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ECCDC IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 10410 OTHERWISE KNOWN AS "THE EARLY YEARS ACT OF 2013"

, November 04, 2013

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Pursuant to Section 14 of Republic Act No. 10410, entitled "An Act Recognizing the Age from Zero (0) to Eight (8) as the First Crucial Stage of Educational Development and Strengthening the Early Childhood Care and Development System, Appropriating Funds Therefor And For Other Purposes," otherwise known as the "Early Years Act of 2013", the following Implementing Rules and Regulations (IRR) are hereby promulgated to implement the provisions of the Act.

RULE I: Title, Policy and Purpose

Section 1.1. Title. – This IRR shall be known and cited as the "Implementing Rules and Regulations of Republic Act No. 10410 otherwise known as The Early Years Act of 2013."

Section 1.2. Statement of Policy. – It is hereby declared a policy of the State to promote the rights of children to survival, human development, and special protection with full recognition of the nature of childhood as well as the need to provide developmentally appropriate experiences to address their needs; and to support parents/families in their roles as primary caregivers and as their children's first teachers. Further, the State hereby recognizes the age from zero (0) to eight (8) years as the first crucial stage of educational and human development of which the age from zero (0) to four (4) years shall be the responsibility of the Early Childhood Care and Development (ECCD) Council. Therefore, the responsibility to help develop children in the formative years between ages five (5) to eight (8) years shall be with the Department of Education (DepED).

The State shall institutionalize a National System for Early. Childhood Care and Development (ECCD) that is comprehensive, integrative and sustainable, that involves multi-sectoral and inter-agency collaboration at the national and local levels among government; among service providers, parents/families and communities, and among the public and private sectors, nongovernment organizations; professional associations, and academic institutions.

The System shall promote the inclusion of children with special needs, provide for reasonable accommodation and accessible environments for children with disabilities and advocate respect for cultural and linguistic diversity, including the use of Filipino Sign Language as the visual language of the deaf community. It shall be anchored on complementary strategies for ECCD that include service delivery for children from age zero (0) to four (4) years, educating parents/families and caregivers, encouraging the active involvement of parents/families and communities in ECCD programs, raising awareness about the important efforts that improve the quality of life for young children and families.

Section 1.3. Purpose. – This IRR shall provide the concerned national government agencies, local government units, other public institutions, nongovernment organizations, people's organizations and private institutions with adequate guidelines for the implementation of a comprehensive national policy institutionalizing the National

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Early Childhood Care and Development System to ensure that the basic needs of young children for health and sanitation, nutrition, early education, child protection, social services development and human development are substantially met.

Section 1.4. Definitions. – The following terms are defined as follows:

(a)

Early Childhood Care and Development (ECCD) Program – refers to the various services of health and sanitation, nutrition, early education, child protection, social services development and human development that may be conducted as center-based programs or home-based programs by various ECCD Service Providers.

(b)

Center-based programs – refer to programs such as the day care service established under Republic Act No. 6972, otherwise known as the “Barangay- Level Total Development and Protection of Children Act”, and hereinafter referred to as the child development service, community or church-based early childhood education programs initiated by nongovernment organizations or people's organizations, workplace-related child care and education programs, child-minding centers, health centers and stations.

(c)

Home-based programs - refer to programs which utilize parents as the primary service providers for ECCD such as the neighborhood-based play groups, family child care programs, parent education and home visiting programs.

(d)

ECCD Service Providers – refer to the various professionals, paraprofessionals and volunteer caregivers who are directly responsible for the care and education of young children from age zero (0) to four (4) years through the various centers and home-based programs. They shall include, but are not limited to, day care workers hereinafter referred to as child development workers, child development teachers, parents, teacher-aides, rural health midwives, social workers, community health workers, barangay nutrition scholars, parent effectiveness service volunteers, and family day care providers.

(e)

ECCD Curriculum – refers to the developmentally appropriate educational objectives and practices, programs of activities, organized learning experiences, recommended learning materials and appropriate assessment for children from age zero (0) to four (4) that are implemented by service providers through center and home-based programs. It shall consist of national program goals and guidelines, instructional objectives, and content outlines that are age-appropriate, individually-appropriate and culturallyrelevant.

(f)

Parent Education – refers to the various formal and alternative means of providing parents with information, skills, and support systems to assist them in their roles as their children’s primary caregivers and educators. These include public and private parent education programs linked to center, home and media-based child .care and education programs.

RULE II: The National Early Childhood Care and Development (ECCD) System Framework

Section 2.1. Early Childhood Care and Development (ECCD) System. – The ECCD System refers to the full range of health, nutrition, early education and social services development programs that provide for the basic

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holistic needs of young children from age zero (0) to four (4) years; and to promote their optimum growth and development.

Section 2.2. Objectives. – The National ECCD System shall be strengthened to pursue the following objectives:

(a)

To achieve improved infant and child survival rates by ensuring that adequate health and nutrition programs are accessible to young children and their parents, from the prenatal period throughout the early childhood years;

(b)

To enhance the physical-motor, socio-emotional, cognitive, language, psychological and spiritual development of young children;

(c)

To facilitate a smooth transition from care and education provided at home to community or school-based setting and to kindergarten;

(d)

To ensure that young children are adequately prepared for the formal learning system that begins at kindergarten;

(e)

To establish an efficient system for early identification, prevention, referral and intervention for the wide range of children with special needs from age (0) to four (4) years;

(f)

To upgrade and update the capabilities of service providers and their supervisors to comply with quality standards for various ECCD programs;

(g)

To reinforce the role of parents and other caregivers as the primary care givers and educators of their children especially from age zero (0) to four (4);

(h)

To enhance and sustain the efforts of communities to promote ECCD programs and ensure special support is provided for poor, disadvantaged and linguistic minority communities;

(i)

To improve the quality standards of public and private ECCD programs through, but not limited to, a registration and credential system for ECCD service providers and facilities;

(j)

To ensure that the education of persons, and in particular children, who are blind, deaf or deafblind, are conducted in the most appropriate languages, modes and means of communication for the individual and in environments which maximize academic and social development; and

(k)

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To employ teachers, including teachers with disabilities, who are qualified in sign language and/or braille, and to train professionals and staff who work at all levels of education.

Section 2.3. System Framework. – The National ECCD System Framework shall be consistent with the principle that children, including children with special needs, have basic holistic needs and must be provided quality ECCD programs to promote their optimum growth and development. The System empowers parents/families, communities and institutions to maximize their participation and support to ECCD programs.

The comprehensive, integrative and sustainable attributes of the System shall be realized through the convergence of health and sanitation, nutrition, early education, child protection, social services development and human development in all ECCD programs. This shall be made possible through the various system components that comprise a supporting and responsive ECCD growth learning environment for children. A participatory and direct-action approach to delivery of accessible, affordable services that are supportive of the socio-economic and cultural environment shall be adopted where parents/ families, communities and organizations are equal partners of government.

Section 2.4. System Components. – The National ECCD System shall include the following four (4) components:

(a) ECCD Curriculum;

(b) Parent Education and Involvement, Advocacy and Mobilization of Communities;

(c) Human Resource Development Program, and

(d) ECCD Management.

The ECCD System shall ensure that the National ECCD Program is implemented in accordance with quality standards for accreditation and for this purpose there shall be established a National ECCD Monitoring and Evaluation Framework.

Section 2.5. The ECCD Curriculum. – The ECCD Curriculum component of the National ECCD System shall focus on children's holistic development and take into account age, individual and socio-cultural appropriateness. It shall promote the delivery of complementary and integrative services for health, nutrition, early childhood education, sanitation, cultural activities, among others. It shall use the child’s first language as the medium of instruction.

Section 2.6. Parents/Families Education and Involvement, Advocacy and Mobilization of Communities. – The Parents/Families Education and Involvement, Advocacy and Mobilization of Communities component of the National ECCD System shall harness and develop parents/families' strengths as providers of ECCD programs at home, as active partners of other stakeholders, as advocates for community concerns that affect children, and as pillars of support for local and national ECCD programs through community organization efforts.

Section 2.7. The Human Resource Development Program. – The Human Resource Development Programs component of the National ECCD System shall refer to the mechanisms for the systematic professionalization of ECCD service providers, through enrolment in educational programs in site-based or distance education modes, through pre-service or in-service training including continuing education programs, whereby a registration and credential system shall be developed in the ECCD System.

Section 2.8. ECCD Management. – The ECCD Management component of the National ECCD System shall consist of a continuing process of planning, implementation, supervision, financial management, monitoring, evaluation and reporting to persons concerned and encourages the active involvement of and build the capabilities of service providers, parents and local government officials to sustain the program.

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Section 2.9. Responsibility. – The ECCD Council shall have the responsibility of implementing the National ECCD System.

RULE III: Expanding the National ECCD System

Section 3. Coverage. – To achieve universal ECCD coverage for all children the ECCD Council shall provide technical assistance and support to the LGUs in order that the National ECCD System shall be expanded to all provinces, cities, municipalities and barangays as may be determined by the ECCD Council.

RULE IV: Strengthening the Early Childhood Care
and Development Council (ECCD) Council

Section 4.1. Strengthening of the ECCD Council. – The ECCD Council shall be strengthened to ensure the State's focus on building a strong foundation for the development and learning of children during the early years from age zero (0) to four (4) years, to support the full range of health and sanitation, nutrition, early education, child protection, social services development and human development and ensure sustained interagency and multisectoral collaboration.

Section 4.2. Attachment. – The Council shall be attached to the Department of Education.

Section 4.3. The Early Childhood Care and Development (ECCD) Council. – The ECCD Council shall be composed of the ECCD Governing Board and the ECCD Council Secretariat.

Section 4.4. The ECCD Governing Board. – The ECCD Governing Board shall be composed of the Secretary of the Department of Education (DepED) as ex officio Chairperson, the Executive Director of the ECCD Council Secretariat as Vice-Chairperson, the Secretary of the Department of Social Welfare and Development (DSWD), the Secretary of the Department of Health (DOH), the Executive Director of the National Nutrition Council (NNC), the President of the Union of Local Authorities of the Philippines (ULAP), and one private individual as members.

Section 4.5. Appointment of a Private Individual. – Upon the recommendation of the Governing Board, one (1) private individual who is an ECCD practitioner and expert shall be appointed by the President as member for a period of two (2) years subject only to a reappointment for a second two-year term.

Section 4.6. Meetings. – The ECCD Governing Board shall meet once a month or upon the call of the Chairperson or at least three (3) members of the Governing Board.

Section 4.7. The ECCD Council Secretariat. – The ECCD Council Secretariat shall provide support services for the achievement of objectives, implementation of functions and coordination and monitoring of policies and programs formulated by the ECCD Council.

Section 4.8. Executive Director. – The ECCD Council Secretariat shall be headed by an Executive Director appointed by the President. He/she shall be subject to the Compensation and Position Classification System and other existing civil service rules and regulations.

Section 4.9. Technical and Administrative Staff. – The Executive Director shall be assisted by such number of technical and administrative staff as may be determined by the ECCD Council subject to the Compensation and Position Classification System and other existing civil service rules and regulations.

Section 4.10. Qualification Standards and Plantilla. – The ECCD Governing Board shall determine the Qualification Standards and the staffing pattern for required plantilla positions upon the recommendation of the Executive Director.

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RULE V: Responsibilities and Functions of the ECCD Council

Section 5.1. Responsibilities of the ECCD Council. – In consultation with existing coordinating committees/Local Council for the Protection of Children (LCPC) at the province, city, municipal and barangay levels, the ECCD Council shall be responsible for:

(a) Establishing national standards;

(b) Developing policies and programs;

(c) Ensuring compliance thereof; and

(d) Providing technical assistance and support to the ECCD service providers.

Section 5.2. Functions of the ECCD Council. – The ECCD Council shall have the following functions:

(a)

Promulgate policies and implement guidelines for ECCD programs in consultation with stakeholders, including the regional level when appropriate, consistent with the national policy and program frameworks as defined in the Act;

(b)

Establish ECCD program standards that reflect developmentally appropriate practices for ECCD programs, which shall interface with the kindergarten curriculum of the DepED;

(c)

Develop a national system for the recruitment, registration, accreditation, continuing education and equivalency, and credential system of ECCD service providers, supervisors, and administrators to improve and professionalize the ECCD sector and upgrade quality standards of public and private ECCD programs;

(d)

Develop a national system of awards and recognition to deserving ECCD program implementers and service providers;

(e)

Promote, encourage and coordinate the various ECCD programs of the DepED, the DSWD, the DOH and the NNC, and monitor the delivery of services to the ECCD program beneficiaries nationwide;

(f)

Evaluate and assess the impact and outcome of various ECCD programs nationwide through an effective information system;

(g)

Develop a national system for early identification, screening and surveillance of young children from zero (0) to four (4) years;

(h)

Develop various support mechanisms that maximize public and private resources for implementing ECCD programs, giving priority to the needy and high risk children from poor communities;

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(i)

Provide funds to poor and disadvantaged communities for the establishment and expansion of public ECCD programs, improvement of physical facilities and for hiring of ECCD service providers;

(j)

Promote and encourage private sector initiatives for the establishment of ECCD programs;

(k)

Provide guidelines for the conduct of solicitation from local and international civic organizations, request private foundations to supplement available resources; and

(l)

Perform such other functions the ECCD Council may deem necessary.

RULE VI: Roles and Responsibilities of Member Agencies of the Early
Childhood Care and Development Council

Section 6.1. Responsibilities of Member Agencies of the ECCD Council. – The DepED, the DSWD, the DOH, the NNC and the ULAP shall:

(a)

Support the implementation of the National ECCD System by providing financial and technical support packages to the ECCD programs;

(b)

Meet in an annual workshop to prepare work and financial plans that will coordinate their technical assistance and support for the National ECCD Program;

(c)

Observe existing implementing guidelines that ensure consistency in integrated service delivery within the National ECCD System; and

(d)

Provide continuing professional development program support, supplementary learning materials, reference materials, supplemental nutrition and health care services through the DepEd, the DSWD, the DOH and the NNC.

Section 6.2. The DepED. – The DepED shall recognize the National ECCD Program as the foundation of the learning continuum and shall promote it for all children from age zero (0) to four (4) years.

Section 6.3. The ULAP. – The ULAP shall: (a) Encourage the mainstreaming of ECCD programs; and (b) Disseminate information regarding ECCD programs among LGUs.

RULE VII: Responsibilities of Local Government Units (LGUs)

Section 7. Responsibilities of Local Government Units – The Local Government Units shall include allocations from their Special Education Fund (SEF) and Gender and Development (GAD) Fund, in addition to other local funds, to be utilized, among others, for the following purposes:

(a) Support the implementation of ECCD programs;

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(b) Organize and support parent cooperatives to establish ECCD programs;

(c) Provide counterpart funds for the continuing professional development of their ECCD public service providers; and

(d) Provide the facilities for the conduct of their community-based ECCD Programs.

RULE VIII: Responsibilities of Parents/Families and Communities

Section 8. Participation of Parents/Families and Communities. – Parents/Families and communities shall support local ECCD programs by participating in various ECCD projects such as, but not limited to, health, nutrition, social development and early childhood education projects for the overall development of their children. Families are encouraged to contribute their time and services to support the ECCD programs.

RULE IX: Financing ECCD Programs

Section 9.1. Fundamental Principles in Financing ECCD Programs. – The following fundamental principles shall be considered in financing ECCD programs:

(a)

ECCD programs shall be financed through a combination of public and private funds;

(b)

ECCD programs shall prioritize children from age zero (0) to four (4) years from families who are in greatest need and who can least afford private ECCD programs;

(c)

Additional funds may be generated from intergovernmental donors and government financial institutions to support the ECCD programs including for the urban poor.

(d)

Fees and contributions may be collected for both public and private ECCD programs but the the same shall be monitored by the ECCD Council to ensure that these are affordable and within reasonable limits.

Section 9.2 Establishment of a Fund. – The ECCD Council shall establish a fund for the implementation of an ECCD Program Contracting Scheme with accredited private providers at the community levels.

RULE X: Appropriation

Section 10.1. Appropriations. – The amount needed for the initial implementation of this Act shall be charged against the current year's appropriations of the DepEd, the DSWD, the DOH, and the NNC for the purpose. Thereafter, such sums as may be necessary for the operations of the Council shall be included in the General Appropriations Act.

Section 10.2. Additional Funding. – The Philippine Amusement and Gaming Corporation shall contribute an amount of Five hundred million pesos (P500,000,000.00) per year for five (5) years from its gross income to fund the establishment of National Child Development Centers and the conversion of existing Day Care Centers into Child Development Centers in various LGUs upon approval of the Act. Said amount shall be directly remitted in four (4) quarterly installments to a special account of the ECCD Council.

RULE XI: Final Provisions

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Section 11.1 Annual Report. – The ECCD Council shall, at the close of each calendar year, submit annual physical and financial reports to Congress, giving a detailed account of its proceedings and accomplishments during the year, making recommendations for the adoption of measures that will improve the National ECCD System and ensuring achievement of universal coverage of ECCD benefits to all children from zero (0) to four (4) years, within a period of five years.

Section 11.2 Repealing Clause. – Republic Act No. 8980, otherwise known as "An Act Promulgating A Comprehensive Policy And A National System For Early Childhood Care And Development (ECCD), Providing Funds Therefore And For Other Purposes" is hereby repealed. Pertinent provisions of all laws, decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 11.3. Separability Clause. – If for any reason, any portion or provision of these Rules shall be declared illegal or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 11.4. Effectivity Clause. – This IRR shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

This IRR shall be registered with the Office of the National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.

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