



S E N A T E

S. No. 2200

PREPARED JOINTLY BY THE COMMITTEES ON BASIC EDUCATION; HEALTH AND DEMOGRAPHY; AND FINANCE, WITH SENATORS GATCHALIAN, LAPID, GO, BINAY, REVILLA, JR., VILLANUEVA, HONTIVEROS, DELA ROSA, ZUBIRI, ESTRADA, AND VILLAR (C.) AS AUTHORS THEREOF

AN ACT PROMOTING MENTAL HEALTH AND WELL-BEING IN BASIC EDUCATION BY INSTITUTIONALIZING A SCHOOL-BASED MENTAL HEALTH PROGRAM, ESTABLISHING CARE CENTERS, PRESCRIBING THE CREATION OF NEW PLANTILLA POSITIONS OF MENTAL HEALTH SPECIALISTS AND MENTAL HEALTH ASSOCIATES IN THE DEPARTMENT OF EDUCATION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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
2 the “Basic Education Mental Health and Well-Being
3 Promotion Act”.

1 SEC. 2. *Declaration of Policy and Objectives.* – The
2 State recognizes the vital role of children and the youth in
3 nation-building and shall promote and protect their holistic
4 well-being. Towards this end, it shall be the duty of the
5 State to establish, maintain, and support a complete,
6 adequate, and integrated system of education relevant to
7 the needs of society and its people.

8 In pursuit of such policy, the State shall aim to
9 achieve the following main objectives under this Act:

10 (a) Institutionalize an effective and efficient School-
11 Based Mental Health Program, and strengthen the
12 existing mental health and guidance and counseling
13 program and other health and wellness activities,
14 including sports-related programs, to promote and ensure
15 the mental health and well-being of all learners, as well as
16 provide mental health awareness and literacy programs
17 and appropriate mental health-related referrals to the
18 teaching and non-teaching personnel, in all public and
19 private basic education schools in the country;

1 (b) Establish and maintain a Care Center as defined
2 in Section 5 in every public basic education institution, and
3 ensure their establishment and maintenance in private
4 basic education institutions, to be operated by competent
5 personnel, equipped with the necessary facilities, and
6 supported with the required resources; and

7 (c) Hire and capacitate competent personnel whose
8 duties and responsibilities shall be geared towards
9 promoting and ensuring the mental health and well-being of
10 all learners, and promote their professional growth and
11 career progression by prescribing the creation of new
12 plantilla positions of Mental Health Specialists and Mental
13 Health Associates in the Department of Education (DepEd).

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

15 (a) Mental Health, as defined in Republic Act
16 No. 11036, otherwise known as the “Mental Health Act”,
17 refers to a state of well-being in which the individual
18 realizes one’s own abilities and potentials, copes
19 adequately with the normal stresses of life, displays
20 resilience in the face of extreme life events, works

1 productively and fruitfully, and is able to make a positive
2 contribution to the community.

3 (b) Mental Health Associate refers to an individual
4 holding a Mental Health Associate plantilla position in the
5 DepEd and who has (1) a Bachelor's Degree in Guidance
6 and Counseling, Psychology, Human Services, Social Work,
7 or other allied disciplines, or (2) any Bachelor's Degree
8 with eighteen (18) units of courses in Guidance and
9 Counseling or Psychology.

10 (c) Mental Health Specialist refers to a Guidance
11 Counselor or a Psychologist holding a Mental Health
12 Specialist plantilla position in the DepEd and who shall
13 have qualified pursuant to either the provisions of R.A. No.
14 9258, otherwise known as the "Guidance and Counseling
15 Act of 2004", or R.A. No. 10029, otherwise known as the
16 "Philippine Psychology Act of 2009", respectively.

17 (d) School-Based Mental Health Services refer to the
18 comprehensive services delivered by a Care Center in the
19 performance of its functions under Section 6 of this Act,
20 including but not limited to promotion, prevention,

1 appropriate response, efficient referrals, and aftercare
2 support.

3 SEC. 4. *The School-Based Mental Health Program;*
4 *School-Based Mental Health Services.* – The School-Based
5 Mental Health Program (Program) is hereby
6 institutionalized to promote and ensure the mental health
7 and well-being of all learners in all public and private basic
8 education schools, including Out-of-School Children in
9 Special Cases as defined under R.A. No. 11510, otherwise
10 known as the “Alternative Learning System Act”. The
11 Program shall promote mental health awareness and
12 manage the mental health concerns of all learners,
13 including the prevention of suicide in schools. The Program
14 shall likewise define the role of every stakeholder in the
15 school community to appropriately respond to such mental
16 health concerns through prevention, intervention,
17 postvention and recovery.

18 The Program shall be developed in consultation with
19 learners, their parents and parent-substitutes, and
20 implemented by the DepEd and designed to provide school-

1 based mental health services including the following:
2 screening, evaluation, assessment, and monitoring; mental
3 health first aid; crisis response and referral system; mental
4 health awareness and literacy; emotional, developmental
5 and preventive programs; and other support services such
6 as strengthening the learners' family bonds. The DepEd
7 shall likewise implement complementary measures that
8 promote healthy behaviors, habits and activities among
9 learners and eliminate the stigma on mental health
10 counseling. Further, it shall provide mental health
11 awareness programs and literacy and appropriate mental
12 health-related referrals to the teaching and non-teaching
13 personnel.

14 The DepEd shall provide guidelines for the effective
15 delivery of school-based mental health services in private
16 schools, taking into consideration the number of learners
17 and the availability of funds of private schools with limited
18 resources.

19 SEC. 5. *The Care Center; Mental Health Specialists;*
20 *Mental Health Associates; Other Necessary Support*

1 *Personnel.* – To effectively implement this Act, the DepEd
2 shall establish and maintain a Care Center (Center) in every
3 public basic education school, as well as ensure their
4 establishment and maintenance in private basic education
5 schools in the country. The Center shall be equipped with
6 functional physical facilities, located within an adequate
7 space where confidentiality is maintained, and accessible to
8 the learners and the teaching and non-teaching personnel.

9 For this purpose, secondary schools may utilize the
10 Career Guidance and Counseling Program (CGCP) Centers
11 required to be established under Section 5 of R.A. No.
12 11206, otherwise known as the “Secondary School Career
13 Guidance and Counseling Act”. Existing Guidance and
14 Counseling Offices may likewise be utilized for this
15 purpose or integrated into the Center.

16 The Center shall be headed by a Mental Health
17 Specialist, or by a Mental Health Associate until such
18 specialist is hired, who shall be under the administrative
19 supervision of the school head. The Mental Health
20 Specialist shall be assisted by a Mental Health Associate,

1 and other necessary support personnel as may be
2 determined by the DepEd upon the recommendation of the
3 school head. The Mental Health Associate shall be subject
4 to the conditions of professional practice under Sections 27
5 and 28 of R.A. No. 9258, or Sections 30 and 32 of
6 R.A. No. 10029, as applicable.

7 In addition to implementing the Program and
8 delivering the services of the Center under this Act, Mental
9 Health Specialists and Mental Health Associates shall
10 likewise assist the school administrator in the CGCP
11 Centers, in accordance with Section 5 of R.A. No. 11206.

12 SEC. 6. *The Care Center; Functions.* – The Center in
13 every public and private basic education school shall deliver
14 school-based mental health services that are required in the
15 fulfillment of the following functions:

16 (a) Develop a localized multi-year School-Based Mental
17 Health Program to promote and ensure the mental health
18 and well-being of all learners, as well as provide mental
19 health awareness and literacy programs and appropriate

1 mental health-related referrals to the teaching and non-
2 teaching personnel;

3 (b) Equip the learners with skills and information for
4 prevention, identification, and proper response and referral
5 for their own and others' mental health needs, with special
6 attention to vulnerable learners such as, but not limited to,
7 those identified as children-at-risk (CAR), children in conflict
8 with the law (CICL), learner-victims of Violence Against
9 Women and Their Children (VAWC), learners who are
10 victims of natural calamities, armed conflicts, and other
11 emergencies, learners with disabilities, learner-victims of
12 other related forms of child abuse and criminal acts, young
13 mothers and fathers, and learners who have recently
14 experienced traumatic experiences in their schools or
15 communities;

16 (c) Facilitate the efficient referral for appropriate
17 intervention to, and provision of adequate aftercare support
18 by, other appropriate agencies, institutions, organizations, or
19 professionals, in addressing the mental health concerns and
20 needs of learners;

1 (d) Improve the mental health awareness and literacy
2 of the teaching and non-teaching personnel, and equip them
3 with skills and information for detection of early warning
4 signs of mental health concerns, prevention of suicide and
5 self-harm, and appropriate referrals for their mental health
6 needs;

7 (e) Engage and support parents, parent-substitutes,
8 and other stakeholders in improving the school behavior and
9 academic performance of learners;

10 (f) Establish linkages with the school community,
11 including parents, parent-substitutes, local government
12 units, and other stakeholders for the effective and efficient
13 implementation of the localized Program, adopting a Whole of
14 Society approach; and

15 (g) Ensure stigma reduction through education and
16 training for all stakeholders in the school and the school
17 community.

18 *SEC. 7. Localized Multi-Year Roadmap on the School-*
19 *Based Mental Health Program.* – In developing and
20 implementing the localized multi-year School-Based

1 Mental Health Program under Section 6(a) of this Act, the
2 Center shall undertake a local needs assessment of the
3 school and the school community to craft a roadmap that is
4 both responsive and sensitive to local needs and situations:
5 *Provided*, That the DepEd, in consultation with the
6 Philippine Council for Mental Health and other
7 stakeholders, shall provide a general framework as
8 discussed under Section 11 of this Act, in terms of the
9 following components of the Program: (a) vision, goals, and
10 objectives; (b) time-bound targets and key performance
11 indicators; (c) services and activities; (d) resource
12 requirements, such as budgetary and personnel
13 complement; (e) monitoring, evaluation and impact
14 assessment; and (f) other relevant issues and concerns.

15 The Center shall periodically prepare and submit
16 reports to the Schools Division Office (SDO) on the
17 Program implementation of the school. The
18 Superintendent shall submit a consolidated report to the
19 Secretary of the DepEd through the Regional Director
20 having jurisdiction of the SDO.

1 SEC. 8. *Creation of New Plantilla Positions of Mental*
2 *Health Specialists and Mental Health Associates;*
3 *Conversion of Existing Guidance Counselors and*
4 *Psychologists Plantilla Positions to Mental Health*
5 *Specialists with Corresponding Salary Adjustments; Career*
6 *Progression.* – The new plantilla positions of Mental Health
7 Specialists I to V and Mental Health Associates I to V are
8 hereby created in the DepEd. The salary schedules for
9 these newly created plantilla positions shall be as follows:

Plantilla Position Title	Salary Grade
Mental Health Associate I	11
Mental Health Associate II	12
Mental Health Associate III	13
Mental Health Associate IV	14
Mental Health Associate V	15
Mental Health Specialist I	16
Mental Health Specialist II	18
Mental Health Specialist III	20
Mental Health Specialist IV	22
Mental Health Specialist V	24

1 All existing plantilla positions of Guidance
2 Counselors and Psychologists in the DepEd shall be
3 converted to Mental Health Specialists plantilla positions,
4 and their corresponding salary grades shall be adjusted in
5 accordance with the salary schedule prescribed in this Act.

6 To implement Section 11(b) of this Act, the DepEd,
7 in consultation with the Civil Service Commission (CSC),
8 shall determine the required eligibility and qualifications
9 of the plantilla positions under this section.

10 The DepEd shall likewise coordinate with the
11 Department of Budget and Management and the CSC to
12 ensure that the necessary changes in the newly created
13 plantilla positions and the converted existing plantilla
14 positions with the adjusted salary grades are reflected in
15 the Revised Compensation and Position Classification
16 System and other relevant existing rules and regulations.
17 The DepEd and the CSC shall further develop a
18 professional career progression for the growth and
19 development of Mental Health Specialists and Mental
20 Health Associates.

1 SEC. 9. *Scholarship and Training Programs; Service*
2 *Obligation.* – The DepEd shall endeavor to attract the best
3 available and competent personnel for the Center through
4 scholarship and training programs, teacher exchange
5 programs, and other similar incentives.

6 The DepEd, in collaboration with the Commission on
7 Higher Education (CHED), shall develop a scholarship
8 program for in-service teachers, Mental Health Associates,
9 and non-teaching personnel who shall complete a master’s
10 degree in Guidance and Counseling or Psychology and who
11 shall be required to take the licensure examinations within
12 an agreed period of time.

13 It shall likewise develop a scholarship program for
14 in-service teachers to earn eighteen (18) units of courses in
15 Guidance and Counseling or Psychology to qualify as
16 Mental Health Associates, should they opt to apply for
17 such positions.

18 The scholars shall be required to fulfill an obligation
19 to return service in the DepEd by serving as Mental Health

1 Specialists or Mental Health Associates for such
2 reasonable period as may be determined by the DepEd.

3 SEC. 10. *Pre-Service Education; Continuing*
4 *Education; Other Stakeholders Training.* – The DepEd
5 shall collaborate with the CHED to ensure that teacher
6 education institutions offering bachelor of elementary or
7 secondary education degrees include courses on mental
8 health in the curriculum.

9 Further, the DepEd shall carry out the appropriate
10 regular training and skills upgrading and development for
11 the personnel of the Center.

12 To promote the mental health awareness of the school
13 community, the DepEd, in collaboration with the
14 Department of Health (DOH), shall equip all teaching and
15 non-teaching personnel in public and private basic
16 education schools, as well as other stakeholders, with the
17 needed basic knowledge and positive values and attitudes
18 regarding mental health management to detect learners
19 who may need mental health support and refer them to the
20 Center for appropriate intervention.

1 SEC. 11. *Progressive Realization of Promoting and*
2 *Ensuring Mental Health and Well-Being in Basic*
3 *Education; Creation of a Division under the Bureau of*
4 *Learners Support Services and Staffing Pattern.* – The
5 DepEd shall create a Division under the Bureau of
6 Learners Support Services to lead in the progressive
7 realization of promoting and ensuring mental health and
8 well-being in basic education. Towards this end, the
9 Division shall develop the general framework to guide the
10 development and monitor the implementation of the
11 Localized Multi-Year Roadmap on the School-Based
12 Mental Health Program under Section 7 of this Act, and
13 provide yearly targets such as, but not limited to, the
14 following:

- 15 (a) Establishment of Centers under Section 5;
- 16 (b) Creation and filling up of the plantilla positions
17 for the personnel of the Centers under Section 8;
- 18 (c) Capacity-building and training programs for the
19 personnel and other stakeholders under Sections 9 and 10;
- 20 and

1 (d) Funding requirements with a determination of
2 appropriate budgetary allocation and inclusion under the
3 yearly national expenditure program of the government.

4 Finally, the DepEd, through the Division, shall
5 coordinate with the CHED to ensure the supply of qualified
6 professionals through recruitment of students in the
7 appropriate courses and ensure their seamless progression
8 from higher education to employment, taking into
9 consideration the demand for such professionals in the
10 Centers.

11 SEC. 12. *Appropriations.* – The amount needed for the
12 initial implementation of this Act shall be charged against
13 those authorized in the current appropriations of the
14 DepEd. Thereafter, the amount necessary for the
15 continued implementation of this Act shall be included in
16 the budget as a separate line item in the annual General
17 Appropriations Act.

18 SEC. 13. *Joint Congressional Oversight Committee on*
19 *the School-Based Mental Health Program.* – There is
20 hereby created a Joint Congressional Oversight Committee

1 (JCOC) to oversee, monitor and evaluate the
2 implementation and impact of this Act. The JCOC shall be
3 composed of five (5) members each from the Senate and the
4 House of Representatives (House) with the Chairperson of
5 the Committee on Basic Education of the Senate and the
6 Chairperson of the Committee on Basic Education and
7 Culture of the House as Co-chairpersons. The
8 Chairpersons of the Committees on Higher and Technical
9 Education of both Houses, the Chairperson of the
10 Committee on Finance of the Senate, and the Chairperson
11 of the Committee on Appropriations of the House shall
12 likewise be designated as members of the JCOC. The
13 President of the Senate and the Speaker of the House shall
14 designate the other two (2) members of the JCOC of the
15 Senate and the House, respectively, from among the
16 members of the Senate Committee on Basic Education and
17 the House Committee on Basic Education and Culture, one
18 (1) member of each chamber shall be from the minority.

19 SEC. 14. *Annual Report.* – Three (3) years after the
20 effectivity of this Act, the DepEd shall commence

1 submitting annual reports to the Committee on Basic
2 Education of the Senate and the Committee on Basic
3 Education and Culture of the House on the status of its
4 implementation.

5 SEC. 15. *Implementing Rules and Regulations.* –
6 Within ninety (90) days from the effectivity of this Act, the
7 DepEd, in consultation with relevant national government
8 agencies and other education and health stakeholders,
9 shall issue the rules and regulations implementing its
10 provisions. The implementing rules and regulations (IRR)
11 issued pursuant to this section shall take effect thirty (30)
12 days after its publication in a newspaper of general
13 circulation.

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

18 SEC. 17. *Repealing Clause.* – All other laws, executive
19 orders, presidential decrees, administrative orders, rules
20 and regulations, issuances, or parts thereof contrary to or

1 inconsistent with the provisions of this Act are hereby
2 repealed or amended accordingly.

3 SEC. 18. *Effectivity.* – This Act shall take effect fifteen
4 (15) days after its publication in the *Official Gazette* or in a
5 newspaper of general circulation.

Approved,