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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN PENDIDIKAN
(PENDIDIKAN KHAS) 2013

EDUCATION (SPECIAL EDUCATION) REGULATIONS 2013



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AKTA PENDIDIKAN 1996

PERATURAN-PERATURAN PENDIDIKAN (PENDIDIKAN KHAS) 2013

PADA menjalankan kuasa yang diberikan oleh seksyen 41 Akta Pendidikan 1996 [Akta 550], Menteri membuat peraturan-peraturan yang berikut:

Nama

1. Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Pendidikan (Pendidikan Khas) 2013**.

Pemakaian

2. Peraturan-Peraturan ini hendaklah terpakai bagi sekolah kerajaan dan sekolah bantuan kerajaan yang melaksanakan Pendidikan Khas.

Tafsiran

3. Dalam Peraturan-Peraturan ini—

“Kod Amalan” ertinya Kod Amalan Pendidikan Murid Berkeperluan Pendidikan Khas;

“Kurikulum Pendidikan Khas” ertinya—

- (a) Kurikulum Kebangsaan;
- (b) Kurikulum Kebangsaan yang diubah suai oleh Ketua Pendaftar;
- (c) kurikulum yang direka bentuk khusus oleh Ketua Pendaftar; atau
- (d) apa-apa kurikulum latihan kemahiran yang, pada pendapat Ketua Pendaftar, sesuai dan bermanfaat bagi murid berkeperluan pendidikan khas;

“murid berkeperluan pendidikan khas” ertinya murid yang diperakukan oleh pengamal perubatan, ahli optik, ahli audiologi atau ahli psikologi, mengikut mana-mana yang berkenaan, sama ada dalam perkhidmatan kerajaan atau tidak, sebagai murid yang mempunyai—

- (a) ketidakupayaan penglihatan;
- (b) ketidakupayaan pendengaran;
- (c) ketidakupayaan pertuturan;
- (d) ketidakupayaan fizikal;
- (e) masalah pembelajaran; atau
- (f) mana-mana kombinasi ketidakupayaan, atau ketidakupayaan dan masalah, yang disebut dalam perenggan (a) hingga (e);

“Pendidikan Khas” ertinya pendidikan bagi murid berkeperluan pendidikan khas di suatu sekolah khas, atau di sekolah yang melaksanakan Program Pendidikan Khas Integrasi atau Program Pendidikan Inklusif, pada peringkat—

- (a) pendidikan prasekolah;
- (b) pendidikan rendah;
- (c) pendidikan menengah; atau
- (d) pendidikan lepas menengah;

“Program Pendidikan Inklusif” ertinya suatu program pendidikan bagi murid berkeperluan pendidikan khas yang dihadiri oleh murid berkeperluan pendidikan khas bersama-sama dengan murid lain dalam kelas yang sama di sekolah kerajaan atau sekolah bantuan kerajaan;

“Program Pendidikan Khas Integrasi” ertinya suatu program pendidikan bagi murid berkeperluan pendidikan khas yang hanya dihadiri oleh murid berkeperluan pendidikan khas di kelas khas di sekolah kerajaan atau sekolah bantuan kerajaan;

“Rancangan Pendidikan Individu” ertinya suatu rekod yang mengandungi butiran sebagaimana yang ditentukan oleh Ketua Pendaftar yang menyatakan tentang rancangan pendidikan bagi setiap murid berkeperluan pendidikan khas.

Kehendak untuk menghadiri tempoh percubaan

4. (1) Bagi maksud menentukan kesesuaian murid berkeperluan pendidikan khas mengikuti Pendidikan Khas di bawah subperaturan 5(1), murid itu hendaklah menghadiri suatu tempoh percubaan yang tidak melebihi tiga bulan di sekolah kerajaan atau sekolah bantuan kerajaan.

(2) Apabila tempoh percubaan yang disebut dalam subperaturan (1) selesai, sekolah yang dihadiri oleh murid itu semasa tempoh percubaan hendaklah menyediakan dan mengemukakan laporan tempoh percubaan kepada suatu panel.

(3) Panel yang disebut dalam subperaturan (2) hendaklah terdiri daripada anggota yang berikut:

- (a) Pengetua, Guru Besar atau Guru Penolong Kanan Pendidikan Khas;
- (b) Pegawai Jabatan Pelajaran Negeri atau Pegawai Pejabat Pelajaran Daerah; dan

- (c) Pegawai Jabatan Kebajikan Masyarakat atau Pegawai Jabatan Pembangunan Orang Kurang Upaya.

Kesesuaian mengikuti Pendidikan Khas

5. (1) Apabila laporan tempoh percubaan di bawah subperaturan 4(2) diterima, panel hendaklah menentukan kesesuaian murid berkeperluan pendidikan khas itu untuk mengikuti Pendidikan Khas.

(2) Sekolah yang dihadiri oleh murid itu semasa tempoh percubaan hendaklah memberitahu penentuan yang dibuat oleh panel di bawah subperaturan (1) kepada ibu bapa murid itu.

Rayuan

6. (1) Mana-mana orang yang terkilan dengan penentuan panel dalam subperaturan 5(1) boleh membuat rayuan kepada Pendaftar secara bertulis dalam masa tiga puluh hari dari tarikh pemberitahuan penentuan itu.

(2) Penentuan Pendaftar adalah muktamad.

Kod Amalan

7. (1) Ketua Pendaftar hendaklah menyediakan Kod Amalan yang mengandungi prosedur standard yang memberi panduan dalam merancang, menyediakan dan melaksanakan program pendidikan bagi murid berkeperluan pendidikan khas.

(2) Ketua Pendaftar boleh meminda Kod Amalan.

(3) Mana-mana orang yang terlibat dalam pelaksanaan Pendidikan Khas hendaklah mematuhi Kod Amalan.

Pelaksanaan Pendidikan Khas

8. (1) Bagi maksud melaksanakan Pendidikan Khas—

- (a) mana-mana orang yang terlibat dalam pelaksanaan Pendidikan Khas hendaklah menggunakan Kurikulum Pendidikan Khas;
- (b) seseorang guru hendaklah menggunakan Rancangan Pendidikan Individu; dan
- (c) seseorang guru boleh membuat pengubahsuaian kepada—
 - (i) kaedah atau teknik pengajaran dan pembelajaran;
 - (ii) masa yang diperuntukkan bagi setiap aktiviti;
 - (iii) susunan aktiviti; dan
 - (iv) bahan bantu mengajar.

(2) Apa-apa pengubahsuaian yang dibuat di bawah perenggan (1)(c) hendaklah mengikut Kurikulum Pendidikan Khas.

Kehendak untuk mengikuti kegiatan kokurikulum

9. Seseorang murid berkeperluan pendidikan khas yang ditentukan oleh panel sebagai sesuai untuk mengikuti Pendidikan Khas di bawah subperaturan 5(1) hendaklah mengikuti kegiatan kokurikulum sebagaimana yang ditakrifkan dalam Peraturan-Peraturan Pendidikan (Kurikulum Kebangsaan) 1997 [*P. U. (A) 531/1997*] mengikut kesesuaian murid itu.

Tempoh pendidikan bagi murid berkeperluan pendidikan khas

10. (1) Pendidikan bagi murid berkeperluan pendidikan khas boleh dilanjutkan kepada suatu tempoh seperti yang berikut:

- (a) tidak lebih daripada dua tahun di sekolah rendah;
- (b) tidak lebih daripada dua tahun di sekolah menengah; atau
- (c) satu tahun di sekolah rendah dan satu tahun di sekolah menengah.

(2) Walau apa pun perenggan (1)(b), pendidikan bagi murid berkeperluan pendidikan khas yang mengikuti pendidikan vokasional di sekolah menengah pendidikan khas vokasional boleh dilanjutkan bagi tempoh satu tahun lagi.

Pembatalan

11. Peraturan-Peraturan Pendidikan (Pendidikan Khas) 1997 [*P.U. (A) 532/1997*] dimansuhkan.

Dibuat 5 Julai 2013
[KP(BPPDP)S.700/040 Jld. 6; PN(PU2)569/IX]

TAN SRI DATO' HJ. MUHYIDDIN BIN HJ. MOHD YASSIN
Menteri Pendidikan

EDUCATION ACT 1996

EDUCATION (SPECIAL EDUCATION) REGULATIONS 2013

IN exercise of the powers conferred by section 41 of the Education Act 1996 [Act 550], the Minister makes the following regulations:

Citation

1. These regulations may be cited as the **Education (Special Education) Regulations 2013**.

Application

2. These Regulations shall apply to a government school and government-aided school which implement the Special Education.

Interpretation

3. In these Regulations—

“Code of Practice” means the Code of Practice on Education for Pupil with Special Educational Needs;

“Special Education Curriculum” means—

- (a) the National Curriculum;
- (b) the National Curriculum which is modified by the Registrar General;
- (c) a curriculum which is specially designed by the Registrar General; or
- (d) any skill training curriculum which, in the opinion of the Registrar General, is suitable and beneficial for a pupil with special educational needs;

“pupil with special educational needs” means a pupil who is certified by a medical practitioner, an optometrist, an audiologist or a psychologist, as the case may be, whether in service of the government or not, as a pupil having—

- (a) visual disability;
- (b) hearing disability;
- (c) speech disability;
- (d) physical disability;
- (e) learning difficulties; or
- (f) any combination of the disabilities, or disabilities and difficulties, referred to in paragraphs (a) to (e);

“Special Education” means an education for a pupil with special educational needs in a special school, or school which implements the Special Education Integrated Programme or Inclusive Education Programme, at the level of—

- (a) pre-school education;
- (b) primary education;
- (c) secondary education; or
- (d) post-secondary education;

“Inclusive Education Programme” means an educational programme for a pupil with special educational needs which is attended by a pupil with special educational needs together with other pupils in the same class in a government school or government-aided school;

“Special Education Integrated Programme” means an educational programme for a pupil with special educational needs which is only attended by pupils with special needs in a special class in a government school or government-aided school;

“Individual Education Plan” means a record containing items as determined by the Registrar General which specifies the educational plan for each pupil with special educational needs.

Requirement to attend probation period

4. (1) For the purpose of determining the suitability of a pupil with special education needs to attend the Special Education under subregulation 5(1), the pupil shall attend a probation period of not more than three months at a government school or government-aided school.

(2) Upon completion of the probation period referred to in subregulation (1), the school attended by the pupil during the probation period shall prepare and submit a probation period report to a panel.

(3) The panel referred to in subregulation (2) shall consist of the following members:

(a) the Principal, Head Teacher or Senior Assistant for Special Education;

(b) the State Education Department Officer or District Education Officer; and

- (c) the Social Welfare Department Officer or Persons with Disabilities
Development Department Officer.

Suitability of attending Special Education

5. (1) Upon receipt of the probation period report under subregulation 4(2), the panel shall determine on the suitability of the pupil with special educational needs to attend the Special Education.

(2) The school which is attended by the pupil during the probation period shall notify the determination made by the panel under subregulation (1) to the parent of the pupil.

Appeal

6. (1) Any person aggrieved by the determination of the panel in subregulation 5(1) may appeal to the Registrar in writing within thirty days from the date of the notification of the determination.

(2) The determination of the Registrar is final.

Code of Practice

7. (1) The Registrar General shall prepare the Code of Practice which consists of standard procedures that provide guidance in planning, preparing and implementing the educational programme for a pupil with special educational needs.

(2) The Registrar General may amend the Code of Practice.

(3) Any person who is involved in the implementation of the Special Education shall comply with the Code of Practice.

Implementation of the Special Education

8. (1) For the purpose of implementing the Special Education—
- (a) any person who is involved in the implementation of the Special Education shall use the Special Education Curriculum;
 - (b) a teacher shall use the Individual Education Plan; and
 - (c) a teacher may make modification to—
 - (i) the teaching and learning methods or techniques;
 - (ii) the time allocated for each activity;
 - (iii) the activities arrangement; and
 - (iv) the teaching aids.

(2) Any modification made under paragraph (1)(c) shall be in accordance with the Special Education Curriculum.

Requirement to attend co-curricular activities

9. A pupil with special educational needs determined by the panel as suitable to attend the Special Education under subregulation 5(1) shall attend the co-curricular activities as defined in the Education (National Curriculum) Regulations 1997 [*P. U. (A) 531/1997*] according to the suitability of the pupil.

Duration of education for a pupil with special educational needs

10. (1) The education for a pupil with special educational needs may be extended for a period as follows:

- (a) not more than two years in a primary school;
- (b) not more than two years in a secondary school; or
- (c) one year in a primary school and one year in a secondary school.

(2) Notwithstanding paragraph (1)(b), the education for a pupil with special educational needs who attends a vocational education in a secondary special education vocational school may be extended for a further period of one year.

Revocation

11. The Education (Special Education) Regulations 1997 [*P.U. (A) 532/1997*] are revoked.

Made 5 July 2013
[KP(BPPDP)S.700/040 Jld. 6; PN(PU2)569/IX]

TAN SRI DATO' HJ. MUHYIDDIN BIN HJ. MOHD YASSIN
Minister of Education