

**REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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**CITY ORDINANCE NO. 08-15-721
March 11, 2015**

AN ORDINANCE STRENGTHENING THE IMPLEMENTATION OF REPUBLIC ACT NO. 10627 OR "AN ACT REQUIRING ALL ELEMENTARY AND SECONDARY SCHOOLS TO ADOPT POLICIES TO PREVENT AND ADDRESS THE ACTS OF BULLYING IN THEIR INSTITUTIONS AND FOR OTHER PURPOSES".

WHEREAS, Article XIV, Section 3 of the 1987 Philippine Constitution provides that the State shall mandate all educational institutions to develop the moral character and personal discipline of students;

WHEREAS, Section 458 (a) of the Local Government Code states that the Sangguniang Panlungsod as the legislative body of the City shall enact ordinances for the general welfare of its inhabitants;

WHEREAS, Republic Act No. 10627 or the "Anti-Bullying Act of 2013" states that All elementary and secondary schools are hereby directed to adopt policies to address the existence of bullying in their respective institutions and with this the Local Government Units, particularly the City Government must help in the proper implementation of the law in its educational institutions for the welfare of the students;

WHEREAS, the City of Bacolod has taken notice of the alarming problem of bullying in schools;

WHEREAS, bullying not only inflicts physical and psychological harm, but also leaves an emotional scar to students, thereby adversely affecting their studies, social personality and their lives;

WHEREAS, there is a need to shape the conduct of students to instill discipline and essential values so as to integrate them to be productive, dynamic and industrious citizens of Bacolod City in the future;

WHEREAS, the city government must devise appropriate remedies to address this demeaning act in order to protect the well-being of the students for the peace of mind of their parents or guardians.

NOW THEREFORE, BE IT ENACTED by the Sangguniang Panlungsod of Bacolod City that:

Section 1. TITLE. This ordinance shall be known as the "*Anti-Bullying Ordinance of Bacolod City*"

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Section 2. DECLARATION OF POLICY. It is hereby declared the policy of Bacolod City that the right of children to their survival, protection, participation and development must be given the highest priority. With this, it has always been the concern of the City to provide means to ensure the safety and security of the children within school premises. The City Government owes the parents the responsibility to provide adequate measures to comply with this policy.

Towards this end, all forms of bullying perpetrated not only in the school but done within its immediate vicinities are hereby declared unlawful.

Section 3. DEFINITION OF TERMS. As used in this ordinance, the following terms are hereby defined:

- a) Student – a learner who is enrolled in an educational institution.
- b) School Personnel – are persons working for an educational institution, which includes the following:
 - a. Teaching or academic staff – persons engaged in actual teaching and/or research assignments, either on full time or part-time basis, in all levels of educational system.
 - b. School administrators – persons that occupy policy-implementing positions relative to the functions of the school in all levels. They also have the discretion to provide the relative sanctions in case of policy violation/s.
 - c. Academic non-teaching personnel – persons holding some academic qualifications and performing academic functions directly supportive of teaching, such as registrars, librarians, research assistants, research aides and similar staff.
 - d. Non-academic personnel – school personnel not falling under the definition and coverage of teaching and academic staff, school administrators and academic non-teaching personnel.

Section 4. ACTS OF BULLYING. Acts of bullying are committed by any severe or repeated use by one or more students of a written, verbal or electronic expression or a physical act gesture or any combination thereof that may cause physical injury, emotional distress and psychological fear of physical or emotional harm to his limb, family and property, such as but not limited to the following:

- a) Physical Bullying – any unwanted, hurtful and sudden physical contact between the bully and the victim like punching, pushing, shoving, kicking, slapping, tickling, headlocks, school pranks, teasing, fighting and using available objects as weapons, with the victim having no means to defend themselves;

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- b) Psychological Bullying – any act that causes damage to a victim’s psyche and/or emotional well-being like spreading malicious and nasty rumors about the victim, excluding the victim from a group, getting certain people to “gang up” on the victim, and any similar acts that create adverse impact on the psychological well-being of the victim;
- c) Emotional Bullying – name-calling, ignoring the victim on purpose, whispering to another in front of someone, keeping secrets away from a so-called friend, eye rolling, embarrassing the victim on account of his religion, physical appearance and financial status, silent but hurtful body motions such as pointing or face making or any act that cause harassment or provocation. It also includes shouting slanderous statements or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target;
- c) Sexual bullying – touching any private part such as legs, breast, buttocks, or genitals of a student to embarrass, annoy, irritate, threat and torment the mind of a child, which results in an intimidating, hostile or offensive environment for the child.
- d) Cyber-bullying - any bullying done through the use of technology or any electronic means. (as provided in RA 10627)

Any student who, through acts described above, retaliates against another for reporting any acts of bullying, or provides information during an investigation or is a witness thereof shall be liable under this ordinance.

Section 5. SPECIAL PARENTAL AUTHORITY. The school and its personnel shall have special parental authority and responsibility over the student while under their supervision, instruction or custody.

Authority and responsibility shall apply to all activities of the school whether inside or outside its premises.

Section 6. ADOPTION OF SCHOOL ANTI-BULLYING POLICIES. Existing Anti-bullying and Child Protection Committees of All elementary, secondary schools, colleges and universities in the City shall adopt policies to address the existence of bullying in their respective institutions.

The policies to be adopted shall be reviewed/updated annually, and at least shall:

- a) Include a provision which prohibits the following acts:

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1. Bullying on school grounds; property immediately adjacent to school grounds; at school-sponsored or school-related activities, functions or programs whether on or off school grounds; at school bus stops; on school buses or other vehicles owned, leased or used by a school; or through the use of technology or an electronic device owned, leased or used by a school;
 2. Bullying at a location, activity, function or program that is not school-related and through the use of technology or an electronic device that is not owned, leased or used by a school if the act or acts in question create a hostile environment at school for the victim, infringe on the rights of the victim at school, or materially and substantially disrupt the education process or the orderly operation of a school; and
 3. Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying;
- b) Identify the range of disciplinary administrative actions that may be taken against a perpetrator for bullying or retaliation which shall be commensurate with the nature and gravity of the offense: Provided, That, in addition to the disciplinary sanctions imposed upon a perpetrator of bullying or retaliation, he/she shall also be required to undergo a rehabilitation program which shall be administered by the institution concerned. The parents of the said perpetrator shall be encouraged by the said institution to join the rehabilitation program;
- c) Establish clear procedures and strategies for:
1. Reporting acts of bullying or retaliation;
 2. Responding promptly to and investigating reports of bullying or retaliation;
 3. Restoring a sense of safety for a victim and assessing the student's need for protection;
 4. Protecting from bullying or retaliation of a person who reports acts of bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying; and

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5. Providing counseling or referral to appropriate services for perpetrators, victims and appropriate family members of said students;
- d) Enable students to anonymously report bullying or retaliation: Provided, however, That no disciplinary administrative action shall be taken against a perpetrator solely on the basis of an anonymous report;
- e) Subject a student who knowingly makes a false accusation of bullying to disciplinary administrative action;
- f) Educate students on the dynamics of bullying, the anti-bullying policies of the school as well as the mechanisms of such school for the anonymous reporting of acts of bullying or retaliation;
- g) Educate parents and guardians about the dynamics of bullying, the anti-bullying policies of the school and how parents and guardians can provide support and reinforce such policies at home; and
- h) Maintain a public record of relevant information and statistics on acts of bullying or retaliation in school: Provided, That the names of students who committed acts of bullying or retaliation shall be strictly confidential and only made available to the school administration, teachers directly responsible for the said students and parents or guardians of students who are or have been victims of acts of bullying or retaliation.

All elementary and secondary schools shall provide students and their parents or guardians a copy of the anti-bullying policies being adopted by the school. Such policies shall likewise be included in the school's student and/or employee handbook and shall be conspicuously posted on the school walls and website, if there is any.

Failure of the Anti-Bullying Committee to formulate Anti-Bullying Policies within six (6) months from the date of its creation shall be liable administratively.

Section 7. IMPLEMENTATION OF ANTI-BULLYING POLICIES. The School Administrators shall be responsible for the implementation and oversight of policies intended to address bullying.

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Any school personnel, student, parent or volunteer shall immediately report any instance of bullying or act of retaliation witnessed or that has come to one's attention to the school administrators or school officer or person so designated by the same to handle such issues or both. Upon receipt of such report, the school administrators or the designated school officer or person shall promptly investigate it. If it is determined that acts of bullying or retaliation has occurred, the school principal or the designated officer or person shall:

- a) Notify the law enforcement agency if the school principal or designee believes that criminal charges under the Revised Penal Code may be pursued against the perpetrator;
- b) Take appropriate disciplinary administrative action;
- c) Notify the parents or guardians of the perpetrator; and
- d) Notify the parents or guardians of the victim regarding the action taken to prevent any further acts of bullying or retaliation.

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

Section 8. CITY ANTI-BULLYING TASK FORCE. There shall be created an Anti-bullying task force that will be composed of the following:

Chairperson – City Mayor
Vice Chairperson – Vice Mayor

Members: SP Chairperson on Education
SP Chairperson on Youth, SK Affairs and Sports
SP Chairperson on Family and Child Care Development
DepEd- School Superintendent
DSSD
BCPO
City Health Office
City Legal Office
PTA Federation President
Public Information Office

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Section 9. FUNCTIONS OF THE CITY ANTI-BULLYING TASK FORCE. The Task Force shall perform the following functions:

- a) To conduct information and education campaign about bullying in all schools in the City;
- b) To assume responsibility of bullying cases that are already beyond the expertise of the Anti-bullying Committees of every school;
- c) To monitor the implementation of this ordinance by conducting inspections in schools and shall convene once a month;
- d) To conduct seminars for school administrators, teachers and other stakeholders on how to handle cases of bullying in their respective schools.

Section 10. SEPARABILITY CLAUSE. Any provisions or portion of this ordinance found to be unconstitutional or invalid shall not impair the other provisions or parts thereof which shall continue to be in force and effect.

Section 11. REPEALING CLAUSE. All existing ordinances, rules and regulations, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 12. EFFECTIVITY. This ordinance shall take effect fifteen (15) days after its publication in at least two (2) local newspapers of general circulation in the City of Bacolod.

CARRIED BY THE VOTE OF:

Affirmative :

Councilors : El Cid M. Familiaran, Jocelle Batapa-Sigue, Roberto M. Rojas, Em L. Ang, Caesar Z. Distrito, Archie S. Baribar, , Alex A. Paglumotan, Sonya M. Verdeflor, Ana Marie V. Palermo, Noli B. Villarosa.

Negative : None .

Official leave : Councilor Wilson C. Gamboa, Jr.

Absent : None .

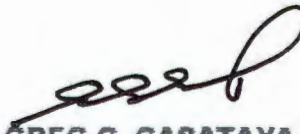
Author : Councilor Caesar Z. Distrito.

Co-Author : Councilor Sonya M. Verdeflor.

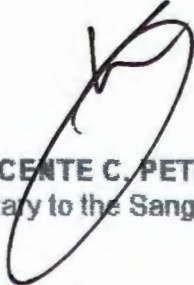


Passed : March 11, 2015 (88th Regular Session of the 8th Council)

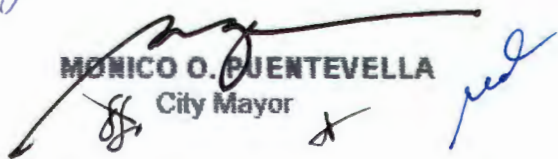
Comments : Passed.
Councilors Carlos Jose V. Lopez and Claudio Jesus Raymundo A. Puentevella were not around when this ordinance was passed.


GREG G. GASATAYA
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian *uf*

APPROVED: March 27, 2015.
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MONICO O. PUENTEVELLA
City Mayor *x* *red*

VCP/CLL/jbz

SF
LEGISLATIVE SERVICES SECTION
DATE 3/30/15 TIME 9:00 AM
BY: *Sja*



Republika ng Pilipinas
Tanggapan ng Sangguniang Panlungsod
Lungsod ng Bacolod

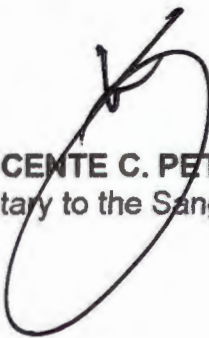
CERTIFICATION

This is to certify that **City Ordinance No. 08-15-721**, Series of 2015, passed by the Sangguniang Panlungsod on March 11, 2015, entitled:

“AN ORDINANCE STRENGTHENING THE IMPLEMENTATION OF REPUBLIC ACT NO. 10627 OR ‘AN ACT REQUIRING ALL ELEMENTARY AND SECONDARY SCHOOLS TO ADOPT POLICIES TO PREVENT AND ADDRESS THE ACTS OF BULLYING IN THEIR INSTITUTIONS AND FOR OTHER PURPOSES.”

was published in the April 28, 2015 issue of the *Negros Daily Bulletin* and *Watchmen Daily Journal*, and was posted in the bulletin board of the Sangguniang Panlungsod at the Bacolod City Government Center as required in the said City Ordinance and is now, therefore, legally in effect.

Bacolod City, Philippines, June 26, 2015.


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

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