



EUNICE PRIMARY SCHOOL

Bullying and Cyberbullying Policy

The policy has been drafted in accordance with the provisions of the Constitution of South Africa, 1996; the South African Schools Act 84 of 1996 ('SASA'); the National Education Policy Act 27 of 1996; applicable provincial legislation on school education; the Protection from Harassment Act 17 of 2011; the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, and the United Nations Convention on the Rights of the Child, 1989.

All learners have the right to attend a public school that is a safe and secure learning environment. It is the intent of Eunice Girls School to provide all learners with an equitable opportunity to learn. To that end, the school has a significant interest in providing a safe, orderly and respectful school environment, which is conducive to teaching and learning.

Bullying is detrimental to the school environment and to learners' learning, achievement and well-being. It interferes with the mission of the school to educate learners, and disrupts school operations. Bullying affects not only learners who are targets, but also those who participate in and witness such behaviour. It must be addressed to ensure learner safety and an inclusive learning environment.

1. Definitions:

Bullying means systematically and chronically inflicting repeated physical hurt or psychological distress on one or more learners, educators, non-educators or visitors to the school premises.

It is further defined as unwanted and repeated written, verbal or physical behaviour, including any threatening, insulting or dehumanising gesture, by a learner or adult, which is severe or pervasive enough to

- create an intimidating, hostile or offensive learning environment,
- cause discomfort or humiliation, or
- unreasonably interfere with the learner's school performance or participation, and may involve, but is not limited to:
 - teasing;
 - social exclusion;
 - threat;



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- intimidation;
- stalking;
- physical violence;
- theft;
- sexual, religious or racial harassment;
- public humiliation; and
- destruction of property.

Crimen injuria means the unlawful, intentional and serious violation of the dignity or privacy of another person.

Criminal defamation means the unlawful and intentional publication of a matter concerning another, which tends to seriously injure his or her reputation.

Cyberbullying means bullying through the use of technology or any electronic communication, including, but not limited to, the transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device.

Examples of conduct that may constitute cyberbullying include, but are not limited to:

- posting slurs or rumours or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane or sexually oriented material about a learner on a website or other online application;
- posting misleading or fake photographs or digital video footage of a learner on websites, or creating fake websites or social networking profiles in the guise of posing as the target;
- impersonating or representing another learner through use of that other learner's electronic device or account to send email, text messages and instant messages (IMs) or make phone calls;
- sending email, text messages and IMs or leaving voicemail messages that are mean or threatening, or so numerous as to bombard the target's email account, IM account or cell phone; and
- using a camera phone or digital video camera to take and/or send embarrassing or 'sexting' photographs of other learners.

Electronic communication means any communication through an electronic device;

Extortion means when a person unlawfully and intentionally obtains some advantage from another by subjecting the latter to pressure, which induces him or her to hand over the advantage.



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Harassment means directly or indirectly engaging in conduct that the perpetrator knows or ought to know causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person.

Retaliation means an act or gesture against a person for asserting or alleging an act of bullying.

'Retaliation' also includes reporting an act of bullying when it is not made in good faith.

Sexting means sending and sharing nude or semi-nude photos or videos and/or sexually suggestive messages via mobile phone texting or instant messaging to and from other learners.

2. Application

This policy applies to bullying that

- 2.1. takes place at the Eunice grounds, with 'school grounds' also including vehicles used for school-related transport;
- 2.2. takes place at or while learners are being transported to or from schools or school-sponsored events;
- 2.3. if the school itself is in any way involved or implicated.

3. Prohibited activities or behaviour

- 3.1. Bullying
- 3.2. Cyberbullying
- 3.3. Harassment

4. Retaliation against those reporting such defined behaviour

- 4.1. False accusations of bullying behaviour
- 4.2. Defamation of the school's good name



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With regard to cyberbullying, the following acts as well as harassment and sexting constitute criminal offences, and shall therefore also be regarded as misconduct in terms of the school's code of conduct:

1. Crimen injuria means any act that violates the dignity of another person, which may also be committed by communicating to somebody else a message containing, expressly or implicitly, an invitation to, or a suggestion of, sexual immorality or impropriety, or by sending indecent photos.
2. Criminal defamation means any slander / defamatory remarks in chat rooms, on social networking sites, or in emails, text messages or instant messages to third parties are some methods of committing cyberbullying.
3. Extortion means where a person intentionally and unlawfully threatens to electronically distribute information or compromising images about another person.

4. Reporting

Bullying, suspected bullying or any other prohibited action mentioned under paragraph 3 above is reportable in person or in writing to school staff. If it is determined that a learner has falsely accused another of bullying, such learner shall be subject to disciplinary consequences.

In case of a violation of any provision prescribed in this policy, the disciplinary procedure as set out in the school's Code of Conduct is to be followed.