

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2704

HOUSE OF REPRESENTATIVES	
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Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

It is high time to enact a law for special children not only as matter of declared policy of the State as echoed in various other existing laws, decrees, rules and regulations and the like.

Children with special needs or those afflicted with autism and ADHD syndrome which are maladies that now have become endemic and pervasive among families in depressed areas deserve care and intervention.

The Constitution provides that the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.

This has been addressed in P.D. No. 603, R.A. 7277, Proclamation No. 240, DBM-DSWD Joint Circular No. 2003-01, Section 458 (5) (xiv) of the Local Government Code of 1991, and Batas Pambansa Bilang 232 or the Special Education Act of 1982.

A strong legal framework has been made the basis of this humble measure.

This bill envisions that Special Education Centers for Children be established in every municipality, city and province such that in their respective areas, the needs of special children will be addressed properly and effectively.

To this end, the bill seeks the creation of a Special Children Wellness Board which shall act as a supervising agency to ably ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

It is in this light that this humble representation strongly seeks the bill's enactment into law, hence this submission.



WINNIE CASTELO

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AN ACT
ESTABLISHING SPECIAL EDUCATION CENTERS FOR CHILDREN WITH SPECIAL
NEEDS IN EVERY LOCAL GOVERNMENT UNIT AND APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. This Act shall be known as the Special Children Act of 2016.

SEC. 2. Declaration of Policy. – (a) it is the declared policy of the State to protect and promote the right of all citizens to quality education at all levels and to take appropriate steps to make such education accessible to all.

(b) It is the policy of the State to take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children for quality education as stipulated in Article 7 of the United Nations Convention on the Right of Persons with Disabilities.

(c) It is the policy of the State to protect the rights of children to include children with disabilities toward their integration into mainstream of society as stipulated in Presidential Decree No. 603 and Chapter 2, Section 14 of Republic Act No. 7277, Batas Pambansa Bilang 232 or the Special Education Act of 1982 and other issuances.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms of words and phrases shall mean or be understood as follows:

1. "Special children" means children afflicted with autism, ADHD, ASD and other development disorder. The term refers to children with disabilities who have no access and/or limited access to education.
2. "Autism" means a psychiatric disorder of childhood characterized by marked deficits in communication and social interaction, preoccupation with fantasy, language impairment, and abnormal behaviour, such as repetitive acts and excessive attachment to certain objects. It is usually associated with intellectual impairment.
3. "ADHD" means Attention Deficiency Hyperactivity Disorder.
4. "Teacher volunteers" refers to those who completed the required seminars for special education and duly certified by the Special Children's Board.
5. "Special Education" is the education of persons who are physically, mentally, emotionally, socially and culturally different from so-called "normal" individuals that they require modification of school practices/services to develop them to their maximum capacity. It addresses the need for access to quality education to gifted and talented children and those with disabilities.

SEC. 4. Coverage. – This Act shall cover all cities and municipalities in either urban or rural areas: Provided, that the provinces are covered for purposes of the implementation of this Act.

SEC. 5. Mandate – Every municipality, city and province covered under this Act shall establish and maintain Special Education Centers for Children with Special Needs in their respective communities. Toward this end, all local government units shall provide a sustainable program for the care and intervention of children with special needs such as children with autism, those afflicted with mental and psychological underdevelopment, and children with physical disability.

SEC. 6. Powers and Functions. – A municipal, city , or provincial Special Children Wellness Board shall be created as supervising agency with the following powers and functions:

1. Account for all special children in their respective communities
2. Formulate lifelong policies and oversee the entire operation of the program
3. Hire and employ adequate number of technically skilled teachers, trained personnel, or teacher volunteers to be stationed in certain areas with salaries commensurate to their qualification that would proportionately fit the total number of special children in a given area
4. Provide easy access to educational and rehabilitation services to special children and their families
5. Conduct seminars and training on the proper management and education of special children and their parents
6. Motivate the family members to actively participate in the rehabilitation programs of their children
7. Provide opportunities to wellness day care workers to enhance their knowledge and skills in assisting persons with disabilities to organize a formal group
8. Develop parents of children with disabilities by organizing them into an association accredited and recognized by the LGUs
9. Educate and train the parents, family members and personal assistants to work closely together with wellness day care workers in the management of children with disabilities and
10. Generate public awareness and support in mainstreaming children with disabilities into the community through various advocacy and networking activities

SEC. 7. Appropriation. – The amount necessary to carry out the provisions of this Act is hereby authorized to be appropriated in the General Appropriations Act of the year following its enactment and every year thereafter.

SEC. 8. Implementation. – For the effective implementation of this Act, the National Council on Disability Affairs, the Department of Social Welfare and Development, the Department of Interior and Local Government, and the Department of Education shall formulate the Implementing Rules and Regulations, monitor and coordinate with Local Government Units and other concerned agencies and non-government organizations.

SEC. 9. Repealing Clause. – All laws, decrees, executive orders, proclamations, rules and regulations and other issuances or part or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. Separability Clause. – If, for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and effect.

SEC. 11. Effectivity Clause. – This Act shall take effect after its publication in at least two (2) newspapers of general circulation.

Approved,