

**[ REPUBLIC ACT NO. 10157, January 20, 2012 ]**

**AN ACT INSTITUTIONALIZING THE KINDERGARTEN EDUCATION INTO THE BASIC EDUCATION SYSTEM AND APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Kindergarten Education Act”.

SEC. 2. *Declaration of Policy.* – In consonance with the Millennium Development Goals on achieving Education for All (EFA) by the year 2015, it is hereby declared the policy of the State to provide equal opportunities for all children to avail of accessible mandatory and compulsory kindergarten education that effectively promotes physical, social, intellectual, emotional and skills stimulation and values formation to sufficiently prepare them for formal elementary schooling. This Act shall apply to elementary school system being the first stage of compulsory and mandatory formal education. Thus, kindergarten will now be an integral part of the basic education system of the country.

Kindergarten education is vital to the academic and technical development of the Filipino child for it is the period when the young mind’s absorptive capacity for learning is at its sharpest. It is also the policy of the State to make education learner-oriented and responsive to the needs, cognitive and cultural capacity, the circumstances and diversity of learners, schools and communities through the appropriate languages of teaching and learning.

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

- (a) *DepEd* shall refer to the Department of Education;
- (b) *BEE* shall refer to the Bureau of Elementary Education;
- (c) *Kindergarten education* shall be understood in this Act to mean one (1) year of preparatory education for children at least five (5) years old as a prerequisite for Grade I; and
- (d) *Mother tongue* refers to the language first learned by a child.

SEC. 4. *Institutionalization of Kindergarten Education.* – Kindergarten education is hereby institutionalized as part of basic education and for school year 2011-2012 shall be implemented partially, and thereafter, it shall be made mandatory and compulsory for entrance to Grade 1.

SEC. 5. *Medium of Instruction.* – The State shall hereby adopt the mother tongue-based multilingual education (MTB-MLE) method. The mother tongue of the learner shall be the primary medium of instruction for teaching and learning in the kindergarten level. However, exceptions shall be made to the following cases:

(a) When the pupils in the kindergarten classroom have different mother tongues or when some of them speak another mother tongue;

(b) When the teacher does not speak the mother tongue of the learners;

(c) When resources, in line with the use of the mother tongue, are not yet available; and

(d) When teachers are not yet trained how to use the MTB-MLE program.

In such exceptional cases, the primary medium of instruction shall be determined by the DepEd aligned with the framework being used in the elementary level including teacher training and production of local resources and materials under DepEd Order No. 74, series of 2009.

The DepEd, in coordination with the Commission on Filipino Language and in close collaboration with academic and research institutions concerned with education, shall formulate a mother tongue-based multilingual framework for teaching and learning: *Provided*, That the DepEd will include teaching strategies as defined in Section 7(c) which aims to introduce and eventually strengthen the child's understanding of English, which is the official language.

SEC. 6. *Implementing Agency.* – The authority to regulate the organization, operation and/or implementation of the kindergarten education program of both public and private schools shall be vested upon the DepEd, through the creation of a new Division under the BEE and other necessary support to achieve successful implementation of kindergarten education to include, but not limited to, increasing the number of kindergarten teacher positions with the required salaries and benefits, enhancing teacher training in early education, and providing the necessary allocations for classrooms and chairs, facilities and equipment, and textbooks.

SEC. 7. *Duties, Powers and Functions.* – The DepEd, through the BEE, shall exercise the following powers and functions:

(a) Oversee and supervise the organization, operation and implementation of the kindergarten education program;

(b) Develop the curriculum for kindergarten education consistent with the universally accepted norms and standards, including values formation all of which shall be developmentally appropriate, and use of the MTB-MLE as a medium of instruction and to periodically review such for purposes of upgrading;

(c) Develop teaching strategies using the unique feature of the MTB-MLE which shall include, but not limited to, the following:

(1) The two-track method (storytelling and reading, listening story, oral