

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



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SENATE  
S. No. 390

RECEIVED BY: *Jai*

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Introduced by Senator Miriam Defensor Santiago

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#### 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 feeding program of the Department of Education in all public kindergarten and elementary schools throughout the country. A 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.<sup>1</sup>

*alt*  
*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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<sup>1</sup> This bill was originally filed during the Fifteenth Congress, Third Regular Session.



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1 AN ACT  
2 PROVIDING FOR A FEEDING PROGRAM FOR SCHOOL CHILDREN IN PUBLIC  
3 KINDERGARTEN AND ELEMENTARY SCHOOLS THROUGHOUT THE COUNTRY

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

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

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

12 SECTION 3. *Feeding Program.* – A feeding program shall be mandatory in all public  
13 kindergarten and elementary schools. This feeding program shall be administered by the  
14 Department of Education.

15 The feeding program shall be comprised of school breakfasts made available free of  
16 charge to school children in all public kindergarten and elementary schools. Feeding shall be  
17 done in the morning, preferably before the start of classes.

18 School lunches shall be made available free of charge to school children who attend more  
19 than five (5) hours of classes daily, and to those who start their classes in the afternoon.

1 School breakfasts and lunches must meet the applicable recommendations of the Food  
2 and Nutrition Research Institute (FNRI) regarding the Recommended Dietary Allowance for  
3 protein, calcium, iron, Vitamin A, Vitamin C, and calories. The decisions about what specific  
4 food to serve and how they are prepared shall be made by the school authorities based on  
5 guidelines to be issued by the Secretary of Education.

6 SECTION 4. *Technical Training and Assistance.* – The Secretary of Education, in  
7 consultation with the Secretary of Health, the FNRI, and the Technical Education and Skills  
8 Development Authority (TESDA), shall develop a program to provide the food service personnel  
9 of public kindergarten and elementary schools with technical training and assistance in the  
10 preparation of nutritious meals, food safety, and sanitation.

11 SECTION 5. *Implementing Rules and Regulations.* -Within ninety (90) days from the  
12 approval of this Act, the Secretary of Education, in consultation with the Secretary of Health, the  
13 Secretary of Social Welfare and Development, the FNRI, the TESDA, and other appropriate  
14 government agencies, shall promulgate the rules and regulations to implement the provisions of  
15 this Act.

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

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

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

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

Approved,