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HOUSE OF REPRESENTATIVES
Quezon City

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HOUSE BILL NO. **3070**

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Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

AN ACT
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING PROGRAM FOR
KINDERGARTEN AND ELEMENTARY PUPILS AND APPROPRIATING FUNDS
THEREFOR

EXPLANATORY NOTE

Malnutrition among school aged children is prevalent particularly those enrolled in the public schools in the country. Most of these children go to school without having any food as they leave their respective homes, thus the pangs of hunger during classroom hours resulting to low absorption of lessons and later dropping out of school. This poses a threat to the long term effect of malnutrition in the population and economy of the country in terms of eligibility and work qualifications in the future.

Continuous effort by the government is being undertaken to address this global call to address to eliminate hunger and malnutrition. Several programs were already undertaken by the government such as the rice ration and school feeding programs which have resulted to less dropouts and more number of students staying in school until their completion of primary education. However, these programs though of noble intention have faced several challenges particularly on the regularity of the implementation. It is therefore aimed by this proposal to institutionalize the feeding program for kindergarten and elementary pupils in order to address the children's hunger and keep them focused in school.

With the foregoing, it is earnestly hoped that this proposal be approved the soonest.



(a) **Fortified food** refers to food with deliberately increased content of essential micronutrient, i.e. vitamins and minerals (including trace elements) irrespective of whether or not the nutrients were originally in the food before processing, so as to

improve the nutritional quality of the food supply and to provide a public health benefit with minimal risk to health;

(b) Fresh milk refers to pasteurized fresh milk with limited shelf life, usually seven (7) to ten (10) days, and requiring refrigeration;

(c) Fresh milk-based food refers to food product containing fresh milk blended with powdered milk;

(d) National Household Targeting System for Poverty Reduction (NHTS-PR) or Listahanan refers to an information management system that identifies who and where the poor are in the country and serves as a reference in identifying potential beneficiaries of social protection program; and

(e) Powdered milk refers to a manufactured dairy product made by evaporating milk into powder form purposely to preserve it and to have a far longer shelf life than liquid milk due to its low moisture content.

SEC. 4. Objectives. – The National School Feeding Program (NSFP) shall pursue the following objectives:

- a) Ensure that adequate health and nutrition programs are accessible to school children throughout their early childhood years;
- b) Achieve improved survival rates attendance in public kindergarten and elementary schools;
- c) Enhance the physical, social, cognitive, psychological, and language development of young children;
- d) Mitigate malnourishment among school children, thus, ensuring that they will be adequately prepared for the formal learning system; and
- e) Establish an efficient system for early identification, prevention, referral, and intervention of developmental disorders and disabilities in early childhood.

SEC. 5. Establishment of the NSFP. – The NSFP is hereby established as an alternative approach of providing free supplementary meals, including fresh milk-based food products, through a program menu that shall be designed by the Department of

Education (DepED) particularly for children studying in public kindergarten and elementary schools nationwide.

SEC. 6. *Implementation and Interagency Coordination.* – The DepED is hereby authorized to lead in the administration and implementation of the NSFP.

In coordination with the DepED, the following national government agencies shall be tasked to make available such resources as may be necessary to ensure the successful implementation of the NSFP:

- a) The Department of Agriculture (DA) and the National Food Authority (NFA) shall tap farmers associations and cooperatives in the locality for possible sources of food supplies and shall share with the DepED any available resources and facilities that may be used for the NSFP;
- b) The Department of the Interior and Local Government (DILG) shall help enlist the support of local government units (LGUs) as DepED partners in the operation of the NSFP, including the possibility of utilizing the services of barangay nutrition scholars and barangay health workers;
- c) The Department of Social Welfare and Development (DSWD) shall support the DepED by ensuring the availability of data on poor households based on the NHTS-PR or Listahanan;
- d) The Department of Trade and Industry (DTI), the DA, the Department of Health (DOH) and the Food and Drug Administration (FDA) shall help the DepED look for cost-effective sources of foodstuff, vaccines, and vitamin supplements;
- e) The National Economic and Development Authority (NEDA) shall support the DepED in the determination of official development assistance sources to expand the inputs needed in the NSFP;
- f) The National Dairy Authority (NDA) shall support the DepED in the procurement of fresh milk-based food products and in coordinating with

1 local cooperatives and dairy corporations for the availability of milk
2 supplies needed; and

- 3 g) The National Nutrition Council (NNC), in coordination with the Food
4 and Nutrition Research Institute (FNRI), shall provide the menu
5 consisting of a combination of foods that meet the recommended
6 energy and nutrient intake of children.

7
8 The DepED, the participating national government agencies, and other
9 concerned stakeholders shall execute a Memorandum of Agreement specifying the
10 necessary arrangements relative to the operation of the NSFP.

11
12 **SEC. 7. *Mechanics of the NSFP.*** – In addition to its interdepartmental coordinative and
13 consultative tasks during the operation of the NSFP, the DepED shall oversee the
14 following activities:

- 15
16 a) Administer the NSFP, in coordination with concerned government
17 institutions, for a minimum of one hundred twenty (120) feeding days per
18 school year to be done five (5) days a week with one (1) feeding program
19 activity per school day.
- 20 b) Conduct orientation training activities utilizing its core of trainers to all
21 DepEd health and nutrition unit personnel at the regional and division
22 levels so as to generate their support to the NSFP's objectives and
23 mechanics. DepEd personnel trained at the schools division level shall be
24 responsible for training the staff at the district and municipal levels while
25 those trained at the district and municipal levels shall be responsible for
26 training the implementers and feeding coordinators at the school level;
- 27 c) Conduct orientation meetings with parents and pupils utilizing the DepEd
28 feeding coordinators for proper information dissemination on the NSFP's
29 objectives and mechanisms and in the process generate stakeholders'
30 support for the program;

- d) Conduct simultaneous health examinations including deworming and vaccination activities, to participating pupils during the orientation meeting set for parents and pupils. The school's medical staff or the medical staff of a public health center in the community shall take charge and provide proper treatment or referral to a hospital for pupils who are found to have defects or ailments. Classrooms advisers, who are required to undergo proper training to be conducted by the barangay nutrition scholars and barangay health workers, shall note their observations regarding the pupil's health condition, including the measurement of the pupil's height and weight before the start of the feeding program and every month thereafter for the entire duration of the feeding program;
- e) Make available the necessary food supplies such as :
- 1) Fresh milk-based and fortified foods; and
 - 2) Vitamin supplements in such dosages and for such duration as the DOH may determine most beneficial to the child's health and nutritional well-being;
- f) Ensure that the beneficiary school children eat their meals and drink their milk inside the classroom only, and shall thus be prohibited from taking their ration home.

SEC. 8. Procurement, Storage and Handling System. – The procurement, storage and handling of appropriate food supplies shall be spearheaded by the DepED, in coordination with the NNC, the FNRI and other concerned government agencies. The DepED shall seek the help of the DA in tapping the services of local farmers associations and cooperatives for the procurement of locally produced food supplies and shall encourage contracts with farmers associations and cooperatives in accordance with existing procurement laws.

In the procurement program, priority shall be given to the utilization of locally produced fresh milk and locally available food supplies, utilizing as well the products of

1 the Gulayan sa Paaralan Project (GPP) of the DepED and the products of community
2 gardens as part of convergence efforts to increase food supplies at the local level.

3
4 The DepED shall issue the guidelines necessary for the effective implementation
5 of the procurement, storage and handling system.

6
7 **SEC. 9. *Priority LGUs.*** – In case of shortage of funds, priority in the implementation of
8 the NSFP shall be given to municipalities and cities which are determined and identified
9 by the NNC or by any competent government agency to have high malnutrition rates.

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11 **SEC. 10. *Participation of LGUs.*** – The Secretary of Education shall initiate
12 partnerships with LGU officials to encourage them to contribute available resources to
13 the feeding program in public schools within the LGUs' respective area of jurisdiction.

14
15 **SEC. 11. *Participation of Parent-Teacher Associations (PTAs).*** – The DepED shall
16 promote the involvement of parents through the PTAs in the planning, implementation,
17 monitoring, and evaluation of the school feeding program.

18
19 **SEC. 12. *Monitoring and Evaluation System.*** – The DepED shall establish a
20 monitoring and evaluation system for the nationwide implementation of the NSFP, which
21 shall incorporate periodic reports from the schools division and regional offices. The
22 report shall provide, among others, the needed information that may determine whether
23 or not the program has achieved its objectives, including the identification of issues and
24 constraints as well as the corresponding appropriate recommendations.

25
26 **SEC. 13. *Tax Exemption.*** – Any donation or bequest made to the DepED for the NSFP
27 shall be exempt from donor's tax and the same shall be considered as allowable
28 deduction from the gross income of the donor, in accordance with the provisions of the
29 National Internal Revenue Code of 1997, as amended: *Provided*, That the donation is
30 duly approved by the Secretary of Education upon the recommendation of the Executive

1 Director of the NNC, in case of food products, and the Secretary of Health, in case of
2 vaccine and vitamin products.

3
4 **SEC. 14. Appropriations.** – The amount necessary to cover the initial implementation
5 of this Act shall be charged against the appropriation of the DepED for school-based
6 feeding program under the current General Appropriations Act. Thereafter, such sums
7 as may be necessary for the continued implementation of this Act shall be included in
8 the annual General Appropriations Act.

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10 **SEC. 15. Implementing Rules and Regulations.** – Within ninety (90) days from the
11 approval of this Act, the Secretary of Education, in consultation with the heads of other
12 participating government agencies, shall formulate the rules and regulations
13 implementing the provisions of this Act. The implementing rules and regulations issued
14 pursuant to this section shall take effect thirty (30) days after its publication in two (2)
15 national newspapers of general circulation.

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17 **SEC. 16. Separability Clause.** – If any provision of this Act is held invalid or
18 unconstitutional, the other provisions not so declared shall remain in force and effect.

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20 **SEC. 17. Repealing Clause.** – All laws, decrees, orders and rules and regulations
21 contrary to or inconsistent with the provisions of this Act are hereby repealed or
22 amended accordingly.

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24 **SEC. 18. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in
25 the *Official Gazette* or in a newspaper of general circulation.

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27 Approved,
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