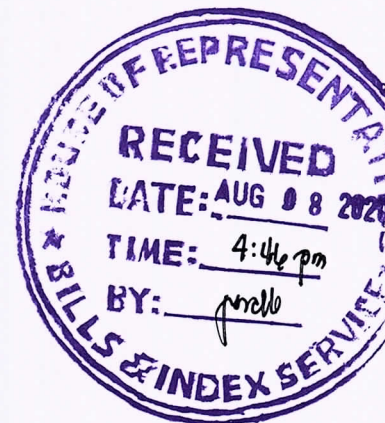


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7326



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

1 The Guidance and Counseling Act of 2004 (RA 9258) was passed more
2 than a decade and a half ago, but until the present, the need for guidance
3 counselors still remains a problem in schools. In a feature article made in
4 2018,¹ the story of a “guidance teacher” was shown where a licensed teacher
5 had to practice guidance and counseling due to the lack of registered guidance
6 counselors in the public school system. This and many similar incidents
7 happening in the country shows that it is almost impossible for the State to
8 enforce RA 9258 at present and in the near future because the number of
9 registered guidance counselors fall too short compared with the number of
10 institutions and schools which are supposed to retain their services.

11
12 While we are thankful for the teachers who are willingly undertaking to
13 do this task, it is imperative that we do something to actually address the
14 problem and not rely on band-aid solutions. We need to attract and retain
15 guidance counselors. We need to make sure that students will see the
16 profession of guidance and counseling as lucrative and fulfilling so that more
17 will be encouraged to undertake the rigorous studies and training to become
18 registered guidance counselors. We need to make sure that the young
19 generation will have qualified persons who can help them in times of
20 emotional distress so we can prevent incidents of dropping out from school,
21 bullying, self-harm, and even death.

22
23 Thus, this representation drafted the Magna Carta for Public
24 Counselors and their Practice in response to the growing need for better
25 access to counseling and psychological aid. It is our bounden duty to ensure
26 that the youth are safe, secure, and holistically healthy, and we can only help
27 them by making sure that the resources and people that they need are within
28 their reach. Hence, this bill seeks to improve the current entry level salary for
29 guidance counselors in order to attract more applicants to move into public

¹ Lack of registered guidance counselors forces schools to keep unlicensed ones (Part 1), <https://news.abs-cbn.com/focus/01/14/18/lack-of-registered-guidance-counselors-forces-schools-to-keep-unlicensed-ones-part-1>, retrieved on February 19, 2020.

1 service, and to create an enhanced guidance and counseling program,
2 through the aid of concerned government agencies and organizations, that
3 will target the needs of school children and teenagers.

4
5 It is hoped that through this legislative policy, the state of guidance and
6 counseling practice in the Philippines will improve not for us, but for our
7 children.
8



ALFRED C. DELOS SANTOS

Representative, Ang Probinsyano Party List

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HOUSE BILL NO. 7326

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THE MAGNA CARTA FOR PUBLIC COUNSELORS AND THEIR PRACTICE

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

1 SECTION 1. *Short Title.* This Act shall be known as the “Magna Carta
2 for Public Counselors and Their Practice.”
3

4 SECTION 2. *Declaration of Policy.* It is hereby declared the policy of the
5 State to ensure the health and well-being of its citizens, as well as uplift the
6 practice of counselling in the country. The State recognizes the importance of
7 the services that counselors provide to the people, and thus it is imperative
8 for the State to adopt and implement measures that will lead to the
9 development and improvement of the practice of counseling, as well as the
10 improvement of the career paths for guidance counselors in the country.
11

12 SECTION 3. *Purpose.* The purposes of this law are as follows:
13

14 (a) To re-calibrate and standardize the qualifications and corresponding
15 salary grades for counselor positions;
16

17 (b) To boost the hiring process of counselors and close the gap between
18 the counselor to student ratio in schools;
19

20 (c) To improve the delivery of services to pupils and students through a
21 more developed guidance counseling program integrated into the
22 education system;
23

24 (d) To encourage counselors to join the government service and retain
25 the existing counselors in the public school system through better
26 benefits and privileges; and
27

28 (e) To appropriate sufficient allocation for the implementation of the
29 provisions of this Act.
30

1 SECTION 4. *Definitions.* For the purposes of this Act, the terms below
2 are defined as follows:

3
4 (a) **“Guidance and Counseling”** refers to the profession that involves
5 the use of an integrated approach to the development of a well-functioning
6 individual primarily by helping a person utilize his or her potentials to the
7 fullest and plan his or her future in accordance with his or her abilities,
8 aptitudes, interests and needs;

9
10 (b) **“Public Counselor”** refers to a natural person who: (1) is registered
11 and issued a valid Certificate of Registration and a valid Professional
12 Identification Card by the Professional Regulatory Board of Guidance and
13 Counseling and the Professional Regulation Commission (PRC); (2) is a holder
14 of at least a Master’s Degree in Guidance and Counseling, Guidance, or
15 Counseling without prejudice to those granted with licenses under the
16 grandfather clause of Republic Act No. 9258 otherwise known as the
17 Guidance and Counseling Act of 2004; (3) has the necessary competence and
18 training in using a variety of integrated approaches to help individuals utilize
19 his or her maximum potential based on his abilities, aptitudes, interests, and
20 needs; and (4) is employed in a public school or other vocational educational
21 institutions, including educational institutions and offices owned and
22 operated by the government or its political subdivisions which engages in the
23 delivery of mental health and support services;

24
25 (c) **“Client”** refers to the person receiving the services and assistance of
26 a public counselor; and

27
28 (c) **“Counseling”** is the dynamic face to face personal interaction
29 between the counselor and the client where the former employs various
30 methods approaches, methods, or techniques geared towards enhancing the
31 client’s intrapersonal and interpersonal development and competencies.

32
33 SECTION 5. *Recalibration and standardization of qualifications for public*
34 *counselors.* The Civil Service Commission (CSC), in cooperation with the
35 Department of Health (DOH), Secretary of Education, Commission on Higher
36 Education (CHED), Technical Education Skills Development Authority
37 (TESDA), Department of Labor and Employment (DOLE), and the Department
38 of Budget and Management (DBM), in consultation with the Philippine
39 Guidance and Counseling Association (PGCA) shall, within one hundred
40 twenty (120) days from the effectivity of this Act, convene, formulate, and
41 issue the necessary guidelines for the recalibration and standardization of
42 qualifications for public counselors vis-à-vis the salary grade. The convened
43 body shall consider Republic Act Nos. 9258, 6758, and 5789 as amended by
44 Republic Act No. 10691.

45
46 After finalizing the changes to be made with regard to the salary and
47 qualifications for public counselors, the pertinent government agencies shall
48 take the necessary steps to translate the framework which they formulated
49 into policy through appropriate issuances and orders as the case may be.

1
2 SECTION 6. *Inclusion of plantilla positions for guidance counselors on*
3 *each public school.* The Department of Education (DEPED), Commission on
4 Higher Education (CHED), and Technical Education Skills Development
5 Authority (TESDA), in coordination with the Civil Service Commission (CSC),
6 shall ensure that plantilla positions are available for guidance counselors and
7 that each public school, state college or university, and government
8 educational institutions shall have at least one (1) registered guidance
9 counselor in its roster of employees.

10
11 SECTION 7. *Minimum Salary Grade.* The entry level monthly salary for
12 public counselors shall not be lower than Salary Grade 13.

13
14 SECTION 8. *Privileges and benefits for public counselors.* The following
15 benefits and privileges shall be granted to public counselors appointed to
16 regular plantilla positions in public schools and other public institutions:

17
18 (a) Public counselors shall have study leave benefits similar to existing
19 CSC policies on study leave benefits for government employees;

20
21 (b) Public counselors shall receive hazard allowance equivalent to
22 twenty percent (20%) of their monthly basic salary for public counselors
23 receiving a monthly salary of SG 18 and below, and ten percent (10%)
24 for public counselors receiving a monthly salary of SG 19 and above;

25
26 (c) Public counselors who shall occupy entry level positions shall be
27 entitled to avail of medical examinations, psychological and psychiatric
28 assessments, and drug tests free of charge from any government
29 hospital; *Provided*, that the need for a medical examination
30 psychological and psychiatric assessments, and drug tests, are in
31 relation to the completion of requirements for newly hired employees;
32 *Provided further*, that the public counselor shall first secure a medical
33 examination or laboratory request form from a government physician;

34
35 (d) Public counselors who shall be assigned to occupy positions in
36 remote or isolated areas shall be given a remote assignment allowance
37 in the amount of five thousand pesos (PhP 5,000.00) every month as
38 long as the counselor is actually occupying and discharging the
39 functions of the position in the assigned remote location. The benefit
40 shall cease once the public counselor is assigned to a non-remote or
41 non-isolated area; and

42
43 (e) Local Government Units (LGUs) of remote or isolated areas shall
44 assist public counselors in securing a temporary residence during their
45 assignment in such locale.

46
47 SECTION 9. *Ratio of counselor to student in public schools, state or local*
48 *colleges, state and local universities, local government units, and government*
49 *branch, agencies, instrumentalities, including government owned and*

1 *controlled corporations.* There shall be at least one (1) school counselor for
2 every five hundred (500) pupils or students in every public elementary school,
3 high school, learning centers, and vocational institutions.

4
5 There shall be at least one (1) school counselor for every seven hundred
6 fifty (750) students in every state or local college, and state or local
7 universities.

8
9 There shall be at least one (1) public counselor for every local
10 government unit, government branch, agency, instrumentality, including
11 government owned and controlled corporations.

12
13 *SECTION 10. Enhanced Guidance Counseling System.* – The Department
14 of Education (DEPED), Commission on Higher Education (CHED), and
15 Technical Education Skills Development Authority (TESDA) shall, in
16 coordination with the Philippine Guidance and Counselling Association
17 (PGCA), formulate a program for the enhanced guidance and counseling
18 system for elementary, secondary, tertiary, and vocational schools. The said
19 program shall be used as the organizational framework for the availability,
20 conduct, and delivery of guidance and counseling services in all public
21 schools and educational institutions. This provision shall not be construed as
22 a restriction on the methodology and techniques which shall be used by the
23 counselors and shall be construed as primarily pertaining to the logistics and
24 other organizational matters, unless the constituted body shall deem it
25 necessary or beneficial to formulate a set of standard methodology and
26 techniques for the delivery of guidance and counseling services.

27
28 *SECTION 11. Appropriation.* - The sum of Fifty Million Pesos
29 (P50,000,000.00) is hereby appropriated to the government agencies leading
30 the initial implementation of the provisions of this Act. Thereafter, the
31 succeeding appropriation for its continued implementation shall be included
32 in the annual General Appropriations Act.

33
34 *SECTION 12. Separability Clause.* – If any provision or part of this Act
35 is held invalid or unconstitutional, the remaining provisions or parts
36 unaffected shall remain in full force and effect.

37
38 *SECTION 13. Repealing Clause.* – All laws, executive orders, presidential
39 decrees or issuances, letters of instruction, administrative orders, rules, and
40 regulations contrary to or inconsistent with the provisions of this Act are
41 hereby repealed, amended, or modified accordingly.

42
43 *SECTION 14. Effectivity Clause.* – This Act shall take effect fifteen (15)
44 days after its publication in the Official Gazette or in a newspaper of general
45 circulation.

46
47 Approved,