


FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

7 JUL -4 11:58

SENATE  
S.B. No. 941

RECEIVED BY: 

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to provide free special pre-elementary and elementary education to minor handicapped children to promote their integration in and realize their great potential as productive members of the society.

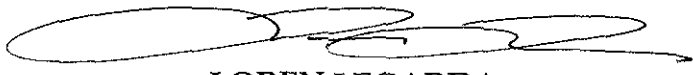
Section 13, Article XIII of the 1987 Philippine Constitution provides that the State shall establish a special agency for disabled persons for their rehabilitation, self-development and self-reliance, and their integration into the mainstream of society. Pursuant to this, Section 1 of the same Article mandates that Congress shall have the highest priority to the enactment of measures that protect and enhance the right of all people to human dignity, reduce social, economic, and political inequalities. This policy of the State is implemented through

In a paper presented before the World Bank, *Disabled Peoples' Internatioanl President Venus Ilagan estimates that 30 to 40 percent of the total disability population in the Philippines are children.* Socio-economic conditions and the lack of capacities to develop children with disabilities are main causes of the poor conditions they face. Poverty conditions such as inadequate natal care, poor nutrition and lack of adequate health services cause a majority of disabilities in children. Because most of these children belong to the impoverished that certainly do not have the means to give specialized education, many of them are hidden and their families forbid social interaction with other members of the community, to the detriment of the child's growth and development.

It is therefore imperative that the State provide them with facilities for growth and development for free, to allow them opportunities for integration in the society.

This bill aims to do just that providing free education for children with disabilities during their formative years. Under this proposed measure, a child is a person with disability if such child who has not yet reached the age of majority and not gainfully employed, is suffering from severe physical, mental or psychological defect as determined by the Act's implementing agencies. Whenever necessary and feasible, a Special Education Center shall be established in each and every province, city and municipality to provide free specialized pre-elementary and elementary education to themm.

In view of the foregoing, immediate passage of this bill is earnestly sought.




LOREN LEGARDA  
Senator

FOURTEENTH CONGRESS OF THE REPUBLIC )  
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7 JUL -4 A8:58

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

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

**Section 1.** It is the declared policy of the State to protect and promote the right of all citizens to quality education at all level of education and to make appropriate steps to make such education accessible to all. It shall promote non-formal, informal, and indigenous and out of school study programs particularly those that respond to community needs, the disabled and the handicapped. Towards this end, the State shall provide a free and suitable public education for handicapped children under a special education program with the end in view of insuring their survival and advancement and making them productive partners for national development.

**Sec. 2.** It shall be the purposes of this Act to:

- a) Establish a special education program that shall cater to the needs of the disabled, and the mentally and physically handicapped;
- b) Provide full financial and educational assistance to handicapped children of the country; and
- c) Help the development and rehabilitation of handicapped children through said special education program.

**Sec. 3.** For purposes of this Act the following shall mean:

- a) a child with disability is one who has not reached the age of majority, not gainfully employed and suffering from severe physical, mental or psychological defect as determined by the Department of Education (DepEd) or the Department of Social Welfare and Development (DSWD);
- b) a suitable public education refers to a course, profession, skill or program prescribed by the DepEd to a handicapped child taking into consideration the child's aptitude handicap and talents.

**Sec. 4.** A special education center shall, whenever possible, be established in the provincial, city and municipal levels for this purpose. Said special education center shall, as much as possible, provide for pre-elementary and elementary level of education with maximum opportunities for integration with non-handicapped peers.

**Sec. 5.** The benefits that will be given to qualified handicapped children shall include tuition fees, textbook allowance, transportation allowance and ambulatory equipment or devices as may be necessary. Special services such as note-takers and readers for the blind, sign interpreters for the deaf and tutorial instruction shall also be offered.

**Sec. 6.** A special Education Development Fund is hereby established with an initial capital outlay of Fifty Million Pesos (P 50,000,000.00) to be taken from the appropriations for the Department of Education under the current General Appropriation Act. Thereafter such sum as may be necessary for its continued operations and maintenance shall be included in the annual General Appropriations Act.

**Sec. 7.** The Department of Education in coordination with the Department of Social Welfare and Development shall promulgate the necessary rules and regulations for the effective implementation of this Act.

**Sec. 8. Repealing Clause.** All laws, presidential decrees, executive orders, rules and regulations are contrary to the provision of this Act are hereby repealed or modified accordingly.

**Sec. 9. Separability Clause.** If any part or provision of this Act shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue in full force and effect.

**Sec. 10. Effectivity.** This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes first.

Approved,