

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUL 15 P12:10

SENATE

RECEIVED BY: 

S. No. 1440

Introduced by Senator Franklin M. Drilon

EXPLANATORY NOTE

The Constitution emphatically directs the State to promote and protect physical, moral, spiritual, intellectual and social well-being of the youth. Likewise, it mandates the protection and promotion of the right to health of the people, and instill health consciousness among them.

Great emphasis has always been given to the provision of facilities, teaching materials, new equipment and technology, and on the upgrading of teachers' competencies for the attainment of quality basic education. But it is inescapably true that the best teachers in the world using the best equipment and materials available will fail unless the learner is ready to learn. Education is a function of the educatee. If the learning child is handicapped in any way, so is his potential for learning and change.

School health and nutrition has recently emerged as an enabling factor in education. It is realized that the state of the children's health and nutritional status determines their active learning capacities. A critical look at the school health and nutrition profile during CY 1995 revealed the following: considerably low nutrition status, ailments, eye and ear defects, tuberculosis, lack of health/nutrition facilities, low personnel/pupil ratio, old office equipment. Thus, this measure will provide for the framework and mechanism for the modernization of the School Health and Nutrition Program which has now become inadequate and outdated considering the phenomenal increase of the student population and the new thrust in health and nutrition program.


The approval of this measure is thus earnestly urged.


FRANKLIN M. DRILON

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AN ACT
PROVIDING FOR THE MODERNIZATION OF THE SCHOOL HEALTH AND
NUTRITION PROGRAM (SHNP) OF THE DEPARTMENT OF EDUCATION,
AUTHORIZING THE APPROPRIATION OF FUNDS THEREFOR, AND FOR
OTHER PURPOSES

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

SECTION 1. *Title.* – This Act shall be known as the "School Health Nutrition Modernization Act."

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote, maintain and protect the health and nutritional well-being of the school population through the delivery of preventive health care to the students, teachers and school administrators in the elementary and high school levels and to the non-teaching personnel. Towards this end, the School Health and Nutrition Program of the Department of Education shall be modernized and upgraded to ensure the attainment of that level of health to enhance the active learning capacities of the children and for the teachers and other personnel to function more effectively and efficiently, thus, enabling the achievement of the goals of quality basic education.

The modernization program under this Act shall have the following principal thrusts:

- a. The development of an efficient and effective health care delivery system in the schools;
- b. The development, evaluation and application of appropriate methods and procedures in preventive health care;
- c. The development of reforms in the management of human and material resources; and
- d. The acquisition and upgrading of appropriate equipment and technology.

SECTION 3. *Definition of Terms.* –The following terms shall be understood in this Act to mean:

- a) *Department* - means the Department of Education.

- b) *School Health and Nutrition Program* – is a comprehensive educational and service package, delivered to the schools, eventually to the homes and communities, in order to improve the health and nutritional status of the total school population, with the elementary grades children as its priority group.
- c) *Public Health* – the science and the art of preventing disease, prolonging life, and promoting physical and mental health and efficiency through organized community efforts.
- d) *Preventive Health Care* – the systematic organization of all the personal services necessary to prevent disease, and attain the highest level of health.
- e) *Health and Nutrition Center* – refers to the agency that takes charge of the over-all management of the integrated School Health and Nutrition Program (SHNP).
- f) *Basic Education* – consists of six (6) years elementary and four (4) years secondary education. *Basic education is that which brings the child to a point where he can be an autonomous learner, one who is self-reliant and creative.*
- g) *Health Education* – refers to the teaching and advice on healthy living, including hygiene, nutrition, sex education, and advice on alcohol and drug abuse, smoking, and other threats to health.
- h) *Quality Education* – refers to the appropriateness, relevance and excellence of the education given to the individual in meeting his/her needs and aspirations and those of society.

SECTION 4. *Objectives of the SHNP.* – The SHNP modernization shall be implemented in accordance with the following objectives:

- a. To provide a comprehensive preventive health care to school children and teachers in the elementary and secondary levels of education and to the non-teaching personnel of the Department.
- b. To inculcate health and nutrition values and behavior; and encourage healthy lifestyles among the school populace.
- c. To give full support to school health and nutrition values and behavior.
- d. To encourage parents to provide their children with proper health care and to perform effective parenting to prevent drug abuse.
- e. To develop effective linkages between the school and the community for better school health.
- f. To strengthen the Health and Nutrition Center in the management of the program.
- g. To establish and maintain adequate health and sanitation facilities like school clinics, canteens, water supply, sanitary toilets and garbage disposal in the schools.

SECTION 5. *Components of the SHNP Modernization.* – The modernization program shall consist of the following components:

- a. **ORGANIZATIONAL DEVELOPMENT** – To carry out effectively its functions, it is necessary to restructure, expand and upgrade the staff and personnel of the Regional Health and Nutrition Units and the Division Health and Nutrition Sections including the creation of nurse supervisor positions to oversee nursing care to the school children: Provided, That in the upgrading of plantilla positions, the compensation and benefits shall be at par with that of health and nutrition personnel in other government agencies in accordance with existing laws, rules and regulations.
- b. **HUMAN RESOURCE DEVELOPMENT** – This component pertains to programs and educational activities of health and nutrition personnel to enhance their skills and competencies through workshops, conferences and in-service training relative to the delivery of health care, and on mobilization, as well as administrative responsibilities. A continuing health resource development program shall be implemented.
- c. **INFRASTRUCTURE DEVELOPMENT** – This component consists of the construction of physical plants and facilities such as sanitary toilets, hand-washing facilities, water system, school clinics and feeding centers/canteens to ensure health and nutritional needs in public elementary schools including suitable sites for Alay-Tanim/Tree Planting program.
- d. **INFORMATION AND SYSTEMS ORGANIZATION** – This component consists of the acquisition and development of an extensive computer network for health and nutrition care; and the upgrading of methods and procedures in preventive health care; monitoring and evaluation; and research in support to the total program.

The Department Secretary in coordination with the Secretary of Health shall formulate guidelines to implement this section in accordance with the objectives of the modernization program enumerated in the preceding section.

SECTION 6. *Priority Programs for SHNP Modernization.* – For a more effective implementation of the objectives of the SHNP, consistent with the declaration of policy of the Constitution as reiterated herein, the following programs/activities shall be given priority consideration:

- a. Recruitment of school health and nutrition personnel to attain the ratio of one personnel to 2,000 pupils/teachers over a five year period;
- b. Upgrading of the salary of health and nutrition personnel to be at par with counterparts in other Departments; and full implementation of the benefits of the Magna Carta for Public Health Workers;
- c. Provision of equipment, medical and dental supplies and medicines;
- d. Health examination of all Grade I entrants; and provision of supplementary feeding (breakfast and/or milk) to the Grade I pupils and nutritionally deprived school children.

SECTION 7. *Period of Implementation.* – The Modernization Program under this Act shall be implemented over a period of five (5) years.

SECTION 8. *Appropriations.* – To effectively carry out the objectives of this Act, the initial amount of TWO HUNDRED MILLION PESOS (P200,000.00) is hereby authorized to be appropriated out of any funds in the National Treasury not otherwise appropriated, and from the funds of the Base Conversion and Development Authority, for the effective implementation of the SHNP Modernization. Thereafter, such funds as necessary shall be included in the Annual Appropriations Act.

SECTION 9. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, other provisions which are not otherwise affected thereby shall remain in full force and effect.

SECTION 10. *Repealing Clause.* – All laws, executive orders, rules and regulations inconsistent with or contrary to this Act are hereby deemed repealed or amended.

SECTION 11. *Implementing Rules and Regulations.* – The Department, in consultation with the Department of Health, shall formulate the implementing rules and regulations within 60 days upon effectivity of this Act.

SECTION 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation in the Philippines.

Approved,