

FOURTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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SENATE

RECEIVED BY: 

S. B. No. 856

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Article 2, Section 13 of the 1987 Constitution provides, to wit:

"Sec. 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs."

Gifted and talented students show high performance capability in specific academic fields, or in areas such as intellectual, creative, artistic, or leadership capacity, and require services or activities not ordinarily provided by a school in order to fully develop such capabilities.

Many of these gifted students have been historically under represented in gifted education programs. Because gifted and talented students generally are more advanced academically, they are able to learn quickly and study in more depth and complexity than others their age.

If the country is to compete successfully in the global economy, it is important that more students achieve higher levels of training, and that highly capable students receive an education that prepare them to perform the most innovative and creative work necessary in today's workplace.

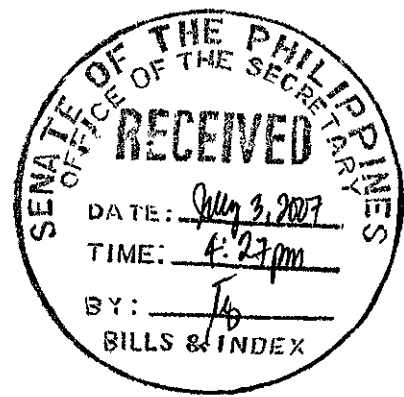
As such, this proposed measure seeks to provide indigent but gifted and talented students the opportunity to develop their capabilities.

Hence, the passage of this measure is earnestly sought.


MANUEL "LITO" M. LAPID

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

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

SECTION 1. Short Title. - This Act shall be known as the "Gifted and Talented Students Education Act of 2004. "

SEC. 2. Purpose. - The purpose of this Act is to provide grants to public schools to support programs, classes, and other services designed to meet the needs of indigent but gifted and talented students in elementary and secondary schools.

SEC. 3. Definition of Term. - For purposes of this Act, Indigent but Gifted and Talented Students. - shall mean "Students belonging to the lower economic strata of society whose joint monthly family income does not exceed Ten Thousand Pesos (P10,000.00), but have exceptional intellectual capacity as well as talents and skills in the fields of arts, sports and other similar endeavors, as may be determined by standards set forth by the Department of Education (DepEd)."

SEC. 4. Program Authorization and Activities. - The Secretary of the Department of Education (DepEd) is hereby authorized to provide grants to each DepEd Regional Office for use by public schools to develop or expand gifted and talented education programs through one or more of the following activities:

- 1) Professional Development Programs. - The government may use funds to develop and implement programs to address local needs for in-service training programs for general educators, specialists in gifted and talented education, administrators, school counselors, or other personnel at the elementary and secondary levels.
- 2) Technical Assistance. - The government may make materials and services available through regional education service centers, universities, colleges, or other entities.
- 3) Innovative Programs and Services. - The government may provide funds to formulate challenging, high-level course work to individual students or groups of students in schools and school districts that do not have the resources to otherwise provide the

course through new and emerging technologies, including distance learning education modules. Funds may be used to develop curriculum packages, compensate distance-learning educators, or for other relevant purposes, but may be used for the purchase or upgrading of technological hardware.

SEC. 5. State Infrastructure Costs. - Not more than ten percent (10%) of the total amount received under this Act may be used for DepEd administrative costs, such as facilitating the coordination of gifted and talented education programs and services, disseminating information and materials to teachers and parents, creating national or regional, as the case may be, gifted education advisory boards, and administering funds received under this Act.

SEC. 6. Application.—

- (A) In General - To be eligible to receive a grant award under this Act, each DepEd Regional Office shall submit an application to the DepEd Secretary at such time and in such form and manner as the Secretary may reasonably require.
- (B) Contents -The application shall include assurance of the following:
- 1) That the funds received under this Act shall be used exclusively to support gifted and talented students in public schools, including students from all economic and ethnic backgrounds, gifted students with disabilities and highly gifted students;
 - 2) That not less than ninety percent (90%) of the funds received by the DepEd Regional Office will be distributed to public schools within their respective regions; and
 - 3) That the funds received under this Act shall be used only to supplement, but not supplant, the amount of funds for the specialized education and related services provided for the education of gifted and talented students.
 - 4) That the DepEd shall develop and implement program assessment and monitoring models to monitor the effective implementation of this Act.
- (C) Approval - To the extent that funds are made available for this Act, the Secretary of the Department of Education shall approve an application of an educational agency, if such application meets the requirements of this section.

SEC. 7. Appropriation.—The amount necessary to carry out the implementation of this Act shall be charged against the annual general appropriations of the Department of Education (DepEd).

SEC. 8. Implementing Rules and Regulations (IRR) - Within ninety (90) days from the date of effectivity of this Act, the Secretary of the Department of Education (DepEd) shall issue the necessary Rules and Regulations to effectively carry out the provisions of this Act.

SEC. 9. Separability Clause. - If for any reason, any section or provision of this Act shall be held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain valid.

SEC. 10. Repealing Clause. - All laws, presidential decrees, executive orders, proclamations, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 11. Effectivity Clause. - This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,