Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
19th City Council

PO19CC-519

78th Regular Session

ORDINANCE NO. SP-2463, S-2015

AN ORDINANCE APPROPRIATING FUNDS TO THE QUEZON CITY PERSONS WITH DISABILITY AFFAIRS OFFICE (QC-PDAO) TO COVER THE COST OF A CLINICAL SPECIAL EDUCATIONAL NEEDS ASSESSMENT OF INDIGENT CHILDREN.

Introduced by Councilors JULIENNE ALYSON RAE V. MEDALLA, DONATO C. MATIAS, LENA MARIE P. JUICO and CANDY A. MEDINA.

Co-Introduced by Councilors Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ranulfo Z. Ludovica, Ramon P. Medalla, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Godofredo T. Liban II, Allan Butch T. Francisco, Karl Edgar C. Castelo, Marivic Co-Pilar, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr. and Ricardo B. Corpuz.

WHEREAS, over one (1) billion, or approximately fifteen percent (15%) of the world's population, have some form of disability. About eighty percent (80%) of the world's persons with disabilities (PWDs) live in low-income countries, wherein majority are poor and cannot access basic services (WHO, 2012);

WHEREAS, in the Philippines, the results of the 2010 Census of Population and Housing (CPH, 2010) show that, of the household population of 92.1 million, 1.443 million Filipinos or 1.57%, have a disability with18.9% aged 0 to 14 years;

WHEREAS, in Quezon City, around 27,600 persons or 1% of the household population has a disability (CPH, 2010);

WHEREAS, the United Nations Convention on the Rights of the Child which the Philippines signed and ratified, recognizes that all children have the right to survival, development, protection, and participation;

WHEREAS, Section 7 of Ordinance No. SP-1915, S-2009, otherwise known as the Special Children's Ordinance in Quezon City provides that concerned agencies shall coordinate activities concerning intervention and rendition of sustainable educational services to special children;

WHEREAS, Article 2, Section 17 of Ordinance No. SP-2180, S-2012, otherwise known as the Quezon City Children's Code of 2012, provides that the Quezon City Government shall provide an integrated health service for children with disabilities which shall include early detection of disability, and timely intervention to arrest disabling condition;

WHEREAS, according to data from the Division of City Schools – Quezon City, there are 3,253 public school students enrolled in the Special Education Classes. Its current system of educational placement are inclusive education, remediation/enrichment tutorial classes, pull-out system, self-contained classes, transition classes, sports development, parent support placement system, and community outreach system;

WHEREAS, despite the continuous efforts of the national and local government, the lack of information and the inability to pay for assessment result to numerous children enrolled in regular classes without the knowledge of its teachers and parents that these are children with special educational needs. As such, the provision of educational services are not responsive and appropriate;

WHEREAS, pending the implementation of an integrated health and educational service for children with disabilities, as provided for in the QC Children's Code of 2012, this ordinance shall cover the cost of an assessment for indigent children;

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WHEREAS, a well-planned and proper assessment will lead to the provision of quality education for children with special educational needs, and promote their inclusion in regular education classes and in society.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. OBJECTIVES – The objectives of this Ordinance are:

a) To provide for the annual appropriation of funds for the detection of disabilities and special educational needs of indigent children;

b) To institutionalize a mechanism wherein the special educational needs of indigent children are properly assessed and addressed; and

c) To effectuate significant and positive changes in community beliefs and behavior towards children with disability.

SECTION 2. COVERAGE – This Ordinance shall cover indigent children under the age of eighteen (18) years who are residents of Quezon City.

SECTION 3. DEFINITION OF TERMS – For purposes of this Ordinance, the following terms are defined as follows:

a) Assessment – a systematic process of data-gathering using varied tools and strategies for building a profile of child's individual strengths and needs. The assessment shall be conducted by persons possessing such expertise and qualifications.

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b) *Assessment Report – details a child's health and educational needs.*

c) *Indigent Children – children under the age of eighteen (18) years who belong to families with no visible means of income, or whose income is insufficient for the subsistence of their family.*

d) *Special Education (SPED) – basic education that takes into account the special needs of both disabled children and gifted children that require individually planned, systematically implemented and carefully evaluated instruction to help student achieve the greatest possible personal self-sufficiency and success in present and future environment;*

e) *Special Educational Needs – a restriction in the capacity of a person to participate in, and benefit from, education on account of an enduring physical, sensory, mental health, or learning disability, or any other condition which results in a person learning differently from a person without that condition;*

SECTION 4. ELIGIBILITY – The eligibility of a child for assessment shall be determined upon submission of the following requirements to the QC-PDAO:

- *Recommendation for Assessment from the City Health Department or the Barangay Health Center*
- *Proof of Residency*
- *Certificate of Indigency*

Indigent children who are eligible for assessment shall then be referred to a licensed professional or medical institution accredited by the Quezon City Government. This accreditation shall be specifically outlined in the implementing rules and regulations of this Ordinance.

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SECTION 5. ASSESSMENT REPORTS AND SPECIAL EDUCATION (SPED) SCHOOLS – The result of the special educational needs assessment shall be utilized by the Division of City Schools to provide responsive and appropriate educational services to the child.

SECTION 6. MONITORING – The PDAO shall forward a monthly report to the members of the Quezon City Council for the Protection of Children (QCCPC) specifically highlighting among others the number of beneficiaries of this Ordinance.

SECTION 7. LIMITATIONS – This Ordinance shall only cover the cost of one (1) assessment per child to an accredited licensed professional or medical institution.

SECTION 8. APPROPRIATION – An initial amount of Two Million Pesos (P2,000,000.00) from the Quezon City Children's Fund pursuant to Article 8, Section 63 of Ordinance No. SP-2180, S-2012 or any available fund shall be allocated for the implementation of this Ordinance. Thereafter, an annual budget shall be allocated from the Quezon City Children's Fund or any available fund until the establishment of an integrated health and educational service for children with special needs.

SECTION 9. IMPLEMENTING RULES AND REGULATIONS (IRR) – The (1) Quezon City Special Children's Board, (2) Persons with Disabilities Affairs Office, (3) Division of City Schools - SPED Section and (4) the City Health Department shall formulate the rules and regulations necessary for the effective implementation of this Ordinance. Relevant stakeholders and resource persons shall be invited to provide information and to guide the authorities in crafting the said IRR.

SECTION 10. SEPARABILITY CLAUSE – If any part or section of this Ordinance is declared unconstitutional or invalid for any reason whatsoever, such declaration shall not in any way affect the other parts or sections thereof not affected thereby.

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SECTION 11. REPEALING CLAUSE – All ordinances, resolutions, executive orders, rules, regulations, and other administrative issuances, or the provisions thereof, which are contrary to or inconsistent with, this Ordinance are hereby repealed, or modified accordingly.

SECTION 12. EFFECTIVITY – This Ordinance shall take effect within fifteen (15) days following its publication in any newspaper of general circulation.

ENACTED: November 16, 2015.

VINCENT D.G. BELMONTE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 21 JAN 2016

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on November 16, 2015 and was PASSED on Third/Final Reading on November 23, 2015.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

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