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Senate Bill No. 3176

Introduced by Senator Edgardo J. Angara

EXPLANATORY NOTE

The highest drop out rates in our basic education system are due to the lack of support from 0 to 6 years old, cited by experts as the most critical years of learning. Experts suggest that 50 percent of a person's ability to learn is developed at age 4, while learning pathways in the brain are formed from 0 to 6 years. And yet, during this stage, our Filipino children are not reared and made ready to enter Grade 1. Instead, 1.2 million are in play centers not fit to prepare them for school while 2.5 million children of school age are not enrolled.

Any efforts in improving the higher years of education is bound to fail if we do not build a strong foundation for the development and learning of our children.

While children of middle and upper class families enjoy at least 1 or 2 years of education before entering primary school, the ordinary Filipino who could not afford to pay for pre-school begin schooling by Grade 1 when they are not school ready. On the other hand, the better-off send their young to private pre-schools.

The Early Years Act seeks to remedy this flaw in our education system, making it a national responsibility to equalize opportunities available to Filipino children by refocusing the 49,712 day care centers in the 47,000 baranggays all over the country from a playroom to a learning center by rationalizing and restructuring the day care into an early childhood education center.

In his veto message of Senate Bill 2802 or The Early Years Act, President Aquino cited efforts to streamline bureaucracy, possible overlap in agency accountability, budgetary constraints, and fears of displacement of baranggay health workers under the new bill.

Responding to these concerns, this amended bill contains the following changes:

1. Recognizing the Early Years as the foundation of the learning continuum, it places the ECCD Council under the Department of Education as an attached agency, instead of the Office of the President or the Department of Social Welfare and Development.
2. On the possible overlap among agencies, the original arrangement provided by R.A. 8980 since 2000 with the DepED, DSWD, DOH and NNC will remain similar under the new bill. Said agencies will annually meet to prepare the ECCD's work and financial plan to detail extent and scope of participation.
3. As a state policy, the National Government will contribute P500 Million for every year for five years to ensure achievement of universal coverage of ECCD benefits to all children from zero (0) to age four (4), supported by Local Government Units (LGU) through their Special Education Funds.

In line with budgetary constraints, the bill in fact proposes to make use of existing infrastructures to save on government expense. Further, said amount is a small price to pay in ensuring the readiness of the Filipino youth and lessening the drop out rates currently plaguing our students and achieving universal coverage of children from zero (0) to six (6) years.

4. Further, there will be no displacement of existing daycare workers, but in fact a professionalization of those currently employed through professional development programs in line with the National ECCD System.

For the following reasons, the swift approval of this bill is earnestly sought.


EDGARDO J. ANGARA

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Senate Bill No. 3176

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AN ACT
RECOGNIZING THE EARLY YEARS FROM ZERO (0) TO AGE FOUR (4) AS
THE FIRST CRUCIAL STAGE OF EDUCATIONAL DEVELOPMENT,
STRENGTHENING THE EARLY CHILDHOOD CARE AND DEVELOPMENT
COUNCIL, AND RENAMING THE DAY CARE CENTER AS CHILD
DEVELOPMENT CENTER AND FOR OTHER PURPOSES

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

1 *SECTION 1. Short Title.* - This Act shall be known as the "Early Years Act (EYA) of
2 2012".
3

4 *SEC. 2. Declaration of Policy.* - It is hereby declared the policy of the State to promote
5 the rights of children to survival, development and special protection with full
6 recognition of the nature of childhood and as well as the need to provide developmentally
7 appropriate experiences to address their needs; and to support parents in their roles as
8 primary caregivers and as their children's first teachers.
9

10 The State shall institutionalize a National System for Early Childhood Care and
11 Development (ECCD) that is comprehensive, integrative and sustainable, that involves
12 multi-sectoral and inter-agency collaboration at the national and local levels among
13 government; among service providers, families and communities, and among the public
14 and private sectors, nongovernment organizations; professional associations, and
15 academic institutions.
16

17 This System shall promote the inclusion of children with special needs, and advocate
18 respect for cultural and linguistic diversity. It shall be anchored on complementary
19 strategies for ECCD that include service delivery for children from zero (0) to age four
20 (4), educating parents and caregivers, encouraging the active involvement of parents and
21 communities in ECCD programs, raising awareness about the important efforts that
22 improve the quality of life for young children and families.
23

24 It shall also be the policy of the State to recognize the years from zero (0) to age four (4)
25 as the first crucial stage of educational development.
26

27 *SEC. 3. Objectives.* - The objectives of the National ECCD System are:
28

29 a) To achieve improved infant and child survival rates by ensuring that adequate
30 health and nutrition programs are accessible to young children and their parents,
31 from the prenatal period throughout the early childhood years;
32

33 b) To enhance the physical-motor, socio-emotional, cognitive, language,
34 psychological and spiritual development of young children;
35

- 1 c) To facilitate a smooth transition from care and education provided at home to
2 community or school-based setting and to Kindergarten;
3
4 d) To ensure that young children are adequately prepared for the formal learning
5 system that begins at Kindergarten;
6
7 e) To establish an efficient system for early identification, prevention, referral and
8 intervention for the wide range of children with special needs from zero (0) to age
9 four (4);
10
11 f) To upgrade and update the capabilities of service providers and their
12 supervisors to comply with quality standards for various ECCD programs;
13
14 g) To reinforce the role of parents and other caregivers as the primary caregivers
15 and educators of their children especially from zero (0) to age four (4);
16
17 h) To enhance and sustain the efforts of communities to promote ECCD programs
18 and ensure that special support is provided for poor, disadvantaged and linguistic
19 minority communities; and
20
21 i) To improve the quality standards of public and private ECCD programs
22 through, but not limited to, a registration and credential system for ECCD service
23 providers and facilities.
24

25 *SEC. 4. Definitions. - For purposes of this Act:*
26

27 a) Early Childhood Care and Development (ECCD) System shall refer to the full range of
28 health, nutrition, early education and social services development programs that provide
29 for the basic holistic needs of young children from zero (0) to age four (4), and to
30 promote their optimum growth and development.
31

32 These programs shall include:
33

34 1) Center-based programs, such as the day care service established under
35 Republic Act No. 6972, hereinafter referred to as the child development service,
36 community or church-based early childhood education programs initiated by
37 nongovernment organizations or people's organizations, workplace-related child
38 care and education programs, child-minding centers, health centers and stations;
39 and;
40

41 2) Home-based programs, such as the neighborhood-based play groups, family
42 child care programs, parent education and home visiting programs.
43

44 b) ECCD Service Providers shall include the various professionals, paraprofessionals and
45 volunteer caregivers who are directly responsible for the care and education of young
46 children from zero (0) to age four (4) through the various center and home-based
47 programs. They include, but are not limited to, day care workers hereinafter referred to as
48 child development workers, child development teachers, teacher-aides, rural health
49 midwives, social workers, community health workers, barangay nutrition scholars, parent
50 effectiveness service volunteers, and family day care providers.
51

52 c) ECCD Curriculum shall refer to the developmentally appropriate educational
53 objectives and practices, programs of activities, organized learning experiences,
54 recommended learning materials and appropriate assessment for children from zero (0) to
55 age four (4) that are implemented by service providers through center and home-based
56 programs. It shall consist of national program goals and guidelines, instructional

1 objectives, and content outlines that are age-appropriate, individually appropriate and
2 culturally-relevant.

3
4 d) Parent Education shall refer to the various formal and alternative means of providing
5 parents with information, skills, and support systems to assist them in their roles as their
6 children's primary caregivers and educators. These include public and private parent
7 education programs linked to center, home and media-based childcare and education
8 programs.

9
10 *SEC. 5. System Framework and Components.* – The ECCD System shall ensure that the
11 National ECCD Program is implemented in accordance with quality standards for
12 accreditation and for this purpose there shall be established a National ECCD Monitoring
13 & Evaluation Framework. The ECCD System shall include the following components:

14
15 a) *ECCD Curriculum.* - Focuses on children's total development and takes into
16 account age, individual and socio-cultural appropriateness. It shall promote the
17 delivery of complementary and integrative services for health, nutrition, early
18 childhood education, sanitation and cultural activities. It shall use the child's first
19 language as the medium of instruction.

20
21 b) *Parent Education and Involvement, Advocacy and Mobilization of*
22 *Communities.* - Harness and develop parents' strengths as providers of ECCD
23 programs at home, as active partners of other stakeholders, as advocates for
24 community concerns that affect children, and as pillars of support for local and
25 national ECCD programs through community organization efforts

26
27 c) *Human Resource Development Program.* - Establishes mechanisms for the
28 systematic professionalization of ECCD service providers, through enrolment in
29 educational programs in site-based or distance education modes, through pre-
30 service or in-service training including continuing education programs, whereby a
31 registration and credential system shall be developed in the ECCD System.

32
33 d) *ECCD Management.* - Focuses on a continuing process of planning,
34 implementation, supervision, financial management, monitoring, evaluation and
35 reporting to persons concerned. It shall encourage the active involvement and
36 build the capabilities of service providers, parents and local government officials
37 to sustain the program.

38
39 *SEC. 6. Expanding the ECCD System.* - The National ECCD System shall be expanded to
40 all provinces, cities/municipalities and barangays as may be determined by the ECCD
41 Council to achieve universal ECCD coverage for all children from zero (0) to age four
42 (4).

43
44 *SEC. 7. Implementing Arrangements and Operational Structures.* – the implementation
45 of the National ECCD System shall be the responsibility of the ECCD Council.

46
47 a) *Responsibilities of the ECCD Council.* - The ECCD Council shall be
48 responsible for establishing national standards, developing policies and programs,
49 ensuring compliance thereof, providing technical assistance and support to the
50 ECCD service providers in consultation with coordinating committees at the
51 provincial, city/municipal and barangay levels.

52
53 The ECCD Council, The Department of Education (DepED), the Department of
54 Social Welfare and Development (DSWD), the Department of Health (DOH), the
55 National Nutrition Council (NNC) and the Union of Local Authorities of the
56 Philippines (ULAP) shall meet in an annual workshop to prepare work and
57 financial plans incorporating the financial and technical support of said entities as

1 referred to under Section 12 hereof. It shall consolidate the following existing
2 program implementing guidelines to ensure consistency in integrated service
3 delivery within the National ECCD System.

4
5 *b) Responsibility of the DepED.* - The DepED shall recognize the National ECCD
6 Program as the foundation of the learning continuum and shall promote it for all
7 children from zero (0) to age four (4).

8
9 *c) Responsibilities of the DSWD, DOH, and NNC.* – The DSWD, DOH and NNC
10 shall provide continuing professional development program support,
11 supplementary learning materials, reference materials, supplemental nutrition and
12 health care services.

13
14 *d) Responsibilities of Local Government Units.* – Local government units (LGUs)
15 shall allocate not less than ten percent (10%) of their Special Education Fund in
16 addition to other local funds for the following purposes:

- 17 1) Support the implementation of their ECCD Program;
- 18 2) Organize and support parent cooperatives to establish community-based
19 ECCD programs;
- 20 3) Provide counterpart funds for the continuing professional development
21 of their ECCD public service providers; and
- 22 4) Provide the facilities for the conduct of their ECCD Program.

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27
28 *e) Responsibilities of Families and Communities.* - Families and communities
29 shall initiate establishment of various community-based projects such as but not
30 limited to health, nutrition, social development and early childhood education
31 projects for the overall development of their children from zero (0) to age four
32 (4), with the active assistance and technical support of the DSWD and the LGU
33 concerned.

34
35 *SEC. 8. Strengthening the ECCD Council.* - The ECCD Council shall be strengthened to
36 ensure the State's focus on building a strong foundation for the development and learning
37 of children during the early years from zero (0) to age four (4), to support the full range
38 of health, nutrition, early education and social development programs for the child's
39 holistic development and ensure sustained inter-agency and multi-sectoral collaboration.
40 The Council shall be attached to the DepED.

41
42 *SEC. 9. Organization of the ECCD Council.* - The ECCD Council shall be composed of:

43
44 a) ECCD Governing Board. - The ECCD Governing Board shall be composed of:

- 45 1) Secretary of the Department of Education (DepEd) as ex-officio chairperson;
- 46 2) Director-General of the ECCD Council as vice chairperson;
- 47 3) Secretary of the Department of Social Welfare and Development (DSWD);
- 48 4) Secretary of the Department of Health (DOH);
- 49 5) Executive Director National Nutrition Council (NNC);

1 6) President of the Union of Local Authorities of the Philippines (ULAP); and

2
3 7) One (1) private individual who is an ECCD practitioner and expert shall be
4 appointed by the President upon the recommendation of the Board.

5
6 The Board shall meet once a month or upon the call of the chairperson or three members
7 of the Board.

8
9 *b) Council Secretariat.* - There shall be established an ECCD Secretariat headed
10 by the Director-General who shall be its chief executive to be appointed by the
11 President. The Director-General shall have the rank, privileges and emoluments
12 of an Undersecretary.

13
14 The Director-General shall be assisted by two (2) permanent positions of Deputy
15 Director-General to be appointed by the Board, one of whom shall be responsible
16 for ECCD programs and activities and the other for general administrative and
17 financial services of the ECCD Council.

18
19 *SEC. 10. Functions of the ECCD Council.* - The ECCD Council shall carry out the
20 objectives of the National Early Childhood Care and Development System by performing
21 the following functions:

22
23 a) Promulgate policies and implementing guidelines for ECCD programs in
24 consultation with stakeholders, including the regional level when appropriate,
25 consistent with the national policy and program frameworks as defined in this
26 Act;

27
28 b) Establish ECCD program standards that reflect developmentally appropriate
29 practices for ECCD programs, which shall interface with the kindergarten
30 curriculum of the DepEd;

31
32 c) Develop a national system for the recruitment, registration, accreditation,
33 continuing education and equivalency, and credential system of ECCD service
34 providers, supervisors and administrators to improve and professionalize the
35 ECCD sector and upgrade quality standards of public and private ECCD
36 programs;

37
38 d) Develop a national system of awards and recognition to deserving ECCD
39 program implementers and service providers;

40
41 e) Promote, encourage and coordinate the various ECCD programs of the DepEd,
42 the DSWD, the DOH and the NNC, and monitor the delivery of services to the
43 ECCD program beneficiaries nationwide;

44
45 f) Evaluate and assess the impact and outcome of various ECCD programs
46 nationwide through an effective information system;

47
48 g) Develop a national system for early identification, screening and surveillance
49 of young children from zero (0) to age four (4);

50
51 h) Develop various support mechanisms that maximize the public and private
52 resources for implementing ECCD programs, giving priority to the needy and
53 high-risk children from poor communities;

54
55 i) Provide funds to poor and disadvantaged communities for the establishment and
56 expansion of public ECCD programs, improvement of physical facilities and for
57 hiring of ECCD service providers;

1 j) Promote and encourage private sector initiatives for the establishment of ECCD
2 programs;

3
4 k) Provide guidelines for the conduct of solicitations from local and international
5 civic organizations, and requests and private foundations to supplement available
6 resources; and

7
8 l) Perform such other functions as the ECCD Council may deem necessary.
9

10 *Sec.11. Financing ECCD Programs* - ECCD programs shall be financed through a
11 combination of public and private funds. All public ECCD program providers shall
12 prioritize children from zero (0) to age four (4) from families who are in greatest need
13 and who can least afford private ECCD programs.
14

15 a) The DepEd, DSWD, DOH, NNC and ULAP shall support the implementation
16 of the National ECCD System and shall include in their respective annual general
17 appropriation beginning the fiscal year following the approval of this Act the
18 necessary funding to achieve the goal of universal coverage of ECCD programs to
19 all children from zero (0) to age four (4) and sustain the Program from thereon.
20

21 *b) Support for ECCD Programs* - The government shall support public ECCD
22 programs that shall involve the LGUs, and funds from the national government
23 agencies for technical assistance and support. Additional funds may be generated
24 from intergovernmental donors and financial institutions by the appropriate
25 government agencies through the NEDA to support the public programs in all
26 municipalities including the urban poor.
27

28 There shall be established a fund for an ECCD Program Contracting Scheme with
29 accredited private providers at the community levels.
30

31 *c) Fees and Contributions* - Fees and contributions collected for both public and
32 private ECCD programs shall be monitored by the ECCD Council to ensure that
33 these are affordable and within reasonable limits. Families are encouraged to
34 volunteer their time and services to support the ECCD programs.
35

36 *Sec. 12. Appropriations.* - For the implementation of this Act the amount of Five
37 Hundred Million Pesos (Php 500,000,000.00) per year for five (5) years is hereby
38 appropriated for the National ECCD Program, effective upon approval of this Act. Said
39 amount shall be funded from the gross income of the Philippine Amusement and Gaming
40 Corporation and shall be directly remitted in four (4) quarterly instalments to a special
41 account of the ECCD Council.
42

43 Funds for the operations of the Council as an attached agency of the DepEd shall be
44 included in the General Appropriations Act.
45

46 Financial and technical support packages provided by the DepEd, DSWD, DOH and
47 NNC for ECCD Programs shall be specified as separate line items in their respective
48 annual budgets in the General Appropriations Act.
49

50 *Sec. 13. Annual Report.* - The ECCD Council shall, at the close of each calendar year,
51 submit an annual report to Congress, giving a detailed account of its proceedings and
52 accomplishments during the year, making recommendations for the adoption of measures
53 that will improve the National ECCD System and ensuring achievement of universal
54 coverage of ECCD benefits to all children from zero (0) to age four (4) within a period
55 of five (5) years.
56

1 *SEC. 14. Implementing Rules and Regulations.* - The Council, in consultation with
2 appropriate government agencies and nongovernment organizations, shall formulate and
3 issue the necessary rules and regulations for the implementation of this Act within thirty
4 (30) days after the effectivity of this Act.
5 .

6 *SEC. 15. Repealing Clause.* - Republic Act No. 8980, otherwise known as "An Act
7 Promulgating A Comprehensive Policy And A National System For Early Childhood
8 Care And Development (ECCD), Providing Funds Therefore And For Other Purposes" is
9 hereby repealed. Pertinent provisions of all laws, decrees, executive orders, presidential
10 proclamations, rules and regulations or parts thereof contrary to or inconsistent with the
11 provisions of this Act are hereby repealed or modified accordingly.
12

13 *SEC. 16. Separability Clause.* - If any provision of this Act is declared unconstitutional,
14 the same shall not affect the validity and effectivity of the other provisions hereof.
15

16 *SEC. 17. Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
17 publication in the Official Gazette or in at least two (2) newspapers of general circulation.
18

19 Approved.
20