

(H. B. 1443)

(No. 104)

(Approved August 26, 2005)

AN ACT

To create the “Puerto Rico Education System Inclusion Program Act,” attached to the Department of Education, to facilitate the effective integration of teachers and students of all school levels and of other members of the school community, with persons having special needs and other related purposes.

STATEMENT OF MOTIVES

The education process not only complies with the objective of having our children and youths develop and refine skills related to the basic subjects that shall enable them to perform successfully in the profession or vocation they decide to practice in the future, but it also forms an integral part in the socialization process of a human being. It is known that the formative years are the most important ones, not only for intellectual development, but also for the training or formation that shall allow our children and youths to interact in our society according to the norms established for order and its standards. Such a socialization process should exist within the framework of mutual respect and respect toward our superiors, the effective resolution of conflicts and tolerance towards the individual differences of each human being in its various manifestations.

Regarding the latter criteria, it is of vital importance and relevance with respect to persons with disabilities, because they constitute a group that is highly discriminated against in social terms. If it is taken for granted that we

are preparing the men and women of the future using the resources of our Education System, the purpose of preparing tolerant and sensitive men and women must be taken into account. A sound mechanism for the achievement of this premise is the good use of the resources of our System by means of the design and implementation of a program that shall provide the school community with the necessary tools for the development of empathy and tolerance toward differences in others. Said program shall consider the individual differences if in such a manner that they may adjust to the teachers and students, as well as to each group and educational level.

The creation of this program shall certainly have a large impact on all the aspects of their lives in society of persons with disabilities. The greatest benefit shall be obtained in the following areas: employability, personal independence, self-sufficiency and the social integration of our persons with disabilities. Another advantage of this initiative is the knowledge that children and youths with disabilities shall obtain about their rights and responsibilities as citizens. In addition, growing up in an environment in which they are accepted and welcomed contributes significantly toward the development of self-esteem for the present and the future.

For the reasons stated above, the Legislature acknowledges the importance of establishing a means to create an Educational Program attached to the Department of Education which shall facilitate the long and short term inclusion and integration of our persons with disabilities into the school community and all the persons that interact in their environment.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-The “Puerto Rico Education System Inclusion Program,” attached to the Department of Education, is hereby created to facilitate the effective integration of teachers and students of all school levels with

persons having special needs and for related purposes.

Section 2.-Approaches

The Department of Education shall comply with the objectives and purposes of this Act through the following mechanisms:

- (1) Offer courses to all the teachers in the Education System at least once during each academic year on how to treat, integrate and actively include children with disabilities within their classrooms and/or classes;
- (2) Offer workshops to homeroom teachers on how to use courses and integrate the fundamentals on the treatment and acceptance of persons with disabilities into existing courses, as well as showing appreciation to the potential of persons with disabilities. Such workshops shall be offered at least once (1) per semester in each educational region;
- (3) Offer workshops to children with disabilities who receive services from the Office of the Assistant Secretary for Educational Services for Persons with Disabilities and to their parents and guardians on their rights, self-esteem and leadership, and their capabilities, duties and responsibilities as citizens;
- (4) Offer training to the remaining members of the school community to guarantee compliance with the purposes of this Act.

Section 4.-Duties of the Secretary

- (1) The Secretary of the Department of Education is hereby empowered to take all the necessary measures to guarantee the success and permanence of this Program, which shall include, without being limited to, the following:

- (a) To assign resources and a budget to the Program;
- (b) To include aspects of the Program in the curriculum of the different academic programs, courses and programs of the Department;
- (c) To establish cooperation agreements with the agencies or entities he/she deems pertinent in order to comply with the objectives of this Act;
- (d) To create the regulations and issue the administrative orders he/she deems pertinent in order to comply with the objectives of this Act within forty-five (45) days as of its approval;
- (e) To establish the scope of the Program and the content of the courses to be offered within sixty (60) days as of the approval of this measure;
- (f) To identify the personnel that shall offer orientations to the teachers in the Public Education System on how to integrate inclusion strategies into the regular mainstream courses;
- (g) To establish Work Committees to achieve the objectives of this Act;
- (h) To assign the personnel he/she deems necessary to comply with the objectives of the Program and establish the training deemed necessary to satisfy the needs of the Program created by this Act;
- (i) To render an annual detailed report to the Legislature on the status, effectiveness and progress of the Program.

Section 5.-Separability Clause

If any of the provisions of this Act is declared unconstitutional or becomes the object of any controversy that finally invalidates it, said ruling or invalidation shall not affect the remaining provisions of this Act.

Section 6.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 104 (H.B. 1443) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to create the “Puerto Rico Education System Inclusion Program Act,” attached to the Department of Education, to facilitate the effective integration of teachers and students of all school levels and of other members of the school community, with persons having special needs and other related purposes,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 6th of March of 2006.

Francisco J. Domenech
Director