

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 929



Introduced by Representative Roman T. Romulo

EXPLANATORY NOTE

This legislative measure seeks to strengthen the promotion and delivery of mental services in basic education, through the hiring and deployment of mental health professionals.

This pandemic has brought into light an aspect of the education system that has been long neglected: the mental well-being of the learners, and teaching and non-teaching personnel.

Mental health is important, especially in our youth at a time when attitude and frame of mind are still being formed and strengthened. They may not discern the events around them or the emotions they have and may need someone competent to guide them through.

The failure to provide such services lies in the scarcity of qualified personnel who can more than adequately address the mental health concerns of our learners, and even school staff. To be a Guidance Counselor, one has to be a graduate of Masters of Arts in Guidance and Counseling and pass the Guidance and Counseling Licensure Examination. Such high qualification does not commensurate with the remuneration given by the Department of Education to its Guidance Counselors.

This proposed measure aims to make available to our learners mental health services by recruiting guidance counselors and graduates of psychology or behavioral science courses and deploying them in schools.

In view of the foregoing, the approval of the proposed measure is earnestly requested.

A handwritten signature in black ink, appearing to read "Roman T. Romulo".

ROMAN T. ROMULO
Lone District, Pasig City

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AN ACT

STRENGTHENING THE PROMOTION AND DELIVERY OF MENTAL HEALTH SERVICES IN BASIC EDUCATION THROUGH THE HIRING AND DEPLOYMENT OF MENTAL HEALTH PROFESSIONALS, AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “*Basic Education Mental Health and*
2 *Well-Being Promotion Act*”.

3
4 **SEC. 2. *Purposes.*** - The purposes of this Act are as follows:

- 5
6 a) Enable the Department of Education (DepEd) to recruit, train, and hire additional
7 mental health professionals, sustain their well-being, competencies, professional
8 growth, and career development in DepEd;
9
10 b) Adequately address the mental, emotional, and developmental needs of learners as
11 well as teaching and non-teaching personnel through the Mental Health Professionals;
12
13 c) Promote the emotional, psychological, and mental health well-being of learners and
14 teachers so as to enhance their classroom and learning preparedness, including those
15 learners identified as children in conflict with law (CICL), students at risk of dropping
16 out (SRDO), learner-victims of Violence Against Women and Children (VAWC), and
17 learners-victims of other related forms of child abuse and criminal acts;
18
19 d) Support teachers and other education personnel in improving classroom management
20 through the conduct of behavioral and other guidance related interventions to
21 improve the learners’ well-being, emotional and psycho-social development, daily
22 disposition and career decision making. Likewise train the teachers and other
23 education personnel in developing awareness and skills to enable them to identify

1 early warning signs of mental health problems and the need for mental health
2 interventions;

3
4 e) Establish linkages with the community through the promotion of mental health
5 programs and activities geared for the development of learners;

6
7 f) Support parents, guardians, and concerned stakeholders in improving the school
8 behavior and academic success of their children. Support parents, guardians and
9 concerned stakeholders in improving the school behavior and academic success of
10 their children;

11
12 g) Remove the emotional, behavioral, and psycho-social barriers to learning so as to
13 enhance the classroom atmosphere in order to achieve a child-friendly, inclusive, safe,
14 and motivating learning environment; and

15
16 h) Provide after care support in the treatment of mental health concerns of clients.
17

18 **SEC. 3. Definition of Terms.** – As used in this Act:

19
20 a) *Counseling* – refers to a dynamic face to face personal interaction between the
21 counselor and the counselee, where the counselor employs various methods,
22 approaches or techniques to enhance the counselee's intrapersonal and interpersonal
23 development and competencies;

24
25 b) *Guidance Associate* – refers to a plantilla position in DepEd which shall be filled-in by
26 a graduate of a Bachelor's degree in Psychology or any related courses and must have
27 earned a minimum of twelve (12) units of Behavioral Science subjects and two
28 hundred (200) hours of supervised practicum or internship experience on guidance
29 and counselling preferably in a school or community setting;

30
31 c) *Guidance Counselor* – refers to an individual who possesses license or certification
32 granted by the Professional Regulations Commission (PRC) and holds a minimum
33 master's degree in Guidance and Counseling, Guidance, or Counseling without
34 prejudice to those registered under the grandfather's clause of R.A. 9258, otherwise
35 known as the "Guidance and Counseling Act of 2004," and is competent to perform
36 guidance and counselling, career guidance and implement mental health programs;

37
38 d) *Guidance Services Specialist* – refers to the specific plantilla-position in the DepEd of
39 Guidance Counselor that takes care of the mental health and well-being of learners
40 and employees;

41
42 e) *Guidance Teacher* – refers to a regular teacher who is given additional assignments
43 related to guidance and counselling services aside from the teaching load, to augment
44 the lack of supply of Guidance Counselors. They shall be selected by the school heads
45 based on their leadership skills and potentials, and competence in handling guidance

related concerns. Preferably, a Guidance Teacher have at least a background in psychology, values education or have units in guidance and counseling;

- f) *Mental Health* – refers to state of well-being in which the individual realizes one's own abilities and potentials, copes adequately with the normal stresses of life, displays resilience in the face of extreme life events, works productively and fruitfully, and is able to make a positive contribution to the community;
- g) *Mental Health Professional* – refers to a medical doctor, nurse, guidance counselor, psychologist, or any other appropriately trained and qualified person with specific skills relevant to the provision of mental health services;
- h) *Mental Health Program* – refers to the system of services designed to maintain the state of well-being of an individual in order that one may realize one's own abilities and potentials, cope adequately with the normal stresses of life, displays resilience in the face of extreme life events, works productively and fruitfully, and be able to make a positive contribution to the community;
- i) *Mental Health Services* – refer to the psychosocial, psychiatric or neurologic activities and programs along the whole range of the mental health support services including promotion, prevention, treatment and aftercare, which are provided by mental health facilities and mental health professionals;
- j) *Psychologist* – refers to a natural person who has professional training and clinical skills in psychotherapeutic intervention and assessment for mental health problems that possesses license or certification granted by the PRC and holds a minimum master's degree in Psychology without prejudice to those granted licenses under the grandfather's clause of R.A. 10029, otherwise known as the "Psychology Act of 2009";
- k) *Psychometrician* – refers to a natural person who has professional training skills in psychological assessment that possesses license or certification granted by the PRC and holds a minimum bachelor's degree in Psychology without prejudice to those granted licenses under the grandfather's clause of R.A. 10029, otherwise known as the "Psychology Act of 2009"; and
- l) *Psychosocial Problem* – refers to condition that indicates the existence of dysfunctions in a person's behavior, thoughts and feelings brought about by sudden, extreme, prolonged or cumulative stressors in the physical or social environment.

SEC. 4. Strengthening of School Level Mental Health and Well-being Office. – There is hereby established, under the administration and supervision of the DepEd, a Mental Health and Well-being Office in every schools division level which is primarily tasked to address the mental, emotional and developmental needs of learners and personnel of the DepEd.

A sufficient number of Guidance Counselors and Guidance Services Specialist positions shall be created within the school division offices and in schools in order to cater to the needs of learners and employees, according to minimum standards to be determined by the DepEd

1 and the Department of Health (DOH), in coordination with the Civil Service Commission (CSC)
2 and the Department of Budget and Management (DBM).
3

4 The schools division level Mental Health and Well-being Office shall be headed by qualified
5 Mental Health Professional with a position of Guidance Services Specialist V (Salary Grade 24).
6

7 **SEC. 5. Hiring and Deployment of Mental Health Professionals.** – Subject to the guidelines set
8 by the CSC and the DBM, the DepEd shall provide for the hiring and deployment of Mental
9 Health Professionals such that each public elementary, secondary, vocational institutions, and
10 offices in the different governance levels of the DepEd shall have mental health professionals
11 or mental health service providers within five (5) years from the effectivity of this Act.
12

13 Until such time that the supply of mental health professionals is deemed sufficient, the DepEd
14 may deploy guidance teachers and other similarly qualified employees to provide school-
15 based mental health services: *Provided*, That they undergo sufficient capacity building as
16 determined by the DepEd and supervised by qualified Mental Health Professionals within the
17 school or the school division office in their provision of mental health services: *Provided*,
18 *further*, That they receive an additional honoraria as just compensation for providing such
19 services subject to guidelines set by the DBM and the Commission on Audit.
20

21 Notwithstanding the provisions of Republic Act No. 9258, public education institutions may
22 hire, as may be necessary, graduates with relevant background in psychology or similar fields,
23 who do not yet qualify as mental health professionals, to provide school-based mental health
24 services: *Provided*, That they undergo sufficient capacity building as determined by the DepEd
25 and supervised by qualified Mental Health Professionals within the schools division level in
26 their provision of mental health services: *Provided, further*, That they meet the relevant
27 qualifications and are licensed as mental health professionals within three (3) years from their
28 date of hiring.
29

30 The DepEd shall establish mechanisms to maximize existing services offered by other
31 executive departments such as attached agencies to DOH dealing on mental health and
32 Department of Social Welfare and Development (DSWD).
33

34 **SEC. 6. Professional and Career Development of Mental Health Professionals.** – The DepEd, in
35 coordination with the DBM, CSC, DOH and Professional Regulations Commission (PRC), shall:
36

- 37 a) Prepare a uniform career and personnel development plan that shall include
38 provisions on personal wellness, merit promotion, performance evaluation, in-service
39 training, post graduate scholarship grants, research grants, suggestions and incentive
40 award system;
41
- 42 b) Match the salary grades of Mental Health Professionals related items with respect to
43 the provisions of R.A. 6758, otherwise known as the "Position Classification and
44 Compensation Act of 1989", as amended;
45

- c) Align the qualifications and standards for the qualification outcomes of Mental Health Professionals to R.A. 10968, otherwise known as the "Philippine Qualifications Framework Act";
- d) Revisit the DepEd's organizational structure in order to provide competent and professional personnel who will provide supervision and technical assistance to Guidance Counselors at the school levels;
- e) Review, revise and develop the duties and responsibilities of Mental Health Professionals in accordance to their professionalizing laws;
- f) Prepare performance evaluation plan that considers the improvement of individual counselor efficiency and organizational effectiveness: *Provided*, That each employee shall be informed regularly by the immediate supervisor of one's performance evaluation;
- g) Provide for the institutionalization of the Basic Education Mental Health Manual; and
- h) Provide periodic training and skills upgrading and development to Mental Health Professionals.

SEC. 7. Salary Scale. – The career and salary scales of Mental Health Professionals in schools shall provide for a gradual progression from a minimum to a maximum salary by means of regular increments, to be given regularly based on merit and competencies as similarly given to Master Teachers.

The entry level of Mental Health Professionals shall not be lower than Salary Grade 16. Guidance Associates and Psychometricians shall have as entry level Salary Grade 11.

SEC. 8. Benefits. – The Mental Health Professionals shall enjoy the rights and privileges as provided in the Magna Carta for Public Health Workers, Mental Health Law and other pertinent laws.

SEC. 9. Programs and Projects Related to Mental Health. – The DepEd shall provide for sufficient allocation for mental health programs and projects designed to maintain and address the mental health and well-being of learners and personnel.

SEC. 10. Appropriations. – The amount necessary for the implementation of this Act shall be included in the DepEd budget in the annual General Appropriations Act.

SEC. 11. Joint Congressional Oversight Committee. – There is hereby created a Joint Congressional Oversight Committee (JCOC) to monitor and oversee the implementation of the provisions of this Act. The JCOC shall be composed of five (5) members each from the Senate and from the House of Representatives, respectively, including a member of the minority from each chamber, to be chaired jointly by the chairpersons of the Committees on Basic Education of both the Senate and the House of Representatives. The four (4) other members from each chamber shall be designated, respectively, by the President of the Senate

1 and the Speaker of the House of Representatives, one of whom should come from the
2 minority members.
3

4 **SEC. 12. *Sunset Review.*** – Within five (5) years after the effectivity of this Act, or as the need
5 arises, the JCOC shall conduct a sunset review. For purposes of this Act, the term “sunset
6 review” shall mean a systematic evaluation by the JCOC of the implementing agencies’
7 performance and accomplishments, including the impact of this Act, for purposes of
8 determining remedial legislation.
9

10 **SEC. 13. *Implementing Rules and Regulations.*** – Within ninety (90) days from the approval of
11 this Act, the Secretary of Education, in consultation with the DBM, CSC, DOH, DSWD, PRC and
12 other concerned stakeholders, shall formulate and issue the rules and regulations
13 implementing the provisions of this Act.
14

15 **SEC. 14. *Separability Clause.*** – If any part or provision of this Act is held invalid or
16 unconstitutional, other provisions not affected thereby shall remain in force and effect.
17

18 **SEC. 15. *Repealing Clause.*** – All laws, orders, and rules and regulations contrary to, or
19 inconsistent with the provisions of this Act are hereby repealed or amended accordingly.
20

21 **SEC. 16. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the
22 *Official Gazette* or in a newspaper of general circulation.
23

24 *Approved,*