AN ACT

INSTITUTING INCLUSIVE AND THE ESTABLISHMENT OF INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR

Sec. 1, Article XIV of the 1987 Constitution provides that the State shall promote the "right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all," calling for the establishment of a "complete, adequate and integrated system of education relevant to the needs of the people and society." Further, the right of persons with disabilities to education is guaranteed by international law, particularly Article 24 of the Convention on the Rights of Persons with Disabilities. Hence, the universality and inclusiveness of education is a fundamental policy aim of the country.

Several laws already affirm this policy directive, but gaps persist especially those concerning the delivery and quality of education for children with disabilities. A 2011 Philippine Institute for Development Studies (PIDS) showed that up to twice as many female persons with disabilities (PWDs) than male PWDs do not complete any primary education at all hindered by cost and social barriers.

Inadequate resources are devoted to building up the tailored capabilities and expertise that allow even the differently abled to gain a meaningful education. In 2017, a
total of only 648 schools nationwide have been allowed by the Department of Education (DepEd) to offer the Special Education (SPED) program that provides the necessary educational inventions for students with certain exceptionalities.

This shows a very minimal increase in the number of SPED centers. In 2014, Rappler reported that only 620 out of 34,000 public elementary schools across the country either have a SPED center or least offers a SPED program.

This foregoing measure aims to fill in these policy gaps by calling for the establishment of inclusive education learning resource centers for children and youth with special needs nationwide in a bid to further expand the avowed accessibility of Philippine education. Therefore, the immediate enactment of this measure is earnestly sought.

ALFRED VARGAS
with Disabilities (2003), and other conventions and international agreements that are
otherwise known as the "Magna Carta of the Child." The rights of children and youth
are recognized under Articles XII, XIII, and XIV of the Constitution. The State is
responsible for promoting and protecting the rights of children and youth with special
needs to ensure their full participation in society. Moreover, the State shall support
their welfare and development by ensuring their full integration into society.

Section 2. Declaration of Policy - It is hereby declared the policy of the State to

Section 1. Short Title - This Act shall be known as the "Inclusive Education
Learning Act of 2019."

The Act shall be known as the "Inclusive Education Learning Act of 2019."

AN ACT

INTRODUCED BY REPRESENTATIVE ALFREDO VARGAS

HOUSE BILL NO. 424

PHILIPPINE CONGRESS

EIGHTEENTH CONGRESS

PASAY CITY, PHILIPPINES

Republic of the Philippines

APPROPRIATING FUNDS THEREFOR

ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND
INSTITUTING INCLUSIVE AND THE ESTABLISHMENT OF INCLUSIVE EDUCATION

HOUSE OF REPRESENTATIVES

Republic of the Philippines
with Disabilities (2006) and Incheon Strategy to Make the Rights Real for Persons with Disability in Asia and Pacific (2012) and other relevant laws, the State shall institutionalize an adequate and relevant educational program for every child and youth with special needs by adopting the policy of inclusive education, the establishment of Inclusive Education Learning Resource Centers, and the provision of vital support mechanisms required to ensure their effectiveness. All children and youth with special needs in any degree of sensory, physical or intellectual disability or need, shall therefore have the opportunity to be developed in the most enhancing environment, consistent with the provision of a quality education that best meets their needs.

Section 3. Objectives. – This Act shall pursue the following:

a) Provide children and youth with special needs free and appropriate public education and related services in accordance with their needs, and in preparation for adult living and community life;

b) Provide children and youth with special needs access to general education curriculum through the formal systems and alternative delivery services in education;

c) Institute Inclusive Education establish Inclusive Education Learning Resource Centers for inclusion of children and youth with special needs in the educational mainstream;

d) Ensure that children and youth with special needs fully develop their potentials toward self-sufficiency and become fully participative members of society;

e) Identify thru a child find system children and youth with special needs ages 3-24 and infants and toddlers under age 3 in compliance with the Early Years Act of 2013 (RA 10410);

f) Develop, implement, and review Individual Education Program;

g) Provide parents with information and opportunities to actively participate in the possible placement options for their children and to enable them to informed choices and decisions;

h) Enable and empower parents and family members by training and equipping them with capabilities to identify, prevent, refer or intervene with regards disorder and disabilities of their children;
i) Train and equip special education teachers, regular teachers, principal/administrators, non-teaching staff of the school, and caregivers a primary source of care, development, education and advancement of children and youth with special needs;

j) Increase school retention and cohort survival of children and youth with special needs; and

k) Create significant and positive changes in community attitudes towards disability and the need to provide inclusive education and proper care for children and youth with special needs.

Section 4. Definition of Terms. - As used in this Act:

(a) Basic education refers to meeting the basic learning needs which provide the foundation on which subsequent learning can be based. It encompasses kindergarten, elementary and secondary education as well as alternative learning systems for out of school learners and those with special needs;

(b) Children and youth with special needs refer to children and youth who are gifted or talented, or with neuropsychological retardation, learning disabilities, emotional or behavioral disorders, speech and language disorders, hearing impairments, visual impairments, autism, physical or health disabilities, deaf blindness and multiple handicapping conditions and are in need of special education as well as services for rehabilitation. They differ from the average children in neuropsychological characteristics, sensory abilities, neuromuscular or physical characteristics, and social attributes to such an extent that the use of modified school practices or special education services are required to develop them to maximum capability. They may be classified as children with exceptionalities such as the following:

1) Autism - those with developmental disabilities marked by disturbance in development, language and relationship with
5 Learning disabilities - those although normal in sensory, emotional and intellectual abilities, have a condition that causes functional with or without a hearing aid. Those who are deaf or hard-of-hearing deaf persons are school.

4 Deaf - those who are deaf or hard-of-hearing deaf persons are provided by a related to a high degree of motivation, and those who are reason appreciative of innovation ideas, and high task comprehension (including intelligence), high creativity, (implies the developmental manifests the following cluster of traits: above average ability in intellectual, mathematical, verbal, areas, musical, academic ability, creative or productive thinking ability, leadership abilities, ability to visualize or perform art, and specific academic abilities. Those who are capable of supporting performance in one or more of the following areas: General intellectual ability, including those with demonstrated achievement of potential ability.

3 Gifted or talented - those who are capable of superior performance, their interpersonal relations. Academic progress, the learning efforts of their classmates, and academic norms of behavior and consequences disrupt their difficulties that change over time: Disorder have perceptual, cognitive, communication, and social intellectual disabilities and epilepsy, children affected with these persons, activities, objects, and which may consist of.
the better eye after maximum correction. Low vision persons retain persons are blind if they have visual acuity of 20/200 or less in persons who are blind or have low vision.

12 Visual impairment - those who are blind or have low vision.

Others:

Expression of articulate language words, in a manner understandable by

II Speech impairment and delays - those who have difficulty in

and multiplication.

Hypertension and other respiratory ailments, Carcinoma, Epilepsy,

Dysphagia, Illnesses such as cerebral disease, arthritis, diabetes,

lead to keep them out of school or those with chronic and/or

10 Special health problems - those who have health conditions that

the joints, muscles or limbs

permanently or temporarily interfere with the normal functions of

Gerbera, Palsy, Amputations, and Injuries, etc. The impairments

include those from other causes (e.g., surgery, etc). And (b) Impairments from other causes (e.g., poliomyelitis, bone

cancer, any of the following: a) Congenital anomalies (e.g. clubfoot,

9 Orthopedic/Physical disabilities - those who have impairments

academic, leisure and work:

Skills, communicable use, self-direction, health, and safety, functional

adapted skill areas: communication, self-care, home living, social

other limitations in two of more of the following applicable

significant sub-average intellectual functioning co-existing with

have substantial limitation in present functioning characterized by

8 Neuropsychological retardation/intellectual disability - those who

problems solely for the blind and deaf.

development and education needs that cannot be served in

combination with which results in severe communication and other

7 Deaf Blindness - communicable hearing and visual impairments. The

retardation orthopedic impairment;

or those diagnosed with autism and intellectual disabilities mental
Learning differences refer to any of the following:

- Beginning at age 6 to earlier as determined by the IEP team.
- Transition plan related to learning employment and independent living.
- Periodic monitoring of child's progress and appropriate interventions.
- Needs and aimed at achieving mastery of life skills behaviors.
- Inclusive instructional practices and strategies designed to meet the learner's specific and developmental educational programming.

(2) Individualized Education Program (IEP) refers to the systematic purpose of educational and developmental educational programming under special conditions.

(d) Impairment refers to any loss, diminishment, or deviation of any degree of vision that is considered normal given the age and gender of the individual.

(e) Handicap refers to a disadvantage of an individual resulting from an impairment of a disability that limits or precludes the function of activity.
neuropsychological, cognitive or behavioral characteristics that may necessitate the use of specialized materials, equipment, services and/or teaching strategies. It is geared towards the integration of children with special needs into the education mainstream;

(i) *Inclusive Education* means providing to all students, including those with significant disabilities, equitable opportunities to receive effective educational services, with the needed supplementary aids and support services, in age appropriate classrooms in their neighborhood schools, in order to prepare students productive lives as full members of society (National Center on Educational Restructuring and Inclusion, 1995). It requires that schools educate children and youth with special needs predominantly in general education classroom. Removal of children and youth with special needs from the regular educational environment, like special class or separate schooling, occurs only when education in regular classes even with the use of supplementary aids and services cannot be made satisfactorily due to the nature of the special needs.

(j) *Inclusive Education Learning Resource Center* is a resource hub that provide students, teachers, school personnel and other education stakeholders of children and youth with special needs appropriate instructional learning materials, tools, devices, gadgets, equipment to facilitate and enhance learning; assessment tools and instruments to evaluate developmental domains and specific areas of concern necessary in determining appropriate services and placement decisions;

(k) *Special instructional materials* refer to textbooks in Braille, large type or any other medium or apparatus, that convey information to a student or otherwise contributes to the learning process;

(l) *Universal Design for Learning* is a framework that provides educators with a structure to meet the wide range of diversity among learners by providing flexibility in the ways information is presented and by reducing barriers in instruction, providing appropriate accommodations and
(g) Produce appropriate teaching materials for children and youth with special needs;

(h) Periodic in-service education:

(i) Provide learning to Regular teachers, administrators, non-teaching personnel and

(j) Undertake case management and coordination of services:

(k) Conduct school-based training of children and youth with special needs;

(l) Support children and youth with special needs so they could be integrated/incorparated

Section 6. FUNCTIONS OF AN INCLUSIVE EDUCATION LEARNING RESOURCE CENTER. - The

Inclusive Education Learning Resource Centers will comply with the requirements of the Universal Design Principle:

All Inclusive Education Learning Resource Centers will comply with the requirements of the Universal Design Principle (DepED).

Supporting the three principles of UDL are access, assessment, and engagement (Higher Equal Opportunity Act, 2008).

Section 5. Establishment of Inclusive Education Learning Resource Centers for

Developmental domains and specific areas of concern and determine appropriate
needs of children and youth disabled. It shall:

assist in promoting inclusive education to regularize regular schools to effectively handle the
Inclusive Education Learning Resource Centers as a resource center that shall
established in all public schools divisions nationwide where there are no existing Inclusive
Education Learning Resource Center for children and youth with special needs shall be

entitled to equal opportunity. Without prejudice Act, 2008).
Resource Learning Resource Center Program:

The Learning Support Team will serve as human resource complement of special education teachers and the Mobile Multi-Specialist Inclusive Education Center.

The Supervisor shall have a Supervisor of Administering, Core, and Placement Committee.

This Resource Center will handle children and youth with special needs, each inclusive education learning environment to handle children and youth with special needs.

Section 2: Staffing and Responsibilities

In addition to teachers with special education programs, the Learning Support Team will serve as a human resource complement of special education teachers and the Mobile Multi-Specialist Inclusive Education Center.

The Supervisor shall have a Supervisor of Administering, Core, and Placement Committee.

Responsible for handling children and youth with special needs, each inclusive education learning environment to handle children and youth with special needs.

7. Assist in developing the transfer of admission of gifted children and the learning process of children and youth with special needs and other similar services and services of all types of aids and services that facilitate

Therefore, the implementation of educational objectives and

4. Accommodation or modification of equipment or devices

5. Appropriately classroom accommodations and

6. Other similar services and services of all types of aids and services that facilitate

7. Assist in developing the transfer of admission of gifted children and the learning process of children and youth with special needs and other similar services and services of all types of aids and services that facilitate

1. Language and speech therapy, occupational therapy, physical and

2. Physical therapy and other modes of therapy

3. Qualify Reading, language, and other effective methods of delivering materials

4. Qualify Interpretations of other effective methods of delivering materials

5. Appropriately classroom accommodations and

6. Other similar services and services of all types of aids and services that facilitate

7. Assist in developing the transfer of admission of gifted children and the learning process of children and youth with special needs and other similar services and services of all types of aids and services that facilitate

8. Qualify Reading, language, and other effective methods of delivering materials

9. Implement the programs of the inclusive education learning resource center such
iv. monitor, supervise and provide technical assistance, training, and enhancement programs of the Inclusive Educational Learning Resource Center personnel;

(b) Administrative Core and Placement Committee – The Placement Committee shall, in consultation with and active participation of parents, and developmental pediatrician among others, ensure that students with disabilities are educated by appropriate qualified personnel as close as possible to their homes and alongside their age-appropriate peer groups. It is also tasked to develop and maintain a data bank on special education in respective jurisdiction. This Committee shall be composed of:

(1) any one (1) of the following: developmental pediatrician, neurological psychiatrist, educational psychologist, guidance counselor or psychometrician
(2) one (1) physical therapist;
(3) one (1) occupational therapist;
(4) one (1) speech and language therapist/speech correction teacher;
(5) one (1) reading specialist;
(6) sign language specialist; and
(7) the Inclusive Education Learning Resource Center Supervisor.

(c) Mobile SPED Teachers – Mobile SPED teachers shall be appointed whenever necessary. Their Principal task is CHILD-YOUTH FIND (find and identify children and youth with special needs unable to attend formal schooling due to accessibility and mobility limitations) and determine appropriate learning modalities using the program and services of the Inclusive Education Learning Resource Center. They shall share responsibility for program planning and scheduling, and assist isolated or remote schools with specialized equipment, individual programs, curriculum adjustment, teaching aids and building modifications. The Alternative Learning System (ALS) shall be an integral component of the Inclusive Education Learning Resource Center.
Inclusive Education Learning Resource Centers. The manner of selection of such institution shall be determined by Regional Special Education Support Team comprised of a Mobile Multi-Specialist Inclusive Education Division Support Team – DepED.

The DepED in coordination with the Commission on Higher Education (CHED) shall

Inclusive Education Learning Resource Centers shall:

- Include in their respective posts, a similar Program staff be designated for support personnel who are in the education and rehabilitation of children and youth with special needs, teachers, and other personnel of rehabilitation psychologists, social workers, and other personnel involved in the education and rehabilitation of children and youth with special needs, who are designated for support personnel to include interpreters, psychologists, social workers, and other personnel involved in the education and rehabilitation of children and youth with special needs, who are designated for support personnel.

The DepED shall enhance the right of the teachers/instructors to professional advancement.

Comprehensive and Classification System and Other Civil Service Rules and Regulations:

Inclusive Education Learning Resource Centers shall be in accordance with the Revised Center Personnel - The salary grades of SPED teachers and the Supervisor managing the

Section 8: Remuneration and Benefits for Inclusive Education Learning Resource

Where the division is based

drawn from professional organizations based in the region or nearby region other specialists deemed necessary. They will serve as consultants and will be

Sign Language Specialist, Education Division Support Team, Team comprised of a Mobile Multi-Specialist Inclusive Education Division Support Team – DepED.
shall be provided under the rules and regulations to be formulated to implement the provisions of this Act.

Section 9. In Service Training of Teachers, Administrators, and Non-Teaching Personnel. -

(a) To build a culture for Inclusive Education, DepEd shall offer basic and advanced seminars on disability awareness and inclusive education for the following education stakeholders: principals and administrators, regular teacher’s non-teaching staff and personnel.

(b) Specialist teachers for children and youth with special needs will be provided opportunities for annual upgrading in the area of specializations like interventions for learning, sign language fluency and other topics deemed necessary by DepEd.

Section 10. Authority of the Secretary of Education to Give Grants to, or Enter into Cooperative Arrangements for the Creation of Inclusive Education Resource Centers. - The Secretary of Education is hereby authorized to give grants to, or enter into cooperative arrangements or contracts with public or private non-profit agencies, institutions or organizations for the establishment or creation of Inclusive Education Learning Resource Centers or implementation of programs such as the following:

(a) Technical assistance to Inclusive Education Learning Resource Center teachers who are preparing to serve or are serving children and youth with special needs for inclusion and mainstreaming;

(b) Training of professionals or related services personnel including all regular teachers;

(c) Replication of successful innovative approaches in providing educational or related services to children and youth with special need;

(d) Facilitation of parental involvement in the education of their children and youth with special needs;

(e) Diagnosis and educational evaluation of children and youth with special needs;
be used by the DepED in developing a physical educational and therapeutic recreation
framework or comprehensive development. Provided further that such continuing research shall
build upon or complete acquisition of skills necessary for their transition to independence living vocational
inclusion. Educational Learning Resource Centers towards improving the children’s and
institutions’ self-undertake continuing research to identify and design programs that shall
inform
Section 12. Continuing research to identify needs of children and youth with
special needs/disabilities. The DepED, by itself or in coordination with organizations or
institutions, shall undertake continuing research to identify and design programs that shall
inform
Section 11. Creation of an Inclusive Education Program Office at Deped Central
Office. The Inclusive Education Program Office will be under the DepED Undersecretary for
implementation, monitoring, and evaluation of policies, programs and services for children,
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Section 15, Special Institutional Materials - The Deped shall grant the publishers all rights granted by
mental, social and cultural development
social activities, optimal use of their leisure hours, and advancement of other physical
opportunities for sale and wholesome individual as well as interest for recreation and
Section 14, Recreational and artistic opportunities - The Deped shall issue
the Deped.
affordable rates. In general, through a reasonable funding scheme that shall be described by
shall also be provided for free or at discounted rates to deserving students, and at very
required by the students to optimize education and participation in the educational process
requirements, hearing aids, eyeglasses, learning devices, and other assistive devices
Special equipment like wheelchairs, crutches, special toilet and hygiene
Indigenous communities shall be given priority in the grant assistance.
Marginalized or disadvantaged children and youth with special needs coming from
Reform and Poverty Alleviation Act have been abandoned, are ill or are neglected.
opportunities due to being poor as defined in R.A. No. 8425 otherwise known as the Social
Incentives. These include those who lack access to rehabilitation services and educational
Training programs; subsidies for educational assessment and diagnosis; and other
transportsation, food, lodging, and books; student loan programs; artistic and cultural tours;
secondary levels which may come in the form of scholarships, grants, allowances for
marginalized or disadvantaged children and youth with special needs at the elementary and
Section 13, Student Assistance - The Deped shall provide financial assistance to
program to be used by the centers to increase the potential of the children and youth for
Section 17, Integration/Inclusion of Children with Disabilities in Child Development/Day Care Centers - Child Development / Day Care Centers - Child Development / Day Care Centers

Section 16, Incentives for Private Sector Participation - Partnership between the Government and Private Institutions Catering to the Needs of Children with Special Needs

Children and youth with special needs of the teacher who is handling their instruction. Copies of these instructional materials shall be furnished without cost to either the

and distributed upon request to a School Division for instructional purposes.

and special needs and introductory educational and intervention programs will be designed for pre-school children and their parents, where early identification of disabilities 

Development/Day Care Centers - Child Development / Day Care Centers - Child Development / Day Care Centers

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Section 16, Incentives for Private Sector Participation - Partnership between the Government and Private Institutions Catering to the Needs of Children with Special Needs

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Resource Centers, or in other Center that shall be supported by the DepEd with the support of Early Childhood Care and Development (ECCD) Council, Department of Social Welfare and Development (DSWD) and Local Government Unit (LGU) in the area. As far as practicable, the use of existing day care centers and facilities shall be maximized.

Section 18. Nutritional Programs. - The National Nutrition Council (NNC) shall determine and prescribe appropriate nutritional programs for children with special needs for implementation by the Department of Health (DOH) and the DepEd.

Section 19. Parent, Sibling, and Caregiver Education. - A formal training and counseling program shall be develop through joint efforts of DepEd, DSWD, LGUs, Early Childhood Care and Development (ECCD) Council, and Disabled People's Organizations (DPOs), Non-government organizations (NGOs), Civil Society Organizations (CSOs) to equip parents, siblings, and caregivers of children and youth with special needs with a working knowledge of special education, an understanding of the psychology of children with special needs, and the awareness of their crucial role as educators so that they, in turn, can maximize their knowledge and skills to fully participate in developing the potentials of children and youth with special needs. Parents should also be appraised of procedural safeguards to protect the educational rights of children and their parents, and processes to resolve disputes and complaints related to the education of children and youth with special needs.

Section 20. Local Government Unit Participation. - The LGUs shall use their Special Education Fund for the following:

(a) Provision of sites, buildings or centers where there are no existing school facilities that may be used for the special education of children with special needs, as well as the establishment of day care pursuant to Sec. 15 hereof;
(b) Identification, coordination and the tapping of public or private volunteers and private organizations, national or international, for information dissemination
campaigns, funding programs and other projects to augment the funding of Inclusive Educational programs and equipment, among others; and,

(c) Provision of counterpart funds for nutritional programs, educational assessment program of children and youth with special needs in their respective localities that would be initiated by the DepEd, in coordination with the Department of Budget and Management (DBM) and the Department of Finance (DOF).

Section 21. Public Information, Education and Communication. - A nationwide information dissemination campaign on the prevention, early identification and the strategic intervention programs for children and youth with special needs shall be intensified. This shall be the joint responsibility of the Philippine Information Agency (PIA), Council for the Welfare of Children (CWC) and DepEd. Likewise, the DepEd, in collaboration with DOH, DOLE, LGUs shall disseminate materials and information concerning effective practices in working with, training and educating children with special needs.

Section 22. Appropriations. - The Secretary of the DepEd shall immediately include in the DepEd program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act. Separate appropriation will be provided for children and youth with disabilities and talented or gifted children and youth.

Section 23. Implementing Rules and Regulations. - The DepEd, in coordination with the DSWD, Department of Interior and Local Government (DILG), DOH, DOF, Bureau of Internal Revenue (BIR), and CWC shall promulgate and issue the necessary guidelines for the creation and operation of Inclusive Education Learning Resource Centers within sixty (60) days after the effectivity of this Act.

Section 24. Separability Clause. - If for any reason, a provision or part hereof is declared invalid, other provisions not affected thereby shall remain in full force and effect.
Section 25. Repealing Clause. - All laws, decrees, executive orders, rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 26. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or any two (2) newspapers of general circulation in the Philippines.

Approved.