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SENATE
S. No. 3277

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II, Section 13 provides:

The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Article XIV, Section 1 provides:

The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.

In 1997, the Department of Education launched a Breakfast Feeding Program (BFP) to address the "short-term-hunger syndrome" among public elementary school children. Short term hunger is a condition experienced by children who do not eat breakfast and/or walk long distances to reach school, resulting to non-attendance or non-attentiveness in class. The program evolved from just addressing short-term hunger to addressing the more serious problem of undernutrition in schools. However, the BFP is being implemented only for a limited duration and in select public schools with high prevalence of malnutrition.

According to the 2003 National Nutrition Survey of the Food and Nutrition Research Institute (FNRI), among children 0-5 years old, 27.6% or over three million are underweight, and 30.4% or over 3.5 million are short, and 5.5% are thin. Among children aged 6 to 10 years old, 26.7% are underweight and 36.5% are short. Shortness in children of this age range is likely the result of chronic undernutrition, while thinness is an indication of acute or current undernutrition. The FNRI states that the country's progress towards achieving the Millennium Development Goal of reducing undernutrition in children by 50% in 2015 is behind schedule.

This bill seeks to institutionalize the breakfast feeding program of the Department of Education in all public day care centers, preschools, and elementary schools throughout the country. A breakfast feeding program is an important nutrition intervention to address undernutrition among children, improve school attendance, and help school children attain their highest academic performance level.

This is the Senate counterpart bill of House Bill No. 27 filed by Rep. Rachel Marguerite B. Del Mar.


MIRIAM DEFENSOR SANTIAGO

SENATE
S. No. **3277**

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 PROVIDING FOR A BREAKFAST FEEDING PROGRAM FOR SCHOOL CHILDREN IN
3 PUBLIC DAY CARE CENTERS, PRESCHOOLS, AND ELEMENTARY SCHOOLS
4 THROUGHOUT THE COUNTRY

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “Breakfast Feeding Program
6 for Public School Children Act.”

7 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote the physical,
8 moral, spiritual, intellectual, and social well-being of the youth. It is also the policy of the State
9 to promote quality education at all levels of the educational system. Towards this end, the
10 Government shall address the problem of malnutrition and undernutrition among children, and
11 provide the conditions to enhance the learning process in public day care centers, preschools, and
12 elementary schools for school children to attain their highest academic performance level.

13 SECTION 3. *Breakfast Feeding Program.* – A breakfast feeding program shall be
14 mandatory in all public day care centers, preschools, and elementary schools. This breakfast
15 feeding program shall be administered by the Secretary of Education.

16 School breakfasts shall be made available free of charge to school children in all public
17 day care centers, preschool, and elementary schools. Feeding shall be done in the morning,
18 preferably before the start of classes.

19 School breakfasts must meet the applicable recommendations of the Food and Nutrition
20 Research Institute (FNRI). Further, school breakfasts must provide at least one-fourth of the
21 Recommended Dietary Allowance for protein, calcium, iron, Vitamin A, Vitamin C, and
22 calories. The decisions about what specific food to serve and how they are prepared shall be
23 made by the school authorities, based on guidelines to be issued by the Secretary of Education.

1 SECTION 4. *Technical Training and Assistance.* – The Secretary of Education, in
2 consultation with the Secretary of Health, the FNRI, and the Technical Education and Skills
3 Development Authority (TESDA), shall develop a program to provide the food service personnel
4 of public day care centers, preschools, and elementary schools with technical training and
5 assistance to prepare healthy meals.

6 SECTION 5. *Implementing Rules and Regulations.* -Within ninety (90) days from the
7 approval of this Act, the Secretary of Education, in consultation with the Secretary of Health, the
8 Secretary of Social Welfare and Development, the FNRI, the TESDA, and other appropriate
9 government agencies, shall promulgate the rules and regulations to implement the provisions of
10 this Act. Such rules and regulations shall take effect fifteen (15) days after its publication in a
11 newspaper of general circulation.

12 SECTION 6. *Appropriations.* — To carry out the provisions of this Act, such amount as
13 may be necessary is hereby authorized to be appropriated from the National Treasury.
14 Thereafter, such amount necessary to carry out the provisions of this Act shall be included in the
15 annual appropriation of the Department of Education.

16 SECTION 7. *Separability Clause.* – If any provision, or part hereof, is held invalid or
17 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
18 valid and subsisting.

19 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive
20 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
21 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

22 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
23 publication in at least two (2) newspapers of general circulation.

Approved,

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