

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 450



Introduced by
ACT TEACHERS Party-List Representative Antonio L. Tinio

EXPLANATORY NOTE

Deaf children break the barriers to communication by learning language through a natural sign language in formal education. Filipino Sign Language (FSL), a natural sign language indigenous to the Filipino Deaf community, has its own grammar and linguistic structure. FSL is learned without effort from interactions of Filipino Deaf children with other Deaf children and the Deaf community. Research shows that exposure to native users of FSL facilitates the learning of the Filipino Deaf: they develop language and acquire conversational skills easily. Deaf children are proven to have increased chances of developing self-esteem and higher competencies for college and employment if the primary medium of instruction is their first language (a visual language), which can then be used as a bridge to other languages.

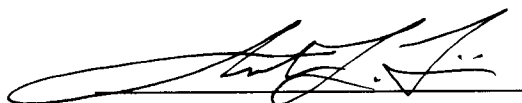
However, Philippine schools at the primary and secondary levels have mainly used the Signing in Exact English (SEE) and/or Sign Supported Speech, which are artificial sign systems based on oral and written English. In 2011, Undersecretary Yolanda Quijano of the Department of Education declared that "Signing Exact English (SEE) is the official sign language to be used in deaf education and training of SPED instructors and...the method of instructions will be both oral and [written]."

The Filipino Deaf community strongly believes that this current practice is inconsistent with previous issuances of the Department and a major violation of the rights of Deaf persons under the 1987 Constitution and international instruments, mainly the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD, adopted on 13 December 2006 and entered into force on 3 May 2008). Under Article 24 (3) of the UNCRPD, the Philippine government is obliged to facilitate the learning of the official sign language, promote the linguistic and cultural identity of the Deaf community, and ensure that Deaf education is delivered in the most appropriate languages and modes and means of communication. Article V, Section 1.4.1 of the 1997 Policies and Guidelines in Special Education (SPED) states that "Filipino Sign Language shall be used in the education of the

[Deaf]” while Department Order 74, series of 2009 mandates the use of the learner’s first language as the primary medium of instruction and literacy.

The exclusion of the Filipino Deaf in the educational system continues throughout the rest of their lives and in all aspects of society—they are effectively deprived of their rights to basic social services (especially health and medical assistance), information and communication, access to public services and transactions, and participation in the justice system.

This proposed measure seeks to realize the rights of the Filipino Deaf to full and equal participation in society by enabling the acquisition of life and social development skills through the use of FSL as the language of instruction, in an environment which respects their identity and distinct capabilities. It also seeks to ensure that all executive policies are consistent with the law as abovestated. Furthermore, with its directive to all government agencies to ensure the Filipino Deaf access to all public transactions, services, and facilities through the use of FSL as the medium of official communication, this bill seeks to give effect to the State’s obligations under international law to progressively realize the rights of the Filipino Deaf to inclusion, accessibility, expression, and access to justice, particularly through Sections 5, 6, 7, 8, 9, and 10.

A handwritten signature in black ink, appearing to read 'Antonio L. Tinio', written over a horizontal line.

ANTONIO L. TINIO

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AN ACT
DECLARING FILIPINO SIGN LANGUAGE AS THE NATIONAL SIGN LANGUAGE OF THE FILIPINO DEAF AND THE OFFICIAL LANGUAGE OF GOVERNMENT IN ALL TRANSACTIONS INVOLVING THE DEAF, AND MANDATING ITS USE IN SCHOOLS, BROADCAST MEDIA, AND WORKPLACES

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

SECTION 1. Title. This Act shall be known as "***The Filipino Sign Language Act of 2012.***"

SECTION 2. Declaration of Policy. The State shall promote, protect, and ensure the full and equal enjoyment of all human rights and fundamental freedoms of persons with disabilities. Thus, national and local state agencies shall uphold respect for their inherent dignity, individual autonomy, and independence by guaranteeing accessibility and eliminating all forms of discrimination in all public interactions and transactions, thereby ensuring their full and effective participation and inclusion in society.

The State shall also take all appropriate measures to ensure that the Filipino Deaf can exercise the right to expression and opinion. Accordingly, the State recognizes and promotes the use of sign languages embodying the specific cultural and linguistic identity of the Filipino Deaf. Filipino Deaf children can learn best and most comfortably and effectively in an environment that recognizes and respects who they are, one that uses their native first language—a true visual language, which is a system historically and distinctively their own. Such a language would not only produce highly successful learners but would also respect their rights to identity, access to education, and direct communication, among others.

SECTION 3. Filipino Sign Language as the National Sign Language of the Filipino Deaf. Filipino Sign Language, hereinafter referred to as FSL, is hereby declared as the national sign language of the Philippines. As such, it shall be used as the medium of official communication in all transactions involving the Deaf and the language of instruction of Deaf education.

SECTION 4. *Filipino Sign Language in Education.*

(1) Medium of Instruction and Curriculum. The Department of Education (DepEd), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), and all other national and local government agencies involved in the education of the Deaf, are tasked to henceforth use FSL as the medium of instruction in Deaf education. The FSL shall also be taught as a separate subject in the curriculum for Deaf learners. The reading and writing of Filipino, as the national spoken language, other Philippine languages, and English shall also be taught to Deaf learners.

(2) FSL in Early Childhood Care. All early childhood care and development programs provided by the government shall enable age-adequate FSL acquisition to pre-school age Deaf children and their families.

(3) Deaf Teachers. To promote the licensing of Deaf teachers who use FSL, the Professional Regulation Commission (PRC) is directed to employ affirmative action measures by administering alternative assessment procedures which shall consider the conditions and abilities of the Deaf and be language-appropriate and culture-fair to Deaf education graduates.

In the hiring and deployment of teachers in formal and non-formal education programs, DepEd and all other concerned national and local agencies are directed to employ affirmative action in recruiting Deaf persons who use FSL.

(4) FSL in Teacher Training Programs for Deaf Education. FSL shall be included as a separate subject in the curriculum of training programs for teachers in Deaf education.

(5) Training and Evaluation Programs. To improve the quality of teachers in Deaf education, all national and local government agencies, centers, and programs providing education to Deaf students, are hereby tasked to institute periodic training and evaluation programs for their teachers. Training and evaluation shall be designed and taught in consultation with the representatives of the Filipino Deaf community.

SECTION 5. *Standards for Filipino Sign Language Interpreting.* The National Council for Disability Affairs (NCDA), with the involvement of the Deaf community and other stakeholders, shall establish a national system of standards, accreditation, and procedures for FSL interpreting.

SECTION 6. *Filipino Sign Language in Courts, Quasi-Judicial Agencies, and Other Tribunals.* FSL shall be the official language of legal interpreting for the Deaf in all public hearings, proceedings, and transactions of the courts, quasi-judicial agencies, and other tribunals. To ensure effective access to justice for the Deaf on an equal basis with others and to facilitate their effective role as direct and indirect participants in the legal system, courts, quasi-judicial agencies, and other tribunals are hereby mandated to ensure the availability of FSL interpreting in all proceedings involving the Deaf.

For purposes of this Act, “hearings, proceedings, and transactions” shall include those in police stations and the *Lupong Tagapamayapa*, as well as preliminary investigations and other initial stages in the courts, quasi-judicial bodies, and other tribunals.

The Supreme Court and other concerned agencies shall promote appropriate training for those working in the administration of justice, including hearing and Deaf relay interpreters, and other court personnel, and police and prison staff.

The NCDA, the Department of Justice, and the Judiciary, with the involvement of the Deaf community and other stakeholders, are tasked to create a national system of standards, accreditation, and procedures for legal interpreting in FSL.

SECTION 7. *Filipino Sign Language in All Workplaces.* FSL shall be the official language of the Filipino Deaf employed in the public and private service. For this purpose, every government office shall take all reasonable measures that would encourage the use of FSL among its Deaf and hearing employees, including the conduct of awareness and training seminars on the rationale and use of FSL.

SECTION 8. *Filipino Sign Language in the Public Health System.* State hospitals and health centers shall take steps to ensure access of the Filipino Deaf to health services, including the free provision of FSL interpreters for Deaf patients.

SECTION 9. *Filipino Sign Language in All Other Public Transactions, Services, and Facilities.* As the medium of official communication, all national and local government agencies are hereby directed to use FSL in all public transactions involving the Deaf. FSL interpreting shall be provided whenever necessary or requested in all government offices and during forums, conferences, meetings, cultural events, sports competitions, community affairs, and activities conducted by government agencies.

SECTION 10. *Filipino Sign Language in Broadcast Media.* FSL shall be the official language of broadcast media interpreting. To guarantee access to information and freedom of expression of the Filipino Deaf, the National Telecommunications Commission (NTC) shall, within a reasonable period upon the effective date of this Act, require FSL interpreter insets in news and public affairs programs. Subsequently, the NTC shall take steps to promote the use of FSL in all other broadcasts and programming.

The NTC, in consultation with the NCDA, *Kapisanan ng mga Brodkaster ng Pilipinas*, the Deaf community, and other stakeholders, is tasked to create a national system of standards, procedures and accreditation for broadcast media interpreting in FSL.

SECTION 11. *Promotion of FSL.* The DepEd, CHED, and other national and local agencies shall take appropriate steps to propagate sign language competency among hearing people, by offering FSL as an optional language subject in the regular or mainstream curriculum, among others.

State universities and colleges are directed to undertake continuing research for the development, propagation, and preservation of FSL.

SECTION 12. *Implementing Rules.* The DepEd, CHED, TESDA, PRC, NCDA, Supreme Court, DOJ, and other relevant agencies shall, within 30 days after its effective date, promulgate the necessary rules and regulations. For this purpose, these agencies shall involve representatives of the Deaf community, teachers with knowledge and experience in the use of FSL in Deaf education, the academe, and other persons concerned. These rules and regulations shall likewise be published in accessible formats in their respective websites and through other means necessary.

SECTION 13. *Monitoring of the Implementation of this Act.* The NCDA, in collaboration with representatives of the Deaf community, is hereby tasked to convene an Inter-Agency Committee including individuals and institutions with knowledge and experience on FSL and its use, to make an annual assessment of the implementation of this Act. The report of this Inter-Agency Committee shall be transmitted annually to the House Committee on Basic Education and Culture and Senate Committee on Education, Arts, and Culture and published in accessible formats in their respective websites and through other means necessary.

SECTION 14. *Appropriations.* Implementation of this Act shall derive its funding from the 1% appropriations for Persons with Disabilities as provided in the General Appropriations Act.

SECTION 15. *Repealing Clause.* All laws and executive issuances inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 16. *Separability Clause.* If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectiveness of its other provisions.

Section 17. *Effective Date.* This Act shall take effect fifteen days after its publication in the *Official Gazette* or one newspaper of general circulation.

Approved,