

General Guidelines for the Conduct of the Hearing

1. Appearance Sheet:

Each Party, his or her representative and his or her witnesses shall print and sign his or her name and identify the reason for his or her presence (Parent, Pupil, Principal, Representative of Parent/Pupil/Principal, Witness for Parent/Pupil/Principal).

2. Call to Order:

The Chair of the Hearing Committee shall call the meeting to order.

3. Introduction of Hearing Committee, the Parties, their Representatives and Others:

The Chair of the Hearing Committee shall introduce the Hearing Committee and its legal representative, if he or she is present. The Secretary to the Committee shall read out the names of others present and the reason for their presence from the Appearance Sheet.

4. Preliminary Matters:

The Chair shall ask the Parties if there are any preliminary matters to be dealt with.

5. Procedure for Exclusion of Witnesses:

On request by the Parties, the Chair may make an order to exclude witnesses from the hearing until it is their turn to testify. Parties to the Hearing and the pupil will not be excluded under an order to exclude witnesses.

6. General Procedure:

- a) Principal Case:
Presentation of case for suspending a pupil pending expulsion and for expelling a pupil by the Principal and other witnesses.
- b) Parent/Student Case:
Presentation of the case against a suspension pending expulsion and against an expulsion from student, parent or their representative and other witnesses.
- c) Submissions from the Principal or their representative:
Summary of case and arguments.
- d) Submissions from the student, parent or their representative:
Summary of case and arguments.
- e) Further submissions from the Principal or their representative:
Reply to address any NEW matters in the student, parent or representative submission.
- f) Hearing Committee Deliberations:
All of the parties leave the hearing room and the Hearing Committee deliberates and makes a decision.

7. Documentary Evidence:

Each document introduced into evidence shall be consecutively numbered and a copy shall be provided for the other Party, the Secretary to the Hearing and each member of the Hearing Committee.

8. Witness Evidence:

- a) Call witness into hearing room.
- b) Swear witness.
- c) Examination in Chief:
Party who called witness asks the witness a series of general questions to give the witness an opportunity to tell the Hearing Committee any information the witness has knowledge of which is relevant to the case. Generally, a Party who calls a person as a witness is not allowed to ask a leading question. A leading question is a question which indicates the desired answer.
- d) Cross-Examination:
The other party to the hearing has the right to test the evidence presented by the first party's witnesses by asking them questions including leading questions.
- e) Reply:
After cross-examination the party calling the witness has the right to re-examine the witness to address any NEW matters which occurred in the cross-examination
- f) Questions from the Hearing Committee:
On occasion members of the Hearing Committee may address questions to the witness usually on the completion of either the examination in chief and cross-examination.

9. Swearing a Witness:

Could you please state your name.

I will be asking you to take an oath to tell the truth in these proceedings. Do you understand that after taking an oath or making a solemn affirmation you will have a moral obligation to tell the truth.

If you object to taking an oath on the Bible from conscientious scruples, or on the ground of your religious belief, or on the ground that the taking of an oath would have no binding effect on your conscience, you may make a solemn affirmation to tell the truth.

Do you wish to take an oath on the Bible to tell the truth or do you wish to make a solemn affirmation to tell the truth.

OATH ON THE BIBLE

Please take the Bible in your right hand.

Do you swear that the evidence to be given by you in this proceeding touching the matters in question between the Parties shall be the truth, the whole truth and nothing but the truth, so help you God.

SOLEMN AFFIRMATION TO TELL THE TRUTH

Do you understand that a solemn affirmation is of the same force and effect as an oath on the Bible.

Do you make a solemn affirmation that the evidence to be given by you in this proceeding touching the matters in question between the Parties shall be the truth, the whole truth and nothing but the truth.