



OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON APRIL 21, 2014 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

Hon. Teresita S. Bantugan	-	Presiding Officer
Hon. German S. Acosta	-	Sang. Bayan Member
Hon. Gideon B. Abuel	-	-do-
Hon. Emelita a. Osorio	-	-do-
Hon. Edwin C. Aceron	-	-do-
Hon. Senen C. Familara	-	-do-
Hon. Dexter R. Gonzales	-	-do-
Hon. Dennes M. Faner	-	-do-
Hon. Diony de la Torre	-	Pangulo, Liga ng mga Brgy.

ABSENT:

Hon. Ramon G. Magbanua	-	Sang. Bayan Member
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ORDINANCE NO. 14-04-141

AN ORDINANCE PREVENTING ACTS OF BULLYING COMMITTED AMONG PUPILS/STUDENTS IN MUNICIPALITY OF BULALACAO, PROVINCE OF ORIENTAL MINDORO

SPONSOR:

Honorable Gideon B. Abuel

CO-SPONSOR:

Honorable Dexter R. Gonzales

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

"WHEREAS, under Section 458 (a) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Sangguniang Bayan as the legislative body of the Municipality shall enact ordinances for the general welfare of its inhabitants;

"WHEREAS, the Municipal Government of Bulalacao has taken notice of the alarming problem of bullying between students and pupils as reflected in various local and foreign news;

"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;

(Handwritten signatures of the Sangguniang Bayan members)

“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 Bulalacao in the future;

“WHEREAS, the Municipal 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 ORDAINED, by the Sangguniang Bayan of Bulalacao in regular session assembled that:

SECTION 1. TITLE. This Ordinance shall be known as the Anti-Bullying Ordinance of Bulalacao.

SEC. 2. DECLARATION OF POLICY.

It is hereby declared the policy of the Municipal Government of Bulalacao, Oriental Mindoro that the right of children to their survival, protection, participation and development must be given the highest priority. With this end, it has always been the concern of the Municipality to provide means to ensure the safety and security of children within school premises. Bulalacao houses considerable number of public schools, and it 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.

SEC. 3. DEFINITION OF TERMS:

a. **Pupils** – are learners who are enrolled in the elementary educational institutions.

b. **Students** - are learner who are enrolled in the secondary educational institution which include the following:

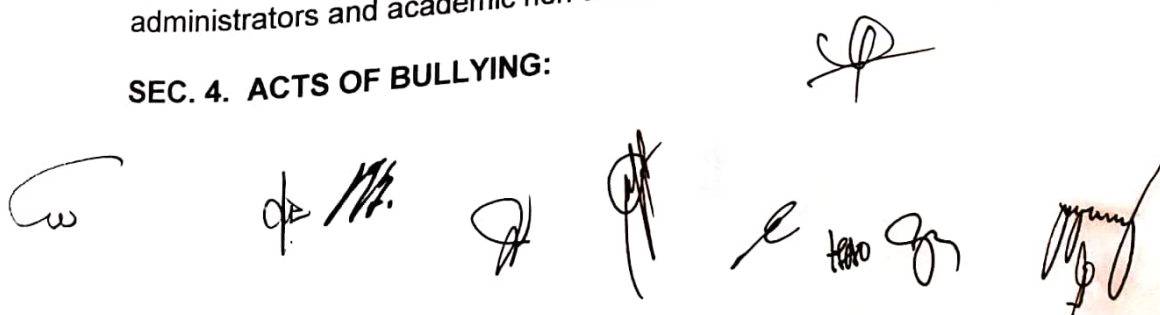
b.1 **Teaching or Academic Staff** – persons engaged in actual teaching and/or research assignments, either on full-time or part-time basis in all educational levels of educational system.

b.2 **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.

b.3 **Academic on-teaching personnel**- persons holding some academic qualification and performing academic functions directly supportive of teaching, such as registrars, libraries, research assistants, research aides and similar staff.

b.4 **Non-Academic Personnel** – school personnel not falling under the definition and coverage of teaching and academic staff, school administrators and academic non-teaching personnel.

SEC. 4. ACTS OF BULLYING:



1. Acts of bullying is committed by any severe or repeated use by one or more students of 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 oneself.
- b. **Psychological Bullying** – an act 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 a face making or any act that cause harassment or provocation. It also includes shouting slanderous statement or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target.
- d. **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.
- e. **Cyber Bullying**- any bullying done through the use of technology or electronic means.

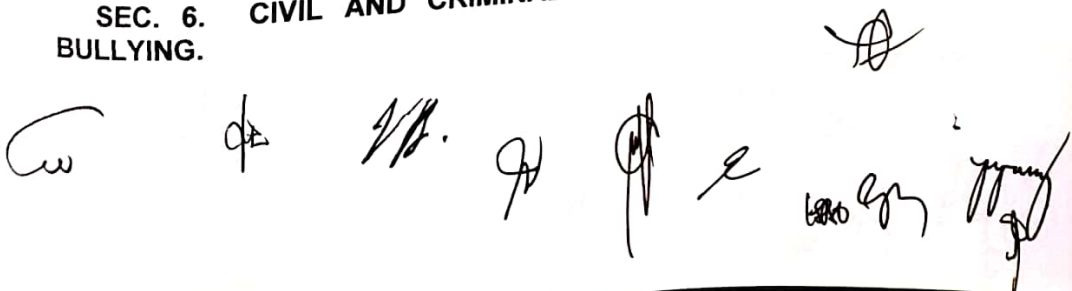
2. Any student who, through acts described above against another for reporting any acts of bullying, or provides information during an investigation or is a witness thereof shall be liable under this Ordinance.

SEC. 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.

SEC. 6. CIVIL AND CRIMINAL LIABILITIES FOR ACTS OF BULLYING.

A series of approximately ten handwritten signatures in black ink, arranged horizontally across the bottom of the page. The signatures vary in style, some being simple initials and others being more elaborate cursive.

Those given the authority and responsibility under the preceding Section shall be principally and solidarity liable for damages cause by acts of bullying to a child as provided in Section 4 of this Ordinance. The parents, judicial guardians or the persons exercising substitute parental authority over said minor shall be subsidiarity liable. The respective liabilities of those referred to in the preceding paragraph shall not apply if it is proven that they exercises due and proper diligence required under the particular circumstances.

All other cases nor covered by this Ordinance shall be governed by the provisions of the Civil Code of the Philippines on quasi-delicts.

The penalty of three (3) to six (6) months of imprisonment, or a fine ranging from one thousand pesos (PhP1,000.00) to two thousand five hundred pesos (PhP2,500.00), or both, shall be imposed to any school personnel who shall instigate, initiate, or bring about act of bullying between pupils and student. Furthermore, same penalty will be imposed to school personnel who shall willfully fail, obstruct, impede, or frustrate to report to the proper school authority any acts of bullying within their knowledge as provided in Section Six (6), paragraph Two (2) of this Ordinance.

SEC. 7. ADOPTION OF SCHOOL ANTI-BULLYING POLICIES.

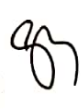
All elementary and secondary school shall create and convene an Anti-Bullying Committee that will establish policies to address the existence of bullying in their respective institution. The committee shall be composed as follows:

- 1. Principal/School Head - as Chairperson
- 2. Parents-Teachers Association (PTA) President - as Vice-Chairperson
- 3. Guidance Counsellor, or its equivalent - as Member
- 4. Student Council President, if applicable - as Member
- 5. Any representative from the Teaching or Academic staff-as Member - as Member

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

- 1. Include a provision which prohibit the following acts:
 - a. Acts of Bullying on school grounds, properly immediately adjacent to 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 electric device owned, leased or used by a school.
 - b. Acts of bullying at a location, activity, functions 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 victims, 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

- c. 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.
2. Establish clear procedures for school personnel, pupils/students, parents, guardians and other to report acts of bullying or retaliation.
3. Include a provision that reports regarding acts of bullying or retaliation may be made anonymously, provided, however that no disciplinary administrative action shall be taken against a student solely on basis of an anonymous report.
4. Establish clear procedures for promptly responding to and investigating reports of bullying or retaliation.
5. 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.
6. Establish clear procedures for restoring a sense of safety for a victim and assessing that student's needs for protection.
7. Establishing strategies for protecting from acts of bullying or retaliation a child who reports bullying, provides information during an investigation of bullying, or is a witness to or has reliable information about the same.
8. Establish procedures for promptly notifying the parents or guardians of a victim and a perpetrator. The parents or guardians of a victim shall also be notified of an action taken to prevent any further acts of bullying. The said procedures must also provide for immediate notification to the law enforcement agency where criminal charges may be pursued.
9. Include a provision that a student who knowingly makes a false accusation of acts of bullying shall be subject to disciplinary administrative action.
10. Include a strategy for providing counseling or referral to appropriate services for perpetrators and victims, including the parents or guardians can provide support and reinforce such policies at home; the dynamics of bullying; and online safety and cyber-bullying.
11. Include provision that will educate parents and guardians about the anti-bullying policies of the school, how parents and guardians can provide support and reinforce such policies at home; the dynamics of bullying and online safety and cyber-bullying.



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

SEC. 8. IMPLEMENTATION OF ANTI-BULLYING POLICIES.

The school administrators shall be responsible for the implementation and oversight of policies intended to address bullying.

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

1. Notify the law enforcement agency if the school administrator or designee believes that criminal charges may be pursued against a school personnel for instigating, initiating or bringing about acts of bullying between students or shall willfully fail, obstruct, impede or frustrate to report to the same;
2. Take appropriate disciplinary administrative actions against the perpetrator;
3. Notify the parents or guardians of the perpetrator; and
4. Notify the parents or guardians of the victims regarding the action taken to prevent any further acts of bullying or retaliation.

If acts of bullying or retaliation involve 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.

SEC. 9. SEPARABILITY CLAUSE.

If for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 10. REPEALING CLAUSE.

All existing Ordinances and Resolutions, local executive orders, rules and regulations inconsistent with any of the provisions of this measures are hereby repealed and/or modified accordingly.

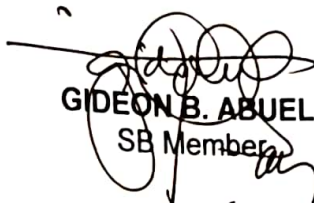


SEC. 11. EFFECTIVITY.


This Ordinance shall take effect immediately upon its approval and publication in a newspaper of general circulation.

ENACTED this 21st day of April, 2014, Bulalacao, Oriental Mindoro.


GERMAN S. A COSTA
SB Member


GIDEON B. ABUEL
SB Member

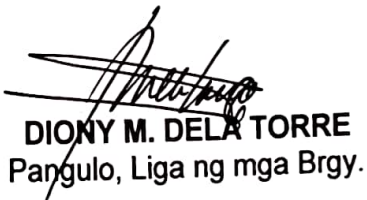

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CERTIFIED TRUE AND CORRECT:


PERLITA L. PAZ
Temporary Secretary

ATTESTED:


TERESITA S. BANTUGAN
Municipal Vice Mayor/Presiding Officer

APPROVED:


HON. EDNA C. VILLAS
Municipal Mayor
Date Signed: 10-11-14