

10 JUL 12 P3:42

SENATE

Senate Bill No. 1275

RECEIVED BY: 

INTRODUCED BY HON. MANNY VILLAR

EXPLANATORY NOTE

The Constitution provides that:

Article 2, Section 12. xxx The natural and primacy right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government.

Article 2, Section 13. 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.

The number of children living in homes, where both parents work or where the children are living with a single parent who works, has increased dramatically in recent years. In addition, the changing role and status of women has resulted in steadily increasing numbers of working women from all income levels and social groups. This means that more families now require child-care services.

The years from zero to six are especially important in the development of a child, and the care which children receive during these years is critical to their developmental process. Good quality care addresses these needs by providing a safe and stimulating environment and a program designed to foster the child's physical, cognitive, and socio-emotional development.

However, there is a lack of adequate child care facilities across the country and there is very little coordination among those that do exist. In addition, many parents are unable to afford quality child care services and do not receive any financial assistance for such services through established programs.

The purposes of this Act are: (1) to promote the availability and diversity of quality child care services for all children and families who need such services; (2) to provide financial assistance to families whose income is insufficient to pay the full cost of necessary child care services; (3) to provide technical and financial assistance to local governments in improving the quality, quantity, and coordination of child care programs; (4) to provide assistance to child care providers as well as promote incentives to improve the quality of service and to expand the population served; (5) to provide mechanisms for assessing the extent of the need for child care services; and (6) to promote coordination of child care programs and other services for children and families at all governmental levels.


MANNY VILLAR

10 JUL 12 P3:42

SENATE

Senate Bill No. 1275

RECEIVED BY: 

INTRODUCED BY HON. MANNY VILLAR

**AN ACT TO STRENGTHEN THE DEVELOPMENT OF CHILDREN AND
FUNCTIONING OF FAMILIES BY ESTABLISHING A COMPREHENSIVE CHILD
CARE PROGRAM**

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

Section 1. Short Title-This Act shall known as the "Child and Family
Development Act."

Section 2. Definition of Child Care Services - For the purposes of this Act, the
term "child care services" includes any organized service, chosen by parents for the
education and care of their children for some portion of the day or night , that is
designed to supplement, strengthen, and support parental care. Child care services
must be considered as developmental in that the child's physical, emotional,
intellectual, and social development is fostered and the parents skills in parenting are
enhanced. Health and nutrition services must be available for elective (optional) use by
the consumers. Child care services may be made available in such diverse facilities as
family day care homes, full-and-half-day child development centers, and after school
and summer programs for school-age children.

Section 3. Comprehensive Plan And Program For Child Care Services. - (a) The
Secretary of the Department of Social Welfare and Development (here called the
"Secretary") shall undertake and carry out a complete study and assessment of child
care needs in the Philippines. In carrying out such study and assessment, the Secretary
shall give due consideration to existing variations in child care needs as between

different regions and as between urban, rural, and other areas, and shall evaluate the effectiveness of the child care services and programs presently available in each such region and area, in meeting such needs. The Secretary shall complete such study and assessment, and transmit the results thereof to the Congress, within ninety after the date of the enactment of this Act.

(b) On the basis of the study and assessment carried out under subsection (A), the Secretary shall prepare and promulgate a comprehensive plan and program to assure that all of the child care services which are necessary to meet the nation's child care needs and to carry out the purpose of this Act are made available and effectively provided. Such plan and program shall at minimum:

- (1) include a plan designed to meet the need for child care services within *each region for infants, preschool children, and school-age children, with special attention given to meeting the needs of victims of child abuse and neglect, migrant children, handicapped children, children of teenage parents, and other groups of children having special needs, and with parental involvement at every level of planning, monitoring, and evaluation of programs as well as in the actual provision of services;*
- (2) provide for coordination, to the maximum extent feasible, of the child care services furnished and child care programs conducted under all other laws, and for coordination of the services furnished and activities conducted under this Act with the services and activities under such other laws with a view to expanding and improving the provision of services under services under existing child care programs rather than proliferating them;
- (3) incorporate the provisions required by Section 4 (relating to distribution of available child care funds) Section 5 (relating to provision of additional government funds to improve child care programs), Section

6 (relating to incentives for development of improve child care facilities), and Section 7 (relating to administration).

(c) The comprehensive plan and program prepared and promulgated under subsection (b) shall be promptly transmitted to the Congress, along with the Secretary's recommendations for legislation to provide any statutory authority which may be necessary for its implementation.

(d) The comprehensive plan and program shall take effect at such time as may be specified therein, but in no event earlier than the first calendar quarter which begins thirty days or more after the date on which it is transmitted to the Congress.

(e) The secretary may from time to time develop modifications to the comprehensive plan and program to take account of changing circumstances or to reflect experience in its operation and administration. Any such modification shall be transmitted to the Congress, and shall take effect, in the manner provided (with respect to the original plan and program) under subsections (c) and (d).

Section 4. Distribution of Available Child Care funds - The comprehensive plan and program prepared and promulgated under Section 3(b) shall include such provisions and requirements as may be necessary or appropriate to assure to the maximum extent feasible, in the distribution of government funds made available for child care services under this or any other Act, that:

(1) priority will be given to child care providers which:

(A) are licensed or eligible for licensing under the highest applicable standards regarding group size and composition, teacher-pupil ratio, qualification of providers, physical environment, parental involvement, and necessary support services;

(B) will give priority of services to children on the basis of family need (taking into account income, family size, and special needs of children from one-parent households), with the greatest possible economic mix of children;

(C) will establish and maintain a reasonable fee schedule based upon services provided and family income, with no fee being charged for services to children from families whose income is between 80 per centum of the regional median income, with income-related fees being charged for services to children from families whose income is between 80 and 150 per centum of the regional median income, and with full fees being charged for services to children from families whose income is above 150 per centum of the regional median income;

(D) will give due consideration to the cost of staff for parent involvement, supportive social services, and parent education activities in establishing their child care per diem rates; and

(2) diversity and differential use of child care services will be encouraged and promoted to the maximum possible extent.

SECTION 5. Provision of Additional Federal Funds to Improve Child Care

Programs - In order to assist in improving the quality and administration of child care programs and services, the comprehensive plan and program prepared and promulgated under Section 3 (b) shall include:

(1) provision for technical assistance to local government units to encourage and enable them to upgrade their licensing requirements and to formulate improved licensing and monitoring procedures, with supplementary allotment for the training and employment of qualified local staff; and

(2) provision for the establishment (by grant or contract) of training programs for child care personnel and family educators, with special subsidies being paid to programs in which the training leads to continuing degrees in early childhood education, and with tuition and maintenance stipends being awarded to persons who are continuing their education with a view to accreditation or certification in childhood and family education, social work (child welfare) , or child development and who are willing to commit

themselves to employment in a child care facility for at least one year for each academic year of education completed with the assistance of such an award.

SECTION 6. Incentives for Development of Improved Child Care Facilities.

(a) In order to encourage and provide incentives for the development of new child care facilities and the maintenance and improvement of existing ones, the comprehensive plan and program prepared and promulgated under Section 3(b) shall provide for:

- (1) annual subsidies to child care facilities serving children whose parents have incomes below the poverty level, to assist such facilities in meeting the applicable standards;
- (2) loans or other financial assistance to private not-for-profit child care facilities, in amounts up to 75 per centum of the costs involved (with the remainder of such costs coming from other sources) to aid in their construction or renovation;
- (3) grants to defray a portion of the interest payable by proprietary child care facilities on loans obtained from non-government sources for the renovation of their premises to meet applicable licensing standards, in amounts equal to 75 per centum of the total interest payable on any such loan during its first year, 50 per centum of the total interest payable during its second year, and 25 per centum of the total interest payable during its third year; and
- (4) grants to proprietary child care facilities to assist in serving children who are eligible for other government funded child care programs.

(b) Except as otherwise specifically provided in subsection (a), the amount and other terms and Conditions of any assistance furnished to the child care facility as described in such subsection shall be determined by the Secretary on the basis of the need for such assistance and in such manner as will most effectively carry out the purpose of this Act.

(c) For purposes of subsection (a)(3) and otherwise, the Secretary shall assist small individually owned child care facilities in obtaining low-cost financing and small business loans to be used in the renovation of such facilities.

(d) As a further incentives for the construction or renovation of child care facilities to aid in carrying out the purposes of this Act, the Secretary shall develop and recommend legislation providing:

(1) tax credits, in amounts based on the number of children served and the qualifications of the staff, for proprietary child care facilities which meet applicable standards, provide information and referral services, and have substantial parent involvement; and

(2) income tax deductions for licensed providers of family care which are integrally affiliated with licensed group care facilities.

SECTION 7. Administrative Provisions - (a) The comprehensive plan and program prepared and promulgated under section 3 (b) shall establish procedures for the collection and evaluation of data designed to show how child care needs in each region are being met, or not met, under this Act, giving particular attention to the increased availability of services and to any changes in the length or composition of waiting lists.

(b) The Secretary shall take such steps as may be necessary to assure the establishment within each region of an advisory panel to review child care programs and to recommend policy and policy revisions. At least 25 per centum of the members of any such panel shall be parents of children receiving child care with the assistance under this Act, at least 25 per centum shall be representatives of child care providers within the region, and at least 25 per centum shall be professionals in the field of child development and child welfare. The Secretary shall maintain regular communication with the advisory panels established pursuant to this subsection, and shall take their views, comments and recommendations fully into related programs.

SECTION 8. Annual Report - The Secretary shall submit annually to the Congress a full and complete report on the administration and operation of this Act and

of the comprehensive plan and program prepared and promulgated under section 3(b), with particular emphasis upon the extent to which child care services and programs under this Act and under such comprehensive plan and program have succeeded in meeting the nation's child care needs and have otherwise contributed to the achievement of the purpose and objectives of this Act. The report shall include or be accompanied by such recommendations as the Secretary may have further legislative, administrative, or other actions to carry out such purpose and objectives.

SECTION 9 . Appropriations - To carry out the provisions of this Act, such sum as may be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the sum necessary for the continuous operation of the program shall be included in the annual appropriation of the Department of Social Welfare and Development.

SECTION 10. Separability Clause - If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision shall remain valid and subsisting.

SECTION 11. Repealing Clause - Any law presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 12. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,