapeutic recreation program for use by the Center to
9 increase the potential of CSN for community participation.

10 **SEC. 12. *Student Assistance.*** The Bureau shall provide financial
11 assistance to economically marginalized but deserving students with special needs
12 at the elementary and secondary levels, including any post-secondary or tertiary
13 education which may come in the form of scholarship grants, transportation
14 allowance, food allowance, board and lodging allowance, book allowance, student
15 loan programs, artistic and cultural tours, training and programs, subsidies and other
16 incentives. Marginalized disabled persons and those coming from indigenous
17 communities shall be the priority in the grant of the aforesaid assistance.

18 Social equipment like wheelchair, crutches, special toilet and hygiene
19 requirements, hearing aids, eyeglasses and the like required by the children and
20 youth to optimize education and participation in the educational process shall also be
21 provided for free and at discounted rates to deserving students and at very
22 affordable rates in general through a reasonable funding scheme that shall be
23 designated by the Bureau.

24 **SEC. 13. *Medical Assistance.*** The Bureau shall prepare a scheme that
25 will ensure adequate and free medical assistance and intervention programs,
26 including those essential to the student or child's rehabilitation like therapy,
27 psychometric assessments, medical examinations and the like with government
28 clinics, hospitals and other health facilities. In case medical needs are not offered by
29 the nearest or accessible government clinics, hospitals and other health facilities or
30 cannot be obtained by reason of critical immediacy or the need to obtain a more
31 specialized or advance treatment, they can avail of the services of the private clinics,
32 hospitals and other specialized agencies through tax incentives. For this purpose,
33 as far as practicable or on a case-to-case basis, as may be determined by the
34 Bureau, health care insurance programs may be instituted.

1 **SEC. 14. *Nutritional Programs.*** The nutritional programs of CSN shall
2 be supervised by the National Nutrition Council and the Department of Health in
3 coordination with the local government unit health officer.

4 **SEC. 15. *Establishment of Child Development Center.*** Child
5 Development Care Centers especially designed for pre-school children and their
6 parents, where early identification of disabilities and special needs and early
7 learning intervention will be administered, shall also be established near or within
8 SPED centers or those that will be created by the bureau with support of the local
9 government units in the area. As far as practicable, existing day care centers and
10 facilities shall be maximized.

11 **SEC. 16. *Recreational and Artistic Opportunities.*** The Bureau shall
12 institute and include a program for children and youth with special needs to provide
13 them full opportunities for safe and wholesome recreation and activities, individual as
14 well as social, for the wholesome use of his leisure hours and for the advancement
15 of their physical, mental, social and cultural development.

16 **SEC. 17. *Continuing Education and Assistance to Teachers or***
17 ***Instructors of Children and Youth with Special Needs.*** – The Bureau shall
18 enhance the gift of the teachers/instructors to professional advancement and ensure
19 that the teaching staff attract the best available talents through adequate
20 remuneration, scholarship and training grants; teacher exchange programs,
21 incentives and allowance and other means of securing job satisfaction and fulfillment
22 as well as their lone and stable tenure in their respective posts. A similar program
23 shall be designed for support personnel like interpreters, psychologist, social workers
24 and other also involved in the education and rehabilitation of the children and youth.

25 **SEC. 18. *Parent, Sibling, and Caregiver Education.*** There shall be a
26 formal training and counseling program for parents, sibling and caregivers for them
27 to acquire a working knowledge of special education, gain an understanding of the
28 psychology of children with special needs, be aware of their crucial role as educators
29 and gain knowledge and skills on how each parent, sibling or caregiver could
30 maximize his/her services for the optimum development of the potential of the
31 children and youth.

32 **SEC. 19. *Special Instructional Materials.*** Publishers shall grant to the
33 DepEd BSPED the authority to transcribe adopted instructional materials into Braille,
34 large type and audio tape without penalty or royalty. Furthermore, on or before the

1 second working day after the adoption of textbook titles by the DepEd, each
2 publisher of newly adopted instructional materials shall provide computerized files as
3 specified by the DepEd which may be copied and distributed to a school division,
4 upon request, for instructional purposes.

5 Copies of these instructional materials shall be furnished without cost to
6 either the student or teacher who is blind or visually impaired. The materials are to
7 be loaned to the public school districts as long as needed and are to be returned to
8 BSPED when no longer needed.

9 **SEC. 20. *Incentives to Private Sector Participation.*** Partnership
10 between the government and private institutions catering to the needs of children
11 and youth with special needs shall be encouraged. In this regard, the Department of
12 Education, in coordination with the Department of Finance, Department of Interior
13 and Local Government, Department of Science and Technology, Department of
14 Trade and Industry, shall draw up a scheme to provide incentives that will include tax
15 deductions, loan assistance and technological or scientific assistance to encourage
16 private participation in the education and rehabilitation of CYSN.

17 **SEC. 21. *Local Government Unit Participation.*** – The local government
18 units shall be responsible for the:

19 a) Provision of building or centers and sites where there are no existing
20 school facilities that will house the special education of children/students with special
21 needs as well as the establishment of day care centers as mentioned in Section 15;

22 b) Organization of one (1) parent-teacher association in every school in
23 their respective jurisdictions offering special education to children and youth with
24 special needs;

25 c) Identification, coordination and the tapping of public and private
26 volunteers and private organizations, national or international, for information
27 dissemination campaigns, funding programs and other projects to augment the
28 funding of equipment for SPED programs, among others;

29 d) Provisions of counterpart funds for the training and seminars of parents
30 and teachers and nutritional programs for the children and youth with special needs
31 in their respective localities to be determined by the Bureau, in coordination with the
32 Department of Budget and Management and the Department of Finance.

33 **SEC. 22. *Public Information, Education and Communication.*** – A
34 nationwide information dissemination campaign on prevention, early identification

1 and intervention programs for children with special needs shall be intensified. This
2 shall be the joint responsibility of the Philippine Information Agency (PIA), Council
3 for the Welfare of Children (CWC) and the Department of Education (DepEd). The
4 DepEd, in collaboration with the Department of Health, Department of Labor and
5 Employment (DOLE) and the Local Government Unit shall also disseminate
6 materials and information concerning effective practices in working with, training and
7 education of CYSN.

8 **SEC. 23. Appropriations.** – For the implementation of this Act, the
9 amount of Six Hundred Million Pesos (P600,000,000.00) per year for five (5)
10 consecutive years is hereby appropriated for the SPED program to be included in the
11 General Appropriations Act.

12 A supplementary appropriation in the amount of Twenty Million Pesos
13 (P20,000,000.00) to be sourced from the President’s Social Fund and the Philippine
14 Amusement and Gaming Corporation (PAGCOR) shall be provided to BSPED as a
15 reserve fund for every year of operation immediately upon approval of this Act. This
16 shall be used exclusively to augment funding for auxilliary aids and services.

17 Government incentives and support provided by the DepEd, DOF, DOH,
18 DILG, LGU, CWC and the National Council for Disability Affairs shall also be included
19 in their respective annual budget in the General Appropriations Act.

20 **SEC. 24. Implementation.** – The Department of Education through the
21 Bureau of Special Education, in coordination with the Department of Interior and
22 Local Government, Local Government Unit, Department of Health, Department of
23 Finance, Council for the Welfare of Children, Early Childhood Care and Development
24 Council, and the National Council for Disability Affairs shall promulgate and issue the
25 necessary implementing guidelines for the creation and operation of the SPED
26 Centers within sixty (60) days after the effectivity of this Act.

27 **SEC. 25. Separability Clause.** If any provision or part hereof is held
28 invalid or unconstitutional, the remainder of the law or the provision not otherwise
29 affected shall remain valid and subsisting.

30 **SEC. 26. Repealing Clause.** Any law, presidential decree or issuance,
31 executive order, letter of instruction, administrative order, rules and regulations
32 contrary to or inconsistent with the provisions of this Act is hereby repealed, modified
33 or amended accordingly.

1 **SEC. 27. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days
2 after its publication in at least two (2) newspapers of general circulation.

Approved,