

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 5218



Introduced by: **REPRESENTATIVE MAGNOLIA ROSA ANTONINO-NADRES**

EXPLANATORY NOTE

Republic Act No. 10157 otherwise known as the Kindergarten Education Act of 2012 provides for the institutionalization of kindergarten education as part of the basic education in the Philippine Educational System.

The government recognized that Kindergarten 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.

Kindergarten teachers therefore play a vital role in the mental, psychological, spiritual and emotional development of the kindergarten pupils. In order to assure quality kindergarten education, kinder teachers must be assured of stable working condition, rights and attractive benefits and career prospects in order to motivate them to achieve high teaching standards for the benefit of the kinder pupils. Under this bill, once enacted into law, volunteer kinder teachers, who have rendered at least two (2) years of continuous service shall be extended provisional status, if they so desire, including those whose services had been terminated for lack of funds or for any reason whatsoever except for cause. Volunteer kinder teachers, without LET (Licensure Examination for Teachers), who have rendered service for a period of ten (10) years, shall be given permanent teaching positions.

It is the paramount objective of this bill, the Magna Carta for Kindergarten Teachers, to cloth kindergarten teachers, including volunteer teachers, with a mantle of protection by giving them security of tenure, to provide them with a conducive working atmosphere, where rights are amply protected and with rewarding benefits to be duly received by kinder teachers to discourage them from staging any protest that may disrupt the educational program to the detriment of the kinder pupils.

In view of the foregoing reasons, the approval of this bill is earnestly sought.


MAGNOLIA ROSA ANTONINO-NADRES
Representative
Fourth District, Nueva Ecija

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AN ACT
PROVIDING FOR A MAGNA CARTA FOR KINDERGARTEN TEACHERS

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

SECTION 1. *Short Title.* - This Act shall be known as the Magna Carta for Kindergarten Teachers.

SEC. 2. *Declaration of Policy.* - It is hereby declared a policy of the State to promote and improve the social and economic status of all kindergarten teachers. Towards this end, the State shall ensure stable working condition, promote security of tenure and career prospects in order to obtain a conducive working atmosphere that shall motivate them to achieve high teaching standards for the benefit of kindergarten pupils.

SEC. 3. *Coverage.* - All persons engaged in providing kindergarten education as part of the basic education in public schools, including the government-run day-care centers.

SEC. 4. *Qualifications.* - A kindergarten teacher-applicant must be a graduate of Bachelor's degree in Education, preferably in Early Childhood Education or its equivalent with a major and a minor: *Provided*, however, That in the absence of applicants who possess the minimum educational qualifications as hereinabove provided, the school superintendent of the Department of Education (DepEd) may appoint, under a temporary status, applicants who do not meet the minimum qualifications: *Provided, further*, That should kinder teacher-applicants, whether they possess the minimum educational qualifications or not, be required to take the competitive examinations.

SEC. 5. *Probationary Period.* - No probationary period preceding regular appointment shall be imposed if the kinder teacher possesses the appropriate eligibility especially when recruitment takes place after adequate training and professional preparation in any school recognized by the government: *Provided*, however, That, where, due to the exigencies of the service, it is necessary to employ as kinder teacher a person who possesses the minimum educational qualifications herein above set forth but lacks the appropriate civil service eligibility, such person shall be appointed on a provisional status and shall undergo a period of probation for not less than one year from and after the date of his provisional appointment.

SEC. 6. *Security of Tenure.* – Security of tenure shall be assured the kinder teachers under existing laws.

Subject to the provisions of Section 4 hereof, kinder teachers appointed on a provisional status, including volunteer kinder teachers, for lack of civil service eligibility shall be extended permanent appointment for the position he is holding after having rendered at least ten (10) years of continuous service in such position: *Provided, however,* That volunteer kinder teachers, who have rendered at least two (2) years of continuous service shall be extended provisional status, if they so desire, including those whose services had been terminated for lack of funds or for any reason whatsoever except for cause before the effectivity of this Act.

SEC. 7. *Consent for Transfer.* – No kinder teacher shall be transferred without his or her consent.

Sec. 8. *Code of Professional Conduct, Safeguards in Disciplinary and Administrative Procedure.* – Kinder teachers shall be governed by the Code of Professional Conduct, Safeguards in Disciplinary and Administrative Procedure for teachers under existing laws.

SEC. 9. *Teaching Hours.* – Any kinder teacher engaged in actual classroom instruction shall not be required to render more than eight (8) hours of actual classroom teaching a day: *Provided, however,* That where the exigencies of the service so require, any kinder teacher may be required to render more than eight (8) hours of actual classroom teaching a day upon payment of additional compensation under existing laws.

SEC. 10. *Benefits.* – Kinder teachers shall be entitled to all the benefits and privileges, including health measures, injury benefits, leave and retirement benefits, granted to teachers under existing laws.

SEC. 11. *Rules and Regulations.* – The DepEd shall formulate the necessary rules and regulations to implement the provisions of this Act.

SEC. 12. *Appropriations.* – The amount necessary to implement this Act shall be charged against budget of the Department of Education (DepEd) for the year following its enactment into law and thereafter.

SEC. 13. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,