

**IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 10627,
OTHERWISE KNOWN AS THE ANTI-BULLYING ACT OF 2013**

Pursuant to the provisions of Section 7 of Republic Act No. 10627, this Order is hereby issued to implement the provisions of the Act.

RULE I

PRELIMINARY PROVISIONS

Section 1. Short Title. These rules shall be known as the "Implementing Rules and Regulations of the Anti-Bullying Act of 2013."

Section 2. Scope and Coverage.

These rules shall cover all public and private kindergarten, elementary and secondary schools and learning centers.

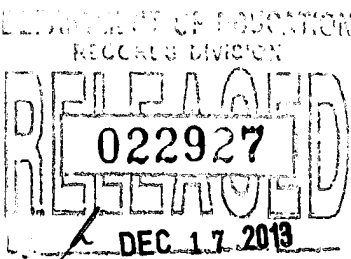
RULE II

DEFINITION OF TERMS

Section 3. Definition of Terms. - As used in this Implementing Rules and Regulations (IRR), the following terms shall be defined as:

- a. **"Act"** refers to Republic Act No. 10627, otherwise known as the "Anti-Bullying Act of 2013";
- b. **"Bullying"** refers to any severe, or repeated use by one or more students of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at another student that has the effect of actually causing or placing the latter in reasonable fear of physical or emotional harm or damage to his property; creating a hostile environment at school for the other student; infringing on the rights of another student at school; or materially and substantially disrupting the education process or the orderly operation of a school; such as, but not limited to, the following:

1. Any unwanted physical contact between the bully and the victim like punching, pushing, shoving, kicking, slapping, tickling, headlocks, inflicting school pranks, teasing, fighting and the use of available objects as weapons;



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2. Any act that causes damage to a victim's psyche and/or emotional well-being;
 3. Any slanderous statement or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target, name-calling, tormenting and commenting negatively on victim's looks, clothes and body;
 4. **"Cyber- bullying"** or any bullying done through the use of technology or any electronic means. The term shall also include any conduct resulting to harassment, intimidation, or humiliation, through the use of other forms of technology, such as, but not limited to texting, email, instant messaging, chatting, internet, social media, online games, or other platforms or formats as defined in DepED Order No. 40, s. 2012; and
 5. Any other form of bullying as may be provided in the school's child protection or anti-bullying policy, consistent with the Act and this IRR.
- b. 1. The term "*bullying*" shall also include:
1. **"Social bullying"** - refers to any deliberate, repetitive and aggressive social behavior intended to hurt others or to belittle another individual or group.
 2. **"Gender-based bullying"** refers to any act that humiliates or excludes a person on the basis of perceived or actual sexual orientation and gender identity (SOGI).
- c. **"Bully"**– refers to any student who commits acts of bullying as defined by the Act or this IRR.
- d. **"Bullied" or "Victim"**– refers to any student who experiences the acts of bullying or retaliation as defined by the Act or this IRR.
- e. **"Bystander"** - refers to any person who witnesses or has personal knowledge of any actual or perceived acts or incidents of bullying or retaliation as defined by this IRR.

- f. **“Learning center”** – refers to learning resources and facilities of a learning program for out-of-school youth and adults as defined in DepED Order. No. 43, s. 2013.
- g. **“Service provider”** - refers to any person who is not a teacher or school personnel but who works in the school, such as, but not limited to, security guards, canteen personnel, utility workers, and transportation service personnel.
- h. **“Student”** – refers to a person who attends classes in any level of basic education, and includes a pupil or learner as defined in DepED Order No. 40, s. 2012.

RULE III

ANTI-BULLYING POLICIES

Section 4. Adoption of Anti-Bullying Policies

All public and private kindergarten, elementary and secondary schools shall adopt policies to address the existence of bullying in their respective institutions. Such policies shall be regularly updated and, at a minimum, shall include provisions on prohibited acts, prevention and intervention programs, mechanisms and procedures.

RULE IV

PROHIBITED ACTS

Section 5. Prohibited Acts

Consistent with Section 3 of the Act, the anti-bullying policy shall prohibit:

1. Bullying at the following:
 - a. school grounds;
 - b. property immediately adjacent to school grounds;
 - c. school-sponsored or school-related activities, functions or programs whether on or off school grounds;
 - d. school bus stops;
 - e. school buses or other vehicles owned, leased or used by a school;

- f. school buses or school services privately-owned but accredited by the school.
2. Bullying through the use of technology or an electronic device or other forms of media owned, leased or used by a school.
3. Bullying at a location, activity, function or program that is not school-related and through the use of technology or an electronic device or other forms of media that is not owned, leased or used by a school; and.
4. 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.

**RULE IV
PREVENTION AND INTERVENTION PROGRAM TO ADDRESS BULLYING**

Section 6. Prevention Programs

All public and private schools shall adopt bullying prevention programs. These programs shall be applicable to all students regardless of level of risk or vulnerability to bullying. Said programs shall also be comprehensive, multi-faceted and shall involve all education stakeholders and personnel. The programs may contain, among others:

(1) School-wide initiatives centered on:

- a. positive school climate and environment conducive to the attainment of learning objectives, the development of healthy relationships and the understanding of and respect for individual differences;
- b. periodic assessment and monitoring of the nature, extent, and perceptions of bullying behaviors and attitudes of students ;
- c. periodic review and enhancement of the students' and personnel's manual or code of conduct in relation to bullying ;
- d. conduct of activities for students, school personnel and service providers on how to recognize and respond to bullying.

- e. continuing personnel development to sustain bullying prevention programs; and
- f. coordination with Local Government Units, barangay (Barangay Council for the Protection of Children) and other stakeholders.

(2) Classroom-level initiatives that focus on:

- a. reinforcing school-wide rules pertaining to bullying;
- b. building a positive sense of self and interpersonal relationships through the development of self-awareness and self-management, interpersonal skills and empathy, and responsible decision-making and problem-solving;
- c. discussion of issues related to bullying, and strategies for responding to and reporting of incidents of bullying;
- d. teaching positive online behavior and safety and how to recognize and report cyber-bullying; and
- e. providing an inclusive and caring learning environment for students.

(3) Involving parents in bullying prevention activities, such as:

- a. discussions of the anti-bullying policy of the school, emphasizing bullying prevention during Parents-Teachers Association meetings and seminars; and
- b. conducting or sponsoring education sessions for parents to learn, teach, model, and reinforce positive social and emotional skills to their children.

(4) Monitoring students who are vulnerable to committing aggressive acts or who are perpetrators of bullying, or who are possible targets or victims, for the purpose of early intervention. This activity shall be conducted with utmost confidentiality and respect for all parties concerned.

Section 7. Intervention Programs

There shall be intervention programs to promote the continuity of comprehensive anti-bullying policies. Intervention refers to a series of activities which are designed to address the following:

- a. issues that influence the student to commit bullying;
- b. factors that make a student a target of bullying; and
- c. effects of bullying.

Interventions may include programs such as counseling, life skills training, education, and other activities that will enhance the psychological, emotional and psycho-social well-being of both the victim and the bully. Such programs may:

- a. involve activities that will address acts of bullying;
- b. emphasize formative and corrective measures rather than punishment;
- c. conform to principles of child protection and positive and non-violent discipline;
- d. help the victim, the bully, and the bystanders understand the bullying incident and its negative consequences; and
- e. provide opportunities to practice pro-social behavior.

All schools shall develop intervention strategies involving all parties, such as bullies, victims, bystanders, parents, school personnel, service providers and all other persons who may be affected by the bullying incident.

RULE VI MECHANISMS AND PROCEDURES IN HANDLING BULLYING INCIDENTS IN SCHOOLS

Section 8. Duties and Responsibilities

In addition to the duties and responsibilities of education stakeholders enumerated in Sections 4 to 9 of DepED Order No. 40, s. 2012, the following offices and persons shall have the following duties and responsibilities:

Section 8. 1. Central Office

The DepED Central Office shall:

- A. Conduct a nationwide information dissemination and campaign on anti-bullying;
- B. Monitor and evaluate reports of Regional Offices on incidents and cases of bullying;
- C. Maintain a central repository of reports, through the Office of the Undersecretary for Legal and Legislative Affairs, on an annual aggregated basis, focusing on the number of incidents of bullying, results of investigations undertaken to verify the details made in complaints, and the sanctions imposed;
- D. Initiate training programs and activities where best practices on intervention and prevention strategies are adopted, to ensure quality, relevant, effective and efficient delivery of prevention and intervention programs in schools; and
- E. Submit a comprehensive annual report on bullying to the Committee on Basic Education of both the Senate and the House of Representatives.

Section 8.2. Regional Offices

The Regional Offices shall:

- A. Encourage and support anti-bullying campaigns and capability-building activities on handling bullying cases;
- B. Review all anti-bullying policies adopted by public and private schools forwarded by Division Offices as required by the Act and submit consolidated reports to the Central Office through the Office of the Undersecretary for Legal and Legislative Affairs, (Annex A of DepED Order No. 40, s. 2012);
- C. Consolidate reports on incidents and cases of the Division Offices within the Region and submit a Regional Report to the Office Undersecretary for Legal and Legislative Affairs ;
- D. Monitor and evaluate the implementation and enforcement of this IRR; and
- E. Impose sanctions and penalties on erring private schools and DepED academic personnel.

Section 8.3. Division Offices

The Division Offices shall:

- A. Conduct information-dissemination and capacity-building activities for teachers, guidance counselors, and members of the Child Protection Committees on handling bullying cases;
- B. Monitor the adoption of anti-bullying policies in all public and private elementary and secondary schools within the Division, maintain a repository of such policies, and submit reports on compliance to the Regional Office;
- C. Consolidate the reports on incidents and cases of bullying of all schools in the Division and submit a Division Report to the Regional Office (Annex A of DepED Order No. 40, 2012);
- D. Assess and evaluate the implementation and enforcement by public and private schools of this IRR;
- E. Review the anti-bullying policies submitted by the schools, to ensure compliance with this IRR;
- F. Resolve appeals in bullying cases in both public and private schools pursuant to the existing rules and regulations of the Department and DepED Order No. 88, s. 2010, or the "Revised Manual of Regulations for Private Schools," respectively;
- G. Coordinate with appropriate offices and other agencies or instrumentalities for such assistance as it may require in the performance of its functions; and
- H. Encourage and support activities and anti-bullying campaigns initiated by stakeholders; and
- I. Impose sanctions and penalties on erring non-teaching DepED personnel.

Section 8.4. – Schools

Public and private kindergarten, elementary and secondary schools, through their administrators, principals and school heads, shall:

- A. Adopt and implement a child protection or anti-bullying policy in accordance with this IRR and submit the same to the Division Office. The anti-bullying policy may be a part of the school's child protection policy;

- B. Provide students and their parents or guardians a copy of the child protection or anti-bullying policy adopted by the school. Such policy 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;
- C. Educate students on the dynamics of bullying, the anti-bullying policies of the school as well as the mechanisms for the anonymous reporting of acts of bullying or retaliation;
- D. Educate parents and guardians about the dynamics of bullying, the child protection or anti-bullying policy of the school and how parents and guardians can provide support and reinforce the said policy at home;
- E. Devise prevention, intervention, protective and remedial measures to address bullying;
- F. Conduct the capacity building activities for guidance counselors/teachers and the members of the Child Protection Committees;
- G. Ensure effective implementation of the anti-bullying policy and monitor compliance therewith;
- H. Ensure the safety of the victim of bullying, the bully, and the bystander and determine the students' needs for protection;
- I. Ensure that the rights of the victim, the bully, and the bystander are protected and upheld during the conduct of the investigation;
- J. Accomplish the Intake Sheet prescribed in Annex "B", whenever there is an incident of bullying, maintain a record of all proceedings related to bullying, and submit reports prescribed in "Annex A," of DepED Order No. 40, s. 2012, to the Division Office;
- K. Maintain a public record or statistics of incidents of bullying and retaliation;

- L. Coordinate with appropriate offices and other agencies or instrumentalities for appropriate assistance and intervention, as required by the circumstances.

The school principal or any person who holds a comparable role shall be responsible for the implementation and oversight of the child protection or anti-bullying policy.

Section 8.5 – Teachers and Other School Personnel

Teachers and other school personnel shall:

- A. Participate and cooperate in all prevention, intervention and other measures related to bullying implemented by the school;
- B. Report to school authorities any incident of bullying; and
- C. Perform the duties as specified in this IRR.

Section 8.6. – Students

Students shall:

- A. Participate and cooperate in all prevention, intervention and other measures related to bullying implemented by the school;
- B. Avoid or refrain from any act of bullying;
- C. Intervene to protect the victim, unless it will jeopardize his safety and security; and
- D. Report to school authorities any incident of bullying.

Section 9. Child Protection Committee as Anti-Bullying Committee

For the implementation of this IRR, the Child Protection Committee (CPC) established by DepED Order No. 40, s. 2012, shall also be the committee that will handle bullying cases in the public or private school.

The Committee, as provided in DepED Order No. 40, s. 2012, shall be composed of the following:

1. School Head/Administrator – Chairperson
2. Guidance Counselor/ Teacher – Vice Chairperson
3. Representative of the Teachers as designated by the Faculty Club
4. Representative of the Parents as designated by the Parents-Teachers Association
5. Representative of students, except in kindergarten, as designated by the Supreme Student Council; and
6. Representative from the Community as designated by the Punong Barangay, preferably a member of the Barangay Council for the Protection of Children (BCPC). For private schools, a representative from the Community provided in the preceding number shall be optional.

In addition to their duties and responsibilities provided by DepED Order No. 40, s. 2012, the CPC shall perform the following tasks:

- a. Conduct awareness-raising programs with school stakeholders in preventing and addressing bullying;
- b. Ensure that the anti-bullying policy adopted by the school is implemented;
- c. Monitor all cases or incidents related to bullying reported or referred by the teacher, guidance counselor or coordinator or any person designated to handle prevention and intervention measures mentioned by the preceding sections of this IRR; and
- d. Make the necessary referrals to appropriate agencies, offices or persons, as may be required by the circumstances.

Section 10. Procedures in Handling Bullying Incidents in Schools

A. Jurisdiction.

Complaints of bullying and other acts under this IRR shall be within the exclusive jurisdiction of the Department or the private school and shall not be brought for amicable settlement before the Barangay, subject to existing laws,

rules and regulations. Complaints for acts covered by other laws shall be referred to the appropriate authorities.

B. Procedures.

Consistent with Sections 3 and 4 of the Act, all public and private kindergarten, elementary and secondary schools shall adopt procedures that include:

a. Immediate Responses

1. The victim or anyone who witnesses or has personal knowledge of a bullying incident or retaliation shall immediately call the attention of any school personnel.
2. The school personnel who was notified of a bullying incident or retaliation shall intervene, by:
 - i. Stopping the bullying or retaliation immediately;
 - ii. Separating the students involved;
 - iii. Removing the victim or, in appropriate cases, the bully or offending student, from the site;
 - iv. Ensuring the victim's safety, by:
 - Determining and addressing the victim's immediate safety needs; and
 - Ensuring medical attention, if needed, and securing a medical certificate, in cases of physical injury.
 - v. Bringing the bully to the Guidance Office or the designated school personnel.

b. Reporting the Bullying Incident or Retaliation

1. A victim or a bystander, or a school personnel who receives information of a bullying incident or retaliation, or any person, who witnesses or has personal knowledge of any incident of bullying or retaliation, shall report the same to the teacher, guidance coordinator or counselor or any person designated to handle bullying incidents.

2. The bullying incident or retaliation shall be immediately reported to the school head. The designated school personnel shall fill up the Intake Sheet as provided in DepED Order No. 40, s. 2012. The school head or the designated school personnel shall inform the parents or guardian of the victim and the bully about the incident.
3. If an incident of bullying or retaliation involves students from more than one school, the school that was first informed of the bullying or retaliation shall promptly notify the appropriate administrator or school head of the other school so that both schools may take appropriate action.
4. Reports of incidents of bullying or retaliation initiated by persons who prefer anonymity shall be entertained, and the person who reported the incident shall be afforded protection from possible retaliation; provided, however, that no disciplinary administrative action shall be taken against an alleged bully or offending student solely on the basis of an anonymous report and without any other evidence.

c. Fact - Finding and Documentation

The school administrator, principal or school head, or guidance counselor/teacher, or school personnel or person designated to handle bullying incidents shall:

1. Separately interview in private the bully or offending student and the victim.
2. Determine the levels of threats and develop intervention strategies. If the bullying incident or retaliation or the situation the requires immediate attention or intervention, or the level of threat is high, appropriate action shall be taken by the school within twenty-four hours (24) from the time of the incident.
3. Inform the victim and the parents or guardian of the steps to be taken to prevent any further acts of bullying or retaliation; and
4. Make appropriate recommendations to the Child Protection Committee on proper interventions, referrals and monitoring.

d. Intervention

The CPC shall determine the appropriate intervention programs for the victim, the bully and bystanders. The School Head shall ensure that these are provided to them.

e. Referral

The school head or the Child Protection Committee may refer the victims and the bully to trained professionals outside the school, such as social workers, guidance counselors, psychologists, or child protection specialists, for further assessment and appropriate intervention measures, as may be necessary. The school head or the designated school personnel shall notify the Women and Children's Protection Desk (WPCD) of the local Philippine National Police, if he believes that appropriate criminal charges may be pursued against the bully or offending student.

f. Disciplinary Measures

All public and private schools shall include in the school's child protection or anti-bullying policy a range of disciplinary administrative actions that may be taken against the perpetrator of bullying or retaliation.

Bullying incidents or retaliation shall be treated according to their nature, gravity or severity and attendant circumstances.

1. The school head, considering the nature, gravity or severity, previous incidents of bullying or retaliation and attendant circumstances, may impose reasonable disciplinary measures on the bully or offending student that is proportionate to the act committed.
2. Written reprimand, community service, suspension, exclusion or expulsion, in accordance with existing rules and regulations of the school or of the Department for public schools, may be imposed, if the circumstances warrant the imposition of such penalty, provided that the requirements of due process are complied with.
3. In addition to the disciplinary sanction, the bully shall also be required to undergo an intervention program which shall be administered or

supervised by the school's Child Protection Committee. The parents of the bully shall be encouraged to join the intervention program.

g. Due Process

In all cases where a penalty is imposed on the bully or offending student, the following minimum requirements of due process shall be complied with:

- a) The student and the parents or guardians shall be informed of the complaint in writing;
- b) The student shall be given the opportunity to answer the complaint in writing, with the assistance of the parents or guardian;
- c) The decision of the school head shall be in writing, stating the facts and the reasons for the decision; and
- d) The decision of the school head may be appealed to the Division Office, as provided in existing rules of the Department.

h. Applicability of RA 9344, as amended, and other related laws

If the bullying incident or retaliation resulted in serious physical injuries or death, the case shall be dealt with in accordance with the provisions of Republic Act 9344 or the "Juvenile Justice and Welfare Act," as amended, and its Implementing Rules and Regulations, in connection with other applicable laws, as may be warranted by the circumstances attendant to the bullying incident.

i. False Accusation of Bullying

If the student, after an investigation, is found to have knowingly made a false accusation of bullying, the said student shall be subjected to disciplinary actions or to appropriate interventions in accordance with the existing rules and regulations of the Department or the private school.

Section 11. Confidentiality.

Any information relating to the identity and personal circumstances of the bully, victim, or bystander shall be treated with utmost confidentiality by the Child Protection Committee and the school personnel, provided, that the names may only be available to the school head or administrator, teacher or guidance counselor designated by the school head, and parents or guardians of students who are or have been victims of bullying or retaliation.

Any school personnel who commits a breach of confidentiality shall be subject to appropriate administrative disciplinary action in accordance with the existing rules and regulations of the Department of Education or the private school, without prejudice to any civil or criminal action.

RULE VII MISCELLANEOUS PROVISIONS

Section 12. Training and Development

The Department shall include in its training programs courses or activities which shall provide opportunities for school administrators, teachers and other employees to develop their knowledge and skills in preventing or responding to incidents of bullying or retaliation.

Section 13. Reporting Requirement

All private and public kindergarten, elementary and secondary schools shall submit a copy of their child protection or anti-bullying policy to the Division Office within six (6) months from the effectivity of this IRR. They shall also submit to the Division Office within the first week of each school year a report on relevant information and statistics on bullying and retaliation from the preceding school year.

In addition to the requirements for an application for a permit to operate and/or recognition as prescribed by the existing rules of the Department, private schools shall submit a child protection or anti-bullying policy to the Regional Director. The Regional Director shall review the policy to ensure that it is consistent with the Act and this IRR.

Section 14. Sanctions for Non-compliance

14. 1. Public Schools

School personnel of public kindergarten, elementary or secondary schools who fail to comply with the provisions of the Act or this IRR shall be subject to administrative disciplinary proceedings in accordance with the Civil Service Rules and the relevant issuances of the Department of Education.

14.2. Private Schools

School personnel of private kindergarten, elementary or secondary schools who fail to comply with the requirements of the Act or this IRR shall be subject to appropriate disciplinary sanctions as may be imposed by the private school. A copy of the decision in such cases shall be submitted to the Division Office.

Private schools that fail to comply with the requirements of the Act or this IRR shall be given notice of such failure by the Division Office. The school shall be given thirty (30) days to comply. An extension of not more than one (1) month may be granted by the Regional Director in meritorious cases.

The Secretary of the Department of Education, through the Regional Director, may suspend or revoke, as appropriate, the permit or recognition of a private school that fails to comply with the requirements under the Act or this IRR.

Section 15. Separability Clause

Any part or provision of this Department Order which may be held invalid or unconstitutional shall not affect the validity and effectivity of the other provisions.

Section 16. Amendment of DepED Order No 40, s. 2012 .

The provisions of DepED Order No 40, s. 2012, on bullying are hereby deemed amended by this IRR. All other provisions of DepED Order No 40, s. 2012 shall remain in full force and effect.

Section 16. Repealing Clause


All prior Department Orders or other issuances, or provisions thereof, inconsistent with this IRR are hereby repealed, revised or modified accordingly.

Section 17. Effectivity

This IRR shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

This IRR shall be registered with the Office of the National Administrative Register at the UP Law Center, University of the Philippines, Diliman, Quezon City.

Signed this 13th day of December 2013, Pasig City, Philippines.



BR. ARMIN A. LUISTRO FSC
Secretary
Department of Education *AM*