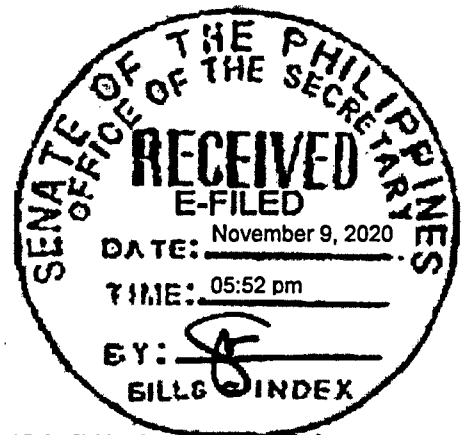


EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

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SENATE

S.B. No. 1907

(In Substitution of S.B. Nos. 55, 69, 171, 329, 338, 345, 434, 540, 804 and 1150)

Prepared by the Committee on Basic Education, Arts and Culture joint with the Committees on Ways and Means; Finance; and Women, Children, Family Relations and Gender Equality; with Senators Lapid, Cayetano, Gatchalian, Angara, Villar, Villanueva, Revilla, Jr., Zubiri, Binay, and Hontiveros as authors thereof.

AN ACT
INSTITUTING SERVICES AND PROGRAMS FOR LEARNERS WITH
DISABILITIES IN SUPPORT OF INCLUSIVE EDUCATION,
ESTABLISHING INCLUSIVE LEARNING RESOURCE CENTERS
OF LEARNERS WITH DISABILITIES IN ALL MUNICIPALITIES AND CITIES,
PROVIDING FOR STANDARDS, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Instituting Services and*
2 *Programs for Learners with Disabilities in Support of Inclusive Education Act*".

3

4 *Sec. 2. Declaration of Policy.* – It is the policy of the State to protect and promote
5 the right of all citizens to quality education at all levels and shall take appropriate steps
6 to make such education accessible to all. Towards this end, it shall recognize, protect,
7 and promote the rights of all learners with disabilities to education based on equal
8 opportunity. It shall make such education compulsory and accessible to them by ensuring
9 that no learner with disability is deprived of the right of access to an inclusive, equitable,
10 and quality education.

1 The State likewise recognizes the vital role of learners with disabilities in society.
2 It shall accordingly include their diverse needs as an integral part of national development
3 strategies, guarantee their social protection, and facilitate their active participation and
4 inclusion in public, civic, and State affairs.

5
6 **Sec. 3. Objectives.** – This Act shall pursue the following objectives:

7 (a) To provide learners with disabilities free and appropriate public early and basic
8 education and support services and programs based on their needs, and in preparation
9 for adult living and community life;

10 (b) To provide learners with disabilities access to the general education system
11 through formal school systems, including alternative delivery services, in accordance with
12 the “United Nations Convention on the Rights of Persons with Disabilities”, “UNESCO
13 Convention Against Discrimination in Education”, “The Incheon Strategy to Make the
14 Rights Real for Persons with Disabilities in Asia and the Pacific”, and other specific rights
15 and benefits under existing laws;

16 (c) To establish and maintain Inclusive Learning Resource Centers of Learners
17 with Disabilities in support of their inclusion in the general education system;

18 (d) To ensure that learners with disabilities develop their potential toward self-
19 sufficiency and become fully participative members of society;

20 (e) To create significant and positive changes in community orientation towards
21 disability to ensure that learners with disabilities are understood, appreciated, and
22 respected for their differences by the members of their communities and by society in
23 general;

24 (f) To further develop a system for identification, referral, and intervention for
25 learners with disabilities;

26 (g) To identify, through a Child Find System, learners with disabilities who are not
27 receiving early and basic education services;

28 (h) To institutionalize the development, implementation, and review of the
29 Individualized Education Plan for the quality education of learners with disabilities;

30 (i) To provide parents or guardians with information and opportunities to actively
31 participate in the possible placement options and educational programs for learners with
32 disabilities to enable them to make informed choices and decisions;

1 (j) To enable and empower all teachers, including those with disabilities, parents,
2 guardians, and family members by training and equipping them with capabilities to
3 detect, refer or intervene concerning disorders, disabilities, and abilities of the learners;

4 (k) To train and equip all teachers, including child development teachers and
5 workers, principals, administrators, non-teaching staff of the school, sign language
6 interpreters, parents, and guardians, as partners in the primary care, development,
7 education, and advancement of learners with disabilities;

8 (l) To increase school retention and cohort survival of learners with disabilities;

9 (m) To establish an effective consultative mechanism that will actively involve
10 learners with disabilities, when appropriate, and their representative organizations in the
11 implementation of this Act and in resolving issues relating to it; and

12 (n) To ensure the inclusion of the Filipino Sign Language as the first language (L1)
13 or mother tongue of the deaf learners under Republic Act (R.A.) No. 10533 or the
14 "Enhanced Basic Education Act of 2013".

15
16 **Sec. 4. Definition of Terms.** – As used in this Act, the following shall be defined as
17 follows:

18 (a) *Basic Education* refers to education intended to meet basic learning needs that
19 provide the foundation for subsequent learning. It encompasses kindergarten,
20 elementary, and secondary education of learners with disabilities.

21 (b) *Child Development Centers (CDCs)* are the day care centers established in
22 every barangay under R.A. No. 6972 or the "Barangay-Level Total Development and
23 Protection of Children Act" and converted to CDCs under R.A. No. 10410, otherwise
24 known as the "Early Years Act (EYA) of 2013". CDCs are implementing health, nutrition,
25 early education, and social services development programs that provide for the basic
26 holistic needs of learners with disabilities below five (5) years old to promote their
27 optimum growth and development. These also include national CDCs as provided in R.A.
28 No. 10410.

29 (c) *Child Find System (CFS)* refers to the system of identification, location, and
30 evaluation of all learners with disabilities who are not receiving basic education services
31 for purposes of facilitating their inclusion into the general basic education system. It

1 likewise covers learners below five (5) years old who are not receiving early education
2 services and programs under R.A. No. 10410.

3 For purposes of the CFS, a child refers to a person below eighteen (18) years of
4 age.

5 (d) *Deaf* refers to a sub-set of deaf individuals with hearing loss who use the
6 natural visual language of the community and support its goals and values as a linguistic
7 and cultural minority.

8 (e) *Early Education* refers to the education of learners below five (5) years old
9 pursuant to R.A. No. 10410 which adequately prepares them for the formal learning
10 system that begins at kindergarten.

11 (f) *Filipino Sign Language (FSL)* refers to the national sign language of the
12 Philippines as declared under R.A. No. 11106 or "The Filipino Sign Language Act", and
13 used by deaf Filipinos as their unique visual language and distinct from spoken Filipino.

14 (g) *Inclusive Education* refers to a process of addressing and responding to the
15 diversity of needs of all learners by moving towards the end goal of full participation,
16 presence and achievement in learning, cultures and communities, and eliminating
17 exclusion within and from education. It involves accommodation, modification,
18 adaptation, and individualization in content, approaches, structures, and strategies, with
19 a common vision that covers all learners of the appropriate age range, and a conviction
20 that it is the State's responsibility to educate all children.

21 It also focuses on achieving quality education that fosters diversity and flexibility
22 towards full participation of all learners with disabilities.

23 (h) *Inclusion* refers to a process where all learners, regardless of their background
24 and abilities, are given an equal chance to play, learn, and interact together in the same
25 learning environment. It is an approach where every learner is valued, supported, and
26 given access to equal opportunities and learning experiences within an ILRC, CDC or
27 school setting.

28 (i) *Inclusive Learning Resource Center of Learners with Disabilities (ILRC)* refers
29 to a place that provides support to teaching and learning, using appropriate, accessible,
30 disability-, linguistically-, culturally-, and gender-sensitive instructional learning materials,
31 tools, devices, gadgets, and equipment to facilitate and enhance learning, and
32 assessment tools and instruments to evaluate developmental domains and specific areas

1 of concern to determine appropriate services and placement decisions, with support from
2 medical, health, and allied professionals for care, rehabilitation, and development of
3 learners with disabilities.

4 (j) *Individualized Education Plan (IEP)* refers to the systematic, purposive, and
5 developmental educational programming of curricular and instructional priorities and
6 contents designed to meet the educational requirements of a learner with disability and
7 ensure mastery learning of skills and behaviors. It includes the services to be provided
8 and the duration and frequency of such services, describes the learner's present level of
9 performance, how the learner's disabilities affect academic performance, and specifies
10 accommodations and modifications. An IEP shall be designed to meet the unique
11 educational needs of a learner with disability who shall receive appropriate services and
12 programs, have real opportunities for equality, and fully participate in the general
13 education system and the community. It shall likewise aim at developing the learner's
14 strengths and talents to achieve the greatest possible self-sufficiency and independent
15 living.

16 (k) *Learners with Disabilities* refer to learners in the general early and basic
17 education system, who require additional support and adaptive pedagogic methods due
18 to their long-term physical, mental, intellectual, or sensory impairments, which in
19 interaction with various barriers may hinder their full and effective participation in society
20 on an equal basis with others. They are placed in the age-appropriate grade levels by
21 the multidisciplinary team based on the latter's assessments and diagnoses of the
22 learners. For purposes of this Act, age shall be determined either by the learner's
23 chronological or mental age; as may be appropriate.

24 (l) *Multidisciplinary Team* is composed of professionals who provide for the
25 learner's overall health and well-being. They participate in developing, implementing,
26 and reviewing an IEP using multidisciplinary, transdisciplinary, or other effective
27 approaches. Each member delivers specific services, including but not limited to, the
28 educational assessment and diagnosis of learners with disabilities.

29 (m) *Private Sector* refers to private individuals, partnerships or entities such as
30 organizations of persons with disability, parent-support organizations, health professional
31 organizations, community-based organizations or non-governmental organizations
32 (NGOs), and business and industry groups.

1 (n) *Quality Education* refers to the appropriateness, relevance and excellence of
2 the education given to meet the diverse needs and aspirations of learners with disabilities
3 and society.

4 (o) *Related Services* refer to support services which include, but not limited to,
5 linguistic solutions for deaf learners' concerns, speech-language pathology and audiology
6 services, interpreting services, intervenor services, psychological services, physical and
7 occupational therapy, recreation, social services, school health services, counseling and
8 rehabilitation services, orientation and mobility services, medical services, and
9 transportation services, as may be required to assist a learner with disability to fully enjoy
10 the rights and benefits from education services.

11 (p) *Reasonable Accommodation* refers to the necessary and appropriate
12 modification and adjustments not imposing a disproportionate or undue burden, where
13 needed in a particular case, to ensure learners with disabilities the enjoyment or exercise
14 on an equal basis with others of all human rights and fundamental freedoms including
15 their right to quality education.

16 (q) *Special Education (SPED)* refers to the customized instructional program or
17 service designed to meet the diverse needs of an individual learner with disability, which
18 may necessitate supplementary aids and services and teaching strategies in the
19 classroom or non-academic settings. They include instructions on physical and vocational
20 education, social skills development, and basic survival needs, and providing reasonable
21 accommodations, modifications, adaptations, and individualization, as needed. It is
22 geared towards the inclusion of learners with disabilities into the general education
23 system that will enable them to realize their full potential and prepare them as
24 independent functioning members of society.

25 (r) *Teachers* include all persons engaged in the classroom teaching of any
26 subject, including practical or vocational arts, at the elementary and secondary levels of
27 instruction, guidance counselors, and persons performing instructional supervision in all
28 private or public education institutions, but shall not include school nurses, school
29 physicians, school dentists, school administrators, and other school administrative
30 support employees. These include child development teachers in CDCs, mobile or
31 itinerant teachers, teacher aides, all persons who are qualified to teach sign language or
32 Braille, and other persons as may be qualified by the Department of Education (DepEd)

1 to teach learners with disabilities in the ILRC, CDC, a resource room, or inside or outside
2 a regular classroom.

3 (s) *Transition Program* refers to a coordinated set of courses and activities for
4 learners with disabilities that:

5 (1) is designed within an outcome-oriented process, which promotes
6 movement from school to post-school activities that include post-secondary
7 education, vocational training, integrated employment, supported employment,
8 continuing and adult education, adult services, independent living, or community
9 participation;

10 (2) is based upon the individual learner's needs, taking into account the
11 learner's preferences and interests; and

12 (3) includes instruction, related services, and community experiences.

13 (t) *Universal Design* as defined in the "United Nations Convention on the Rights
14 of Persons with Disabilities", refers to the design of products, environments, programs,
15 and services to be usable by all people, to the greatest extent possible, without the need
16 for adaptation or specialized design. "Universal design" shall not exclude assistive devices
17 for particular groups of persons with disabilities where this is needed.

18

19 *Sec. 5. Inclusion Policy for Learners with Disabilities in Public and Private Schools.*

20 – No learner with disability shall be denied admission and inclusion in any public or private
21 early or basic education school in the country to afford such learners with equitable
22 opportunities to educational services and programs.

23

24 *Sec. 6. Establishment of ILRCs.* – The DepEd, in collaboration with local
25 government units (LGUs), shall establish and maintain at least one (1) ILRC in all cities
26 and municipalities. All existing SPED Centers shall be converted to and renamed as
27 "Inclusive Learning Resource Center".

28 The LGUs may establish satellite ILRCs in schools, the operations and maintenance
29 of which shall be included in the School Improvement Plan (SIP). The SIP refers to a
30 roadmap that lays down the school's specific interventions and solutions to corresponding
31 identified priority improvement areas and aims to improve the three key result areas in
32 basic education: access, quality, and governance.

1 **Sec. 7. Functions of the ILRC.** – The ILRC shall function as a learning resource
2 center of learners with disabilities to deliver free support services and implement
3 programs in support of inclusive education towards capacitating all schools in the country
4 to educate learners with disabilities effectively. It shall:

5 (b) implement the CFS to ensure that all learners with disabilities who are not
6 receiving early and basic education services are identified, located, and evaluated, and
7 facilitate their inclusion into the general education system;

8 (b) utilize the expertise of a multidisciplinary team to conduct educational
9 assessments and diagnoses of learners with disabilities for the preparation of their IEPs,
10 and determine appropriate services and placement options;

11 (c) spearhead the preparation, implementation, and review of the IEP;

12 (d) provide support to learners with disabilities and their diverse needs for their
13 inclusion in the general education system;

14 (e) produce appropriate teaching and learning materials for learners with
15 disabilities, including but not limited to, FSL materials for deaf learners, Braille for the
16 blind and visually impaired, and augmentative and alternative instructional materials for
17 learners with developmental disabilities;

18 (f) provide and facilitate consultative mechanism, counseling, technical
19 assistance, and training to general basic education teachers, administrators, child
20 development teachers and workers, non-teaching personnel, parents, caregivers,
21 guardians, or other family members on the education of learners with disabilities;

22 (g) establish a referral system that shall provide and organize multidisciplinary
23 services needed by learners with disabilities and their families to mobilize community
24 resources;

25 (h) monitor and ensure that learners with disabilities within the city or
26 municipality receive the appropriate services needed, including FSL interpreting;

27 (i) implement the programs of the ILRC which include, but not limited to, the
28 transition program, alternative educational programs, and early intervention program in
29 collaboration with the CDC;

30 (j) initiate and implement successful research-based innovative approaches in
31 providing educational or support services to learners with disabilities;

1 (k) orient the LGUs served by the ILRCs on the psychology, diverse needs, and
2 potentials of learners with disabilities;

3 (l) provide access to auxiliary aids and services that are non-educational, but
4 which enhance the education process for the learners with disabilities. These shall include
5 but not limited to:

6 (1) Language and speech therapy, occupational therapy, physical and
7 physiotherapy, among other modes of treatment, through a
8 multidisciplinary team;

9 (2) Quality reading and writing materials, especially Braille materials for
10 learners with visual impairments, or other effective methods of
11 delivering communication materials;

12 (3) Acquisition and adaptation of equipment or devices;

13 (4) Provision of consultation for creating appropriate and reasonable
14 accommodation in the classroom, among others;

15 (5) Provision of qualified sign language interpreters for deaf learners;

16 (6) Assistance and monitoring in the transfer, or admission of eligible
17 learners with disabilities to post-secondary or tertiary education
18 institutions; and

19 (7) Other similar services and actions or all types of aids and services that
20 facilitate the learning process of learners with disabilities;

21 (m) provide or facilitate the provision of related services to learners with
22 disabilities; and

23 (n) perform other functions as may be necessary.

24 The ILRC may provide the same services to other learners as identified by school
25 officials and teachers, parents, guardians, or the learners themselves.

26
27 *Sec. 8. Hiring of Personnel and Staff of the ILRC; Functions.* – In addition to
28 teachers with special training, teacher aides, licensed social workers, and other allied
29 professionals with the knowledge, skills, and special training in interacting and dealing
30 with learners with disabilities, the DepEd shall coordinate with the Department of Health
31 (DOH) and Department of Social Welfare and Development (DSWD) for the hiring of the

1 necessary personnel and support staff, including qualified persons with disabilities, to
2 operate, administer, and oversee the ILRC.

3 Each ILRC shall have an ILRC Supervisor and a multidisciplinary team, and
4 supported by mobile teachers and a mobile multidisciplinary team. They shall have the
5 following functions:

6 (a) ILRC Supervisor. – The ILRC Supervisor shall:

7 (1) administer and supervise the delivery of support services and programs of
8 the ILRC;

9 (2) monitor and supervise the provision of technical assistance, training, and
10 enhancement programs of the ILRC personnel;

11 (3) regularly prepare reports on the operations of the ILRC to include the
12 progress of learners with disabilities; and

13 (4) perform such other related functions as may be provided in the
14 Implementing Rules and Regulations (IRR).

15 (b) Multidisciplinary Team. – The multidisciplinary team shall prepare the IEPs of
16 all learners with disabilities based on the multidisciplinary team’s assessments and
17 diagnoses, implement the IEP, and ensure that learners with disabilities are educated in
18 the general education system with their peers with or without disabilities.

19 The multidisciplinary team shall be composed of any or all of the following
20 professionals and specialists: Educational Psychologist; Guidance Counselor;
21 Psychometrician; Developmental Pediatrician; Neurological Psychiatrist; Physical
22 Therapist; Occupational Therapist; Speech and Language Therapist; Speech Language
23 Pathologist; Reading Specialist; Specialist for Braille and other augmentative and
24 alternative modes of communication; FSL Specialist; FSL Interpreter; Sign
25 Communication or Visual Specialist; SPED teacher, who shall be the lead
26 interventionist/implementor of the IEP; and ILRC Supervisor.

27 The school head for school-based ILRC and the general education teachers are
28 likewise members of the multidisciplinary team.

29 (c) Mobile Teachers. – Mobile teachers shall be hired whenever necessary. Their
30 principal task is to assist in the CFS and determine appropriate learning modalities using
31 the program and services of the ILRC. They shall likewise share responsibility for program
32 planning and scheduling, assist isolated or remote schools with specialized equipment,

1 individual programs, curriculum adjustment, and teaching aids, and perform other related
2 functions.

3 (d) Mobile Multidisciplinary Team. – At least one (1) mobile multidisciplinary team
4 in every municipality and city shall be organized as determined by the ILRC Supervisor.
5 The team members shall serve as mobile consultants of the schools, the ILRCs, and the
6 LGUs. It shall be composed of any one or all of the professionals and specialists in the
7 multidisciplinary team as stated in paragraph (b) of this section.

8 To ensure the effective implementation of this Act, the DepEd, DOH, and DSWD
9 may hire other necessary personnel and support staff for the ILRC.

10

11 *Sec. 9. Remuneration, Benefits, and Incentives for ILRC Personnel and Staff and*
12 *Teachers.* – The salary grades of the heads supervising the ILRCs, teachers, and other
13 personnel shall be in accordance with the Revised Compensation and Position
14 Classification System and other Civil Service Rules and Regulations.

15 The DepEd shall endeavor to attract the best available and qualified teaching staff
16 and talents through adequate remuneration, benefits, scholarship and training grants,
17 teacher exchange programs, incentives and allowances, and other means of securing
18 their job satisfaction and tenure in their respective posts.

19 The DepEd, in collaboration with the CHED, shall likewise develop a scholarship
20 program for in-service teachers who shall take courses or the required master's degree
21 units on Special Needs or Inclusive Education or other related courses to equip them with
22 knowledge on policies, principles, and pedagogies on inclusive education.

23

24 *Sec. 10. Pre-Service Education and In-Service Training.* – The DepEd shall
25 collaborate with the CHED to ensure that teacher education institutions offering bachelor
26 of elementary or secondary education degrees include in the curriculum courses on
27 inclusive education which are updated and responsive to the diverse needs of learners
28 with disabilities.

29 The DepEd shall also collaborate with relevant partners in the government, the
30 academe, and the private sector to develop and conduct appropriate training programs,
31 advanced seminars, and workshops on disability for all in-service teachers to upgrade

1 their skills and develop new professional competencies and enhance the services and
2 programs for learners with disabilities.

3
4 **Sec. 11. *IEP Preparation and Review.*** – With the active participation of the SPED
5 teachers, in collaboration with the multidisciplinary team, and in consultation with the
6 parents or guardian of the learners with disabilities and the learners with disabilities
7 themselves, when appropriate, IEPs for all learners with disabilities who require specially
8 designed instruction and educational support services and programs shall be prepared by
9 the schools, the CDCs, and the ILRCs. The IEPs shall be based on the educational
10 assessment and diagnosis of the learners with disabilities by the multidisciplinary team
11 and other relevant specialists.

12 The IEP shall likewise be subject to an annual review or at such other period as
13 may be determined by the multidisciplinary team, which shall not be later than one (1)
14 year from its implementation to assess the progress of learners with disabilities and revise
15 the plan when necessary.

16
17 **Sec. 12. *The Bureau of Inclusive Education as Implementing Bureau.*** – For
18 purposes of policy integration, and harmonization and coordination of functions, the
19 Bureau of Inclusive Education (BIE) under the DepEd is hereby created. It shall be
20 headed by a Director and shall have the following powers and functions and other
21 relevant functions as may be provided in the IRR of this Act:

22 (a) Implement the provisions of this Act in coordination with other national
23 government agencies and offices as implementing partner agencies, and adopt an
24 effective mechanism to ensure the implementation and enforcement of existing laws for
25 learners with disabilities that contribute to their educational, physical and psychosocial
26 well-being;

27 (b) In consultation with the Advisory Council on the Education of Learners with
28 Disabilities created pursuant to this Act, other implementing partner agencies and
29 stakeholders, adopt a national policy on inclusive education and prepare and regularly
30 update a multi-year roadmap, supported by annual work and financial plans, for the
31 effective implementation of this Act;

1 (c) Ensure that learners with disabilities are guaranteed their right of access to
2 free public early and basic education services;

3 (d) Participate in the development and implementation of an efficient and effective
4 CFS in collaboration with the LGUs, the ILRCs, the Early Childhood Care and Development
5 (ECCD) Council, and organizations of persons with disabilities;

6 (e) Implement policies and standards for the use of learning delivery modalities
7 for learners with disabilities, including the training of their teachers on distance education;

8 (f) Supervise, monitor, evaluate, and assess the compliance, operations and
9 performance of the schools and the ILRCs and their personnel pursuant to this Act, and
10 regularly submit reports thereon to the Secretary of Education (Secretary). It shall
11 likewise collaborate and coordinate with the ECCD Council with respect to its mandate,
12 and with other implementing partner agencies;

13 (g) Maintain a system for identification, referral, and intervention for learners with
14 disabilities initiated by the DepEd in coordination with the ECCD Council and other
15 relevant stakeholders;

16 (h) In consultation with a multidisciplinary team and organizations of persons with
17 disabilities, develop the IEP framework and the guidelines for its preparation, and
18 evaluate fundamental changes both in educational practice and the design of educational
19 services for inclusion of learners with disabilities in the general education system; and

20 (i) Such other necessary functions for the effective and efficient implementation
21 of this Act.

22 The BIE shall likewise implement programs for learners, other than learners with
23 disabilities, who require diverse educational support services and programs.

24
25 **Sec. 13. *Advisory Council for Education of Learners with Disabilities.*** – An Advisory
26 Council for Education of Learners with Disabilities (Council), which shall be composed of
27 representatives from various disability sectors and a representative from the academe, is
28 hereby created.

29 The Council, which shall directly coordinate and collaborate with the Secretary,
30 shall have the following powers and functions:

31 (a) Represent learners with disabilities and their respective organizations, and
32 participate in consultative meetings of the DepEd and other organizations of persons with

1 disabilities in the formulation of policies, plans and strategies, educational programs, rules
2 and regulations, guidelines, or regulatory changes on the education of learners with
3 disabilities;

4 (b) Conduct research and policy studies on inclusive education and other matters
5 related to the education of learners with disabilities;

6 (c) Participate in crafting, amending, or updating the roadmap referred to in
7 Section 12 of this Act, and monitor and evaluate its implementation;

8 (d) Subject to compliance with the provisions of R.A. No. 10173 or the "Data
9 Privacy Act of 2012", gather, consolidate, or interpret relevant data on the education of
10 learners with disabilities, and prepare the necessary report for the Secretary;

11 (e) Monitor the delivery of services and programs for learners with disabilities as
12 provided in this Act;

13 (f) Review existing and recommend new legislation to promote the educational
14 welfare, and physical and psychosocial well-being of learners with disabilities; and

15 (g) Perform other functions as may be necessary.

16 Subject to a prior consultation with organizations of persons with disabilities, other
17 NGOs and relevant stakeholders regarding the composition of the Council and the
18 qualifications and terms of office of the members, the DepEd, within sixty (60) days from
19 the effectivity of this Act, shall issue the necessary orders on the creation and composition
20 of the Council, and direct the Department, bureaus, and its attached agencies to extend
21 the necessary assistance and cooperation to the Council in the performance of its
22 functions. The composition of the Council and the qualifications and terms of office of its
23 members shall be stated in the IRR of this Act.

24 The Council is independent from the DepEd and its members shall not be entitled
25 to any compensation in the performance of their functions.

26
27 **Sec. 14. *Learners with Disabilities Information System.*** – The DepEd, through its
28 Information and Communications Technology Service, and in collaboration with the
29 Department of Information and Communications Technology, shall develop, maintain and
30 regularly update a secure Learners with Disability Information System (LWDIS). It shall
31 contain and store relevant disaggregated data of learners with disabilities such as, but
32 not limited to, their personal information, socio-economic profiles, IEP, performance, and

1 educational progress. The LWDIS shall likewise include information on existing ILRCs,
2 status of implementation of programs and projects, list of public and private partners,
3 and other relevant information that may be identified by the DepEd.

4 Subject to the accessibility and security guidelines to be included in the IRR of this
5 Act, the LWDIS shall be linked to the CFS of the LGUs, the ECCD Council, and to the
6 information systems of other implementing partner agencies. Access to data by said
7 agencies shall be limited to such data that are relevant to their roles and functions.

8 All implementing partners, public and private, and their personnel, teachers, and
9 third party service providers shall ensure compliance with the provisions of R.A. No.
10 10173.

11
12 *Sec. 15. Continuing Research to Identify the Needs of Learners with Disabilities. –*
13 The DepEd, in collaboration with relevant national government agencies and the private
14 sector, shall undertake continuing research to identify and design strategies and
15 programs that shall meet the diverse needs of learners with disabilities. Such continuing
16 research shall also be used to develop instructional techniques for use by the ILRCs
17 towards improving the acquisition of skills by learners with disabilities for their transition
18 to independent living, vocational training or competitive skills development, and to design
19 holistic programs for all schools and ILRCs to enhance the potential of the learners with
20 disabilities for community participation.

21
22 *Sec. 16. Student Assistance. –* The DepEd, DSWD, and the LGUs shall develop
23 programs to support the financial, educational and accessibility needs of all learners with
24 disabilities, particularly the economically disadvantaged learners with disabilities, as
25 envisioned in R.A. No. 8425, otherwise known as the "Social Reform and Poverty
26 Alleviation Act".

27 The benefits accorded by R.A. No. 8545, otherwise known as the "Government
28 Assistance to Students and Teachers in Private Education (GASTPE) Act" shall likewise be
29 extended to eligible learners with disabilities in the secondary level based on the criteria
30 under the said law on academic qualifications and financial needs of the learners with
31 disabilities, among others.

1 **Sec. 17. *Instructional Materials.*** – Publishers shall grant the DepEd the authority
2 to transcribe adopted instructional materials into accessible format which include, but not
3 limited to, Braille, large-print format, electronic, non-print, or multi-media format for
4 learners who are blind, visually impaired or otherwise print disabled, without penalty or
5 payment of royalty as provided in R.A. No. 8293, otherwise known as the "Intellectual
6 Property Code of the Philippines", as amended. The publishers of a newly adopted
7 instructional material shall provide the digital copy in accessible format of such materials
8 for the purpose of producing their accessible versions for learners with disabilities.

9 The accessible versions shall be produced by the DepEd or by non-profit accessible
10 book producers which shall indicate the copyright owner and the date of the original
11 publication, and shall be copied and distributed without cost to either the learners with
12 disabilities or their teachers-in-charge for instructional purposes. Production of
13 instructional materials for learners with disabilities shall be in compliance with the
14 "Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind,
15 Visually Impaired, or Otherwise Print Disabled", international and local laws, as well as
16 rules and regulations issued by the appropriate government agencies.

17
18 **Sec. 18. *Family Members, Guardians, and Caregivers' Education.*** – Formal
19 trainings, orientations, and counseling programs for parents, other family members,
20 guardians, and caregivers of learners with disabilities shall be developed and initiated by
21 the DepEd, and implemented in coordination with the LGUs, DSWD, ECCD Council, and
22 the private sector. These programs shall equip and provide them with awareness and
23 understanding of inclusive education such as the rights, privileges, benefits, and diverse
24 needs of learners with disabilities. These shall likewise set their essential roles as partners
25 in educating learners with disabilities, so as to maximize their knowledge and skills to
26 fully participate in developing the potentials of learners with disabilities. Parents,
27 guardians, or other family members should also be apprised of procedural safeguards
28 and processes to resolve disputes and complaints to protect the educational rights of
29 learners with disabilities.

30
31 **Sec. 19. *Incentives for Private Sector Participation.*** – Partnership between the
32 government and the private sector catering to the diverse needs of learners with

1 disabilities shall be encouraged. Any donation from the private sector for the provision
2 of the necessary educational assistance, facilities, materials, and other appropriate
3 support services for learners with disabilities shall be entitled to the benefits and
4 incentives provided under R.A. No. 8525, otherwise known as the "Adopt-A-School Act"
5 and its IRR.

6 The DepEd, shall formulate and adopt minimum standards for such donations from
7 the private sector to ensure quality delivery of support services and programs for learners
8 with disabilities.

9
10 **Sec. 20. Responsibility of Government Agencies.** – The DepEd shall be the lead
11 agency in the implementation of this Act. It shall ensure inter-agency coordination and
12 integration of services and programs among relevant national government agencies as
13 provided in their respective charters and mandates. For this purpose, the DepEd shall
14 collaborate and coordinate with the following implementing partner agencies for their
15 respective roles as follows:

16 (a) *DOH* – The DOH shall provide learners with disabilities with healthcare needs
17 services such as child mental health service, health plans, oral health care, and family-
18 to-family health information and education. It shall likewise coordinate with the ILRC for
19 the services of Barangay Health Workers.

20 (b) *DSWD* – The DSWD shall be responsible for the effective management and
21 provision of social and welfare services including auxiliary social services, for learners
22 with disabilities based on the assessed needs of the learners with disabilities, subject to
23 its prescribed guidelines.

24 (c) *Department of Justice* – The Department of Justice and the Integrated Bar of
25 the Philippines shall establish a mechanism for free legal assistance for learners with
26 disabilities and their parents or guardians in connection with the enforcement of their
27 rights under this Act. It shall likewise be responsible in enforcing existing laws on the
28 protection of learners with disabilities.

29 (d) *Department of Public Works & Highways* – The Department of Public Works &
30 Highways shall prescribe the proper physical indoor and outdoor set-up of the ILRC and
31 ensure that the ILRC, roads, sidewalks, ramps, railings, and the like shall be constructed,
32 built, and maintained in accordance with Batas Pambansa Blg. 344, otherwise known as

1 the "Accessibility Law", and universal design concepts to ensure their accessibility and
2 the mobility of learners with disabilities.

3 (e) *Department of Labor and Employment (DOLE)* – The DOLE shall develop a
4 training program for the learners with disabilities' transition from school to work; provide
5 to the ILRC current market analysis and job coaching sessions before and during their
6 employment; and facilitation of apprenticeship and job placements, together with its
7 attached agencies, the Technical Education and Skills Development Authority (TESDA),
8 and the Public Employment Service Office (PESO). The TESDA shall provide vocational
9 training when necessary. The PESO, on the other hand, shall conduct employability
10 enhancement seminars, provide pre-employment counselling and orientation, and offer
11 programs and activities on employment assistance pursuant to R.A. No. 8759, otherwise
12 known as the "PESO Act of 1999", as amended.

13 The DOLE, TESDA, and PESO shall lead the promotion of inclusion of learners with
14 disabilities among public and private institutions and comply with the requirements set
15 forth under R.A. No. 7277, otherwise known as the "Magna Carta for Disabled Persons",
16 as amended by R.A. No. 10524. They shall likewise disseminate materials and conduct
17 orientation and information campaign concerning effective practices in working with and
18 training learners with disabilities.

19 (f) *Department of the Interior and Local Government* – The Department of the
20 Interior and Local Government, in consultation with the DepEd, LGUs, and other relevant
21 agencies and stakeholders, shall promulgate policies and guidelines relevant to the
22 implementation of this Act by the LGUs.

23 (g) *LGUs* – The LGUs shall also perform the following functions:

24 (1) Partner with public or private volunteers and private organizations, local or
25 international, for technical guidance and information dissemination
26 campaigns and funding support to augment the funding for the programs
27 and activities pertaining to this Act;

28 (2) Participate in all efforts concerning inclusion of learners with disabilities in
29 the general education system, health services, transport services, and
30 other social and welfare services;

31 (3) Adopt measures to raise awareness in the community to respond to the
32 needs of learners with disabilities; and

1 (4) Share the responsibility with national government agencies and other
2 stakeholders for the implementation, regulation, enforcement and
3 monitoring of the provisions of this Act.

4 Notwithstanding the provisions of Sections 235 and 272 of R.A. No. 7160,
5 otherwise known as the "Local Government Code of 1991," the Local School Boards shall
6 be authorized to set aside a portion of the proceeds of the Special Education Fund to
7 supplement the funds of the DepEd and other implementing partner agencies for the
8 delivery of support services and programs for learners with disabilities.

9 (h) *Komisyon sa Wikang Filipino* – The Komisyon sa Wikang Filipino shall be
10 responsible in the implementation of the provisions of R.A. No. 11106, otherwise known
11 as "The Filipino Sign Language Act" in relation to early and basic education.

12
13 *Sec. 21. Establishment of Barangay Help Desks.* – All cities and municipalities shall
14 establish a help desk in every barangay within their jurisdiction. In coordination with the
15 Persons with Disability Affairs Office (PDAO) established under R.A. No. 7277, as
16 amended by R.A. No. 10070, it shall function as the focal unit in the barangay to assist
17 learners with disabilities, their parents or guardians, caregivers, and other family
18 members on matters affecting the education and provision of services and programs to
19 learners with disabilities.

20
21 *Sec. 22. Protection of Learners with Disabilities.* – The DepEd shall ensure the
22 protection of learners with disabilities against neglect, abuse, cruelty or exploitation,
23 bullying, discrimination, and other acts or conditions prejudicial to their physical and
24 psychosocial well-being and development as provided in this Act, R.A. No. 7277, as
25 amended, R.A. No. 10627 or the "Anti-Bullying Act of 2013", R.A. No. 7610 or the "Special
26 Protection of Children Against Abuse, Exploitation and Discrimination Act", and other
27 existing laws.

28
29 *Sec. 23. Procedural Safeguards.* – The DepEd shall ensure that learners with
30 disabilities and their parents or guardians are guaranteed procedural safeguards for the
31 enforcement and protection of their rights under this Act. Procedural safeguards refer to
32 policies, procedures, and other administrative approaches which include, but not limited

1 to, the rights to be informed and be served written notices on matters affecting the
2 education of the learner with disability, to participate in IEP deliberation meetings, to
3 access records, and to file a complaint if dispute resolution fails.

4 The DepEd shall likewise ensure the speedy disposition of any complaint filed by
5 learners with disabilities, their parents, guardians, caregivers, or other family members,
6 which shall be immediately acted upon and resolved not later than thirty (30) calendar
7 days from receipt of the complaint. Any DepEd official, teacher, or employee, and CDC
8 or ILRC personnel who shall cause any undue delay and fail to comply with the said
9 prescribed period shall be held administratively liable.

10
11 *Sec. 24. Public Information, Education and Communication.* – The DepEd and the
12 Philippine Information Agency shall conduct an intensified nationwide information
13 dissemination campaign on the rights of learners with disabilities under this Act and other
14 existing laws, which shall include the prevention, early identification, assessment of a
15 disabling condition, and the strategic intervention programs for learners with disabilities.

16 All information dissemination campaign materials shall be in accessible formats
17 which include, but not limited to, Braille, large-print format, electronic, non-print, or multi-
18 media format.

19
20 *Sec. 25. Whole-of-Community Approach.* – For the inclusion of learners with
21 disabilities in the general education system and the community, a whole-of-community
22 approach shall be adopted to facilitate collaborative action in and by the school
23 community, the academe, and other stakeholders, public or private, to foster the
24 involvement and participation of every sector, especially the organizations of persons with
25 disabilities, the learners with disabilities, and their parents and other members of their
26 families.

27
28 *Sec. 26. Interpretation Clause.* – The provisions of this Act and its IRR shall be
29 liberally construed in favor of the best interests of the learners with disabilities as
30 enunciated in the “United Nations Convention on the Rights of the Child”.

31

1 **Sec. 27. *Administrative Sanctions.*** – The DepEd shall ensure compliance with the
2 provisions of this Act. Any private school, DepEd official, teacher, or employee, and CDC
3 or ILRC personnel who shall violate or fail to comply with any provision of this Act shall
4 be dealt with administratively.

5
6 **Sec. 28. *Mandatory Review; Impact Assessment; Submission of Report to***
7 ***Congress.*** – The DepEd, in partnership with LGUs, other relevant agencies, and the
8 private sector, shall conduct a mandatory annual review of the implementation of this Act
9 and its IRR and submit a report to Congress to measure its effectiveness, identify the
10 gaps, issues and challenges, and ensure its proper implementation. An evaluation system
11 shall be established to assess the impact of this Act and the progress of learners with
12 disabilities.

13
14 **Sec. 29. *Appropriations.*** – The amount necessary for the implementation of this
15 Act shall be charged against those authorized in the current appropriations of the DepEd
16 and other implementing partner agencies. Thereafter, the amount necessary for its
17 continued implementation shall be included in their budget as a separate line item in the
18 annual General Appropriations Act.

19
20 **Sec. 30. *IRR.*** – Within ninety (90) days from the effectivity of this Act, the DepEd,
21 in consultation with concerned government agencies and other education stakeholders,
22 shall issue the rules and regulations implementing the provisions of this Act. The IRR
23 issued pursuant to this section shall take effect thirty (30) days after its publication in a
24 newspaper of general circulation.

25 Copies of the IRR and the roadmap referred to in Section 12 shall be transmitted
26 to the Chairs of the Committees on Basic Education of both Houses of Congress not later
27 than six (6) months and one (1) year, respectively, from the effectivity of this Act.

28
29 **Sec. 31. *Joint Congressional Oversight Committee (JCOC) on Inclusive Education.***
30 – There is hereby created a JCOC to oversee, monitor and evaluate the implementation
31 of this Act. The JCOC shall be composed of five (5) members each from the Senate and
32 the House of Representatives with the Chairs of the Committees on Basic Education of

1 both Houses as Co-chairs. The Chairs of the Committees on Higher and Technical
2 Education of both Houses shall likewise be designated as members of the JCOC. The
3 Speaker of the House of Representatives and the President of the Senate shall designate
4 the other three (3) members of the JCOC of the House and the Senate, respectively, from
5 among the members of the Committees on Basic Education; one (1) member of which
6 shall be from the minority.

7
8 *Sec. 32. Separability Clause.* – If any provision or part hereof is held invalid or
9 unconstitutional, the remainder of the law or the provision not otherwise affected shall
10 remain in full force and effect.

11
12 *Sec. 33. Repealing Clause.* – All laws, presidential decrees, executive orders,
13 issuances, rules and regulations, or parts thereof contrary or inconsistent with the
14 provisions of this Act are hereby repealed, amended, or modified accordingly.

15
16 *Sec. 34. Effectivity.* – Notwithstanding the non-issuance of the IRR, this Act shall
17 take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper
18 of general circulation.

Approved,