

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4127



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

EXPLANATORY NOTE

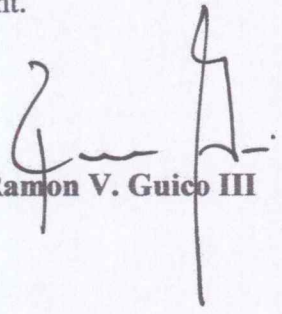
Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality in opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons emphasized the State's duty to "ensure that disabled persons are provided with adequate access to quality education and ample opportunities to develop their skills. It shall take appropriate steps to make such education accessible to all disabled persons." Further, it is also expected of the State to "take into consideration the special requirements of disabled persons in the formulation of education policies and program. It shall encourage learning institutions to take into account the special needs of disabled persons with respect to the use of school facilities, class schedules, physical education requirements and other pertinent consideration. The State shall also promote the provision by learning institutions, of auxiliary services that will facilitate the learning process for disabled persons." Apart from the aforementioned, there are a number of laws, rules, and regulations that seek to provide for such persons an education befitting their special conditions, however, the implementation of these policies has been impeded by low expectations and an insufficient focus on applying replicable research on proven methods of teaching and learning for children with disabilities.

Thus, this bill is proposed. Under this Act, there shall be established, a transition program for children with special education, which can respond to the unique needs of children with disabilities. It is expected that with the passage of this measure, the prospect of such children pursuing further studies; becoming successful entrepreneurs; and overall, living a functional life as productive citizens, is drastically increased.

The proposed transition program curriculum is comprised of five learning areas, which are: 1) Academic; 2) Pre-Vocational; 3) Livelihood; 4) Enrichment; and 5) Care curriculums. Ultimately, this proposed measure shall buttress the significant efforts of the Department of Education in advancing its mandate to extend special education services to all Filipino children in need of it. Educating children with disabilities require a curriculum that is dynamic; a curriculum that can be custom-fitted to respond to the particular needs, interests, and capabilities of the child.

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



Rep. Ramon V. Guico III

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1 AN ACT
2 ESTABLISHING A NATIONAL TRANSITION PROGRAM FOR FILIPINO STUDENTS
3 WITH SPECIAL EDUCATION NEEDS AND FOR OTHER PURPOSES
4

5 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
6 *assembled,*
7

8 **SECTION 1. *Short Title.*** – This act shall be known as the “Transitional Education for
9 Special Learners (TESLA) Act.”
10

11 **SEC. 2. *Declaration of Policy.*** – Article XIV, Section 1 of the 1987 Constitution mandates
12 that the State “shall protect and promote the rights of citizens to quality education at all levels and
13 shall take appropriate steps to make such education available to all.” Further, Article XIV, Section 2
14 provides that the State shall “provide adult citizens, the disabled, and out-of-school youth with
15 training in civics, vocational efficiency, and other skills.” In pursuance of these provisions of law, it
16 is hereby declared a policy of the State to:
17

- 18 a. Ensure that all children with disabilities have available to them an appropriate
19 education that emphasizes on special education and related services designed to
20 meet their unique needs and prepare them for employment and independent
21 living;
22 b. Ensure that the rights of children with disabilities are protected;
23 c. Ensure that educators and parents have the necessary tools to improve
24 educational results for children with disabilities by supporting systemic-change
25 activities; coordinated research and personnel preparation; coordinated technical
26 assistance, dissemination, and support; and technology development and media
27 services; and
28 d. Assess and ensure the effectiveness of efforts to educate children with
29 disabilities.
30

31 **SEC. 3. *Definition of Terms.*** –
32

- 33 a. **Child with disability** means a child with mental retardation, hearing impairments
34 (including deafness), speech or language impairments, visual impairments (including
35 blindness), serious emotional disturbance, orthopaedic impairments, autism,

1 traumatic brain injury, other health impairments, or specific learning disabilities and
2 who, by reason thereof, needs special education and related services.

3 **b Related Services** means transportation, and such developmental, corrective, and
4 other supportive services (including speech-language pathology and audiology
5 services, psychological services, physical and occupational therapy, recreation,
6 including therapeutic recreation, social work services, counseling services, including
7 rehabilitation counseling, orientation and mobility services, and medical services,
8 except that such medical services shall be for diagnostic and evaluation purposes
9 only) as may be required to assist a child with a disability to benefit from special
10 education, and includes the early identification and assessment of disabling
11 conditions in children.

12 **c. Special Education** means specially designed instruction to meet the unique needs
13 of a child with a disability, including:

- 14 1. instruction conducted in the classroom, in the home, in hospitals and
15 institutions, and in other settings; and
- 16 2. instruction in physical education

17 **d. Supplementary Aids and Services** means, aids, services, and other supports that
18 are provided in regular education classes or other education-related settings to enable
19 children with disabilities to be educated with nondisabled children to the maximum
20 extent appropriate in accordance with provisions of Philippine laws.

21 **e. Transition Program** means a coordinated set of courses and activities for a
22 student with a disability that—

- 23 1. is designed within an outcome-oriented process, which promotes
24 movement from school to post-school activities, including post-secondary
25 education, vocational training, integrated employment (including supported
26 employment), continuing and adult education, adult services, independent
27 living, or community participation;
- 28 2. is based upon the individual student's needs, taking into account the
29 student's preferences and interests; and
- 30 3. includes instruction, related services, community experiences, the
31 development of employment and other post-school adult living objectives,
32 and, when appropriate, acquisition of daily living skills and functional
33 vocational evaluation.

34
35 **SEC. 4. Scope and Coverage.** – The provisions of this Act shall apply to all public and
36 private schools in the secondary level.

37
38 **SEC. 5. National Transition Program for Children with Disabilities.** – The Department of
39 Education (DepEd), in coordination with concerned authorities, shall develop and implement a
40 transition program for children with disabilities. The coverage of the program, shall in general,
41 include, but is not limited to, the following interdependent and purposively connected curriculum
42 areas:

- 43
44 **a. Academic Curriculum** is a set of courses regularly offered to special learners
45 who are considered capable of learning academic skills under the regular or
46 alternative learning scheme;

- b. **Pre-Vocational Curriculum** is a set of pre-vocational and skills-based courses offered to special learners, which includes but is not limited to: developing pre-vocational skills on job-hunting; job interviews; preparation of resume or bio-data; work ethics; financial literacy; and fostering healthy inter-personal relationships in the workplace;
- c. **Livelihood Skills** is a set of courses seeking to prepare special learners for vocational programs, including the development of skills and competencies necessary for successful entrepreneurship;
- d. **Enrichment Curriculum** is a set of courses comprised of special interest activities or modules offered to special learners of the academic curriculum seeking to acquire additional skills or competencies not currently offered in the academic curriculum; and
- e. **Care Curriculum** is a set of courses comprised of self-care and support activities mainly offered to special learners considered unfit for the abovementioned curriculums due to the severity of their condition.

SEC. 6. Student Evaluations. – The Department of Education shall ensure that the following student evaluation protocols for children with disabilities are observed by all public and private secondary schools in the Philippines:

- a. **Initial Evaluations** - Schools shall conduct a full and individual initial evaluation before the initial provision of the transition program and related services to a child with special education needs under this Act.
- b. **Procedures** – Such initial evaluation shall consist of procedures:
 - 1. To determine whether a child is a child with a learning disability as defined under this Act; and
 - 2. To determine the educational needs of such child.
- c. **Parental Consent** – The school proposing to conduct an initial evaluation to determine if the child qualifies as a child with a learning disability, as defined under this Act, shall obtain an informed consent from the parent of such child before the evaluation is conducted. Parental consent for evaluation shall not be construed as consent for placement in the transition program under this Act.
- d. **Conduct of Evaluation** – In conducting the evaluation, the school shall:
 - 1. Use a variety of assessment tools and strategies to gather relevant information provided by the parent, that may assist in determining whether the child is a child with learning disability and the proposed content of the child's personalized transition program, including information related to enabling the child to be involved in and progress in the general curriculum;
 - 2. Not use any single procedure as the sole criterion for determining whether a child is a child with a learning disability; and
 - 3. Use technically sound instruments that may assess the relative contribution of cognitive and behavioural factors, in addition to physical and developmental factors

- 1 e. **Reevaluations** – Schools shall ensure that a reevaluation of each child with a
2 disability is conducted if conditions warrant a reevaluation or if the child's parent
3 or teacher requests a reevaluation, but at least once every 3 years.
4

5 **SEC. 7. Personalized Transition Program (PTP).** – There shall be in accordance of Section
6 5 of this Act, after evaluation, a Personalized Transition Program, which is a written statement for
7 each child with a disability that is developed, reviewed, and revised in accordance with this Act and
8 that includes:

- 9 a. A statement of the child's present levels of education performance, including how
10 the child's disability affects the child's involvement and progress in the general
11 curriculum;
12 b. A statement of measurable annual goals, including benchmarks or short-term
13 objectives, related to:
14 1. Meeting the child's needs that result from the child's disability to enable
15 the child to be involved in and progress in the general curriculum; and
16 2. Meeting each of the child's other educational needs that result from the
17 child's disability;
18 c. A statement of the special education and related services and supplementary aids
19 and services to be provided to the child, or on behalf of the child, and a statement of
20 the transition program modifications or supports for school personnel that will be
21 provided for the child:
22 1. To advance appropriately toward attaining the annual goals;
23 2. To be involved and progress in the general curriculum and to participate in
24 extracurricular and other non-academic activities; and
25 3. To be educated and participate with other children with disabilities and
26 non-disabled children in the regular class and extracurricular activities; and
27 d. A statement of:
28 1. How the child's progress toward the annual goals described in Section 7
29 (b) of this Act will be measured; and
30 2. How the child's parents will be informed, by such means as periodic report
31 cards, at least as often as parents are informed of their non-disabled children's
32 progress, of:
33 A. Their child's progress toward the annual goals described in Section
34 7 (b); and
35 B. The extent to which that progress is sufficient to enable the child to
36 achieve the goals by the end of year.
37

38 **SEC. 8. Personalized Transition Program Team.** – There shall be, in developing a child's
39 personalized transition program, a team comprised of:
40

- 41 a. The parents of a child with disability;
42 b. At least one regular education teacher of such child (if the child is, or may be, in
43 the regular education environment);
44 c. At least one special education teacher, or where appropriate, at least one special
45 education provider of such child;
46 d. A representative of the Department of Education who:

1. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
2. Is knowledgeable about the general curriculum; and
3. Is knowledgeable about the availability of resources of the Department of Education.

e. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in Section 8 (b) through (f);

f. At the discretion of the parent or the DepEd, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and

g. Whenever appropriate, the child with disability.

SEC. 9. Review and Revision of PTP. – The DepEd shall ensure that schools review the child's PTP periodically, but not less than annually to determine whether the annual goals for the child are being achieved and revise the PTP as appropriate to address:

- a. Any lack of expected progress toward annual goals and in the general curriculum, where appropriate;
- b. The results of any reevaluation conducted under this Act;
- c. The child's anticipated needs; or
- d. Other matters.

SEC. 10. Post-Transition Program Evaluation. – Upon completion of a child's personalized transition program, an assessment of the child's overall performance under the transition program shall be undertaken and the proposed course of action be provided to the child and their parents or legal guardians.

SEC. 11. Bureau of Special Education Programs. – There shall be, within the Department of Education, a Bureau of Special Education Programs, which shall be the principal office in such Department for administering and carrying out the provisions of this Act and other programs and activities concerning the education of children with disabilities.

SEC. 12. Acquisition of Equipment and Construction or Alteration of Facilities. – If the Secretary of Education determines that the implementation of the provisions of this Act would be improved by permitting program funds to be used to acquire appropriate equipment, or to construct new facilities or alter existing facilities, the Secretary shall be authorized to allow the use of those funds for these purposes.

SEC. 13. Monitoring, Evaluation, and Annual Reports. – The DepEd shall monitor the implementation of the provisions of this Act and report its status, including their recommendations to the appropriate congressional committees, annually.

SEC. 14. Implementing Rules and Regulations. – The Secretary of Education, in coordination with concerned agencies and stakeholders, shall promulgate the implementing rules and regulations of this Act within one hundred twenty (120) days from the effectivity of this Act.

1 **SEC. 16. Appropriations.** – The initial amount necessary for the effective implementation
2 of this Act shall be charged against the current appropriated funding of the Department of
3 Education. Thereafter, any such amounts necessary for the effective implementation of this Act
4 shall be included in the General Appropriations Act.

5
6 **SEC. 17. Repealing Clause.**— All laws, decrees, orders, rules and regulations, or other
7 issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed.

8
9 **SEC. 18. Effectivity.**—This Act shall take effect fifteen (15) days after its publication in the
10 Official Gazette or in at least two (2) newspapers of general circulation.

Approved,