



HOUSE OF REPRESENTATIVES

H. No. 5496

BY REPRESENTATIVES CAJAYON, CO, BATOCABE, ANGARA, GARBIN,
ESCUADERO AND HERRERA-DY, PER COMMITTEE REPORT NO. 1515

AN ACT REQUIRING ALL ELEMENTARY AND SECONDARY
SCHOOLS TO ADOPT POLICIES TO PREVENT AND ADDRESS
THE ACTS OF BULLYING IN THEIR INSTITUTIONS

*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 the
2 “Anti-Bullying Act of 2012”.

3 SEC. 2. *Acts of Bullying.* — For purposes of this Act, “bullying” shall
4 refer to any severe or repeated use by one or more students of a written, verbal
5 or electronic expression, or a physical act or gesture, or any combination
6 thereof, directed at another student that has the effect of actually causing or
7 placing the latter in reasonable fear of physical or emotional harm or damage
8 to his property; creating a hostile environment at school for the other student;
9 infringing on the rights of the other student at school; or materially and
10 substantially disrupting the education process or the orderly operation of a
11 school; such as, but not limited to, the following:

12 (a) Any unwanted physical contact between the bully and the victim
13 like punching, pushing, shoving, kicking, slapping, tickling, headlocks,

1 inflicting school pranks, teasing, fighting and the use of available objects as
2 weapons;

3 (b) Any act that causes damage to a victim's psyche and/or emotional
4 well-being;

5 (c) Any slanderous statement or accusation that causes the victim
6 undue emotional distress like directing foul language or profanity at the target,
7 name-calling, tormenting and commenting negatively on victim's looks,
8 clothes and body; and

9 (d) Cyber-bullying or any bullying done through the use of
10 technology or any electronic means.

11 SEC. 3. *Adoption of Anti-Bullying Policies.* – All elementary and
12 secondary schools are hereby directed to adopt policies to address the
13 existence of bullying in their respective institutions. Such policies shall be
14 regularly updated and, at a minimum, shall include provisions which:

15 (a) Prohibit the following acts:

16 (1) Bullying on school grounds; property immediately adjacent to
17 school grounds; at school-sponsored or school-related activities, functions or
18 programs whether on or off school grounds; at school bus stops; on school
19 buses or other vehicles owned, leased or used by a school; or through the use
20 of technology or an electronic device owned, leased or used by a school;

21 (2) Bullying at a location, activity, function or program that is not
22 school related and through the use of technology or an electronic device that is
23 not owned, leased or used by a school if the act or acts in question create a
24 hostile environment at school for the victim, infringe on the rights of the victim
25 at school, or materially and substantially disrupt the education process or the
26 orderly operation of a school; and

1 (3) Retaliation against a person who reports bullying, who provides
2 information during an investigation of bullying, or who is a witness to or has
3 reliable information about bullying;

4 (b) Identify the range of disciplinary administrative actions that may be
5 taken against a perpetrator for bullying or retaliation which shall be
6 commensurate with the nature and gravity of the offense;

7 (c) Establish clear procedures and strategies for:

8 (1) Reporting acts of bullying or retaliation;

9 (2) Responding promptly to and investigating reports of bullying or
10 retaliation;

11 (3) Restoring a sense of safety for a victim and assessing the student's
12 need for protection;

13 (4) Protecting from bullying or retaliation of a person who reports acts
14 of bullying, provides information during an investigation of bullying, or is
15 witness to or has reliable information about an act of bullying; and

16 (5) Providing counseling or referral to appropriate services for
17 perpetrators, victims and appropriate family members of said students;

18 (d) Enable students to anonymously report bullying or retaliation:
19 *Provided, however,* That no disciplinary administrative action shall be taken
20 against a perpetrator solely on the basis of an anonymous report;

21 (e) Subject a student who knowingly makes a false accusation of
22 bullying to disciplinary administrative action; and

23 (f) Educate parents and guardians about the dynamics of bullying, the
24 anti-bullying policies of the school and how parents and guardians can provide
25 support and reinforce such policies at home.

26 All elementary and secondary schools shall provide students and their
27 parents or guardians a copy of the anti-bullying policies being adopted by the
28 school. Such policies shall likewise be included in the school's student and/or

1 employee handbook and shall be conspicuously posted on the school walls and
2 website, if there is any.

3 The Department of Education (DepEd) shall include in its training
4 programs, courses or activities which shall provide opportunities for school
5 administrators, teachers and other employees to develop their knowledge and
6 skills in preventing or responding to any bullying act.

7 SEC. 4. *Mechanisms to Address Bullying.* – The school principal or
8 any person who holds a comparable role shall be responsible for the
9 implementation and oversight of policies intended to address bullying.

10 Any member of the school administration, student, parent or volunteer
11 shall immediately report any instance of bullying or act of retaliation
12 witnessed, or that has come to one's attention, to the school principal or school
13 officer or person so designated by the principal to handle such issues, or both.
14 Upon receipt of such a report, the school principal or the designated school
15 officer or person shall promptly investigate. If it is determined that bullying or
16 retaliation has occurred, the school principal or the designated school officer or
17 person shall:

18 (a) Notify the law enforcement agency if the school principal or
19 designee believes that criminal charges under the Revised Penal Code may be
20 pursued against the perpetrator;

21 (b) Take appropriate disciplinary administrative action;

22 (c) Notify the parents or guardians of the perpetrator; and

23 (d) Notify the parents or guardians of the victim regarding the action
24 taken to prevent any further acts of bullying or retaliation.

25 If an incident of bullying or retaliation involves students from more than
26 one school, the school first informed of the bullying or retaliation shall
27 promptly notify the appropriate administrator of the other school so that both
28 may take appropriate action.

1 SEC. 5. *Reporting Requirement.* – All schools shall inform their
2 respective schools division superintendents in writing about the anti-bullying
3 policies formulated within six (6) months from the effectivity of this Act. Such
4 notification shall likewise be an administrative requirement prior to the
5 operation of new schools.

6 Beginning with the school year after the effectivity of this Act, schools
7 shall report to their respective schools division superintendents all incidents
8 involving school bullying. The schools division superintendents shall compile
9 these data and report the same to the Secretary of the DepEd who shall
10 likewise formally transmit a comprehensive report to the Committee on Basic
11 Education of both the House of Representatives and the Senate.

12 SEC. 6. *Sanction for Noncompliance.* – In the rules and regulations to
13 be implemented pursuant to this Act, the Secretary of the DepEd shall
14 prescribe the appropriate administrative sanctions on school administrators
15 who shall fail to comply with the requirements under this Act. In addition
16 thereto, erring private schools shall likewise suffer the penalty of suspension of
17 their permits to operate.

18 SEC. 7. *Implementing Rules and Regulations.* – Within ninety (90)
19 days from the effectivity of this Act, the DepEd shall promulgate the necessary
20 rules and regulations to implement the provisions of this Act.

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

25 SEC. 9. *Repealing Clause.* – All laws, decrees, orders, rules and
26 regulations or parts thereof which are inconsistent with or contrary to the
27 provisions of this Act are hereby repealed, amended or modified accordingly.

1 SEC. 10. *Effectivity.* - This Act shall take effect fifteen (15) days
2 after its publication in at least two (2) national newspapers of general
3 circulation.

Approved,

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