

TEMPLATE FOR DRAFTING A SCHOOL POLICY ON SOCIAL MEDIA AND SOCIAL NETWORKING

Kimberley Junior School



O'Brien Street, Monument Heights. Kimberley

POLICY ON SOCIAL MEDIA, SOCIAL NETWORKING & CYBERBULLYING, 2024

1. Definitions

The following words and terms bear the same meaning assigned to them in the Guidelines for Social Media and Social Networking:

“access” means the right, opportunity or means of funding, or retrieving information;

“child” means a person under the age of 18 years;

“cyberbullying” means willful and repeated harm inflicted through the use of computers, cell phones and other digital devices;

“social media” means a collection of interactive online platforms and tools that individuals, groups and organizations use to share content, profiles, opinions, insights, experiences, perspectives and media. It allows for the creation and exchange of user-generated content; and

“Social networking site” means a web-based service that allows individuals to:

- (a) build a public or semi-public profile;
- (b) share contacts or friends with other users; and
- (c) view their lists of contacts or friends and those made by others within the system; the nature and nomenclature of these contacts or friends may vary from site to site.

2. Legal framework

This policy is, among others, underpinned by:

Constitution of the Republic of South Africa, 1996

United Nations Convention on the Rights of the Child, 1989

South African Schools Act, 1996 (Act 84 of 1996)

Employment of Educators Act, 1998 (Act 76 of 1998)
Western Cape Provincial School Education Act, 1997 (Act 12 of 1997)
Western Cape Government Social Media Policy, 2014
Electronic Communications Act, 2005 (Act 36 of 2005)
Films and Publications Act, 1996 (Act 65 of 1996)
Protection from Harassment Act, 2011 (Act 17 of 2011)
Criminal Procedure Act, 1977 (Act 51 of 1977)
Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007
(Act 32 of 2007)
Copyright Act, 1978 (Act 98 of 1978)
Children's Act, 2005 (Act 38 of 2005)
Regulation of Interception of Communications and Provision of
Communication-Related Information Act, 2002 (Act 70 of 2002)
Guidelines on e-Safety in Schools, Department of Basic Education, 2010

3. **Purpose**

This policy seeks to:

- (a) Regulate the use of social media and social networking at **Kimberley Junior School**.
- (b) Offer learners the opportunities that multimedia learning can provide in a responsible and respectful manner in order to enrich the teaching and learning environment in our school.
- (c) Outline the responsibilities and behavior expected of employees, learners and their parents, as users of social media and social networking, in particular, that:
 - (i) all members of **Kimberley Junior School** community and representatives of the school should take responsibility for the content written, recorded, displayed, posted or communicated online;
 - (ii) they should exercise good judgment and common sense at all times when contemplating any of the listed activities in subparagraph (i);
 - (iii) participation on social media and social networking sites may result in the violation of school rules and the learners' Code of Conduct, or be in contravention of existing laws; and
 - (iv) the use or participation in these sites should not negatively affect the name or impact on the reputation of the school.

4. **Scope**

This policy applies to all employees, learners and their parents at **Kimberley Junior School**.

5. **Social media and social networking**

Social media and social networking are used to:

- (a) participate in online communication in order to share an interest and gain or share knowledge;
- (b) share music, art videos, opinions, collaborate on work or discussions and learn from one another;
- (c) socialise by keeping in touch with existing friends and finding new ones, and to channel the promotion of a cause or product;
- (d) allow users to link up with each other quickly and effectively, especially in a professional environment;
- (e) further professional or personal goals through users communicating their opinions, values and experiences, or by creating impressive online CVs; and
- (f) assist in lifelong learning and create communities of practice.

6. Aspects for consideration in our school environment

Employees, learners and their parents at **Kimberley Junior School** must give due consideration to the following when using social media and social networking sites:

- (a) As with all online communication tools, the social media environment has to be managed so that it does not become all consuming.
- (b) Cognizance must be taken of copyright law when sharing these media and that modifying any work, comment or posting without permission of the author can affect the reputation of the author and other parties.
Permission should be obtained at all times.
- (c) Privacy and circumspection apply as any communication forwarded to others and/or placed in the public domain must give credit to the source.
- (d) No unauthorized use of the school badge or logo will be permitted and any use thereof to promote and or to campaign will be deemed illegal.
- (e) Social media networks are often visible to people from the user's professional as well as personal life. This blurring of social and professional lines can result in embarrassing or otherwise inappropriate revelations, for instance when educators and learners, invite or connect on social media, they must be aware that aspects of their profile are visible to other learners and employees.
- (f) Users should familiarise themselves with privacy settings and avoid sharing information they may not wish to be in the public domain.
- (g) Users should avoid or take care not to share compromising images or inappropriate messages that may damage their reputation later on in life.

7. Responsibilities with regard to social media and social networking

7.1 The school

The school must draw up and formally put in place a policy on the use of social media in order to:

- (a) sensitize learners and employees to the appropriate etiquette for each

- online environment; educate learners on critical thinking skills and digital literacy to enable them to navigate safely through the online world;
- (b) guide learners to understand the need to select the most suitable communication tools for their educational and social experiences;
 - (c) ensure that learners are aware of the potential negative effects of Internet use;
 - (d) teach learners in an age-appropriate manner about the risks and dangers involved in the use of social media, particularly when some of the risks and dangers occur both in the home and school context (i.e. cyberbullying);
 - (e) encourage learners to act responsibly and be aware of the consequences associated with the use of social media;
 - (f) specify when and for what purpose the use of social media platforms are acceptable;
 - (g) ensure that online activities planned by educators only include age-appropriate sites;
 - (h) guide learners to take responsibility and report inappropriate behaviour, or acts that may negatively affect the school and their fellow learners;
 - (i) advise learners and employees of behaviour that may be inconsistent with the Code of Conduct for learners and sanctions that may be imposed if found guilty of misconduct or serious misconduct in terms of the code and of transgressions of applicable legislation in the case of employees;
 - (j) outline a procedure for incidents which may have a potential for criminal accountability;
 - (k) accommodate incidents with child protection dimensions;
 - (l) inform learners and employees about the policy and ensure that the policy is made visible throughout the school; and
 - (m) insert an addendum for signature by each parent, educator and learner.

7.2 The Safe School Committee

- (a) A team within the Safe School Committee of **Kimberley Junior School** must manage e-Safety.
- (b) The team may comprise:
 - [(i) a member of the school management team;
 - (ii) the network administrator;
 - (iii) an IT educator;
 - (iv) an educator – librarian/counsellor/life skills educator;
 - (v) a representative from the governing body;
 - (vi) a member of the representative council of learners; and
 - (vii) other appropriate specialists, where practicable.]
- (c) The main responsibility of the team will be to develop, implement and

enforce an acceptable social media policy, underpinned by the Code of Conduct for learners and employees at **Kimberley Junior School**, and to ensure that:

- (i) all role players at **Kimberley Junior School** are made aware of the content, the policy and consequences likely to flow from non-compliance;
- (ii) parents are encouraged to take reasonable steps to ensure that learners comply with the policy within and outside school premises; and
- (iii) all stakeholders are informed of the types of incidents which may potentially attract sanctions and possible criminal accountability.

7.3 Responsibility of a learner

Learners must be taught to:

- (a) keep in mind the global scope of social media and qualify or limit their posts appropriately;
- (b) be cordial, honest, fair, thorough and transparent when using social media;
- (c) remember that although the use of social media may be easy, informal, fast and inexpensive, these electronic messages are permanent, transferable records that can affect the reputation of the school;
- (d) obtain permission for the use of third-party or employee intellectual property rights, including copyright, patents, trademarks and videos;
- (e) know that it is against the law to:
 - (i) become involved in identity theft;
 - (ii) participate in hate or cult websites;
 - (iii) buy or sell stolen goods on websites;
 - (iv) divulge personal information or disclose confidential financial information regarding bank and credit cards by using unsecured bogus sites; and
 - (v) publish compromising information which may harm another individual's reputation or dignity; it is also regarded as harassment to do something that they know could cause harm to another person, whether mental, psychological, or physical harm.

7.4 Responsibility of the employee

- (a) **The employee must never have online communication on a one-on-one basis with a learner, but always in a group context, for education purposes and for information sharing.**
- (b) **The employee must never invite or follow learners on social media, except on those sites which have been designed specifically for professional purposes in a group setting.**

7.5 Responsibility of the educator

The educator must:

- (a) guide learners to understand that what is permissible in a classroom, is acceptable online; and anything that is impermissible in a classroom, is also unacceptable online;
- (b) be aware that online activities may impact on their personal reputation, image and ability to interact with colleagues and learners;
- (c) be professional and courteous when interacting with others online;
- (d) respect the needs for discretion and confidentiality with regard to personal information, and other sensitive information that may not be appropriate for public discussion;
- (e) endeavour, within the bounds of reason, to remain neutral, objective and professional on issues presented and discussed by educational platforms or sites intended for educational purposes; and
- (f) judiciously remove any material deemed offensive, inappropriate, off-topic, discourteous or otherwise annoying to other users.

8. Non-compliance

Non-compliance by learners and employees must be dealt with through the school's Code of Conduct for learners, the Employment of Educators Act, 1998 (Act 76 of 1998) and the Public Service Act, 1994 (Proclamation 103 of 1994).

9. Implementation of the policy

Indicate [who, what, when and how,] and include [communication with learners and parents].

Bullying and cyberbullying policy

1. Introduction

This document is the bullying and cyberbullying policy of **Kimberley Junior School**, as approved by the school governing body on (*date*). 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 **Kimberley Junior 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.

This policy must be read in conjunction with the school's Code of Conduct for Learners, of which it forms an integral part.

2. Definitions

Bullying means systematically and chronically inflicting 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 educational environment, cause discomfort or humiliation, or unreasonably interfere with the learner's school performance or participation, and may involve, but is not limited to:

- (i) teasing;
- (ii) social exclusion;
- (iii) threat;
- (iv) intimidation;
- (v) stalking;
- (vi) physical violence;
- (vii) theft;
- (viii) sexual, religious or racial harassment;
- (ix) public humiliation; and
- (x) destruction of property.

Crimen iniuria 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, including, but not limited to, a computer, telephone, cellular telephone, text messaging device and personal digital assistant.

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

- (i) 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;
- (ii) 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;
- (iii) impersonating or representing another learner through use of that other learner's electronic device or account to send e-mail, text messages and instant messages (IMs) or make phone calls;

- (iv) sending e-mail, text messages and IMs or leaving voicemail messages that are mean or threatening, or so numerous as to bombard the target's e-mail account, IM account or cellphone; and
- (v) 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, including, but not limited to, a telephone, cellular phone, computer or pager, which communication includes, but is not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

Extortion means when a person unlawfully and intentionally obtains some advantage, which may be of either a patrimonial or non-patrimonial nature, from another by subjecting the latter to pressure, which induces him or her to hand over the advantage.

Harassment means directly or indirectly engaging in conduct that the perpetrator knows or ought to know:

- (i) causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably:
 - (a) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside or near the building or place where the complainant or a related person resides, works, carries on business, studies or happens to be;
 - (b) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or
 - (c) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person, or leaving them where they will be found by, given to or brought to the attention of the complainant or a related person; or

- (ii) amounts to sexual harassment of 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.

3. Application

3.1 This policy applies to any learner, educator and non-educator employed at the school as well as any visitor or volunteer who engages in conduct that constitutes bullying, cyberbullying or retaliation, all of whom have the responsibility to comply with this policy.

3.2 This policy applies to bullying that:

3.2.1 takes place at the school or on school grounds, meaning a school building; on property on which a school building or facility is located, and in/on property that is owned, leased or used by a school for a school-sponsored activity, function, programme, instruction or training, with 'school grounds' also including vehicles used for school-related transport;

3.2.2 takes place while learners are being transported to or from schools or school-sponsored events;

3.2.3 takes place at any school-sponsored event, activity, function, programme, instruction or training;

3.2.4 takes place through the use of data, telephone, computer software or technology that is accessed through a computer, computer system or computer network of the school; or

3.2.5 takes place elsewhere, but only if the bullying also infringes on the rights of the learner at school, or if the school itself is in any way involved or implicated.

4. Prohibited activities or behaviour

4.1 The following behaviour is prohibited:

4.1.1 Bullying

4.1.2 Cyberbullying

4.1.3 Harassment

4.1.4 Retaliation against those reporting such defined behaviour

4.1.5 False accusations of bullying behaviour

4.1.6 Defamation of the school's good name

Any person who engages in any of this prohibited behaviour shall be subject to consequences.

4.2 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:

- Crimen iniuria – 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.
- Criminal defamation – Defamatory remarks in chat rooms, on social networking sites, or in e-mails, text messages or instant messages to third parties are some methods of committing cyberbullying.
- Extortion – Where a person intentionally and unlawfully threatens to electronically distribute information or compromising images about another person.

5. Reporting

5.1 Bullying, suspected bullying or any other prohibited action mentioned under paragraph 4.1 above is reportable in person or in writing (including anonymously) to school staff. Any person aware of any bullying, suspected bullying or any other prohibited action mentioned under paragraph 4.1 is required to report incidents to the school principal or other school staff designated by the principal.

5.2 If any person suspects or is told about a cyberbullying incident, follow the protocol outlined below:

Mobile phones

- Ask the pupil to show you the mobile phone in question.

- Note clearly everything on the screen relating to an inappropriate text message or image, including the date, time and names.
- Make a transcript of a spoken message, and again record the date, times and names.
- Instruct the pupil to save the message/image.
- Accompany the pupil to the principal or the person designated by the principal.

Computers

- Ask the pupil to pull up the material in question on the screen.
- Ask the pupil to save the material.
- Immediately make a printout of the offending material.
- Ensure that you have all the pages and information in the right order and that there are no omissions.
- Accompany the pupil, taking the offending material along, to the principal or the person designated by the principal.
- Normal procedures to interview pupils and to take statements will then be followed.

5.3 Parents and other adults who are aware of incidents of bullying are encouraged to report this behaviour to a staff member.

5.4 All other members of the school community, including learners, parents/legal guardians, volunteers and visitors, are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.

5.5 Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. If it is determined that a learner has falsely accused another of bullying, such learner shall be subject to disciplinary consequences.

5.6 In terms of section 54 of the Criminal Law (Sexual Offences and Related Matters)

Amendment Act, 2007, any person who knows that a sexual offence has been committed against a child must report such knowledge immediately to a police official. Failure to report such information is an offence. Therefore, any person involved in sexting or sexual harassment, or who has knowledge of such acts, is obliged to report such knowledge.

- 5.7 In case of a violation of any provision prescribed in this policy, the disciplinary procedure as set out in part 3, section 2 to 5, of the school's code of conduct is to be followed.

Alternative disciplinary measures include, but are not limited to:

- (i) meeting with the learner and the learner's parents;
- (ii) reflective activities, such as requiring the learner to write an essay about the learner's misbehaviour;
- (iii) counselling;
- (iv) anger management;
- (v) health counselling or intervention;
- (vi) mental health counselling;
- (vii) participation in skills-building and dispute resolution activities, such as social-emotional cognitive skills building, dispute resolution circles and restorative conferencing;
- (viii) community service; and
- (ix) in-school detention or suspension, which may take place during lunchtime, after school or on weekends.

6. Policy amendments

The school governing body may from time to time amend, supplement, modify or alter this policy.