

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15th Congress
First Regular Session

H. No. 2104

Introduced by Representative Malapitan

EXPLANATORY NOTE

The United Nations Educational and Scientific Cultural Organization (UNESCO) in launching its monitoring report on "Education for All, Overcoming Inequality: Why Governance Matters" last November, 2009, listed the Philippines as among the governments depriving the underprivileged children who miss out on a well-balanced development because they did not have pre-school education. In public schools, five years old children are denied that opportunity to fully develop their mental faculties.

Preschool education is vital to the academic and technical education of the Filipino children for it is the period when the young mind's absorptive capacity for learning is at its sharpest.

The importance of pre-school education can no longer be underemphasized. A number of studies have shown that the formative years of a child is the most important and significant phase as far as learning is concerned. Unfortunately, we have not yet recognized this since our public educational system begins only in grade 1 when a child is already six years old. While there is a proliferation of private pre-schools in the country, the majority of Filipino families especially in depressed communities and in the rural areas can not afford to send their children to private pre-schools. This puts an ordinary child at a disadvantaged position compared to a child who has undergone pre-school education. In certain elementary schools, kindergarten classes have been opened; Barangay Daycare Centers have been converted into pre-schools. However, the sad fact is that parents have to contribute a certain sum of money as parent's participation fees, as well as for books and laboratory manuals to support the operations of these pre-schools. While elementary school education is free as provided for under the Constitution, pre-schooling is not free.

The attached bill, therefore, seeks to address two important aspects in our educational system. First, is to regulate and set the standards for pre-school education in the country; and secondly, to institutionalize and integrate pre-school education into the public school educational system in order to upgrade the quality of our elementary education.

In view thereof, approval of the bill is earnestly urged.


OSCAR G. MALAPITAN

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AN ACT
PROVIDING FOR A MAGNA CARTA FOR PRESCHOOL EDUCATION AND
APPROPRIATING FUNDS THEREFOR.

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

SECTION 1. **Short Title.** - This Act shall be known as the "Preschool Education Act of 2010."

SEC. 2. **Declaration of Policy.** - It is hereby declared the policy of the State to provide equal opportunities for all children to avail of free and compulsory preschool education that effectively promotes physical, social, intellectual, emotional and skills stimulation and values formation to sufficiently prepare them for formal elementary school. This Act shall apply in elementary school system, being the first state of compulsory formal education.

Preschool education is vital to the academic and technical development of the Filipino child for it is the period when the young mind's absorptive capacity for learning is at its sharpest.

SEC. 3. **Definition of Terms.** - The terms used in this Act are defined as follows:

- (a) "BEE" refers to the Bureau of Elementary School;
- (b) "DepEd" refers to the Department of Education;
- (c) "Preschool education" shall be understood in this Act to mean one (1) year of schooling before Grade I, to be made available and compulsory to all five (5) year old children;
- (d) "Preschool children" refers to five (5) year old children enrolled in preschool education;
- (e) "Other school fees" refers to those charges which cover other necessary costs supportive of instruction including, but not limited to, medical and dental, athletics, library and laboratory fees;
- (f) "Tuition fees" refers to the charge representing costs of instructions, training and other related activities and for the pupils' use of the instruction and training facilities.

SEC. 4. **Institutionalization of Preschool Education.** - Preschool education is hereby institutionalized as part of basic education and shall be made mandatory for all five (5) year old children. It shall be implemented on a staggered basis starting on the school year immediately following the effectivity of this Act.

Prior to compliance with the mandatory preschooling of five (5) year old children as provided for under this Act, the national government shall continue to support the day care program under Republic Act No. 8980, otherwise known as the Early Childhood Care and

Development Act, subject to the financial assistance to be provided by the local government units and the technical assistance and the accreditation system to be extended by the Department of Social Welfare and Development, in consultation with the DepEd.

On the third year following the effectivity of this Act, no child shall be admitted to Grade I without having attended at least one (1) year of preschool education, subject to the qualifications and guidelines to be promulgated and prescribed by the DepEd.

SEC. 5. **Implementing Agency.** - The authority to regulate the organization, operation, and/or implementation of the preschool education program shall be vested upon the DepEd, through the BEE.

SEC. 6. **Duties, Power and Functions.** - The DepEd shall have the following duties, power and functions:

(a) To oversee and supervise the implementation of the preschool education program throughout the country;

(b) To authorize the opening of preschool education classes in all public and private schools, including the registration and accreditation of private preschool institutions and order closure of the same if found violating DepEd rules and regulations and/or found operating without a permit or certificate of recognition;

(c) To develop the curriculum for preschool education consistent with the universally accepted norms and standards, including values formation, and to periodically review such for purposes of upgrading;

(d) To conceive, develop and extend a regular training program to preschool education teachers to ensure constant updating of their knowledge in modern trends, methodologies and concepts on early childhood education;

(e) To prescribe the necessary qualifications for the hiring and accreditation of teachers who will handle the preschool education program; and

(f) To formulate the necessary guidelines and regulatory standards in connection with the operation of private preschool institutions.

SEC. 7. **Special Training for Preschool Teachers.** - The DepEd shall prescribe the standards and qualifications for preschool teachers and afford for their necessary special training.

SEC. 8. **Salary of a Preschool Teacher.** - A public preschool teacher shall receive a monthly basic salary based on the compensation of public school teachers under the Salary Standardization Law, as amended, in addition to other benefits prescribed by law.

SEC. 9. **Free Preschool Education.** - The public preschool education program shall be free from tuition and other school fees.

Tuition and other school fees imposed by private preschool institutions shall be subject to the rules and regulations to be promulgated by the DepEd.

SEC. 10. **Appropriations.** - The Secretary of Education shall immediately include in the Department's program the operationalization of the compulsory preschool education, the initial funding of which shall be charged against the current appropriations for preschool education of the Department. Thereafter, such sums as may be necessary for the continued implementation of the preschool program shall be included in the annual General Appropriations Act.

SEC. 11. ***Implementing Rules and Regulations.*** - The DepEd, in consultation with the Department of Social Welfare and Development, the Department of Budget and Management, the Department of Interior and Local Government and both Houses of Congress, shall promulgate the implementing rules and regulations within ninety (90) days after the effectivity of this Act.

SEC. 12. ***Separability Clause.*** - If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 13. ***Repealing Clause.*** - Pertinent provisions of Republic Act No. 8980 and all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 14. ***Effectivity.*** - This Act shall take effect fifteen (15) days after the publication in at least two (2) newspapers of general circulation.

Approved,