



Senate  
Office of the Secretary

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
FIRST REGULAR SESSION )

'16 JUL 26 19:55

SENATE  
S. B. NO. 899

BY:

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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

**EXPLANATORY NOTE**

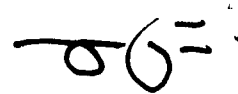
There is a need to enhance access to quality education particularly for children and youth with special educational needs such as the gifted, the gifted but physically handicapped, the fast learners, the mentally retarded, the visually impaired (blind), the hearing-impaired, the orthopedically handicapped, the speech impaired, those with behavior problems, those with learning disabilities and those with special health problems and others have not received as much attention as it should have. The lack of classrooms, physical facilities and special equipment suitable to the needs of the disabled, the dearth of specially trained teachers and school administrators for the various exceptionalities has remained a perennial problem.

Parent education is an urgent need in the campaign to enhance home school relationships and to maximize their sense of competence and involvement in the education of their handicapped and as well as the gifted children. Over the years, the Bureau of Elementary Education has worked for the improvement of the delivery system despite and against any constraints. These efforts can only be sustained if they are anchored on a legal mandate that fully supports and ensures the continuity of long-term programs to help develop the potential of handicapped and gifted persons.

In this way, self-reliance that has been wanting among the handicapped who are potential assets to themselves and to the country could be developed.

With the advent of the worldwide movement of Education for All (EFA), adequate provision for the education of the handicapped and the gifted will contribute to the achievement of its objectives which emphasizes the eradication of illiteracy, greater effectiveness of learning for all and the acquisition of basic skills, knowledge and attitudes to empower them for a better quality of life.

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

A handwritten signature in black ink, appearing to read 'J. V. Ejercito', with a stylized flourish at the end.

**JOSEPH VICTOR G. EJERCITO**  
Senator

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
FIRST REGULAR SESSION )

'16 JUL 26 A9:55

SENATE  
S. B. NO. 899

BY: 

---

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

---

**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 the House of Representatives of the Philippines in Congress assembled:*

- 1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Gifted and Handicapped  
2 Children and Youth Act of 2016."
- 3 **SECTION 2. *Declaration of Policy.*** - The State shall recognize the vital role of the  
4 youth in nation-building and shall promote and protect their physical, moral,  
5 spiritual, intellectual and social well-being, It shall give priority to education, science  
6 and technology, arts, culture and sports to foster patriotism and nationalism,  
7 accelerate social progress, and promote human liberation and development
- 8 **SECTION 3. *Special Education Program*** - Pursuant to the foregoing policy, there  
9 shall be established in every school division a comprehensive special education  
10 program for handicapped and gifted children and youth in the pre-elementary,  
11 elementary, and secondary levels throughout the country with the following  
12 essential program components,
- 13 (a) Educational diagnosis and assessment essential to the proper identification  
14 of gifted and handicapped children and youth,
- 15 (b) Pre-service and continuing in-service training for teaching and  
16 nonteaching personnel to ensure staff competence;
- 17 (c) Expanded curriculum development and evaluation to meet the diversified  
18 needs of the clientele;
- 19 (d) Continuing research as basis for improvement of instruction at the pre-  
20 elementary, elementary and secondary levels and in planning and service  
21 programming activities including the purchase of special facilities and  
22 equipment;

1 (e) Parent-education informing them of available services, placement options  
2 and other relevant information to enable them to make informed decisions.

3 **SECTION 4. *Definition of Terms.*** - For purposes of this Act, the term:

4 (a) "Gifted" shall refer to one who shows advanced development and  
5 potential for at least above average verbal or linguistic intelligence, logical or  
6 mathematical intelligence, body or kinesthetic intelligence, visual or spatial  
7 intelligence, musical or rhythmic intelligence or leadership ability.

8 (b) "Handicapped" shall refer to one who has a physical or mental impairment  
9 that substantially limits one or more of higher psychological, physiological or  
10 anatomical functions.

11 (c) "Secretary" shall refer to the Secretary of the Department of Education.

12 **SECTION 5. *Organization.*** - Every public school division throughout the country  
13 shall organize special classes for gifted and handicapped children and youth in the  
14 pre-elementary, elementary and secondary levels. The organization of pre-school  
15 classes for these children and youth shall be strongly encouraged to ensure early  
16 educational intervention. Every public school division shall also organize special  
17 education centers which shall include non-formal and outreach programs for out-of  
18 school children and youth.

19 **SECTION 6. *Special Services.*** - Special schools and special education centers shall  
20 offer a range of special services which shall include medical, psychological and  
21 social services, diagnostic counseling, vocational and recreational services. Regular  
22 schools within the school division with special education classes shall have access to  
23 the above services.

24 **SECTION 7. *Provision for Continuing Research to Identify Special Needs of Gifted***  
25 ***and Handicapped Children and Youth.*** - The Special Education Division of the  
26 Department of Education, by itself or in association with such organizations or  
27 institutions as are determined by the Secretary to be appropriate, shall undertake  
28 continuing research to identify and design a comprehensive special educational  
29 program that meets the full range of special needs of gifted and handicapped  
30 children and youth: Provided, That such continuing research shall also be used to  
31 develop instructional techniques for use by special education centers that will  
32 improve the acquisition by handicapped children and youth of skills necessary for  
33 transition to independent living, vocational training, or competitive employment;  
34 Provided, finally, That such continuing research shall further be used to design  
35 physical education and therapeutic recreation program for use by special education  
36 centers to increase the potential of handicapped children and youth for community  
37 participation.

38 **SECTION 8. *Skills training.*** - Vocational education and training shall be provided  
39 and strengthened to render handicapped children and youth more skillful and  
40 competitive.

1 **SECTION 9. *Teacher's Item.*** - Wherever requirements are met, the salary grade of  
2 teachers handling special education classes shall be two grades higher than that of a  
3 regular teacher and their present items shall be reclassified to ' special education  
4 teacher items. Items for special education supervisor in each public school division  
5 and head teachers of special education centers shall be created for effective  
6 administration and supervision of the comprehensive special education program.

7 **SECTION 10. *Provision for Training of Personnel.*** - The Department of Education,  
8 in collaboration with the Commission on Higher Education and the Technical  
9 Education and Skills Development Authority, shall develop special education  
10 courses for adoption and implementation by accredited higher education  
11 institutions; Provided, that such courses shall include subjects on:

12 (a) special education and adaptive physical education;

13 (b) special education supervision and administration; and

14 (c) special education research; Provided, finally, That the Secretary may make  
15 grants, which may include scholarships with necessary stipends and  
16 allowances, to institutions of higher education and universities which already  
17 offer such or similar courses.

18 **SECTION 11. *Teacher Training.*** - All teacher training institutions, public or private,  
19 offering Bachelor's degree in Education shall include Special Education subjects as  
20 basic knowledge to students in teacher education.

21 **SECTION 12. *Authority of the Secretary of Education.*** - The Secretary of Education,  
22 is charged with the administration and enforcement of the provisions of this Act and  
23 shall promulgate and issue the necessary implementing rules and regulations within  
24 sixty (60) days from the effectivity of this Act. A copy of such rules and regulations  
25 shall furnish the Congress of the Philippines. He/She is hereby authorized to  
26 organize a group under higher office to intensify the supervision and development  
27 efforts on special education at the elementary and secondary levels, including out-of-  
28 school children and youth.

29 **SECTION 13. *Dissemination of Materials and Information Concerning Working***  
30 ***Practices with Gifted and Handicapped Children and Youth.*** The Secretary, in  
31 collaboration with the Secretary of Health and Secretary of Labor and Employment,  
32 shall disseminate materials and information concerning \ effective practices in  
33 working with, training and educating gifted and handicapped children and youth.

34 **SECTION 14. *Appropriation.*** - The initial amount of Fifty Million Pesos  
35 (P50,000,000.00) is hereby authorized to be appropriated out of the President's  
36 Organization Adjustment Fund to carry out the provisions of this Act on the year of  
37 its approval. Thereafter, such sums as may be necessary to sustain and maintain the  
38 program mandated in this Act shall be included in the budget of the Department of  
39 Education, Culture and Sports in the General Appropriations Act.

1 **SECTION 15. *Incentives for Private Individuals/Entities.*** - Donations, gifts,  
2 bequests in the form of cash, building, land or improvements thereon, from private  
3 entities as well as private corporations, which shall be made to the Department of  
4 Education for the purposes of this Act, shall constitute allowable deduction from the  
5 income of the donor for income tax purposes and shall be exempted form donor's  
6 tax, subject to such conditions as provided under the National Internal Revenue  
7 Code.

8 **SECTION 16. *Repealing Clause.*** - Any law, act, decree, order, proclamation or  
9 regulation or part thereof inconsistent with this Act is hereby repealed or modified  
10 accordingly.

11 **SECTION 17. *Separability Clause.*** - In the event that any provision of this Act, or  
12 part thereof, it is hereby declared invalid or unconstitutional, the remaining  
13 provisions thereof shall be considered valid and binding.

14 **SECTION 18. *Effectivity.*** - This Act shall take effect after fifteen (15) days from its  
15 publication in the Official Gazette or in a newspaper of general circulation.

16

17           Approved,