

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **4210**



Introduced by Representative GLORIA MACAPAGAL ARROYO


AN ACT
REGULATING THE PRACTICE OF EARLY CHILDHOOD CARE
AND DEVELOPMENT IN THE PHILIPPINES

EXPLANATORY NOTE

A productive citizenry is possible through excellent early childhood care and development programs. This is what we need to lessen our out of school youths and ensure that they become accomplished in the academic arena.

Excellence in students is realized through excellence of instruction. Hence, as part of the ECCD Council's thrust, there is a need to incorporate early childhood care and development in teacher education. Education is indeed the greatest equalizer, but quality early childhood care and development is the key towards the positive performance of our children in basic education. Equipping our teachers with the essentials in implementing early childhood care and development programs is seen as a solution to minimize push out rates and poor learning, if not completely eradicate it.

In view of the foregoing, immediate approval of this measure is earnestly sought.


GLORIA MACAPAGAL ARROYO
2nd District, Pampanga

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

Article I
Title and Creation of the Board

Section 1. *Title.* – This Act shall be known as the Philippine Early Childhood Care and Development Act of 2016.

Section 2. *Creation and Composition of the Board.* - There shall be a Board of Examiners for Early Childhood Care & Development which shall be under the supervision and control of the Professional Regulation Commission (PRC). It shall be a collegial body composed of a chairman and two (2) members who shall be appointed by the *President of the Philippines* from among the recommendees of the Commissioner of the Professional Regulation Commission (PRC). The Commission shall recommend five (5) early childhood care and development practitioners from lists submitted by associations of early childhood care and development; *Provided*, That said associations are accredited by the Early Childhood Care and Development Council; *Provided, further*, That the nominees submitted shall possess the appropriate qualifications prescribed in Section 3 hereof.

Section 3. *Qualifications and Disqualification of the Board Members.* –

- a) Each member of the Board shall at the time of his appointment:
- 1) Be a citizen and resident of the Philippines;
 - 2) Be of good moral character;
 - 3) Be at least thirty (30) years of age; and
 - 4) Not be a member of the faculty, whether full time, part time or lecturer, of any school, college or university where a regular course in Early Childhood Care and Development or its equivalent is taught, and shall

not have any pecuniary interest directly or indirectly, in such institution during his term of office as a Board member.

- b) The Chairman of the Board shall at the time of his appointment:
 - 1) Be an early childhood care and development practitioner registered with the Early Childhood Care and Development Council;
 - 2) Have at least ten (10) years practice in early childhood care and development prior to his/her appointment.
- c) Two (2) members of the Board shall at the time of their appointment:
 - 1) Be early childhood care and development practitioners registered with the Early Childhood Care and Development Council;
 - 2) Be degree holders, preferably in the field of early childhood care and development or its equivalent; and
 - 3) Have at least ten (10) years practice as early childhood care and development practitioners prior to their appointment; five (5) years of which are in supervisory positions.

Section 4. *Term of Office.* - The Chairman and the two (2) members of the Board shall hold office for a term of three (3) years or until their successors shall have been appointed and duly qualified, without prejudice to reappointment for another term. Each member of the Board shall qualify by taking his/her oath of office before entering upon the performance of their duties; *Provided*, That for the initial appointment upon effectivity of this Act the Chairman shall have a term of three (3) years, one member a term of two (2) years and another member a term of one (1) year.

Section 5. *Duties and Functions of the Board.* - The Board shall have the following duties and functions:

- a) To enforce the provisions of this Act;
- b) To administer oaths in accordance with the provisions of this Act;
- c) To issue and, after due investigation, suspend or revoke certificates of recognition for the practice of early childhood care and development;
- d) To investigate any violation of this Act or of the rules and regulations issued thereunder, as may come to the knowledge of the Board, and for this purpose, to issue *subpoena* and *subpoena duces tecum* to alleged violators or witnesses to secure their attendance in investigations or hearings, and the production of books, papers and documents in connection therewith and compel their attendance by the power of contempt;
- e) To conduct yearly board examinations to early childhood care and development examinees under the supervision of the Commission;
- f) To look, from time to time, into the condition affecting the practice of early childhood care and development in the Philippines and adopt such measures as may be deemed necessary for the maintenance of the standards and ethics of the profession; and
- g) To adopt an official seal to authenticate its official documents. The Board shall exercise these powers and duties in accordance with Presidential Decree No. 233.

Section 6. *Removal of Board Members.* - Any member of the Board may be removed from office by the President, upon recommendation of the Professional Regulation Commission, for neglect of duty, incompetence or for unprofessional, immoral or dishonorable conduct, after having been given the opportunity to defend himself/herself in a proper administrative investigation conducted by the Commission.

Section 7. *Supervision of the Board and Custodian of Records.* - The members of the Board shall be under the general supervision of the PRC. All records, including

examination papers, examinations results, minutes of deliberation, records of administrative cases and investigations of the Board shall be kept by the Commission.

Section 8. Rules and Regulations. - Subject to the approval of the Commission, the Board shall set ethical and professional standards for the practice of early childhood care and development and adopt such rules and regulations as may be necessary to carry out the provisions of this Act. Such standards, rules and regulations shall take effect thirty days after publication in two national newspapers of general circulation.

Section 9. Annual Report. - The Board shall submit an annual report to the Commission at the end of each calendar year, giving a detailed report of its activities and proceedings during the year. Other information or data may be requested by the Commission as often as may be necessary and practicable.

Article II

EXAMINATION AND REGISTRATION OF EARLY CHILDHOOD CARE AND DEVELOPMENT PRACTITIONERS

Section 10. Examination Required. - All applicants for registration to the practice of early childhood care and development in the Philippines shall be required to undergo an examination as required for in this Act.

Section 11. Scope of Examination. - The scope of examination for the practice of early childhood care and development shall consist of the following:

1. Child Development and Pedagogy
2. Child Assessment
3. Management of ECCD Programs and Centers
4. Safety, Nutrition and Health
5. Mobilization of Colleagues, Families and Communities
6. Code of Professional Ethics in the Practice of ECCD
7. Other subjects which the Board may deem necessary for addition or inclusion from time to time.

Section 12. Prerequisite and Qualifications of Applicants for Examination. - In order to be admitted to the early childhood care and development examination, an applicant shall, at the time of filing of his/her application therefor, establish to the satisfaction of the Board that he/she:

1. Is in good health and of good moral character;
2. Is a graduate of a degree in early childhood care and development in a government recognized and duly accredited institution; and
3. At the time of the issuance of a certificate of registration, the applicant shall be a citizen of the Philippines and at least eighteen (18) years of age.

Section 13. College of Early Childhood Care and Development. To be recognized as a duly accredited and legally constituted institution for early childhood care and development as provided in this Act, a College of Early Childhood Care and Development shall have a permit from the Commission on Higher Education (CHED) and shall offer a ladderized program leading to a Bachelor in Early Childhood Care and Development.

Section 14. *Qualification of Faculty.* – The faculty shall have academic preparation appropriate to teaching assignment, as follows:

1. At least a bachelor's degree holder;
2. Proof of competence in the field of early childhood care and development; and
3. A practitioner of early childhood care and development in the Philippines with at least one (1) year of satisfactory teaching experience or one (1) year of efficient performance as a supervisor of early childhood education and development.

Section 15. *Ratings in the Board Examination.* – To be qualified as having passed the board examination for early childhood care and development, a candidate must obtain a general rating of seventy-five percent (75%) in the written test with no grade lower than fifty percent (50%) in any subject.

Section 16. *Report of the Results of Examination.* – The Board shall, within one hundred twenty (120) days after the examination, report the ratings obtained by each candidate to the Commissioner of the PRC.

Section 17. *Issuance of Certificate.* – Certificate of Registration as a “Registered ECCD Professional” shall, upon payment of the required fees, be issued to any applicant who passes the examination. Every certificate of registration shall show full name of registrant, have a serial number, bear the signatures of the members of the Board, be attested by the Secretary of the board, and be duly authenticated by the official seal of the Board. The issuance of a certificate of registration by the Board to the registrant shall be evidence that the person named herein is entitled to all rights and privileges as a registered early childhood care and development professional until said certificate, for just cause, is suspended temporarily or revoked.

Section 18. *Fees of Examination and Registration.* – Applicants for examination for the practice of early childhood care and development shall pay an examination fee as prescribed by the Professional Regulation Commission.

Section 19. *Inhibition Against Practice of Early Childhood Care and Development.* No person shall practice or offer to practice early childhood care and development in the Philippines, as defined in this Act, without holding a valid certificate of registration and a license as a Registered ECCD Professional or RECCDP.

Section 20. *Foreign Reciprocity.* – No early childhood care and development practitioner who is a citizen, subject or national of a foreign country shall be granted any of the rights and privileges under this Act unless he/she shows to the satisfaction of the Board that the country of which he/she is a citizen, subject or national, permits within its territorial limits on the same basis as the citizen, subject or national of such country; *Provided, That*, the requisites for admission to early childhood care and development and for graduation in said country are substantially the same as those in this country.

Section 21. *Practice of Early Childhood Care and Development Defined.* – The practice of early childhood care and development shall refer to the application of skills, knowledge and competencies which range from health, nutrition, early education and social services development programs, among others, which provide for the basic holistic needs of young children from age zero (0) to four (4) years.

Section 22. *Refusal to Issue Certificate of Registration.* – The Board shall refuse to issue a certificate of registration to any person convicted by a court of competent

jurisdiction of any criminal offense involving moral turpitude, and to any person guilty of immoral or dishonorable conduct. The Board shall give the applicant a written statement setting forth the reason or reasons for its action, which statement shall be incorporated in the records of the Board.

Section 23. *Revocation and Suspension of Certificates.*- The Board shall have the power to revoke or suspend the validity of a certificate of registration of an early childhood care and development practitioner for any of the causes mentioned in the preceding section or for unprofessional conduct, malpractice, incompetence or serious ignorance or negligence or for making use of fraud, deceit, or false statements to obtain a certificate of registration. From the decision of the Board, appeal may be taken to the Professional Regulation Commission which decision shall be final.

Section 24. *Re issuance of Revoked Certificates and Replacement of Lost Certificates.* - The Board may for reasons of equity and justice and upon proper application therefor issue another copy of the certificate upon payment of dues, and in so doing, it may exempt the applicant from the requisite examination.

Section 25. *Transitory Provisions.* - All early childhood care and development practitioners who are accredited by the Early Childhood Care and Development Council at the time of effectivity of this Act shall be automatically entered in the roster of the Professional Regulation Commission (PRC) as Registered ECCD Professionals with no need to apply and pass the board examinations for early childhood care and development; *Provided*, That he/she possesses the prerequisite and qualifications stipulated in Section 13 herein; *Provided, further*, that he/she submits the necessary documents to establish his/her credentials to the satisfaction of the Board and pays the filing fee; *And Provided, finally*, that this privilege may be availed of no more than two (2) years from the effectivity of this Act.

Article III **MISCELLANEOUS PROVISIONS**

Section 26. *Penal Provision.* - Any person who shall practices early childhood care and development in the Philippines within the meaning of this Act without a certificate issued in accordance herewith, or any person presenting or using as his/her own certificate of registration of another or any person giving any false or forged evidence to the Professional Regulation Commission in order to secure a certificate of registration or any person using a revoked or suspended certificate of registration or any person, assuming, using or advertising, as a registered early childhood care and development practitioner or appending to his/her name the letters RECCDP for "Registered Early Childhood Care & Development Professional" without having been conferred such title by the Professional Regulation Commission or advertising any title description tending to convey the impression that he/she is a registered early childhood care and development practitioner, shall be guilty of misdemeanor and shall, upon conviction, be sentenced to a fine or not less than Ten Thousand pesos (P10,000.00) nor more than Thirty Thousand pesos (P30,000.00), or to suffer imprisonment for a period of not less than two (2) years nor more than seven (7) years, or both such fine and imprisonment at the discretion of the court. The aforementioned penalty shall likewise be imposed upon any person found guilty of violation of any rule & regulation issued pursuant to the provisions of this Act.

Section 27. *Separability Clause.* - If for any reason, any part or section of this Act shall be declared unconstitutional or invalid, other sections or provisions hereof which are not affected thereby shall be in full force and effect.

Section 28. Effectivity Clause. – This Act shall take effect upon completion of its publication in at least two (2) national newspapers of general circulation.

Approved,