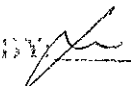


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S.B. No. 2913

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Introduced by SEN. MANNY VILLAR

EXPLANATORY NOTE

It is the Constitutional mandate of the State to protect and promote the right to health of the people and instill health consciousness among them. Also enshrined in the Constitution is the State's recognition of the important role of the youth in nation-building. Because of this, it is likewise a State policy to promote their physical well-being.

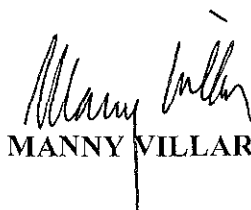
Obesity is a problem that was not recognized as a health risk or indicative of ill-health a few years ago. Fast-forward to the present, the World Health Organization (WHO) predicated that there will be 2.3 billion overweight adults worldwide by 2015 and more than 700 million of them would be obese. In 1998, the WHO Global Database on Body Mass Index (BMI) reported that the state of being overweight and obesity in the Philippines was at 23.5%, with female adults having higher obesity prevalence rates than male adults. In 2003, the Philippine National Nutritional Health Evaluation and Survey showed that there were 19.6% overweight and 4.9% obese Filipinos.¹

There are a number of serious health risks connected to being obese. An obese person is likely to develop two types of diabetes, high blood pressure, high cholesterol and triglycerides, coronary artery disease (CAD), stroke, and sleep apnea, among other conditions.²

Obesity has also become a problem for our Filipino children. The deadly combination of eating calorie-rich foods and sedentary lifestyle due to advancement in technology are plaguing Filipino children. Children tend to be less physically active as they spend more time in front of the television, watching movies, or playing video games.³

Experts agree that an effective solution to obesity is a healthy lifestyle and exercise. Physical activity is something that people tend to neglect as they go along their daily lives. This is also reflected in school and educational institutions' curricula where Physical Education is not given much importance in the computation and assessment of a student's academic performance.

This bill seeks to provide a definitive approach to physical education in order to curb the increasing number of obese Filipino children and to be able to educate them on the benefits of leading a healthy lifestyle. Thus, the passage of this bill is earnestly sought.

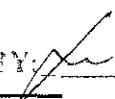

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¹ www.obesity.org.ph, article by Dr. Mia C. Fojas

² <http://www.webmd.com/diet/tc/obesity-health-risks-of-obesity>

³ "Obesity Among Filipino Children on the Rise," Unilab News, www.unilab.com.ph

S.B. No. **2913**

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AN ACT
PROVIDING FOR THE MANDATORY INCLUSION OF ANTI-OBESITY EDUCATION
PROGRAM AND EXERCISE INCLUDING PLAY AND TRADITIONAL FILIPINO
GAMES, IN THE PRE-SCHOOL, ELEMENTARY AND HIGHSCHOOL CURRICULA,
BOTH IN PUBLIC AND PRIVATE SCHOOLS AND EDUCATIONAL INSTITUTIONS 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 "Anti-Obesity Education Program
2 Act of 2011"

3
4 **SECTION 2. Declaration of Policy.** - It is the policy of the State to protect and promote the
5 right to health of the people and instill health consciousness among them. The State likewise
6 recognizes the vital role of the youth in nation-building and shall promote and protect their physical,
7 moral, spiritual, intellectual, and social well-being.

8
9 In view of this, physical education and sports programs are promoted and encouraged, not
10 only to foster self-discipline, teamwork, and excellence, but also for the development of a healthy
11 and alert citizenry.

12
13 **SECTION 3. Definition of Terms.** The following terms when used in this Act shall mean:

- 14
15 a. "Child" – a human between the stages of birth and puberty and below eighteen
16 (18) years of age;
17
18 b. "Department" – the Department of Education (DepEd);
19
20 c. "Institution" – school or learning/educational facility whether public or private;
21
22 d. "Secretary" – the Secretary of the Department of Education;
23
24 e. "Special Physical Education" – specially designed instruction, at no cost to the
25 parents, to meet the unique needs of a child with a disability;
26
27 f. "Student" – minor duly enrolled in a learning/education institution;

28
29 **SECTION 4. Exercise and Physical Activities/Programs.** – Exercise and physical
30 activities/programs shall include, but are not limited to:

- 31
32 a. Fitness education and assessment to help students understand, improve, and
33 maintain their physical well-being;
34

- 1 b. Instruction in a variety of motor skills and physical activities designed to
2 enhance the physical, mental, social and emotional development of every
3 student;
- 4
- 5 c. Development of, and instruction in, cognitive concepts about motor skill and
6 physical fitness that support a lifelong healthy lifestyle;
- 7
- 8 d. Opportunities to develop positive and social cooperative skills through physical
9 activity participation;
- 10
- 11 e. Instruction in healthy eating habits and good nutrition;
- 12
- 13 f. Opportunities for social development for teachers of physical education to stay
14 abreast of the latest research, issues, and trends in the field of physical
15 education.
- 16

17 **SECTION 5. *Department of Education as implementing agency.*** – The Department of
18 Education (DepEd) shall be the lead agency to provide rules and regulations in relation to this Act
19 and ensure the implementation of the same. The physical education and sports in pre-school
20 institutions, grade school and high school are an integral part of the educational process and will be
21 carried out by programs of the Department, in coordination with the appropriate agencies, consisting
22 of groups from the government and non-government organizations.

23

24 **SECTION 6. *Physical Education Requirements.*** – The following shall be the requirements
25 for Physical Education programs with respect to each educational level:

- 26
- 27 a. Pre-School and Kindergarten – The program shall be designed to help children to
28 work and play with others, to express themselves, to learn to use and manage
29 their bodies, and to extend their interests and understanding of the world around
30 them. It shall also protect and increase the physical well-being of the students
31 with attention given to experiences relating to the development of life skills and
32 human growth and development.
- 33
- 34 b. Elementary – Physical Education instruction shall include movement experiences
35 and body mechanics, fitness and rhythmic activities, increased cardiovascular
36 endurance, muscular strength, and sports and games.
- 37
- 38 c. High School – Physical Education shall include activities that increase
39 cardiovascular endurance, muscle strength and flexibility, and sports and games.
- 40

41

42 **SECTION 7. *Hours of Physical Activity.*** – Hours of mandatory physical activity shall be
43 implemented in the following manner:

- 44
- 45 a. For Pre-School, Kindergarten and Elementary students – Two hundred (200)
46 minutes each ten (10) days;
- 47
- 48 b. For High School students – Four hundred (400) minutes each ten (10) days or one
49 Hundred Fifty (150) hours of physical activity weekly with the equivalent of
50 thirty (30) minutes of physical activity daily.
- 51

52

53 **SECTION 8. *Extracurricular Sports Activities.*** - The schools and educational institutions
54 shall provide programs for continuation of sport classes after completion of mandatory physical
55 education.

56

57 The extracurricular sports activities of the students are voluntary and shall be organized
58 through the sports department as supervised by the designated department head as appointed by

1 the school principal or director, and shall be conducted by professionally trained teachers and
2 coaches.

3
4 The extracurricular training and competition activities of the students is voluntary and
5 shall be organized by the school sport clubs, school sports departments and teams.
6

7 **SECTION 9. *The Sports Director, Sports Department Faculty and their Qualifications.***

8 – A Sports Director shall be appointed by the school or educational institution’s principal or
9 director. The Sports Director shall possess the skills, knowledge, understanding and competence
10 necessary to effectively and safely plan, deliver and evaluate a programme of activities to a class
11 or group of young people in methods approved through regular and accepted good practice. His
12 faculty shall be composed of qualified individuals having the experience and training, and
13 likewise assessed, accredited and certified to a level at which planning and delivery of activities
14 being undertaken may reasonably be expected to have successful outcomes.
15

16 Some aspects of physical education have a high level of risk and required awareness and
17 a higher duty of care is expected and should be exercised by the physical education teachers.
18 The standard of care required of a teacher has been as that of a reasonably prudent parent, judged
19 not in the context of the home but that of a school.
20

21 The teacher or coach should be appropriately qualified to teach or instruct the activity
22 involved and provide appropriate supervision. Teachers with a specialist physical education
23 qualification are regarded as being suitably qualified to teach the majority of activities in schools.
24

25 All teachers of physical education shall be adequately prepared and shall regularly participate
26 in professional development activities to effectively deliver the physical education program.
27

28 **SECTION 10. *Sports Infrastructure.*** - The schools and educational institutions shall
29 create, maintain and develop necessary and suitable sport facilities and equipment for practising
30 and engaging in physical activities and sports and shall provide conditions for their adequate use
31 within the frames of the curriculum and other extracurricular activities of physical education and
32 sports.
33

34
35 **SECTION 11. *Physical Education Exemptions.*** – Students who are already engaged in
36 extracurricular physical activities sanctioned by the school or institution are exempted from
37 participating in the required hours of physical activity under this Act, provided that they obtain
38 authorization/documentation from the instructors or coaches of their respective extracurricular
39 activities and as approved by the school principal/director.
40

41 Students who do not fall under the criteria set in the preceding paragraph must take at least
42 one (1) remedial course, as provided by the Sports Director of the school or institution.
43
44

45 **SECTION 12. *Special Physical Education.*** – Children with specific disabilities or
46 developmental delay shall also participate in Special Physical Education. This specially designed
47 physical education program shall be outlined in the child’s Individual Education Program (IEP).
48

49 Special physical education will develop:

- 50
51 a. Physical and motor fitness;
52
53 b. Fundamental motor skills and patterns;
54
55 c. Skills in aquatics and dance;
56
57 d. Individual and group games; and

1
2 e. Sports.
3

4 **SECTION 13. *Physical Education Program Assessment.*** – All schools and educational
5 institutions under the jurisdiction of the Department shall administer a Physical Education Program
6 Assessment as approved by the Secretary. Assessment of students in pre-school, kindergarten,
7 elementary and high school must be used to assess the effectiveness of the school or institution’s
8 physical education program and its adherence to the rules, regulations and standards issued by the
9 Department. The Department shall develop a procedure of calculating a school or institution’s
10 physical education program effectiveness score. This score shall be submitted to the Department
11 through the Secretary, and the same to be published in a newspaper of general circulation.
12

13 Physical education teachers who receive an unsatisfactory score pursuant to the immediately
14 preceding paragraph, will be provided with professional development activities designed to assist the
15 school or institution in improving its programs’ effectiveness.
16

17 **SECTION 14. *Separability Clause.*** - If any provision or part hereof, is held invalid or
18 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid
19 and subsisting.
20

21 **SECTION 15. *Repealing Clause.*** - Any law, presidential decree or issuance, executive order,
22 letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the
23 provision of this Act is hereby repealed, modified, or amended accordingly.
24

25 **SECTION 16. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
26 publication in at least two (2) newspapers of general circulation.
27

28
29 Approved,
30