

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH (17<sup>th</sup>) CONGRESS**  
First Regular Session

**HOUSE BILL NO. 396**

<b>HOUSE OF REPRESENTATIVES</b>	
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Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

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### EXPLANATORY NOTE

The bill entitled, *An Act Granting Additional Privileges to Children with Special Needs (CSN)*,<sup>1</sup> was originally filed in the 16th Congress by Rep. Franz E. Alvarez.

The 1987 Philippine Constitution in Section 13 of Article II mandates that:

“The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.”

This constitutional mandate requires our government to address the right of every Filipino child, including Children with Special Needs (CSN). According to the Department of Education (DepEd), as of 2010, there are 5.49 million CSNs, representing thirteen percent (13%) of the total population of Filipino children in the Philippines. Of the 5.49 million CSNs, 4.2 million are registered as Persons with Disabilities (PWDs), while 1.27 million are gifted children.<sup>1</sup>

Because of their special status, the bill proposes several policy measures that will help create and maintain a stable environment where their special needs are given ample attention. Through the establishment of identification mechanisms, full participation of stakeholders and adequate budgetary support, it is the vision of this representation to level the playing field and give the necessary assistance to our CSNs.

It is high time that State pay close attention and address the needs of our special children, as well as take the necessary steps to help to make them productive citizens. The passage of this bill will serve as an investment to our special children that will certainly contribute to the betterment of our country.

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

*[Signature]*

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<sup>1</sup> <http://news.abs-cbn.com/lifestyle/06/03/10/deped-congress-pass-special-education-act>



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1  
2  
3 **AN ACT**  
4 **GRANTING ADDITIONAL PRIVILEGES TO CHILDREN WITH SPECIAL**  
5 **NEEDS (CSN)**

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

8  
9 **SECTION 1. Declaration of Policies and Objectives.** - It is hereby declared the  
10 policy of the State to protect and promote the rights of children with special needs  
11 (CSN) to additional privileges to take appropriate steps to make such privileges  
12 accessible to them. The State recognizes their vital role in society and endeavors to  
13 include their needs as integral part of national development strategies.

14  
15 It is also the policy of the State to give full support for their welfare and  
16 development to ensure their full integration to society as well as to facilitate their  
17 active participation in the affairs of the State. Towards this end, the State shall  
18 institutionalize additional privileges for every CSN through the establishment of  
19 privileges equal to those that benefit Filipino senior citizens. Thus, all CSN, in any  
20 degree of sensory, physically or intellectual disability or needs, will have privileges  
21 that will greatly help them to live better lives.

22 *Objectives.* The Objectives of this bill are:

23 (a) To provide CSN access to additional privileges through the granting of  
24 discounts to transportation, medical, leisure;

25  
26 (b) To facilitate integration of CSN with society;  
27  
28

1 (c) To facilitate integration of CSN fully develop their potentials towards self-  
2 sufficiency and become more effective partners in the affairs of the country;

3  
4 (d) To ensure that CSN understand, appreciate and respect differences amongst  
5 groups and members in society and also to understand the nature of society in  
6 which they live;

7  
8 (e) To identify gifted and talented children from ages three (3) to sixteen (16);

9  
10 (h) To enhance the role of parents, teachers and other caregivers as primary  
11 caregivers as primary caregivers of the children by equipping them with  
12 capabilities to identify, prevent, refer or intervene with the development  
13 disorders and disabilities of children;

14  
15 (i) To involve private groups, local government units (LGUs) and national  
16 agencies other than the Department of Social Welfare and Development  
17 (DepEd) in the education of CSN; and

18  
19 (j) To create significant and positive changes in community attitudes towards  
20 disability and the need to provide special education and proper care for CSN.

21  
22 **SEC. 2. *Definition of Terms.***

23  
24 Children with special needs (CSN) refer to those who are the gifted or are fast  
25 learners; and those who are disabled, impaired and handicapped and in need of special  
26 education as well as services for rehabilitation. They differ from the average children  
27 in mental characteristics, sensory abilities, neuro-muscular or physical characteristics,  
28 social attributes, to such an extent that requires the use of modified school practices or  
29 special education services to develop them to maximum capability. They may be  
30 classified as follows:

31  
32 1. *Gifted children and fast learners* are those capable of superior  
33 performance including those with demonstrated achievement or potential  
34 ability in one or more of the following areas: general intellectual ability,  
35 specific academic aptitude, creative or productive thinking ability, leadership  
36 ability, ability in the performing arts and psychomotor ability, or those  
37 individuals who consistently manifest the following cluster of traits: above  
38 average ability (including intelligence), high creativity (implies the  
39 developmental appreciation of innovative ideas) and high task commitment  
40 (related to a high degree of motivation) and those who by reason thereof,  
41 require services or activities not ordinarily provided by the school;

42  
43 2. *Children with mental retardation intellectual disability* are those who  
44 have substantial limitation in present functioning characterized by significant  
45 sub-average intellectual functioning, existing concurrently with the related  
46 limitations in two or more of the applicable adaptive skill areas;

1 communication, self-care, home living, social skills, community use, self  
2 direction, health and safety, functional academics, leisure and work;  
3

4 3. *Children with visual impairment* are those who are blind or having a  
5 low vision. Persons are blind if they has a visual capacity of 20/200 or less in a  
6 better eye after maximum correction. The low vision persons retain a relatively  
7 low degree of vision and can read only enlarged print or regular print under  
8 special conditions;  
9

10 4. *Children with hearing impairment* are those who are deaf of hard-of-  
11 hearing. The deaf persons are one whose hearing are non-functional for  
12 ordinary purpose in life. The hard-of-hearing have a defective sense of hearing  
13 that is functional without a hearing aid;  
14

15 5. *Children with behavior problems* are those who cannot adjust to the  
16 socially accepted norms or behavior and, consequently disrupt their academic  
17 progress, in the learning efforts of their classmates and interpersonal relations;  
18

19 6. *Children with orthopedic/physical handicap* are those whose  
20 impairment permanently or temporarily interferes with the normal functions of  
21 the joints, muscles or limbs;  
22

23 7. *Children with special health problems* are those who have health  
24 conditions that tend to keep children out-of-school or those with chronic and/or  
25 debilitating illnesses such as cardiac (heart) diseases, asthma, diabetes,  
26 tuberculosis and other respiratory ailments, carcenonza, epilepsy, malnutrition  
27 and others;  
28

29 8. *Children with learning disabilities* are those whose although normal  
30 in sensory, emotional and intellectual abilities exhibit disorders in perception,  
31 listening, thinking, reading, writing, spelling or arithmetic. They have such  
32 condition as perceptual handicaps, brain injury, minimal brain dysfunction,  
33 dyslexia and developmental aphasia;  
34

35 9. *Children with speech defects* are those whose speech differs from the  
36 average so far as to draw unfavorable attention to the manner of speaking  
37 rather than to the thought conveyed;  
38

39 10. *Children with autism* are those with developmental disabilities, the  
40 onset of which occurs before 30 months of age which is marked by disturbance  
41 in development, language and relationship with persons, activities and objects  
42 and which may coexist with intellectual disability and epilepsy. Children  
43 afflicted with this disorder have perceptual cognitive communication and social  
44 difficulties which change over time;  
45

