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SENATE

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SIXTEENTH CONGRESS OF THE

REPUBLIC OF THE PHILIPPINES

Second Regular Session

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Introduced by SENATOR CYNTHIA A. VILLAR

Senate Bill No.

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2776

AN ACT

MANDATING THE ESTABLISHMENT OF INSTRUCTIONAL GARDENS IN ALL ELEMENTARY AND SECONDARY SCHOOLS, PUBLIC OR PRIVATE, MAKING IT A REQUIREMENT FOR THE CREATION AND ISSUANCE OF PERMITS FOR SCHOOLS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Section 15, Article II of the 1987 Constitution states that:

"The State shall protect and promote the right to health of the people and instill health consciousness among them."

In a 2014 report by the World Health Organization¹, it was shown that as if 2012, an estimated forty-four (44) million of children under five (5) years of age were overweight or obese worldwide. From 5% in 1990, the global prevalence of overweight and obese children has grown to 7% in 2012.

In the Philippines, this prevalence has increased from 1.9% (140,000 people) in 1990 to 3% (270,000 people) in 2013 for children between the age 1 to 4. For children between the age 5 to 9, this has increased from 2.9% (240,000) to 5.1% (570,000). For adolescents between the age 10 to 14, this has increased from 3.6% (270,000) to 7.1% (780,000). Finally, for teenagers between 15 to 19, this increased from 3.4% (220,000) to 6.4% (640,000).²

On the flipside, the Philippines has a prevalence rate of 19.8% of underweight and 30.3% of stunted children under the age of five (5) years.

In both instances, this prevalence, whether underweight or stunted or overweight or obese, may lead to irreversible health impacts if not addressed. Undernourishment leads to vulnerability to certain diseases while obesity increases the risks of developing cancer, cardiovascular diseases, and diabetes, among others.

The number of instant food mixes and other processed food which specifically cater to the palate and food sensitivities of the young reflects the lack of regard for proper diet and nutrition for children, this only shows that child nutrition is marginalized and is least understood by a majority of our population. The lack of government policies specifically providing for access to information on nutrition and making nutrient rich food items available for all compromises the sustenance which a growing child is suppose to obtain in order to promote healthy growth and development.

¹ http://www.who.int/gho/publications/world_health_statistics/2014/en/

² http://vizhub.healthdata.org/obesity/

It is therefore incumbent upon the State to provide programs for encouraging awareness in proper nutrition and at the same time address malnutrition. This is best done during childhood and taught in schools.

The establishment of vegetable gardens in schools can be an effective tool for hunger mitigation. Since 2007, a program called *Gulayan sa Paaralan*³ began to encourage public schools to establish vegetable gardens, primarily to serve as a source to supplement feeding programs within the area to help alleviate malnutrition and hunger.

Thus this bill seeks to replicate such program through the establishment of *instructional gardens* in elementary and secondary schools, whether private or public, not only a means to alleviate hunger but to serve as a tool to teach the fundamental concepts about nutrition and the cultural and historical aspects of our food supply. A community effort is perceived in this bill and by involving the parents and the other members of the community, school gardens can create opportunities for all to learn and make healthier food choices and in the long run, eradicate malnutrition and obesity. By focusing on the health of our young citizens we can better ensure the success of our future generation.

For the foregoing reasons, the passage of this bill is sought.

CYNTHIA A. VILLAR

³ http://www.rappler.com/move-ph/issues/hunger/57789-fighting-malnutrition-vegetable-gardens

SIXTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Second Regular Session



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SENATE Senate Bill No. 2776

Introduced by SENATOR CYNTHIA A. VILLAR

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1AN ACT2MANDATING THE ESTABLISHMENT OF INSTRUCTIONAL GARDENS IN ALL3ELEMENTARY AND SECONDARY SCHOOLS, PUBLIC OR PRIVATE, MAKING IT A4REQUIREMENT FOR THE CREATION AND ISSUANCE OF PERMITS FOR5SCHOOLS AND FOR OTHER PURPOSES

6 Be it enacted by the Senate of the Philippines and the House of Representatives 7 in Congress assembled:

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CHAPTER I PRELIMINARY PROVISIONS

10 SECTION 1. *Title.* – This Act shall be known as the "Instructional Gardens Act of 2015".

SEC. 2. **Declaration of Policy.** – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Towards this end the State shall adopt and put in place hunger mitigation and poverty alleviation schemes to promote the nutrition, food security, and economic stability of its citizens.

To ensure the fulfillment of this goal, all educational institutions shall be required to include nutrition and health consciousness in their curriculum. They are mandated to devote a reasonable portion of their school lots to serve as instructional gardens for the growing of vegetables and other plants having nutritional value.

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CHAPTER II INSTRUCTIONAL GARDENS

SEC. 3. *Instructional Garden; Definition.* – A plot of school land or an area within a school devoted to the growing of vegetables and other nutritional plants that promotes interactive, hands-on learning in which pupils learn composting and waste management techniques, fundamental concepts about nutrition and obesity prevention, and the cultural and historical aspects of agriculture and food and its role in the national economy.

SEC. 4. *Instructional Gardens Program.* – The Instructional Gardens Program shall
be implemented in all elementary and secondary schools, public or private. They shall
devote a portion of their school lots for the cultivation of vegetables and other nutrient
rich plants as identified by the Department of Health.

Schools lacking in land or those located in urban areas shall avail of hydrophonic
gardening methods and other organic gardening technologies with the assistance of the
Department of Science and Technology and other government agencies.

34 SEC. 5. *Nutrition and Health Consciousness.* – It shall be mandatory for all 35 elementary and secondary schools to include nutrition and health consciousness in its curriculum as well as the cultural and historical aspects of agriculture and food
production. This program shall be used to equally enhance any subject area including
science, environmental education, mathematics, reading, writing, art, nutrition, physical
education, history, and geography.

5 The schools shall develop a system of involving the parents of their students and the 6 community at large in its instructional garden program to promote awareness on health 7 and nutrition as well as the economic benefits of establishing a school, household and 8 community garden.

9 SEC. 6. *Identification of Plot of Land.* – No school, elementary or secondary, shall be 10 established without first securing an endorsement from the Division Superintendent 11 attesting that a plot of land has been designated to form part of an instructional garden 12 or an area has been identified where a garden using hydrophonic gardening methods 13 and other organic gardening technologies shall be located. The provisions of this 14 section shall apply to schools seeking the issuance of permits for their academic 15 programs.

16 SEC. 7. *Tax Incentives.* – All allocations of grants, endowments, donations, or 17 contributions and technical assistance provided by the private individuals or 18 corporations to schools and other educational institutions for this purpose as certified by 19 the Department of Education, shall be exempt from taxes and duties.

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CHAPTER III GENERAL PROVISIONS

22 SEC. 8. *Implementing Rules and Regulations.* – The Department of Education after 23 consultation with other government agencies, schools and education and health 24 advocacy groups shall issue the necessary rules and regulations to implement this Act.

25 SEC. 9. *Repealing Clause.* – All other laws, decrees, executive orders, proclamations, 26 and administrative regulations inconsistent with the provisions of this Act are hereby 27 amended, modified or repealed accordingly.

28 SEC. 10. **Separability Clause.** – In the event that any provision of this Act is declared 29 unconstitutional, such declaration shall not affect the validity of the other provisions.

30 SEC. 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its 31 complete publication in the Official Gazette or in two (2) newspapers of general 32 circulation.

33 Approved,