

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City



EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 4338

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Introduced by Pangasinan Fifth District Representative  
**HON. RAMON V. GUICO III**

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**EXPLANATORY NOTE**

Our great nation is no stranger to prodigies who come from a wide spectrum of exceptional skill and ability. There is Ms. Sarah Fudolig, who in the age of 16, graduated summa cum laude in BS Physics in the University of the Philippines. She is also a Fullbright Scholar in Economics at the University of California-Irvine. TumTum Mendoza on the other hand, despite having been diagnosed with autism at the age of 2, is considered a musical prodigy with his impeccable skill with the marimba. Finally, Hamzah Marbella is considered as one of the world's youngest art prodigies at just 12 years old. These three are just a few names in the growing list of geniuses that the country will always be proud of.

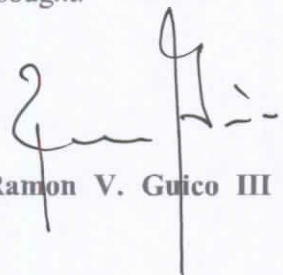
There are still, however, many Filipino children who are intellectually or potentially gifted that are yet to be discovered and developed to their full potential; gifted Filipinos who may not have the same privileges that the abovementioned persons had; children who, partly because of poverty and partly because of the limited conception of gifted education here in the country, are equally deprived of their constitutional right to quality education and the privilege to use their impeccable gifts to greatly contribute to national development.

Gifted education in the country is limited to special programs in science and mathematics, the Headstart Program, and a gifted program in selected public high schools. Such education is also very expensive, which is why it is mostly offered only by elite schools in selected cities. Clearly, this does not sufficiently provide coverage to many others who may not have the means to access these programs or is not included in the traditional definition of "giftedness." Severely limited too are professional organizations and advocates of gifted education here in the country.

There is therefore a need to thoroughly expand, empower, and enforce a revamped gifted education program to provide for the equitable education of all our gifted children. Under this Act, the Department of Education shall spearhead the formulation of a more inclusive gifted curriculum program that is more responsive to the unique needs of the Filipino gifted. It shall develop essential knowledge; values, and inter-disciplinary skills, including habits of minds that are necessary for the holistic development and nurture of intellectually or potentially gifted children.

The full realization of the country's aspirations relies on the full realization of the next generation's aptitude to address the increasingly complex problems of the modern world. It is our duty to prepare them for it.

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



**Rep. Ramon V. Guico III**

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AN ACT  
ESTABLISHING A NATIONAL PROGRAM FOR THE FILIPINO GIFTED CHILDREN AND  
APPROPRIATING FUNDS THEREFOR

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

1       SECTION 1. **Short Title.** – This Act shall be known as the “*National Program for the Filipino*  
2 *Gifted Act.*”  
3

4       SEC. 2. **Declaration of Policy.** – It is hereby declared the policy of the State to recognize and  
5 discharge its responsibilities to strengthen and actively promote the right of all citizens to quality  
6 education at all levels and shall take appropriate steps to make such education accessible to all. In  
7 pursuance thereto, the State shall develop the talents and skills of all gifted Filipino children, including  
8 potentially gifted ones, through an education that is befitting of their intellectual prowess.  
9

10       SEC. 3. **Definition of Terms.** – For purposes of this Act—  
11

- 12       a. **Acceleration** refers to the educational placement strategy that allows a student to  
13 progress through school at a faster rate than age peers;  
14       b. **Asynchrony** refers to the uneven development of a highly to profoundly gifted  
15 learner in domains of development. Examples include, but are not limited to,  
16 extremely high intelligence with normal emotional development; extremely high  
17 Mathematics achievement with below average Language and Reading skills;  
18 superior Abstract Reasoning and above average Quantitative Reasoning;  
19       c. **Gifted generalist** refers to children from three (3) to eighteen (18) years old who has  
20 an intelligence profile of about equal IQ range across domains;  
21       d. **Gifted specialist** refers to children from three (3) to eighteen (18) years old who has  
22 an intelligence profile with at least one domain in the gifted range with all other  
23 domains in at least average range;



- e. **Intellectually Gifted** refers to children from three (3) to eighteen (18) years old possessing intellectual abilities of at least two (2) standard deviations higher than the norm, as measured in two or more recognized intelligence tests, or at least an IQ of 130 as measured on a test with a mean of 100 and a standard deviation of 15, making them belong to the top two (2) percent of the population in terms of intellectual functioning;
- f. **Potentially Gifted** refers to children from three (3) to eighteen (18) years old manifesting more complex thinking processes than age peers, such as: willingness and ability to learn at a higher level; creative problem solving; asking more complex questions than answerable by facts; learning rapidly and efficiently; and superior academic performance; and
- g. **Twice exceptional** refers to children from three (3) to eighteen (18) years old considered as intellectually or potentially gifted who have some form of disability.

SEC. 4. *National Program for the Filipino Gifted.* – The Department of Education (DepEd) shall develop and implement a National Program for the Filipino Gifted (hereinafter referred to as the “Program”) the contents of which, shall in general, aim to develop essential knowledge; values, and inter-disciplinary skills, including habits of minds that are necessary for the holistic development and nurture of intellectually or potentially gifted children. These shall be expressed in terms of relevant learning outcomes, advanced contents, learner-centered and mentally engaging activities, and holistic assessment tools that are relevant and responsive to the nature of intellectually or potentially gifted Filipino students. Specifically, the program shall include the following:

- a. Establishment of Schools for the Gifted throughout the country;
- b. Development and implementation of special Programs in multiple disciplines, as the Secretary of Education may determine, for gifted children with outstanding talents;
- c. Development and Implementation of Differentiated Instruction Curriculum for potentially gifted children;
- d. Acceleration for highly gifted children, which includes:
  - 1. *Subject acceleration* wherein students displaying asynchronous development and considered as gifted specialists are promoted one or more years higher on subjects in which they excel;
  - 2. *Grade-skipping* wherein students displaying exceptional development in all subjects and are considered as gifted generalists are promoted one year higher;
  - 3. *Early Entry* wherein a child displaying academic and social readiness begins school at a younger age than the average;
  - 4. *Telescoping* wherein intellectually gifted children accomplish two (2) years’ worth of course material in a single year; and
  - 5. *Radical Acceleration* wherein profoundly gifted students skip several grades and are being subjected to several forms of acceleration; and

e. Establishment of a separate school and development of a distinct curriculum program for intellectually or potentially gifted children in the indigenous communities taking into account, the recognition and preservation of their respective customs and traditions.

The Secretary of Education shall likewise establish programs and projects for identifying and serving intellectually or potentially gifted children, including innovative methods and strategies for identifying and educating students who may not be served by traditional gifted and talented programs.

SEC. 5. **Student Assessment.** - There shall be, at no cost to the parents, a full and individual assessment of a child observed, identified, or referred by his/her parents, teachers, or other related experts, as intellectually or potentially gifted. *Provided*, That, no such assessment shall be conducted to the child without the informed consent of his/her parents. *Provided further*, That, if such assessment be finally conducted, assessors shall not use any single procedure as sole criterion for determining whether a child is intellectually or potentially gifted. *Provided finally*, That in the case of twice exceptional children, assessors shall use technically sound instruments that may assess the relative contribution of cognitive and behavioural factors, in addition to physical and developmental factors to the twice exceptional child's development.

SEC. 6. **Individualized Education Plan.** - Upon completion of the assessment procedure in accordance with Section 5 of this Act, appropriate placement decisions in the Program for children certified as intellectually or potentially gifted shall be made through a multi-disciplinary team composed of the following:

- a. Psychologist;
- b. Educational diagnostician;
- c. Teacher;
- d. Administrator of special education, where appropriate;
- e. Physician, if available;
- f. Parent(s);
- g. Student, where appropriate; and
- h. Any other specialists who work with students.

Such placement in the program shall be put into an individualized education plan, which is a written statement for each child certified as intellectually or potentially gifted that is developed, reviewed, and revised in accordance with this Act and that includes:

- a. A statement of the child's present levels of education performance, including how the child's giftedness affects the child's involvement and progress in the general curriculum;
- b. A statement of measurable annual goals, including benchmarks or short-term objectives, related to:
  1. Meeting the child's needs that result from the child's giftedness to enable the child to be involved in and progress in the Program; and



106 2. Meeting each of the child's other educational needs that result from the child's  
107 giftedness;

108 c. A statement of:

109 1. How the child's progress toward the annual goals described in Section 5 (b) of  
110 this Act will be measured; and

111 2. How the child's parents will be informed, by such means as periodic report  
112 cards, at least as often as parents are informed of their other children's progress,  
113 of:

114 A. Their child's progress toward the annual goals described in Section 5  
115 (b); and

116 B. The extent to which that progress is sufficient to enable the child to  
117 achieve the goals by the end of year.

118  
119 Twice exceptional children shall also be included in the Program. In such cases, the following  
120 shall be included in their individualized education plan:

121  
122 a. A statement of the related special and supplementary aids and services to be provided  
123 to the child, or on behalf of the child, and a statement of the Program modifications or  
124 supports for school personnel that will be provided for the child:

125 1. To advance appropriately toward attaining the annual goals identified;

126 2. To be involved and progress in the Program and to participate in  
127 extracurricular and other non-academic activities;

128 3. To be educated and participate with other children with disabilities and non-  
129 disabled children in the regular class and extracurricular activities; and

130 4. To avail of the Transition Program for Children with Special Needs.

131  
132 **SEC. 7. *Least Restrictive Environments.*** – The Department of Education shall provide for the  
133 placement of students in the program in least restrictive environments, which includes self-contained  
134 classrooms, resource rooms, inclusive classrooms and any other such educational settings or facilities,  
135 which the Secretary of Education may determine, that will provide for a non-threatening environment  
136 for intellectually or potentially gifted children.

137  
138 **SEC. 8. *Acquisition of Equipment and Construction or Alteration of Facilities.*** - If the  
139 Secretary of Education determines that the implementation of the provisions of this Act would be  
140 improved by permitting program funds to be used to acquire appropriate equipment, or to construct  
141 new facilities or alter existing ones, the Secretary shall be authorized to allow the use of those funds for  
142 such purposes.

143  
144 **SEC. 9. *Advisory Council.*** – An advisory council is hereby created to provide expertise advice,  
145 guidance, and insight for the effective implementation of this Act. The advisory council shall be  
146 comprised of:

- a. Vice President for Academic Affairs or one of the Assistant Vice President for Academic Affairs of the UP System;
- b. Secretary of Education;
- c. Secretary of Science and Technology;
- d. Representative from the National Commission for Culture and the Arts; and
- e. One (1) private sector representative.

SEC. 10. **Appropriations.** – The amount necessary for the implementation of this Act shall be charged to the currently appropriated funding of the Department of Education. Thereafter, such sum as may be needed for the effective implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. **Implementing Rules and Regulations.** –The Department of Education shall, within ninety (90) days after the effectivity of this Act, issue the rules and regulations necessary for its effective implementation.

SEC. 12. **Separability Clause.** – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 13. **Repealing Clause.** – All laws, decrees, orders, proclamation, rules and regulations, or parts thereof, which are inconsistent with any part of this Act are hereby repealed, amended, or modified accordingly.

SEC. 14. **Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) national newspapers of general circulation.

*Approved,*