

1 means to ensure that a child, one of the most important assets of the nation,
2 acquires the essential educational foundation for his/her development and to
3 attain his/her fullest potential as a human being.

4 The State commits to uphold the rights of children to access quality
5 education and assistance, including proper care and nutrition, and special
6 protection from all forms of neglect, abuse, cruelty and exploitation, and other
7 conditions prejudicial to their development. As such, the State shall promote
8 and safeguard the welfare of children and uphold their best interests by
9 encouraging the establishment of quality preschool education through the
10 definition of standards for the organization and operation of preschool
11 facilities and services in the country.

12 SEC. 3. *Definition of Terms.* – The terms used in this Act are defined as
13 follows:

14 (a) “Child abuse” refers to the acts described in Section 3(b) of
15 Republic Act No. 7610, or the Special Protection of Children Against Child
16 Abuse, Exploitation and Discrimination Act, and all other forms of abuse and
17 neglect referred to in the same law.

18 (b) “Department” refers to the Department of Education.

19 (c) “Mother tongue” refers to the language or languages first learned
20 by a child which he/she identifies with or is identified as a native speaker of, by
21 others, or which he/she knows best and uses most.

22 (d) “Owner” refers to the person, natural or juridical, who owns,
23 operates or stands as the proprietor of a preschool, whether or not a permit to
24 operate the same has already been granted him/her. The owner may be the
25 operator or proprietor of existing educational institutions that may be offering
26 elementary, secondary and/or post-secondary education.

27 (e) “Preschool institution” refers to pre-elementary facilities or services
28 including, but not limited to, early learning centers, nurseries, kindergarten

1 schools, playgroups and similar facilities that primarily provide educational
2 services for preschool children.

3 (f) "Preschool children" refers to children five (5) years old and below
4 who qualify for admission and enrolment in preschool facilities or services
5 offering preschool education.

6 (g) "Preschool personnel" collectively refers to the owner, director,
7 teachers and paraprofessionals working in a preschool institution.

8 CHAPTER II

9 COVERAGE

10 SEC. 4. *Coverage.* – This Act shall cover all privately-owned preschool
11 institutions and other private educational institutions providing elementary,
12 secondary and post-secondary education that also offer preschool services.

13 A preschool entity or organization contracted by the government as its
14 partner in the Preschool Service Contracting Scheme (PSCS) of the
15 Department shall not be covered by this Act when the delivery of educational
16 services are solely devoted to the implementation of the PSCS.

17 CHAPTER III

18 ESTABLISHMENT AND LICENSING

19 SEC. 5. *Establishment of a Preschool.* – A private preschool institution
20 shall be established in accordance with law and its operations shall be subject
21 to prior authorization of the Department. No preschool institution shall
22 operate without first applying for a permit to operate and obtaining the same
23 from the Department.

24 SEC. 6. *Application for a Permit to Operate.* – The owner of a
25 preschool institution shall file the application for a permit to operate a
26 preschool. He/She shall have the following qualifications:

27 (a) Possesses a college degree in a discipline allied to education with at
28 least eighteen (18) units of preschool education course; and

1 (b) Must not have been convicted of any crime involving child abuse,
2 sexual abuse or any other crime committed against children.

3 If the owner of the preschool is a juridical entity, the president of such
4 entity shall possess the above-prescribed qualifications.

5 The Department has the discretion to impose additional qualifications
6 before a person may be able to apply for and be granted a permit to operate a
7 preschool.

8 *SEC. 7. Requirements for Application to Operate a Preschool.* – The
9 Department shall not issue a permit to operate a preschool unless the following
10 documents and information are submitted:

11 (a) A complete application form, which includes a list of all the
12 preschool personnel, including volunteers and substitutes, and the list of
13 household members as prescribed in Section 9 herein, if applicable;

14 (b) Draft preschool curriculum or program to be implemented;

15 (c) Inspection report showing compliance with all safety rules issued
16 by the local government unit;

17 (d) Certification showing completion of pre-licensing inspections as
18 prescribed in Section 10 herein;

19 (e) Tax identification number of the owner; and

20 (f) Statement of Legal Background.

21 The owner shall sign the application for a permit to operate a preschool
22 under oath to certify that all its contents and attachments are true and correct.

23 *SEC. 8. Statement of Legal Background.* – The owner of the preschool
24 shall submit a Statement of Legal Background signed under oath by each
25 member of the preschool personnel, eighteen (18) years old and above. The
26 Statement of Legal Background shall include all contacts of the preschool
27 personnel with law enforcers, whether or not such contacts may have resulted
28 to prosecution.

1 SEC. 9. *Disclosure of Household Members.* – If the preschool is
2 located within a private residence, the owner shall submit the names of all
3 household members, eighteen (18) years old and above.

4 SEC. 10. *Pre-Licensing Inspection.* – After the filing of the application
5 for a permit to operate, a preschool institution shall be subjected to pre-
6 licensing inspections before it can be allowed to start its operations.

7 SEC. 11. *Display of Permit.* – The owner shall, at all times, display the
8 operating permit, whether provisional or permanent, in a prominent place
9 clearly visible to the parents and the public.

10 SEC. 12. *Licensed Capacity.* – The permit shall indicate the licensed
11 capacity to operate the preschool. A preschool institution shall not exceed its
12 licensed capacity during the period of effectivity of the granted permit. An
13 increase in the capacity shall require another application for a new permit to
14 operate.

15 SEC. 13. *Changes in the Permit.* – If a substantial change in the permit
16 to operate a preschool is needed, the owner shall submit a new application.

17 SEC. 14. *Operation Without a Permit.* – The operation of a preschool
18 institution without authorization, or in violation of the permit granted, is a
19 violation that shall be subject to the penalties provided under Chapter XI of
20 this Act.

21 SEC. 15. *Strict Compliance of Standards.* – A preschool institution
22 shall be required to comply with the standards set under this Act and also to
23 that of the other administrative regulations and orders issued by the
24 Department, under pain of penalty of the owner and all other preschool
25 personnel responsible for noncompliance of these standards.

CHAPTER IV

PRESCHOOL PROGRAM

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3 SEC. 16. *Curriculum Development.* – The Department shall develop
4 the curriculum prescribed for preschool education consistent with the
5 universally accepted norms and standards, including values formation, and to
6 periodically review such for purposes of upgrading.

7 Private preschool institutions shall henceforth implement the
8 appropriate curriculum prescribed by the Department.

9 SEC. 17. *Developmentally Appropriate Experiences.* – The preschool
10 program shall incorporate the use of developmentally appropriate experiences
11 in physical development, social development, supportive emotional and social
12 environment, intellectual and cognitive development, staff-child ratio,
13 language of learning and parental involvement. Such programs aim to develop
14 the preschool children's intrapersonal and interpersonal skills as well as
15 enhancing their self-management and independence.

16 The program shall also include appropriate learning activities and
17 teaching techniques in accordance with each child's level of comprehension
18 and maturation.

19 SEC. 18. *Physical Development Program.* – The physical development
20 program shall help develop the gross and fine motor coordination of a child
21 through play and manipulative activities like games, simple work and those
22 that develop physical fitness, and through:

23 (a) Adequate indoor and outdoor space pursuant to Chapter V of this
24 Act;

25 (b) Developmentally appropriate materials and equipment, in sufficient
26 quantity to allow choice, and providing supervised time for children to use
27 large and small muscles to increase their physical skills;

1 (c) Appropriate guidance while the school children use equipment and
2 materials that promote their physical growth; and

3 (d) Developmentally appropriate information about health as an
4 integral part of program activities.

5 *SEC. 19. Social Development Program.* – The social development
6 program shall help develop skills and behaviors pertaining to independence
7 and social behavior including development of health habits and independence
8 in dressing, eating, sleeping and toileting, relating with teachers, peers and
9 other people through group play and/or interaction. It also deals with the
10 development of ability to follow rules and routines.

11 The program shall likewise promote the development of social skills and
12 social interactions by providing positive guidance with clear and consistent
13 rules presented in developmentally appropriate ways such as positive adult and
14 peer role models, focusing on the level of the child.

15 *SEC. 20. Supportive Emotional and Social Environment Program.* --
16 The supportive emotional and social environment program shall promote
17 affective development through experiences that help preschool children
18 develop love for self, others and the community. The program shall provide a
19 supportive social and emotional climate that:

20 (a) Enhances the preschool children's understanding of themselves as
21 individuals, and in relation to others, by providing for individual, small group
22 and large group activities;

23 (b) Gives preschool children many opportunities for success through
24 developmentally appropriate program activities; and

25 (c) Provides an environment of acceptance that helps preschool
26 children develop positive self-concept, enhance their individual strengths,
27 build ethnic pride and facilitate social relationships.

1 SEC. 21. *Intellectual and Cognitive Development Program.* – The
2 intellectual and cognitive development program shall include activities that
3 promote the development of intellectual skills particularly in the areas of
4 communication skills and sensory-perceptual and numeric concepts and skills
5 by:

6 (a) Encouraging preschool children to solve problems, initiate
7 activities, explore, experiment, question and gain mastery through learning by
8 doing concrete experimental learning;

9 (b) Promoting language understanding and use in an atmosphere that
10 encourages each communication among preschool children and between
11 children and adults;

12 (c) Utilizing a curriculum in which a variety of skills are integrated into
13 activities targeted toward the interest of preschool children;

14 (d) Encouraging preschool children to organize their experiences and
15 understand concepts;

16 (e) Utilizing a language experience approach to introduce printed
17 materials according to the individual developmental level of the preschool
18 children; and

19 (f) Providing a daily balance of activities in the following dimensions:
20 indoor and outdoor; quiet and active; individual and group; large and small
21 groups; child and staff initiated; and structured and spontaneous.

22 SEC. 22. *Staff-Child Ratio.* – Each preschool institution shall maintain
23 the following staff-child ratio:

24	Age Range of Children	Number of	Number of
25	(at the time of enrolment)	Staff	Children
26	2 years old – 3 years old	1	6
27	3 years and 1 day – 4 years old	1	10
28	4 years and 1 day – 5 years old	1	12

1 Only the personnel directly involved with the immediate care and
2 teaching of children shall be considered in determining the staff-child ratio.

3 Compliance with staff-child ratio shall be determined on a school-wide
4 basis and not on an individual classroom basis.

5 SEC. 23. *Language of Learning.* – At the day care level, the mother
6 tongue shall be used as the language of learning for all subjects. At this stage,
7 oral fluency in the mother tongue shall be developed.

8 At the preschool level (5 years old), the following language of learning
9 shall be institutionalized:

- 10 (a) Introduction of oral fluency in Filipino as a subject;
11 (b) Introduction of oral fluency in English as a subject;
12 (c) Continuing development on oral fluency in the mother tongue and
13 the introduction of the mother tongue emergent literacy; and
14 (d) Mother tongue as the language of learning for all subjects.

15 SEC. 24. *Parental Involvement Program.* – The parental involvement
16 program shall allow the active parental involvement in the preschool children's
17 activities. Consideration of the different types of family structures, such as
18 those with single parenthood, adoption, foster care and extended family, shall
19 be made when planning activities.

20 The following activities shall be made available to the parents:

- 21 (a) Participation in classroom and other preschool activities as
22 volunteers or observers;
23 (b) Parent training, education or other activities that parents helped
24 develop;
25 (c) Working with the child in cooperation with preschool personnel;
26 (d) Meeting with preschool personnel and other appropriate staff

1 regarding the child's individual needs and progress or other systems of
2 communication developed with the parent; and

3 (e) Periodic home visits by preschool personnel.

4 CHAPTER V

5 PHYSICAL ENVIRONMENT

6 *SEC. 25. Adequate Facilities and Appropriate Physical Environment. –*

7 Each preschool institution shall ensure that the children enrolled are provided
8 with adequate facilities and given the appropriate physical environment.

9 The owner and/or director shall ensure that:

10 (a) All facilities within the school premises, including the floors, walls
11 and ceilings, and other areas not considered when computing activity space
12 under Section 26 hereof are clean and maintained properly;

13 (b) There is at least one (1) toilet seat for every twenty-five (25)
14 children at one time which is conveniently accessible to the children;

15 (c) Sufficient water supply is available to the children during the hours
16 of operation;

17 (d) The sewage and garbage facilities in the school premises are clean
18 and that proper disposal of garbage is maintained to prevent health hazards;
19 and

20 (e) A telephone line is available in the school premises.

21 *SEC. 26. Activity Space. –* A preschool institution shall have a
22 minimum lot area of five hundred (500) square meters. The area may be
23 divided into a minimum of one hundred forty (140) square meters for the
24 classroom or indoor activity space and three hundred sixty (360) square meters
25 for the playground or outdoor activity space. This area shall be good for not
26 more than four (4) classes only.

27 Toilets, kitchens, passageways, storage space, cabinets and other spaces
28 not used to directly deliver educational services as defined in this Act shall not

1 be considered when computing the activity space.

2 The owner and/or director shall ensure that the indoor activity space is
3 well ventilated and classrooms are adequately lit.

4 SEC. 27. *Outdoor Activity Space.* – A preschool institution shall have
5 enough space for playground or outdoor activities; otherwise, easy and safe
6 access to the nearest park or open space not more than two hundred (200)
7 meters walking distance from the school site may be presented as an
8 alternative. This arrangement shall be approved in writing by the authorized
9 representative of the park or open space.

10 The owner and/or director shall ensure that the preschool institution
11 complies with the following regulations concerning outdoor activity space used
12 by the children:

13 (a) If there are unsafe areas such as drainage ditches, open storm
14 sewers, wells, holes, railroad tracks or heavy street traffic in or near the
15 outdoor play area, an appropriate fence shall be provided to safeguard the
16 children involved in the outdoor activity;

17 (b) Pets, if present, must be physically controlled or restrained, and
18 proof of vaccination shall be available for cats and dogs; and

19 (c) The grounds shall be kept neat and clean, free from insects and
20 rodents, and properly sloped or drained to prevent stagnant water collection.

21 The use of the nearest park or open space, instead of a playground
22 within preschool premises, as outdoor activity space does not excuse the owner
23 and/or director from ensuring that the above regulations are met.

24 SEC. 28. *Use of School Building.* – The building from where the
25 preschool operates shall be used solely for educational purposes. Its
26 conversion into a residential or commercial purpose, even if done after class
27 hours, shall be strictly prohibited.

1 SEC. 29. *Provision of Furniture, Equipment and Related Materials.* –

2 The furniture, equipment and materials allocated for the use of the school shall
3 be of sufficient quantity, quality and variety to meet the needs of the preschool
4 children and shall be arranged in a way as to facilitate learning, assure a
5 balanced program of spontaneous and structure activities, and encourage self-
6 reliance in the children.

7 SEC. 30. *Provision of Safe Environment.* – The preschool premises
8 shall be free from potential accident hazards such as diggings, uncovered
9 wells, broken glasses, open electric wires, unsafe electrical outlets and other
10 similar matters. The owner and/or director shall provide the necessary safety
11 measures and equipment to ensure that preschool children may enjoy a healthy
12 and hazard-free environment.

13 CHAPTER VI

14 QUALIFICATIONS OF PRESCHOOL PERSONNEL

15 SEC. 31. *Composition of Preschool Personnel.* – There shall be
16 preschool personnel in each preschool institution which shall be basically
17 composed of a director, teachers and paraprofessionals.

18 For purposes of this Act, the owner of the preschool institution shall be
19 considered part of the preschool personnel if he/she has contact with the
20 students therein.

21 SEC. 32. *The Director.* – The director shall plan, implement, supervise,
22 monitor and evaluate a school program along with the other competent
23 members of the preschool personnel. He/She shall possess the following
24 qualifications:

25 (a) College degree in a discipline allied to education with at least
26 eighteen (18) units of preschool education course;

27 (b) Preferably with a masters degree in education; and

1 (c) At least two (2) years of very satisfactory work experience in a
2 school setup.

3 The director's experience in preschool teaching with very satisfactory
4 performance may, at the discretion of the Department, be considered in place
5 of the preschool education course units required.

6 SEC. 33. *The Teacher.* – The teacher shall be directly in charge with
7 the handling of preschool children. He/She shall possess any of the following
8 qualifications:

9 (a) Bachelor of Science degree with specialization in Family Life and
10 Child Development or Early Childhood Education or Kindergarten;

11 (b) Bachelor of Science in Elementary Education with eighteen (18)
12 units in preschool education and fifty-four (54) hours of practicum in preschool
13 classes; or

14 (c) Bachelor of Arts/Science degree in a discipline allied to education,
15 arts, nursing or anthropology with eighteen (18) units of preschool education.

16 *Provided,* That upon appointment, the teacher shall have at least six (6)
17 units of preschool education subject: *Provided, further,* That the requirement
18 of eighteen (18) units of preschool education may be gradually implemented as
19 follows:

20 (1) At the end of year 1, nine (9) units shall already be earned;

21 (2) At the end of year 2, twelve (12) units;

22 (3) At the end of year 3, fifteen (15) units; and

23 (4) At the end of year 4, eighteen (18) units.

24 SEC. 34. *The Paraprofessional.* – The paraprofessional, employed as a
25 teacher aide, teacher helper or assistant teacher, shall have the following
26 qualifications:

27 (a) Should at least be a high school graduate; and

28 (b) Has attended training on preschool education for at least one

1 hundred twenty (120) hours with a certificate from a recognized training
2 institution or professional organization.

3 SEC. 35. *Personnel for Emergency.* – The preschool institution shall, at
4 all times, have standby personnel within the school premises that are trained in
5 emergency medical first aid response.

6 CHAPTER VII

7 DUTIES AND RESPONSIBILITIES OF THE PRESCHOOL PERSONNEL

8 SEC. 36. *General Responsibilities.* – The preschool personnel shall
9 have the following general responsibilities:

10 (a) Promote and protect the physical, moral, intellectual and social
11 well-being of the preschool children;

12 (b) Provide the preschool children with proper care and nutrition;

13 (c) Take all measures to protect the preschool children from all forms
14 of neglect, abuse, cruelty and exploitation, and such other conditions that are
15 prejudicial to their safety and development;

16 (d) Ensure that the standards prescribed under this Act and such other
17 rules, regulations and orders relative to the concerns of preschool children are
18 properly observed and followed;

19 (e) Perform his/her duties in accordance with the policy declared and
20 the responsibilities prescribed under this Act; and

21 (f) Uphold the best interest of the preschool children.

22 SEC. 37. *Academic Responsibilities.* – The preschool personnel shall
23 likewise have the following academic responsibilities:

24 (a) Improve professionally by keeping himself/herself abreast with the
25 latest trends and techniques in preschool education and child care;

26 (b) Assume, promote and maintain an atmosphere conducive to the
27 child's learning; and

28 (c) Be knowledgeable on the rights of the child as provided for in the

1 Convention on the Rights of the Child and on other existing laws and to uphold
2 these rights in the performance of their duties.

3 SEC. 38. *Adequate Supervision.* – The preschool personnel designated
4 by the owner to take charge of the preschool children shall be responsible in
5 providing adequate supervision and control over the children in attendance.

6 The preschool personnel shall have adequate knowledge on the
7 whereabouts of each and every preschool child in attendance and shall always
8 position themselves within the sight or hearing distance of every child under
9 their supervision.

10 Negligence or willful lack of supervision on the part of the preschool
11 personnel shall be a basis for suspension or revocation of the preschool's
12 permit to operate, without prejudice to the imposition of the appropriate
13 penalties as prescribed under Chapter XI of this Act.

14 SEC. 39. *Discipline of Children.* – No preschool personnel shall be
15 allowed to inflict any form of physical punishment on any child in attendance
16 as a means of imposing discipline.

17 Preschool personnel shall also be prohibited to impose discipline to a
18 preschool child through any of the following means: abusive or profane
19 language; denial of food; forced napping; subjection to derogatory remarks
20 about the child or his/her family; threats of physical punishment; yelling or
21 screaming; or any other similar forms of discipline.

22 SEC. 40. *Overall Obligation.* – Unless otherwise provided herein,
23 compliance with all the standards imposed by this Act shall be the
24 responsibility of the owner of the preschool institution. Failure to comply with
25 these standards shall merit the imposition of appropriate penalties to the owner
26 without prejudice to the imposition of liability against any other member of the
27 school's personnel if found to have committed any act of negligence.

CHAPTER VIII

FEES, CONTRIBUTIONS AND DONATIONS

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3 SEC. 41. *School Fees.* – The preschool institution shall determine its
4 rate of tuition, miscellaneous fees and other charges. The fees and other
5 charges imposed by the preschool and their application and use shall be subject
6 to the rules and regulations issued by the Department.

7 The application for permit of a new preschool shall include information
8 on tuition, miscellaneous fees and other charges.

9 SEC. 42. *Authority to Regulate School Fees.* – The Department shall
10 have the authority to regulate the fees charged by a preschool institution based
11 on the preestablished objective standards that the fees charged shall not be
12 arbitrary, excessive and onerous.

13 The preestablished standards that determine whether the fees charged
14 are arbitrary, excessive and onerous may relate to indicators such as profit
15 margin and rate of increase. Qualitative factors such as improvement of
16 facilities, qualifications of teaching and non-teaching personnel and quality of
17 curriculum offered may also serve as indicators, together with the quantitative
18 factors, for the purpose of determining if the fees charged by a preschool
19 institution are fair and reasonable.

20 SEC. 43. *Prohibition on Contribution and Solicitation.* – A preschool
21 institution shall be prohibited from collecting any kind or form of contribution
22 and solicitation as a precondition for the preschool children's continued school
23 admission or for their completion of the program.

24 SEC. 44. *Issuance of Official Receipt.* – A preschool institution shall be
25 required to issue an official receipt for all fees, charges and contributions
26 received in the course of its operations.

27 SEC. 45. *Report of Financial Performance.* – The owner of the
28 preschool institution, upon application for renewal of permit to operate, shall

1 submit to the Department a copy of the financial performance of the preschool
2 for the previous year or for a longer period as may be determined by the
3 Department.

4 The financial report shall expressly indicate the amount of tuition,
5 miscellaneous fees, other charges, gifts and donations collected and/or
6 received by the preschool institution during the period covered by the report.

7 CHAPTER IX

8 RULE IN ADMISSION

9 SEC. 46. *Non-discrimination in Admission.* – No child shall be refused
10 admission in a preschool institution on the basis of legitimacy or illegitimacy,
11 sex, social status, religion, political antecedents and other related factors. As
12 such, the preschool institution shall not require the submission of any of the
13 following documents as requisites for enrolment:

14 (a) Marriage certificate of parents;

15 (b) Baptismal certificate of the child;

16 (c) Income tax return of parents/guardian; and

17 (d) All other documents solely intended to identify the child's
18 legitimacy or illegitimacy, sex, social status, religion, political antecedents and
19 other related factors.

20 The policy against non-discrimination shall be read in consonance with
21 the principles of religious freedom in cases where the entity operating the
22 preschool is a religious institution.

23 SEC. 47. *Atmosphere of Tolerance and Acceptance.* – The preschool
24 institution shall promote an atmosphere of tolerance and acceptance. No child
25 shall be disadvantaged, treated differently or discriminated in any manner in a
26 preschool on the basis of the factors described in the preceding section.

CHAPTER X

IMPLEMENTING AND REGULATING AUTHORITY

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3 SEC. 48. *Implementing Agency.* – The authority to regulate the
4 organization, operation and/or implementation of the preschool education
5 program shall be vested upon the Department, through the Bureau of
6 Elementary Education.

7 SEC. 49. *Duties, Powers and Functions.* – The Department shall have
8 the following duties, powers and functions:

9 (a) To oversee and supervise the implementation of the preschool
10 education program throughout the country;

11 (b) To authorize the opening of preschool education classes in all
12 private schools, including the registration and accreditation of private
13 preschool institutions and order closure of the same if found violating
14 Department rules and regulations and/or found operating without a permit or
15 Certificate of Recognition;

16 (c) To develop the curriculum for preschool education consistent with
17 the universally accepted norms and standards, including values formation, and
18 to periodically review such for purposes of upgrading;

19 (d) To conceive, develop and extend a regular training program for
20 preschool education teachers to ensure constant updating of their knowledge in
21 modern trends, methodologies and concepts on early childhood education;

22 (e) To prescribe the necessary qualifications for the hiring and
23 accreditation of teachers who will handle the preschool education program;
24 and

25 (f) To formulate the necessary guidelines and regulatory standards in
26 connection with the operation of private preschool institutions.

CHAPTER XI

LIABILITIES AND PENALTIES

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3 SEC. 50. *Unauthorized Preschool Operation.* ~ Any person operating a
4 preschool institution without a permit or authority from the Department shall
5 suffer the penalty of at least one (1) month imprisonment and/or a fine not
6 exceeding Five thousand pesos (P5,000.00) for every day of operation without
7 a permit to operate, subject to the discretion of the court.

8 The person liable under this section may or may not be the owner of the
9 preschool institution being operated without a permit or authority.

10 SEC. 51. *Administrative Sanctions.* – The Department shall prescribe
11 and impose administrative sanctions against the owner of the preschool
12 institution that it may deem reasonable and appropriate for any of the following
13 causes:

14 (a) Unauthorized operation of a preschool, without prejudice to the
15 filing of a case against the owner pursuant to the immediately preceding
16 section;

17 (b) Negligence or wilful lack of supervision of children;

18 (c) Failure to comply with any of the obligations or standards
19 prescribed by this Act;

20 (d) Mismanagement of school operations;

21 (e) Gross inefficiency of the teaching or non-teaching personnel; or

22 (f) Fraud or deceit committed in connection with the application for a
23 permit or recognition.

24 The imposition of administrative sanctions by the Department shall be
25 limited only to the following:

26 (1) Suspension or revocation of permit to operate;

27 (2) Temporary or permanent closure of the preschool facility and
28 service;

1 (3) Fines and penalties; and

2 (4) Prohibition to operate a preschool facility and service, or any other
3 educational institution.

4 SEC. 52. *Civil Penalties.* – Any preschool personnel, who shall commit
5 any act or omission, whether intentional or due to negligence, related to the
6 preschool operations that may have resulted to any damage or injury on the
7 child enrolled therein, shall be liable to pay damages, fines and/or other civil
8 penalties.

9 SEC. 53. *Penal Provisions.* – In addition to the imposition of any of the
10 above administrative sanctions or civil penalties, preschool personnel found to
11 have violated any provision of this Act shall be liable to the penal sanctions
12 prescribed under the Revised Penal Code and other special laws with penal
13 provisions such as the Child and Youth Welfare Code, the Anti-Child Abuse
14 Act and the Juvenile Justice and Welfare Act.

15 SEC. 54. *Liability of a Corporation.* – If any of the foregoing acts or
16 omissions is committed by a corporation, the president and the responsible
17 officers of the corporation and/or other persons responsible for the offense or
18 violation shall be held liable for the administrative, civil and penal sanctions.

19 CHAPTER XII

20 FINAL PROVISIONS

21 SEC. 55. *Implementing Rules and Regulations.* – The Department of
22 Education shall, upon consultation with the Department of Social Welfare and
23 Development, the Department of Health and the Department of the Interior and
24 Local Government, promulgate the necessary implementing rules and
25 regulations within ninety (90) days after the effectivity of this Act.

26 SEC. 56. *Transitory Provision.* – Preschool institutions that are already
27 in operation and have been complying with the orders issued by the
28 Department prior to this Act shall be given one (1) year from the effectivity of

1 this Act to comply with the standards prescribed herein.

2 SEC. 57. *Statutory Construction.* – In case of doubt, the interpretation
3 of any of the provisions of this Act shall be construed liberally in favor of the
4 protection and promotion of the paramount interest of the preschool child.

5 SEC. 58. *Separability Clause.* – If any provision of this Act is held
6 invalid or unconstitutional, the same shall not affect the validity and effectivity
7 of the other provisions hereof.

8 SEC. 59. *Repealing Clause.* – All laws, decrees, executive orders and
9 rules and regulations, or parts thereof, that are contrary to or inconsistent with
10 the provisions of this Act are hereby repealed or modified accordingly.

11 SEC. 60. *Effectivity Clause.* – This Act shall take effect fifteen (15)
12 days after its publication in at least two (2) newspapers of general circulation.

Approved,

O