

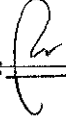
FIFTEENTH CONGRESS OF THE REPUBLIC )  
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Senate  
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SENATE  
S. No. 2677

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

#### EXPLANATORY NOTE

A safe and civil school environment is necessary for students to learn and achieve. However, a student development is hampered when there are incidents of violence, harassment and fear among students, most exemplified in cases of bullying. Bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities. It has also been linked to other forms of anti-social behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence.

A new form of bullying is fast emerging with the advancements of technology. Cyber-bullying happens in a realm where state power is weak and where very few laws are passed for regulation. This bill seeks to address the problem of bullying in cyberspace.

This bill seeks to mandate and compel the schools to create a policy to address the existence of bullying and cyber-bullying in their respective institutions. When there is institutional recognition of this power imbalance among students, there will be more and better venues to address incidents of bullying. This also seeks to instill the importance of anti-bullying measures in academic institutions and among school administrators.

A direct correlation with the reduction of bullying incidents is the increase in awareness and concern among school administrators of these incidents, and the positive action of providing venues for parents, faculty and school officials to report such incidents to the authorities. The

quest for equality among persons and the advancement of human rights start from basic education, where children learn the values of *cura personalis* and being men and women for others from their teachers and apply what they've learned to their classmates and friends.

This is the counterpart bill of HBN 2630 filed by Reps. Chirstopher Co, Rodel Batocabe and Alfredo Garbin, Jr.

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*aw*



- 1 f. Physical violence committed upon a minor student, which may or may not result to  
2 harm or injury, with or without the aid of a weapon. Such violence may be in the  
3 form of mauling, hitting, punching, kicking, throwing things at a student, pinching,  
4 spanking, or other similar acts;
- 5 g. Demanding, requesting or requiring sexual or monetary favors, or demands property  
6 from a minor student; and
- 7 h. Restraining the liberty and freedom of a minor student.

8

9 SEC. 3. *Cyber-bullying* – Cyber-bullying is any conduct defined in Section 2 of this Act  
10 which are made through electronic devices such as, but are not limited to texting, instant  
11 messaging, chatting, Internet and social networking websites. For purposes of this Act, the  
12 phrase “acts of bullying” shall include the acts enumerated under Section 2 and Cyber-bullying  
13 as defined under this Section.

14

15 SEC. 4. *School policy* – All schools, colleges or universities, whether public or private,  
16 shall create a policy to address the existence of bullying in their respective institutions. Such  
17 policy shall include but is not limited to the following provisions:

- 18 a. Process for addressing incidents of bullying in school;
- 19 b. Anonymous reporting of acts of bullying to teachers and school administrators, which  
20 shall not, by itself, be a ground for disciplinary action;
- 21 c. Remedy which allows parents or guardians of students to file written reports of  
22 suspected bullying;
- 23 d. Provisions requiring teachers and other school staff who witnessed acts of bullying or  
24 received report of bullying to report the same to school administration;

- 1 e. Provisions requiring school administrators to investigate any reports on acts of  
2 bullying;
- 3 f. Inclusion of language in student codes of conduct concerning bullying;
- 4 g. Notification of parents or guardians of students who committed or are victims of acts  
5 of bullying; and
- 6 h. Maintenance of a public record of relevant information and statistics on acts of  
7 bullying in school, provided that the names of students who committed acts of  
8 bullying shall be only made available to the school administration, teachers directly  
9 responsible for the said students and parents or guardians of students who are or have  
10 been victims of acts of bullying.

11

12 SEC. 5. *Submission of policy* – Anti-bullying policies created pursuant to Sections 4 and  
13 5 of this Act shall be submitted to the Department of Education (DepEd), Commission on Higher  
14 Education (CHED) or the Technical Education and Skills Development Authority (TESDA), as  
15 may be applicable, within six (6) months from the effectivity of this Act for existing schools,  
16 colleges and universities, and shall be an administrative requirement prior to the operation of  
17 new schools, colleges and universities.

18

19 SEC. 6. *Liability of School Administration* – DepEd, CHED and TESDA shall provide for  
20 sanctions to school administrations who fail to comply with the requirements of this Act.

21

22 SEC. 7. *Extra-institutional Recourse* – DepEd, CHED and TESDA shall also provide for  
23 recourse to students who are victims of acts of bullying and/or their parents or guardians to  
24 compel the school administration to act on their complaints on acts of bullying.

25

1           SEC. 8. *Other Offenses Punishable by Law* – This Act shall be without prejudice to other  
2 criminal, civil or administrative remedies provided by law and shall not prevent the victims from  
3 availing of the same independent of the remedies provided for in this Act.

4           SEC. 9. *Repealing Clause*. – All laws, decrees, orders, rules and regulations or parts  
5 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified  
6 accordingly.

7           SEC. 10. *Separability Clause*. – If, for any reason, any provision of this Act is declared to  
8 be unconstitutional or invalid, the other sections or provisions hereof which are not affected  
9 thereby shall continue to be in full force and effect.

10           SEC. 11. *Effectivity Clause*. – This Act shall take effect after fifteen (15) days following  
11 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/apmj020411