

**[ REPUBLIC ACT NO. 9258, March 02, 2004 ]**

**AN ACT PROFESSIONALIZING THE PRACTICE OF GUIDANCE AND  
COUNSELING AND CREATING FOR THIS PURPOSE A  
PROFESSIONAL REGULATORY BOARD OF GUIDANCE AND  
COUNSELING, APPROPRIATING FUNDS THEREFOR AND FOR  
OTHER PURPOSES**

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

**ARTICLE I**

**TITLE, DECLARATION OF POLICY,  
DEFINITION OF TERMS**

SECTION 1. *Title.* — This Act shall be known as the "Guidance and Counseling Act of 2004."

SEC. 2. *Declaration of Policy.* — It is hereby declared a policy of the State to promote 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.

The State 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.

SEC. 3. *Definition of Terms.* — As used in this Act, the following terms shall mean:

- a. Guidance and Counseling is a profession that involves the use of an integrated approach to the development of a well-functioning individual primarily by helping him/her to utilize his/her potentials to the fullest and plan his/her future in accordance with his/her abilities, interests and needs. It includes functions such as counseling, psychological testing, (as to personality, career, interest, study orientation, mental ability and aptitude), research, placement, group process, teaching and practicing of guidance and counseling subjects, particularly subjects given in the licensure examinations, and other human development services.

- b. A guidance counselor is a natural person 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 Regulation Commission (PRC) in accordance with this Act and by virtue of specialized training performs for a fee, salary or other forms of compensation, the functions of guidance and counseling under Section 3 (a) of this Act.

## **ARTICLE II**

### **THE PROFESSIONAL REGULATORY BOARD OF GUIDANCE AND COUNSELING**

*SEC. 4. Creation of the Professional Regulatory Board of Guidance and Counseling.*

— There shall be created a Professional Regulatory Board of Guidance and Counseling, hereinafter referred to as the Board, under the administrative control and supervision of the Professional Regulation Commission, hereinafter referred to as the Commission, to be composed of a Chairman and two (2) members who shall be appointed by the President of the Philippines from among a list of three (3) recommendees for each position submitted by the Commission from a list of five (5) nominees for each position submitted by the accredited and integrated organization of guidance counselors.

*SEC. 5. Powers, Functions, Duties and Responsibilities of the Board.* — The Professional Regulatory Board shall have the following specific powers, duties and responsibilities:

- a. Supervise and regulate the practice of Guidance and Counseling;
- b. Determine and evaluate the qualifications of the applicants for registration with or without licensure examinations and for issuance of special permits;
- c. Prepare the examination questions in accordance with Section 15 hereof or the modifications thereof, and correct and rate the examination papers through a process of computerization;
- d. Prepare, adopt, issue or amend the syllabi for the subjects in the licensure examination, in consultation with the Commission on Higher Education (CHED), the academe and the accredited professional organization;
- e. Register successful examinees in the licensure examination and issue the corresponding certificates of registration;
- f. Issue special/temporary permits to foreign guidance counselors to practice Guidance and Counseling for specific projects for a specific duration of time for a fee or on medical mission without a fee;
- g. Monitor the conditions affecting the practice of Guidance and Counseling, conduct ocular inspection of places where guidance counselors practice their profession, and adopt measures for the enhancement of the profession and the maintenance of high professional, technical and ethical standards;
- h. Ensure, in coordination with the CHED, that all educational institutions offering the course/program of Guidance and Counseling comply with the policies, standards and requirements of the said course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;
- i. Promulgate rules and regulations including a Code of Ethics, a Code of Technical Standards for guidance counselors and administrative policies, orders

- and issuances, to carry out the provisions of this Act;
- j. Investigate violations of this Act and the Rules and Regulations, Code of Ethics, Code of Technical Standards, administrative policies, orders and issuances, promulgated by the Professional Regulatory Board. The rule on administrative investigation promulgated by the Commission shall govern in such investigation;
  - k. Issue *subpoena* or *subpoena duces tecum* to secure the attendance of respondents or witnesses or the production of documents relative to the investigation conducted by the Board;
  - l. Render decision, order or resolution on preliminary investigation or inquiry against violators of this Act, Rules and Regulations, Code of Ethics, Code of Technical Standards or any policy on undocketed cases and on docketed administrative cases against examinees or registrants, which shall become final and executory unless appealed with the Commission within fifteen (15) days from receipt of the copy thereof;
  - m. Issue, suspend, revoke or re-issue any license for the practice of Guidance and Counseling as defined in this Act;
  - n. Administer oaths necessary for the effective implementation of this Act;
  - o. Initiate criminal action against any violator of this Act and/or the rules and regulations of the Board;
  - p. Adopt the official seal of the Board;
  - q. Prescribe guidelines and criteria on the continuing professional education (CPE);
  - r. Adopt such measures necessary and proper for the maintenance of high ethical and professional standards in the practice of the profession; and
  - s. Perform such other functions and duties as may be necessary to effectively implement this Act.

The policies, resolutions and rules and regulations issued or promulgated by the Professional Regulatory Board shall be subject to review and approval by the Commission; however, the Board's decisions, resolutions or orders which are not interlocutory, rendered in an administrative case, shall be subject to review only if on appeal with the Commission. The decision of the Board and/or the Commission may be appealed to the Court of Appeals in accordance with the Rules of Court.

**SEC. 6. *Qualifications of the Professional Regulatory Board Members.*** — The Chairman and members of the Professional Regulatory Board, at the time of their appointment shall:

- a. Be a citizen of the Republic of the Philippines;
- b. Be a resident of the country for at least five (5) years immediately prior to his/her appointment;
- c. Be of good moral character and must not have been convicted of any crime involving moral turpitude;
- d. Be a qualified guidance counselor holding a valid Certificate of Registration: *Provided*, That in the case of the first members of the Board of Guidance and Counseling, they shall be issued Certificates of Registration as guidance counselors without prior examination;
- e. Be a holder of a doctoral degree in Guidance and Counseling from a reputable college or university duly recognized by the CHED and/or by a duly accredited college or university abroad;

- f. Have at least ten (10) years of continuous professional practice as a guidance counselor or counselor educator under this Act;
- g. Not be a member of the faculty of any school, college, or university where regular and/or review courses in guidance and counseling education is taught nor have any pecuniary interest in such institution; and
- h. Not be an official of the integrated and accredited national professional organization.

SEC. 7. *Term of Office.* — The members of the Board shall hold office for a term of three (3) years or until their successors shall have been appointed and qualified. They may, however, be reappointed for a second term. Of the members to be appointed for the first Board, one (1) member shall hold office as Chairman for three (3) years; one (1) as member for two (2) years; and one (1) member for a term of one (1) year. Any vacancy in the Board shall be filled for the unexpired portion of the term only. Each member shall take the proper oath prior to assumption of duty.

SEC. 8. *Administrative Supervision of the Board, Custodian of its Records, Secretariat and Support Services.* — All records of the Board, including application for examination and administrative and other investigative cases shall be under the custody of the Commission. The Commission shall designate the Secretary of the Board and shall provide the secretariat and support services to implement the provisions of this Act.

SEC. 9. *Compensation and Allowances of the Board.* — The Chairman and members of the Boards shall receive compensation and allowances comparable to the compensation and allowances received by the chairman and members of existing regulatory board under the Commission as provided for in the General Appropriations Act.

SEC. 10. *Grounds for Suspension or Removal of Board Members.* — The President of the Philippines, upon the recommendation of the Commission, after giving the concerned member an opportunity to defend himself/herself in a proper administrative investigation to be conducted by the Commission, may remove and suspend any member on the following grounds:

- a. neglect of duty or incompetence;
- b. violation or tolerance of the violation of this Act or the Code of Ethics and Code of Professional and Technical Standards for guidance counselors;
- c. conviction by final judgment of crimes involving moral turpitude;
- d. manipulation or rigging of the licensure examination results, disclosure of secret information or the examination questions prior to the conduct of the said examination, or tampering of the grades therein; or
- e. conviction by final judgment of any criminal offense by the courts.

SEC. 11. *Annual Report.* — The Chairman of the Board, shall after the close of the fiscal year, submit an annual report to the Commission, giving a detailed accounting of the proceedings of the Board during the year and embodying such recommendations as the Board may desire to make.

### **ARTICLE III**

## **EXAMINATION, REGISTRATION AND LICENSURE**

SEC. 12. *Examination Required.* — All applicants for registration for the practice of Guidance and Counseling shall be required to undergo a licensure examination to be given by the Board and the Commission in such places and dates as the Commission may designate in accordance with Republic Act No. 8981, subject to compliance with the requirements prescribed by the Commission.

SEC. 13. *Qualifications for Examination.* — In order to qualify for the examination, an applicant must, at the time of filing the application, be:

- a. a citizen of the Republic of the Philippines or a foreigner whose country has reciprocity with the Philippines in the practice of Guidance and Counseling;
- b. has not been convicted of any offense involving moral turpitude by a competent court; and
- c. holder of a Bachelor's Degree in Guidance and Counseling or in other allied disciplines and a master's degree in Guidance and Counseling from an institution in the Philippines or abroad recognized and accredited by the CHED.

SEC. 14. *Registration Without Taking Licensure Examination.* — A person who possesses the pertinent qualifications required for admission in the examination for registration as a guidance counselor pursuant to the provisions of this Act may be registered without examination: *Provided,* That the applicant files with the Board within two (2) years after its creation, an application for registration and issuance of a Certificate of Registration and Professional Identification Card by submitting credentials showing that the applicant before the effectivity of this Act:

- a. Had been doctoral and masters degree holders in Guidance and Counseling with at least three (3) years of teaching experience in Guidance and Counseling courses and/or full-time counseling practice for the same period;
- b. Had passed at least eighteen (18) units of Master's level courses in Guidance and Counseling such as Counseling Techniques/Theories, Organization and Administration of Guidance Services, Tests and Measurement, Group Process/Counseling and Career Guidance/Counseling; and, have at least seven (7) years of experience in counseling work; and
- c. Had completed academic requirements for a master's degree in guidance and counseling and have five (5) years experience as full-time guidance counselors.

SEC. 15. *Scope of Examination.* — The examination shall cover the following subject areas:

- a. Philosophical, Psychological and Sociological Foundations of Guidance;
- b. Counseling Theories, Tools and Techniques;
- c. Psychological Testing;
- d. Organization and Administration of Guidance Services; and
- e. Group Process and Program Development.

The Board, subject to approval by the Commission, may revise or exclude any of the subjects and their syllabi, and add new ones as the need arises.

SEC. 16. *Report of Ratings.* — The Board shall, within ten (10) days after the