

**[ PRC BOARD OF GUIDANCE AND COUNSELING  
RESOLUTION NO. 02, S. OF 2007, August 31, 2007  
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**RULES AND REGULATIONS OF REPUBLIC ACT NUMBERED  
NINETY-TWO AND FIFTY-EIGHT (R.A. NO. 9258), KNOWN AS  
THE "GUIDANCE AND COUNSELING ACT OF 2004"**

Pursuant to Section 5 (i), Article II and Section 32, Article V of Republic Act No. 9258: AN ACT PROFESSIONALIZING THE PRACTICE OF GUIDANCE AND COUNSELING AND CREATING FOR THIS PURPOSE A PROFESSIONAL REGULATORY BOARD OF GUIDANCE AND COUNSELING AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES," known as the "GUIDANCE AND COUNSELING ACT OF 2004," the Professional Regulatory Board of Guidance and Counseling hereby promulgates, subject to the approval of the Professional Regulation Commission, the following rules and regulations to effectively carry out the provisions of R.A. No. 9258.

**RULE I**

**Short Title, Declaration of Policy, and Definition of Terms**

*SECTION 1. Short Title* - This Resolution shall be known in short as the "Rules and Regulations of the "Guidance and Counseling Act of 2004", hereinafter referred to as "RR of R.A. No. 9258", "RRGCA 2004", or "RR."

*SEC. 2. Declaration of Policy* - It is hereby declared the 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 groups.

The State recognizes the important role of Guidance Counselors in nation building and promotes the sustained development of a reservoir of licensed Guidance Counselors whose competence has been determined by honest and credible Licensure Examinations and whose standards of professional practice and service are world-class, and internationally recognized through preventive regulatory measures and programs and activities that foster continuing professional development.

This "RR of R.A. No. 9258" shall be interpreted, construed, and carried out in the light of the Declaration of Policy in Sec. 2, Art. I of R.A. No. 9258.

*SEC. 3. Definition of Terms* - As used in this RR, these terms are construed as follows:

a. *Guidance and Counseling*. The Profession that involves the use of an integrated

approach to the development of a well-functioning individual primarily by helping him/her to utilize him/her potentials to the fullest and plan his/her present and future in accordance with his/her abilities, interests, and needs.

It includes functions such as counseling, psychological testing, (i.e. personality, career, interest, aptitude, mental ability, achievement), learning and study orientation, research, placement, referral and group processes. It includes the teaching of guidance and counseling subjects, particularly those covered in the Licensure Examinations and necessary in other human development services.

b. *Counseling*. In keeping with the development in the profession, the term, "counseling", to the layman, is considered synonymous to, and interchangeable with, guidance and counseling, but to professional counselors, it is a face-to-face helping relationship. It is a mission of service.

c. *Guidance Counselor*. 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 Professional Regulation Commission in accordance with R.A. No. 9258 and who, by virtue of specialized training, perform for a fee, salary, or other forms of compensation the functions of guidance and counseling under Section 3 (a) of R.A. No. 9258.

d. *Board*. Refers to the Professional Regulatory Board of Guidance and Counseling created under Section 4, Art. II of R.A. No. 9258.

e. *Commission*. Refers to the Professional Regulation Commission created under Section 3 of R.A. No. 8981, called as the "PRC Modernization Act of 2000".

f. *Interim Accredited Professional Organization (IAPO)*. This refers to the Philippine Guidance and Counseling Association, Inc. (PGCA), an organization of guidance counselors granted by the Commission with a Certificate of Accreditation.

g. *Registered and Accredited Integrated National Organization of Registered and Licensed Guidance Counselors*. This refers to the one and only integrated national organization of registered and licensed guidance counselors accredited by the Board subject to approval by the Commission, issued thereby with a Certificate of Accreditation as professional organization, and known as the Accredited Professional Organization (APO).

## RULE II

### 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 Interim Accredited Professional Organization of guidance counselors or the registered and accredited integrated national organization of registered and licensed guidance counselors.

*SEC. 5. Powers, Functions, Duties and Responsibilities of the Board* - The Board shall have the following specific powers, functions, 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 Examination and for issuance of special permits;
- c. Prepare the examination questions in accordance with Section 15, Article III of R.A. No. 9258 or Section 15, Rule III of the RR thereof or the modifications thereof, and correct and rate examination papers through the 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 IAPO or APO;
- e. Register successful examinees in the Licensure Examinations for Guidance Counselors and issue thereto their corresponding Certificates of Registration;
- f. Issue special/temporary permits to foreign guidance counselors to practice guidance and counseling and to research for specific projects and for a specific duration of time for a fee, or on medical mission without 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 CHED, that all educational institutions offering the course/ program in guidance and counseling comply with the policies, standards, and requirements of the said course prescribed by CHED in the areas of curriculum, faculty, library, practicum facilities, and student services;
- i. Promulgate Rules and Regulations including the Code of Ethics for Guidance Counselors, the Code or Manual of Technical Standards for Guidance Counselors, and administrative policies, orders, and issuances to carry out the provisions of R.A. No. 9258;
- j. Investigate violations of R.A. No. 9258, this RR thereof, the Code of Ethics for Guidance Counselors, Code or Manual of Technical Standards, administrative policies, orders, and issuances promulgated by the 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 the 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 R.A. No. 9258, this RR, the Code of Ethics for Guidance Counselors, Code or Manual of Technical Standards, or any policies, and on docketed administrative cases against examinees or registrants, which shall become final and executory unless appealed with the Commission within (15) days from receipt of the

copy thereof;

m. Issue, suspend, revoke, or re-issue any certificate of registration for the practice of guidance and counseling as defined in R.A. No. 9258;

n. Administer oath necessary for the effective implementation of the R.A. No. 9258;

o. Initiate criminal action against any violator of R.A. No. 9258 and/or the RR thereof;

p. Adopt the official seal of the Board;

q. Prescribe guidelines and criteria on the continuing professional education (CPE) for Guidance Counselors;

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 "RR of R.A. No. 9258".

The policies, resolutions, and rules and regulations issued or promulgated by the 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.

*Duties of Chairman and Members.* The chairman shall preside at all meetings and sign all official documents, letters, correspondence involving important matters and policies of the Board including summons, subpoena or subpoena *duces tecum*. In case of temporary incapacity or absence of the chairman, it shall be the duty of the members of the Board to attend all meetings particularly when the purpose of such meeting is to deliberate on the results of examinations or questions involving important policies of the Board.

*Meetings.* Regular monthly meetings shall be held. Special meeting may be held as often as may be necessary at the discretion of the chairman or upon the request of the majority of the Board.

*Quorum.* All members shall attend the meetings of the Board, except for unavoidable circumstances, in which case two members of the Board may be sufficient to constitute a quorum for the transaction of official business.

*SEC. 6. Qualification of the Board Members* - The chairman and members of the Board, at the time of their appointment, shall:

a. Be a citizen of the Republic of the Philippines;

b. Be a resident of the Philippines 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 certificates of registration and a valid professional identification card: Provided, That in the case of the first members of the Board, they shall be issued certificate of registration and professional identification cards as guidance counselors without prior examination;
- e. Be a holder of a doctoral degree in guidance and counseling from a reputable and accredited college or university duly recognized by the Commission on Higher Education (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 and/or counselor educator under R.A. No. 9258;
- 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; before taking his/her oath of office, he/she shall resign from his/her position therein; and
- h. Not be an official or a member of the Board of Trustee of the integrated and accredited national organization of guidance counselors.

*SEC. 7. Term of Office* - The members of the Board shall hold office for a term of three (3) years 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) shall hold office as chairman for three (3) years, one (1) as a member for two 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 the assumption of duty.

*SEC. 8. Administrative Supervision of the Board - Custodian of its Records, Secretariat, and Support Services* - All records of the Board, including applications 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 R.A. No. 9258, and this "RR".

*SEC. 9. Compensation and Allowance of the Board* - The chairman and members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by the chairman and members of existing Professional Regulatory Boards under the Commission as provided for in R.A. No. 8981 and the General Appropriations Act.

*SEC. 10. Grounds for Suspension and Removal of Board Members* - The President of the Philippines, upon 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 or suspend any member on the following grounds:

- a. Neglect of duty or incompetence;