



HOUSE OF REPRESENTATIVES

H. No. 9104

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BY REPRESENTATIVES VILLARICA, VARGAS, PRIMICIAS-AGABAS, AGLIPAY-VILLAR, BELARO, REVILLA, BIAZON, SUANSING (E.), SUANSING (H.), MACAPAGAL-ARROYO, CASTELO, ACHARON, ANTONINO, OLIVAREZ, ANDAYA, GATCHALIAN, DURANO, NOGRALES (K.A.), CATAMCO, YAP (M.), ROMUALDO, MONTORO, ALVAREZ (F.), NIETO, ANTONIO, LACSON, CARI, SAVELLANO, MACEDA, TAMBUNTING, PANOTES, VIOLAGO, CHIPECO, SY-ALVARADO, LAZATIN, ALONTE, ORTEGA (P.), ROMERO, DEL ROSARIO, MENDING, GASATAYA, SAGARBARRIA, PALMA, MALAPITAN, PIMENTEL, BOLILIA, MATUGAS, MARTINEZ, GARCIA (J.E.), EUSEBIO, HERRERA-DY, VELASCO-CATERA, MADRONA, UNGAB, VELASCO, VELOSO, BERTIZ, NOGRALES (J.J.), SIAO, NAVA, BAUTISTA-BANDIGAN, ZUBIRI, SALON, BERNOS, ORTEGA (V.N.), LOPEZ (M.L.), BULUT-BEGTANG, DALIPE, ESCUDERO, CAGAS, CHAVEZ, ERIGUEL, SALO, LOBREGAT, MANGAOANG, AGGABAO, NOEL, EVARDONE, GONZALES (A.D.), COLLANTES, GONZAGA, COSALAN, DE VENECIA, GONZALEZ, SARMIENTO (C.), YU, ROBES, LABADLABAD, CASTRO (F.L.), ABELLANOSA, DEL MAR, TUPAS, LIMKAICHONG, BRAVO (M.V.), SANTOS-RECTO, TAN (A.), DIMAPORO (A.), BAGATSING, VILLARIN, CALIXTO-RUBIANO, CORTUNA, CAYETANO, ALEJANO, ACOSTA-ALBA, CUARESMA, ZAMORA (M.C.), SANDOVAL, NUÑEZ-MALANYAON, MARQUEZ, GO (M.), ARCILLAS, ROQUE, CAMINERO, RODRIGUEZ (M.), DATOL, YAP (V.), TINIO, HERNANDEZ (P.), CASTRO (F.H.), ROA-PUNO, HOFER, GONZALES (A.P.), GARIN (R.), FORTUN, BRAVO (A.), CAMPOS, GULLAS, TEJADA, BORDADO, TREÑAS, FERNANDO, BATAOIL, SILVERIO, CALDERON, MARCOLETA AND VERGARA, PER COMMITTEE REPORT NO. 1261

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AN ACT

INSTITUTING INCLUSIVE EDUCATION, ESTABLISHING INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS (CYSNs) IN ALL PUBLIC SCHOOLS DIVISIONS, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR

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

Section 1. *Title.* – This Act shall be known as the "Inclusive Education for Children and Youth with Special Needs Act."

ARTICLE I

POLICIES AND OBJECTIVES

Sec. 2. *Declaration of Policy.* – The following are hereby declared the policies of the State:

- a. Protect and promote the rights of children and youth with special needs to make quality education accessible to them;

- b. Recognize the vital role of children and youth with special needs in society, consider their needs as integral part of national development strategies, and facilitate their active participation and integration in public, civic and State affairs;
- c. Give full support for their welfare and development to ensure their full integration to society;
- d. Consider the special requirements of disabled persons in the formulation of inclusive educational policies and programs;
- e. 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 considerations;
- f. Support learning institutions, especially higher learning institutions, in providing auxiliary services that will facilitate the learning process for disabled persons, ensure inclusive and equitable quality education and promote lifelong learning opportunities for all;
- g. Recognize the right of the children and youth with special needs to education on the basis of equal opportunity, in particular, making primary education compulsory and accessible to every children and youth with special needs;
- h. Recognize the right of children and youth with special needs to the highest attainable standard of health and to facilities for the treatment of illness; and rehabilitation of health; and ensure that no child is deprived of the right of access to such health care and rehabilitation services; and
- i. Ensure that children and youth with special needs belonging to ethnic, religious or linguistic minorities or persons of indigenous origin shall not be denied the right to education, health treatment, or health rehabilitation in community with other members, to enjoy their own culture, profess and practice their own religion, or to use their own language.

Sec. 3. *Objectives.* – This Act shall pursue the following objectives:

- (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) Facilitate the inclusion and integration of children and youth with special needs into mainstream education in accordance with the *United Nations Convention on the Rights of Persons With Disabilities*, and the *Incheon Strategy to Make the Rights Real For Persons With Disabilities in Asia and the Pacific*;
- (d) Implement inclusive education and establish Inclusive Education Learning Resource Centers (IELRC) for inclusion of children and youth with special needs in the educational mainstream in the least restrictive environment;
- (e) Ensure that children and youth with special needs fully develop their potential toward self-sufficiency and become fully participative members of society;
- (f) Ensure that children and youth with special needs understand, appreciate and respect differences amongst groups and members of society in which they live;
- (g) Identify, through a Child Find System, children and youth with special needs ages three (3) to twenty-four (24), and infants and toddlers under the age of three (3), in compliance with Republic Act No. 10410, otherwise known as the "Early Years Act of 2003";
- (h) Develop, implement, and review Individualized Education Plan;
- (i) Provide parents with information and opportunities to actively participate in the possible school placement options and educational programs for their children and to enable them to make informed choices and decisions;
- (j) Enable and empower parents and family members by training and equipping them with capabilities to identify, prevent, refer or intervene with regard to disorders, disabilities and abilities of their children;
- (k) Train and equip special education teachers, regular teachers, principals/administrators, non-teaching staff of the school, and caregivers as primary sources of care, development, education and advancement of children and youth with special needs;
- (l) Increase school retention and cohort survival of children and youth with special needs;
- (m) Create significant and positive changes in community orientation towards disability and the need to provide inclusive education and proper care of children and youth with special needs; and
- (n) Regularly consult and actively involve persons with disabilities, including children and youth with special needs, through their representative organizations, in the implementation of this Act and issues relating to it.

ARTICLE II  
DEFINITION OF TERMS

Sec. 4. *Definition of Terms.* – As used in this Act:

- (a) *Basic education* - refers to a program of instruction intended to meet the basic learning needs which provide the foundation on which subsequent learning can be based. It encompasses early childhood, kindergarten, elementary and secondary education as well as alternative learning systems for out-of-school learners and those with special needs;
- (b) *Child Find System* - refers to the process of identifying, locating, and evaluating every qualified child or youth with special needs so that the concerned child development teachers/workers who are under the jurisdiction of local government units (LGUs) can notify parents or guardians of those who are not receiving public education services of the right of their children to receive the same and facilitate such children's integration into the school system;
- (c) *Children and youth with special needs* – refer to children and youth who are gifted or talented, or have intellectual disabilities, learning disabilities, mental, emotional or behavioral disorders, speech and language disorders, sensory impairments, autism, long term physical or health disabilities, deafblindness and multiple handicapping conditions which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others and are in need of special education as well as services for rehabilitation. They differ from the average children in neuropsychological characteristics, sensory and cognitive 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;
- (d) *Disability* – refers to 1) long-term physical, mental, intellectual or sensory impairment that substantially limit one or more physiological or anatomical function of an individual or activities of such individual; 2) limitation or difficulty encountered by an individual in executing a task or action; and 3) a participation restriction or problem experienced by an individual in involvement in life's situations. It does not just entail a health problem but shall reflect the interaction between features of a person's body and features of the society in which he lives as well as the difficulties the person has encountered to remove the environment and social barriers.
- (e) *Inclusive education* – refers to a process of addressing and responding to the diverse needs of all learners by increasing participation in learning, cultural activities and community life, and reducing exclusion within and from education. It involves changes and modifications in content, approaches,



structures and strategies, anchored on a common vision for all children of the appropriate age range and the conviction that it is the responsibility of the State to educate all children. It focuses on the achievement of high quality education for all learners and the all encompassing development of more inclusive societies.

(f) *Individual Education Program (IEP)* - refers to the systematic, purposive and developmental educational programming of curricular and instructional priorities and contents designed to meet a learner's special needs and aimed at ensuring mastery of target skills and behaviors. It specifies the services to be provided and how often; describes the learner's present level of performances and how the learner's disabilities affect academic performances; and specifies accommodations and modifications to be provided to the learner. An IEP must be designed to meet the unique educational needs of a child in the appropriate and least restrictive environment.

(g) *Learning Resource Center (Center)* - refers to a teaching/learning support system for students, teachers, school personnel and other education stakeholders of children and youth with special needs. It includes appropriate, accessible, disability-, cultural- and gender- sensitive 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; medical, health and allied professionals for care, rehabilitation and development of learners.

(h) *Least restrictive environment (LRE)* – refers to the situation where a learner, who has a disability, is accorded the opportunity to be educated with non-disabled peers to the greatest extent appropriate. The children and youth with special needs should have access to the general education curriculum, or any other program that non-disabled peers are able to access. The children and youth with special needs shall be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers, and shall receive an appropriate version of educational and social benefits which non-disabled students routinely receive in school.

(i) *Private sector participation* - refers to all forms of indispensable, substantial and meaningful participation of private individuals, partnerships, groups or entities, disabled people's organizations, community-based organizations or non-government organizations, and business and industry groups in the delivery of educational and rehabilitative services for children and youth with special needs.

(j) *Special Education (SPED)* - refers to the customized instructional program/service designed to meet the unique needs of individual children and youth with special needs, which may necessitate the use of supplementary aids and services and teaching strategies in classroom and non-academic settings and includes instructions on physical and vocational education, social skills development and

travel training. It is geared towards their integration into mainstream education and to prepare them as independent and functioning members of society.

(k) *Special Instructional Materials* - refer to textbooks in Braille, large type, audio, digital or any other medium or apparatus that convey information to a student or otherwise contributes to the learning process.

(l) *Universal Design for Learning (UDL)* - refers to a scientifically valid framework for guiding educational practice established by Department of Education (DepEd) that:

- (1) Provides flexibility in the way information is presented, in the way students respond or demonstrate knowledge and skills, and in the way students are engaged; and
- (2) Reduces barriers in instruction, provides appropriate accommodations, supports mental and physical challenges and maintains high achievement expectations for all students, including students with disabilities and students who have limited English proficiency.

It also refers to a set of principles that guides the design of inclusive classroom instruction and accessible course materials. The three principles of UDL are:

- (i) *Recognition* - refers to multiple methods of representation that give learners a variety of ways to acquire information and build knowledge;
- (ii) *Strategic Learning* - refers to multiple means of student action and expression that provide learners alternative modes for demonstrating what they have learned; and
- (iii) *Affective Learning* - refers to multiple modes of student engagement that tap into learners' interests, challenge them appropriately and motivate them to learn.

### ARTICLE III

#### INCLUSIVE EDUCATION LEARNING RESOURCE CENTER

Sec. 5. *Establishment of Inclusive Education Learning Resource Centers*. All public schools divisions of the DepEd shall establish an Inclusive Education Learning Resource Center, hereinafter referred to as the Center, for children and youth with special needs, where there are no existing Centers; *Provided, That* all Centers shall comply with the Universal Design for Learning as defined under Section 4, subparagraph (l) of this Act: *Provided, further That*, all Centers and facilities for children and youth with special needs shall also be compliant with the requirements of Batas Pambansa Bilang 344, otherwise known as the "Accessibility Law."



Sec. 6. *Functions of the Center.* – The Center shall function as a learning resource center that shall assist in promoting inclusive education and in capacitating regular schools to effectively handle the needs of children and youth with special needs. It shall:

- (a) Assess children and youth with special needs to identify specific developmental areas of concern and determine appropriate services and grade placement options;
- (b) Support children with disabilities and special needs in such a manner that they could be integrated/included in regular schools in the least restrictive environment;
- (c) Conduct school-based training of children and youth with special needs;
- (d) Produce appropriate teaching materials for children and youth with special needs;
- (e) Provide training to regular teachers, administrators, non-teaching personnel and parents on inclusive education;
- (f) Monitor case management of children and youth with special needs within the division;
- (g) Ensure that the children and youth with special needs within the division shall receive the appropriate services needed;
- (h) Implement the programs of the Center such as individualized education, transition program, and alternative educational programs and early intervention program;
- (i) Establish a referral system that shall provide and develop multidisciplinary services such as healthcare delivery systems and other child and youth support systems to address the challenges and difficulties of the families of children and youth with special needs and stimulate community resources which shall promote and foster systems integration within education;
- (j) Provide access to auxiliary aids and services that are basically non-educational but which enhance the education process for children and youth with special needs. These aids and services may include:
  - (1) language and speech therapy, occupational therapy, physical and physiotherapy, among other modes of therapy, through multi-disciplinary specialist team;
  - (2) quality reading or other effective methods of delivering reading materials to individuals with visual impairments;
  - (3) acquisition or modification of equipment or devices;
  - (4) appropriate classroom accommodation;
  - (5) other similar services and actions or all types of aids and services that facilitate the learning process; and
  - (6) assistance in the transfer or admission of qualified children and youth with special needs to post-secondary or tertiary education institutions.

## ARTICLE IV

### PARTNERSHIP MECHANISM AND ROLES OF PARTNERS

Sec. 7. *Partnership Mechanism* – the DepEd and the concerned agencies may coordinate and enter into cooperative agreement, arrangement or contract with other government agencies, private non-profit agencies, institutions or organizations duly accredited or recognized by the government agencies, civil society, business and industrial sector, and other concerned sectors in the furtherance of the provisions of this Act: *Provided, That* the DepEd shall coordinate with the Department of Health (DOH), Department of Social Welfare and Development (DSWD), Department of Public Works and Highways (DPWH), Commission on Higher Education (CHED) and the National Council on Disability Affairs (NCDA) for the establishment or creation of Centers on the implementation of programs such as the following:

- (a) Technical assistance to teachers who are preparing to serve or are serving in the Centers;
- (b) Training of professional or related services personnel, including all regular teachers;
- (c) Replication of successful innovative approaches in providing educational or related services to CYSNs;
- (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;
- (f) Consultative, counseling and training services for the families of children and youth with special needs;
- (g) Familiarization of the municipality or city being served by an *Inclusive Education Learning Resource Center* with the problems and potentials of children and youth; and
- (h) Entering into agreements with medical and allied medical professional groups.

Centers created under this Section shall remain part of the DepEd System.

Sec. 8. *Responsibilities of Agencies*. - In conformity with their respective charters and mandates, government agencies shall define and delineate their respective areas of responsibility with respect to the implementation of this Act. These areas shall be subject to periodic re-assessment of the Inter-Agency Coordinating Council on Inclusive Education (IACCIE), as provided in Sec. 9 of this Act, whenever necessary.

For purposes of this Act, the different agencies shall have the following roles:

- (a) *Department of Education (DepEd)*. - The DepEd shall be the lead government agency responsible for the implementation of this Act to ensure inter-agency coordination and integration of services among school systems, early intervention programs, mainstreaming of children and youth with special



needs in the regular classroom set-up, concerned welfare agencies, children and youth with special needs availability of access and classification of developmental domains and establishment of a referral system and redress mechanism for parents and guardians.

- (b) *Department of Health (DOH)*- The DOH shall make available health care services for children and youth with special healthcare needs, child mental health service providers, health plans, oral health providers, family-to-family health information and education, advocacy organizations and other community organizations serving children and youth with special needs and their families. Due to the importance of integrating primary care with mental health services, the DOH shall collaborate with the National Nutrition Council (NCC) and the Early Childhood Care and Development Council (ECCD) in the provision of inclusive health and nutrition services for the implementation of this Act.
- (c) *Department of Social Welfare and Development (DSWD)* – The DSWD shall be responsible for the effective management and provision of social and welfare services for poor and deserving children and youth with special needs based on their assessed needs, subject to guidelines it shall prescribe.
- (d) *Department of Public Works and Highways (DPWH)* – the DPWH shall prescribe the proper physical set-up of the Centers and shall build and maintain roads that shall ensure accessibility to children and youth with special needs.
- (e) *Department of Interior and Local Government (DILG)* – the DILG shall promulgate the policies and guidelines relevant to the implementation of this Act by the local government units;
- (f) *Local Government Units (LGUs)* – The LGUs shall allocate a portion of their Special Education Fund (SEF) for the following:
  - (1) Provision of sites, buildings or centers where there are no existing school facilities that may be used for the special education of children and youth with special needs as well as the establishment of Child Development Centers (CDCs) pursuant to Sec. 11 hereof;
  - (2) Identification, coordination and partnership with public or private volunteers and private organizations, national or international, duly recognized and accredited by appropriate government office, for information dissemination campaigns and funding support to augment the funding for Inclusive Education programs and activities;
  - (3) Provide assistive devices, instructional materials and teacher's training provisions;
  - (4) Provision of funds for the delivery of health and nutrition services and interventions, educational assessment program for children and youth with special needs in their respective localities that would be initiated by the DOH and DepEd, respectively;
  - (5) Participate in all efforts concerning integration of children and youth with special needs to regular schools, health services, transport services and other social and welfare services;

- (6) Develop government and community awareness and responsiveness to the needs of children and youth with special needs;
- (7) Provide a means for redress in case parents are not amenable to educational program for children and youth with special needs under the jurisdiction of the Local School Boards;
- (8) Coordinate with other agencies in ensuring the proper implementation of the provisions of this Act within their territorial jurisdiction, including the child find and referral system; and
- (9) Enact appropriate ordinances to implement the LGUs role in this Act.

## ARTICLE V

### INTER-AGENCY COORDINATING COUNCIL ON INCLUSIVE EDUCATION

Sec. 9. *Inter-Agency Coordinating Council on Inclusive Education (IACCIE).*—For purposes of policy on *inclusion* integration, harmonization and coordination of functions, there is hereby created an Inter-Agency Coordinating Council on Inclusive Education (IACCIE), which shall be attached to the DepEd and which shall be composed of the following officials or their duly authorized representatives, up to the level of Assistant Secretary or its equivalent:

- Secretary of the DepEd, as Chairperson;
- Secretary of DOH as Co- Chairperson;
- Secretary of DSWD as Co-Chairperson;
- Secretary of Department of Finance (DOF)
- Secretary of DPWH
- Secretary of DILG
- Secretary of Department of Labor and Employment (DOLE)
- Director General of Technical Education and Skills Development Administration (TESDA)
- Commissioner of Commission on Higher Education (CHED)

The IACCIE shall perform the following functions:

- (a) Develop and set criteria on Individual Educational Programs. It shall evaluate fundamental changes both in educational practice and in the design of educational services for inclusion of children and youth with special needs in regular schools. Inclusive Education involves changes in philosophy, curriculum, teaching strategy and structural organization;
- (b) Implement appropriate and coordinated programs in health and related physiological and psychological health services, multidisciplinary domains, transportation and accessibility for children and youth with special needs;



- (c) Acts as catalyst of change and source of information for the benefit of both regular students and children and youth with special needs;
- (d) Constitute and authorize a multidisciplinary body to conduct an annual audit to determine the compliance of the Centers on its operations;
- (e) Document, monitor and assess the performances of the Centers and their personnel;
- (f) Coordinate and disseminate information with partner agencies or local government units.

Sec. 10. *The IACCIE Technical Working Committee.* – The IACCIE shall be supported by a Technical Working Committee (TWC) which shall be composed of representatives from the following agencies and institutions:

- (a) Bureau of Curriculum Development of the DepEd
- (b) Early Childhood Care and Development Council (ECCD)
- (c) National Council on Disability Affairs (NCDA)
- (d) Council for the Welfare of Children (CWC)
- (e) National Nutrition Council (NNC) of the DOH
- (f) Local Government Units –Leagues of Provinces, Cities or Municipalities
- (g) Health organizations such as Philhealth and other healthcare services of the DOH
- (h) Civil society organizations on persons with disability and indigenous peoples' concerns
- (i) Academe

The TWC shall provide groundwork technical support to the IACCIE on its activities to capture varied clientele scope and needs, mainstream programs, and reach grassroots levels. Representatives of civil society organizations and the academe shall be nominated through a process designed by the IACCIE.

## ARTICLE VI

### OTHER EDUCATION AND HEALTH INTERVENTIONS

Sec. 11. *Inclusion of Children with Special Needs in Child Development Centers.* – Child Development Centers (CDCs) specially designed for pre-school children and their parents where early identification of disabilities and/or special needs and introductory educational and intervention programs will be administered, and development of future multi-disciplinary child development centers shall be established near all schools or within existing Inclusive Education Learning Resource Centers. As far as practicable, the use of CDCs and facilities shall be maximized.

The ECCD Council shall coordinate with the DepEd, DSWD, DOH, LGUs and other agencies to provide the necessary programs and support for children with special needs under five (5) years old.

## ARTICLE VII

### ADMINISTRATIVE PROCEDURES

*Sec. 12. Hiring of Personnel and Staff.* - In addition to teachers and licensed social workers who have knowledge, skills and special training in handling cases of children and youth with special needs, and to ensure the effective implementation of this Act, the DepEd, DOH, and DSWD may hire the necessary personnel and support staff to operate, administer and oversee the Center.

*Sec. 13. Remuneration, Benefits and Incentives for Inclusive Education Learning Personnel and Staff.* - The salary grades of Special Education (SPED) teachers and Program Directors managing the Centers shall be in accordance with the Revised Compensation and Position Classification System and other civil service rules and regulations.

The DepEd shall enhance the access of teachers/instructors to specialized and continuing training and education and ensure that the Centers shall endeavor to attract the best available teaching staff and talents through adequate remuneration, benefits, scholarship and training grants, teacher exchange programs, incentives and allowances and other means of securing their job satisfaction and tenure in their respective posts. A similar program shall be designed for support personnel to include interpreters, psychologists, social workers and health service professionals/workers involved in the education, health and rehabilitation of children with special needs.

The DepEd shall identify at least one (1) leading institution or university in Luzon, Visayas, Mindanao and in Metro Manila, Metro Cebu and Metro Davao whose faculty is considered or regarded as highly competent in the area of special education and where a uniform or standardized curriculum for any post-graduate education program shall be designed to benefit SPED teachers and other personnel of the centers. The manner of selection of such institution shall be provided under the rules and regulations to be formulated to implement the provisions of this Act.

*Sec. 14. In-Service Training of Teachers, Administrators, Non-Teaching Personnel.* - To enhance the inclusive education program, the DepEd shall coordinate with the appropriate national government agencies to offer basic and advanced seminars on disability awareness and inclusive education for the concerned education stakeholders.



The appropriate and necessary trainings, seminars and other opportunities for upgrading the performance of DepEd teachers implementing the inclusive education curriculum shall be conducted and evaluated by the National Educators' Academy of the Philippines.

## ARTICLE VIII

### RESEARCH, SCHOLARSHIPS AND OTHER SUPPORT MECHANISMS

#### Sec. 15. *Continuing Research to Identify the Needs of Children And Youth With Special Needs*.

The DepEd, by itself or in coordination with organizations or institutions, shall undertake continuing research to identify and design programs that shall meet the full range of needs of children and youth with special needs: *Provided, That* such continuing research shall also be used to develop instructional techniques for use by the Centers towards improving the acquisition of skills by the children and youth with special needs necessary for their transition to independent living, vocational training or competitive skill development: *Provided, further, That* such continuing research shall be used by the DepEd in designing holistic programs for all schools and all Inclusive Education Resource Learning Centers to enhance the potential of the children and youth to participate and be integrated into community life.

Sec. 16. *Student Assistance*. – The DepEd, DSWD, DOLE, NCDA and the LGUs shall develop programs to support the financial and educational needs of the marginalized or disadvantaged children and youth with special needs, as defined in Republic Act No. 8425, known as the *Social Reform and Poverty Alleviation Act*. The benefits accorded by Republic Act No. 8545, otherwise known as the "*Government Assistance to Students and Teachers in Private Education (GASTPE) Act*" shall likewise be extended to qualified children and youth with special needs in the secondary levels.

Sec. 17. *Recreational and Artistic Opportunities*. – The DepEd shall establish opportunities for the safe, wholesome, interactive individual as well as group recreation and social activities of children and youth with special needs, optimal use of their leisure hours and advancement of their physical, mental, social and cultural development.

Sec. 18. *Special Instructional Materials*. – Publishers shall grant the DepEd the authority to transcribe adopted instructional materials into accessible format, without penalty or payment of royalty, in accordance with Republic Act No. 8293, otherwise known as the "*Intellectual Property Code of the Philippines*": *Provided, That*, publishers of a newly adopted instructional material shall provide, not later than the second working

day after the adoption of a textbook title by the DepEd, the digital copy as specified by the DepEd for the purpose of producing accessible versions of the textbooks for students with reading disabilities. The accessible versions may be produced by the DepEd or by non-profit accessible book producers which may be copied and distributed upon request by a Schools Division for instructional purposes. Copies of these instructional materials shall be furnished without cost either to the children and youth with special needs or their teachers in charge.

Sec. 19. *Family Members, Guardians, Caregivers and Day Care Workers Education.* – A formal training and counseling program for family members, guardians, caregivers and day care workers of children and youth with special needs shall be developed jointly by the DepEd, DSWD, LGUs, ECCD Council, disabled people's organizations, parent-support organizations, health professional organizations, healthcare services, non-government organizations, and civil society organizations to provide them with a working knowledge of special education and an understanding of the physical and mental needs of children and youth with special needs; and set their important role as educators, so as to maximize their knowledge and skills to fully participate in developing the potentials of children and youth with special needs.

## ARTICLE IX

### PRIVATE SECTOR PARTICIPATION

Sec. 20. *Incentives for Private Sector Participation.* – Partnerships between the government and private institutions catering to the needs of children and youth with special needs shall be encouraged. Private entities which team up with the DepEd or provide the necessary educational assistance and service of children and youth with special needs enrolled in public schools shall be entitled to the benefits and incentives provided under R.A. No. 8525, otherwise known as the *Adopt-a-School Act* and its implementing rules and regulations.

## ARTICLE X

### PUBLIC INFORMATION AND DISSEMINATION

Sec. 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), CWC, NEDA and the DepEd. Likewise, the DepEd, in collaboration with the DOH, DOLE, CHED,



TESDA and DILG shall disseminate materials and information concerning effective practices in working with, training and education of children and youth with special needs.

## ARTICLE XI FINAL PROVISIONS

Sec. 22. *Appropriations.* – The Secretaries of the DepEd, DOH, and DSWD shall immediately include in their respective Departments' programs the implementation of this Act, the funding of which shall be included in the annual *General Appropriations Act*.

Sec. 23. *Implementing Rules and Regulations.* – Within one hundred twenty (120) days from the effectivity of this Act, the Secretaries of the DepEd, the DOH and the DSWD, in coordination with the heads of other concerned agencies, shall promulgate and issue the necessary guidelines for the effective and implementation of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in two (2) national newspapers of general circulation.

Sec. 24. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 25. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

Sec. 26. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*