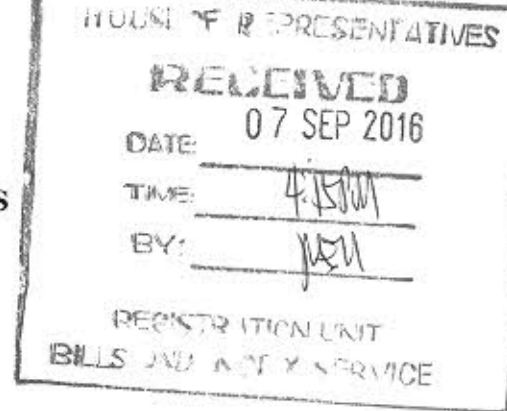


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3542



Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

AN ACT MANDATING THE PROVISION OF A COMPREHENSIVE GUIDANCE AND COUNSELING PROGRAM FOR ALL SCHOOL CHILDREN AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Guidance and counseling plays enormous importance in the holistic development of school children. It serves in fulfilling the basic physiological needs of students and strengthens the educational program of schools.

School's guidance and counseling programs seek to provide for the following¹:

- Realization of students' potentialities;
- Help children with developing problems;
- Contribute to the development of the school's curriculum;
- Provide teachers with technical assistance; and
- Contribute to the mutual adjustment of students and the school.

Guidance and counseling programs help to promote personal growth and prepare students to become motivated workers and responsible citizens. It serves as an integral part of a school's total educational program.²

The Philippines, under Republic Act No. 9258, otherwise known as the "Guidance and Counseling Act of 2004," provides for a policy of promoting the "improvement, advancement, and protection of the guidance and counseling profession by undertaking and instituting measures that will result in professional, ethical, relevant, efficient, and effective guidance and counseling services for the development and enrichment of individuals and group lives."

It also recognizes the "important role of guidance counselors in nation-building and promotes the sustained development of a reservoir of guidance counselors whose competence have been determined by honest and credible licensure examinations and whose standards of professional practice and service are world-class and internationally recognized, globally competitive through preventive regulatory measures, programs and activities that foster their continuing professional development."

Unfortunately, however, the existing Department of Education's guidance and

¹ Introduction to guidance and counseling, Gibson, R.L., 2008

² The power of groups: Solution-focused group counseling in schools, Cooley, L., 2009

counseling program is being undermined by the scarcity of guidance counselors primarily because of salary issues.

Primary importance given to academic or curricular development in the face of the country's urgent need to improve the quality of education also impairs the proper attention that should be given to the mental health of the Filipino youth.

A Study entitled "School Violence in the Philippines: A Study on Programs and Policies" reveals that DepEd's Order No. 40, s. 2012 or the Child Protection Policy, which seeks to safeguard the welfare of school children from all forms of violence, "could be viewed on a perspective that majority of the provisions listed pertain to handling of cases of violence and abuse in schools **more than preventive measures** to strengthen the stakeholders' capacity to be vigilant against these cases³" (emphasis supplied).

More importantly, the study in part concludes that, "The most effective (school) interventions appear to be those aimed at improving social and interpersonal skills and modifying attitudes and beliefs" or precisely those very components that a guidance and counseling program would seek to provide.

Given the many problems brought about by the negative effects of emerging technologies on children, alarming suicide rates among our youth, and the need to adequately prepare our students in choosing their career tracks for the K to 12 Program, it is imperative to strengthen the current guidance and counseling program of the DepEd through the functional and structural restructuring of guidance and counseling organization in schools throughout the country.

Proper attention to mental health services cannot be sacrificed in favor of academic development inasmuch as the intellectual development of our youth can only prosper if they are given the adequate mental health services they so badly need, especially with the challenges of rapid technological modernization around the globe that is already taking its toll in the emotional well being of many people, especially the youth. Technology such as cell phones, video games, internet and computers have become an integral part of nearly every teenager's life such that it becomes imperative to guide school children regarding their responsible use of technology for them to make the most of its effect on their lives.

The implementation of the K to 12 Program that seeks to better prepare high school graduates either for college and technical and vocational skills for employment necessitates the appointment of personnel other than licensed school counselors to run the career guidance advocacy activities of schools for their high school students. The K to 12 in fact provides for "career and employment guidance counselors" who will properly guide the students in choosing their career tracks⁴.

It is also alarming that an estimated 4.5 million Filipinos are depressed, which according to the World Health Organization is the highest in Southeast Asia, where only one out of three who suffer from depression seek the help of a specialist. One third of this number is not even aware of their condition.

³ School Violence in the Philippines: A Study on Programs and Policies, Ancho, Inero and Park, Saehoon

⁴ Section 19 of the Implementing Rules and Regulations of Republic Act No. 10533, otherwise known as the Enhanced Basic Education Act of 2013

Although the country has the lowest suicide rate among ASEAN-member countries, it is said that suicides among Filipinos are likely to be underreported because of the complicated procedure of registering a suicide and the stigma surrounding it.

According to the 2013 Young Adult Fertility and Sexuality Study (YAFS4) conducted by the UP Population Institute and the Demographic Research and Development Foundation, suicide rate among 15 to 19 year olds was 13.4 in 2002 and 8.7 in 2013 but an increase in the proportion of suicide attempts among those who had thought of suicide was noted, with 25 in 2002 and 36.7 in 2013.

Among Filipino students surveyed in the 2003–2004 Global Schoolbased Student Health Survey (GSHS), 42 percent had felt sad or hopeless for two weeks or more in the past year, 17.1 percent had seriously considered committing suicide in the last year and 16.7 percent had made a plan about how they would commit suicide.

A study entitled “Suicide in the Philippines: Time Trend Analysis (1974-2005) and Literature Review” showed that “while suicide rates are low, increases in incidence and relatively high rates in adolescents and young adults point to the importance of focused suicide prevention programs.”⁵

Despite the immense need for counseling professionals, we have a very limited number of school-based counselors, psychologists and social workers who are serving in our educational institutions, which is unfortunate considering that schools are supposed to be essential partners in caring for the students’ mental and emotional health.

Hence, this bill seeks to provide not only a comprehensive but a suitable and functional guidance and counseling program for all school children and the hiring and training of additional school-based guidance counselors, psychologists, school social workers and mental health personnel in order to enable the students to avail of services that will address their mental, emotional and developmental needs with the end view of providing a holistic approach to the development and learning of our students.

In view of the foregoing, immediate approval of this bill is earnestly sought.


ANGELINA “HELEN” D.L. TAN, M.D.
4th District, Quezon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session
3542
HOUSE BILL NO. _____

Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

AN ACT MANDATING THE PROVISION OF A COMPREHENSIVE GUIDANCE AND COUNSELING PROGRAM FOR ALL SCHOOL CHILDREN AND FOR OTHER PURPOSES

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 "Comprehensive Guidance and Counseling Program for All School Children Act".

SEC. 2. *Declaration of Policy.* - The State recognizes the vital role of children and youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. Likewise, the State recognizes and guarantees the right of students to school guidance and counseling services for decisions and selecting the alternatives in fields of work suited to their potentialities.

Moreover, the State recognizes its duty to ensure that children and youth are not only intellectually but emotionally healthy and are able to contribute to the development of the country and attain a better quality of life.

For this purpose, the State shall provide a comprehensive guidance and counseling program that will adequately address the mental, emotional, behavioral, and developmental needs of school children in order to enhance their ability to learn and improve their discipline and behavior. In order to achieve this, the State shall:

(a) Strengthen the existing guidance and counseling services in elementary and secondary schools by recruiting, hiring and training additional school-based mental health personnel, counselors, social workers, and school psychologists that will extend functional assistance to squarely address the mental, emotional, and developmental needs of students;

(b) Give adequate support and assistance to parents and guardians in improving the behavior, academic performance, and career options of their children, including the provision of preventive and/or intervention measures to meet immediate problems and concerns of students, through access to appropriate, responsive, and holistic guidance and counseling services;

(c) Support school personnel and teachers in improving classroom management, conducting behavioral interventions to improve school discipline, and developing the awareness and skills to identify early warning signs of violence and suicide and the need for mental health services; and

(d) Provide direct and indirect guidance and counseling services, particularly for Homeroom Guidance, Career Guidance, Child Protection Policy, and other policies which are responsive to the K to 12 Basic Education Program.

SEC. 3. *Definition of Terms.* – For purposes of this Act, the terms or phrases used shall mean or be understood as follows:

(a) *School Guidance Counselor* refers to an individual who has documented competence in counseling children and adolescents in a school setting and who has been registered and issued a valid Certificate of Registration and a valid Professional Identification Card by the Professional Regulatory Board of Guidance and Counseling and the Professional Regulatory Commission (PRC).

(b) *School Psychologist* refers to an individual who holds a valid certificate of registration and a valid professional identification card as professional psychologist, issued by the Professional Regulatory Board of Psychology and the Professional Regulation Commission.

(c) *School Social Worker* refers to an individual who is a graduate of Bachelor of Science in Social Work and who has passed the social work licensure examination.

SEC. 4. *Comprehensive Guidance and Counseling Program for All School Children.* - The Department of Education (DepEd), in coordination with government agencies relevant for this purpose, shall provide a Comprehensive Guidance and Counseling Program for all K to 12 students, hereinafter referred to as the Program.

The Program, which shall be comprehensive in scope, preventive and remedial in design, developmental in nature, and an integral component of the school's academic mission, shall be child-friendly and gender-sensitive. Such program shall be regularly updated and, at a minimum, shall include the following components:

(a) Provision of suitable, functional, proactive, and confidential guidance and counseling services to students and other stakeholders, which shall be standards-based and data driven;

(b) Enhancement of the appropriate school learning environment to improve students' academic development, career development, and personal-social development;

(c) Establishment of collaborative strategies for specifically identified populations in the school community;

(d) Identification of students' needs and problems;

(e) Conduct of the routine interviews and consultation with parents, teachers, school personnel and other stakeholders;

(f) Conduct of periodic psychological testing, learning and study orientation, research and enrichment activities;

(g) Formulation of guidance policies;

(h) Development of data-driven results and objectives;

(i) Referrals to other support groups and services; and

(j) Active engagement of family, community and other stakeholders

SEC. 5. School Guidance Counselors, Psychologists and Social Workers. - The Secretary of DepEd shall initiate the immediate recruitment, hiring, and training of school guidance counselors, psychologists, and social workers. At least one (1) guidance counselor and one (1) psychologist shall be assigned for each elementary and secondary school. In cases where a psychologist is not available or when the Secretary of DepEd may deem appropriate, a social worker shall be appointed.

Private elementary and secondary schools shall likewise appoint at least one (1) guidance counselor and one (1) psychologist. In cases where a psychologist is not available or when the School Head/Principal may deem appropriate, a social worker shall be appointed.

SEC. 6. Implementing Rules and Regulations. - The Department of Education shall, one hundred twenty (120) days after the enactment of this Act, promulgate the necessary rules and regulations to implement the provisions of this Act.

Furthermore, the Secretary of DepED shall issue the necessary guidelines in the selection, recruitment and hiring of personnel and the nature, scope and guiding principles of the mental health services to be offered to students, including the rules of procedures, roles, functions and parameters in the organization, administration and supervision of a comprehensive guidance and counseling program.

SEC. 7. Sanction for Noncompliance. - In the rules and regulations to be implemented pursuant to this Act, the Secretary of the DepED shall prescribe the appropriate administrative sanctions on school administrators who shall fail to comply with the requirements under this Act. In addition thereto, erring private schools shall likewise suffer the penalty of suspension of their permits to operate.

SEC. 8. Appropriations. - The sum necessary for the effective implementation of this Act shall be taken from the unappropriated funds of the Philippine Treasury. Thereafter, such sum as may be needed for its continued implementation shall be included in the Annual General Appropriations Act.

SEC. 9. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 10. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby modified or amended accordingly.

SEC. 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,