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SENATE

S. No. 147

RECEIVED BY: _____



Introduced by **SENATOR CYNTHIA A. VILLAR**

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."

The World Health Organization (WHO) reported that in 2016, an estimated forty one (41) million children under the age of 5 were overweight or obese worldwide, while over 340 million children and adolescents aged 5-19 were overweight or obese. The prevalence of overweight and obesity among children and adolescents aged 5-19 has risen dramatically from just 4% in 1975 to around 18% in 2016.¹

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%

¹ <https://www.who.int/news-room/fact-sheets/detail/obesity-and-overweight>

(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 prevalent consumption 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 supposed to obtain in order to promote healthy growth and development.

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. Moreover, the practice of establishing "Gulayan sa Paaralan" in schools conveniently serves as effective teaching tool for children to learn the art and science of planting as well as the benefits gained from it.

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

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

The 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, the cultural and historical aspects of our food supply, as well as the rudiments of planting, considered to be a very useful skill for citizens of an agricultural country like the Philippines . 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 cultivate the practice of planting vegetables, while reaping the benefits of eating healthy food.

For the foregoing reasons, the passage of this bill is earnestly recommended.



CYNTHIA A. VILLAR

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



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**MANDATING THE ESTABLISHMENT OF INSTRUCTIONAL GARDENS IN ALL
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*Be it enacted by the Senate of the Philippines and the House of
Representatives in Congress assembled:*

1 SECTION 1. *Title.* – This Act shall be known as the “Instructional Gardens Act
2 of 2019”.

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

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

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

7 SEC. 4. *Instructional Gardens Program.* – The Instructional Gardens
8 Program shall be implemented in all elementary and secondary schools, public or
9 private. They shall devote a portion of their school lots for the cultivation of
10 vegetables and other nutrient rich plants as identified by the Department of
11 Agriculture, in consultation with the Department of Health, Department of Education
12 and other concerned agencies.

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

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

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

27 SEC. 6. *Identification of Plot of Land.* – No school, elementary or secondary,
28 shall be established without first securing an endorsement from the Division
29 Superintendent attesting that a plot of land has been designated to form part of an

1 instructional garden or an area has been identified where a garden using
2 hydroponic gardening methods and other organic gardening technologies shall be
3 located. The provisions of this section shall apply to schools seeking the issuance of
4 permits for their academic programs.

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

9 SEC. 8. *Implementing Rules and Regulations.* – The Department of Education,
10 after consultation with other relevant agencies, schools and education and health
11 advocacy groups shall issue the necessary rules and regulations to implement this
12 Act within ninety (90) days from the approval of this Act.

13 Sec. 9. *Appropriations.* – The amount needed for the initial implementation
14 of this Act shall be taken from the current year's appropriations of the Department of
15 Education (DepEd). Thereafter, such sums as may be necessary for its continued
16 implementation shall be included in the annual General Appropriations Act.

17 Sec. 10. *Separability Clause.* – If any portion or provision of this Act is
18 declared unconstitutional or invalid, the remainder of this Act or any provisions
19 hereof not affected thereby shall continue to be in force and effect.

20 Sec. 11. *Repealing Clause.* – Any law, presidential decree or issuance,
21 executive order, letter of instruction, rule or regulation inconsistent or contrary to
22 the provisions of this Act is hereby repealed or modified accordingly.

23 Sec. 12. *Effectivity.* – This Act shall take effect after fifteen (15) days
24 following its complete publication in the Official Gazette or a newspaper of general
25 circulation.

26 Approved,