

POLICY: Safe Schools - Pupil Expulsion Hearing

Category (Schools & Students)

Effective Date: October 29, 2001.

Last Revision Date: (28-Oct-14)

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Rationale

As a publicly funded educational institution, the Renfrew County Catholic District School Board will honour its obligations to civil laws and authorities, guided by the truth and mercy of the Gospel message. This is especially important in matters pertaining to expulsion hearings and related matters.

As sharers through baptism in Christ's death and resurrection, we must "always be ready to give an explanation to anyone who asks [us] for a reason for [our] hope ... with gentleness and reverence." (1Peter 3, 15-16). We therefore strive in all our discipline-related dealings with students to ensure our decisions convey a message of justice, hope and redemption.

The expulsion hearing process set out in the Board Policy, Suspension Appeal, is consistent with the requirements of the Education Act and the Statutory Powers Procedures Act.

Personnel Affected by Policy:

Pupils, Parents, Teachers, Principals, Supervisory Officers, The Board

Organizational Authority:

The Board

Regulations:

1. *Mitigating Factors and Other Factors (Ontario Regulation 472/07, ss. 2 and 3)*

1.1 *Application of Mitigating Factors and Other Factors:*

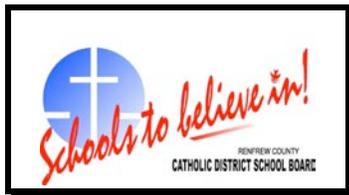
- a) The Hearing Committee shall take into account the mitigating factors and the other factors in deciding whether to expel a pupil.
- b) The Hearing Committee shall take into account the mitigating factors and the other factors in deciding if the pupil is to be expelled, whether the pupil is expelled from his or her own school only or from all schools of the Board.
- c) In the event that the Hearing Committee does not expel a pupil, the Hearing Committee shall take into account the mitigating factors and the other factors in deciding whether to:
 - i) confirm the original suspension and the duration of the suspension;
 - ii) confirm the original suspension, but shorten its duration, even if the suspension that is under appeal has already been served, and order that the record of the suspension be amended accordingly; or
 - iii) quash the original suspension and order that the record of the suspension be expunged, even if the suspension that is under appeal has already been served.

The decision of the Hearing Committee on the original suspension is final.

1.2 *Mitigating Factors:*

The Hearing Committee shall take the following mitigating factors into account:

- a) the pupil does not have the ability to control his or her behaviour;
- b) the pupil does not have the ability to understand the foreseeable consequences of his or her behaviour; or
- c) the pupil's continuing presence in the school does not create an unacceptable risk to the safety or well-being of any person.



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1.3 Other Factors:

The Hearing Committee shall take the following factors into account, if the said factors would mitigate the seriousness of the activity for which the pupil may be or is being expelled:

- a) the pupil's history;
- b) whether a progressive discipline approach has been used with the pupil;
- c) whether the activity for which the pupil may be or is being suspended was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment;
- d) how the suspension would affect the pupil's ongoing education;
- e) the age of the pupil; and
- f) in the case of a pupil for whom an individual education plan has been developed:
 - i) whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
 - ii) whether appropriate individualized accommodation has been provided, and
 - iii) whether the suspension is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

2. General Expulsion Hearing Procedure (Education Act, s. 311.3 and Board Policy):

2.1 Parties:

The parties to an expulsion hearing are:

- a) the principal who suspended the pupil;
- b) the pupil, if
 - i) the pupil is at least 18 years old or
 - ii) the pupil is 16 or 17 years old and has withdrawn from parental control
- c) the pupil's parent or guardian, if the pupil's parent or guardian appealed the decision to suspend the pupil; and
- d) in the event that a pupil does not have a parent or a formal guardian, such other persons as the Chair of the Hearing Committee in his or her discretion may direct.

2.2 Pupil Right to Attend:

A pupil who is not a party to the expulsion hearing under the above subsection has the right to be present at the hearing and to make a statement on his or her own behalf.

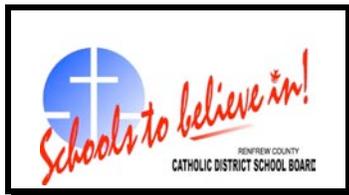
2.3 Hearing Committee (Suspension Appeals / Expulsions)

The Board will appoint three trustees to serve as members of the Hearing Committee. In the event that any of the appointed trustees are unable to hear the appeal, the Chair of the School Board or his or her designate may appoint replacement trustees.

2.4 Notice of Expulsion Hearing:

The Notice of Expulsion Hearing shall be sent to every person entitled to appeal the suspension and shall state:

- a) the date, time and place of the Hearing;
- b) the purpose of the Hearing;
- c) the Hearing is being held pursuant to the Education Act and the Statutory Powers Procedure Act;
- d) if a party does not attend the Hearing, the Hearing Committee may proceed in their absence and determine the outcome of the expulsion without further notice of the proceeding;
- e) each party and his or her representative (lawyer or agent) are entitled to attend the Hearing.



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2.5 Hearing Deadline:

The Board shall not expel a pupil if more than 20 school days have expired since the pupil was suspended, unless the Parties to the expulsion hearing agree on a later deadline.

2.6 Documents:

A copy of all documents which are given to the Hearing Committee shall be given to every person who is a party to the expulsion hearing.

2.7 Hearing Closed to Public:

- a) Information relating to the education of an individual is personal information under sections 2 (1) and 32 of the Municipal Freedom of Information and Protection of Privacy Act and there are restrictions on its disclosure.
- b) Section 207 (2) (b) of the Education Act gives the Board the authority to close a Committee proceedings to the public, if the subject under consideration involves the disclosure of personal information about an employee, student, parent or guardian.
- c) Therefore, the Hearing will be closed to the public.

2.8 Conduct of the Hearing:

- a) Hearings shall be conducted in accordance with the relevant provisions of the Education Act and the Regulations made under it, any applicable Ministry of Education Policy and Program Memoranda, the relevant provisions of the Statutory Powers Procedures Act and Board Policy.
- b) General guidelines for the conduct of the Hearing are set out in Appendix A.

2.9 Additional Powers of the Hearing Committee under the Statutory Powers Procedure Act:

The Hearing Committee has additional powers pursuant to the Statutory Powers Procedure Act. Some of these additional powers have been identified below. The Hearing Committee has the power to:

- a) waive any procedural requirements that apply to the proceeding with the consent of the Parties (s. 4);
- b) direct the Chair of the Hearing Committee to assign one person or two persons to conduct the hearing with the consent of the Parties (s. 4.2.1 (2));
- c) prior to the hearing, direct any of the Parties to disclose to the other Parties any documents they will be introducing at the hearing, any witness statements and/or any reports of expert witnesses (s. 5.4);
- d) require the attendance of any person, including a Party, by summons, to give evidence on oath or affirmation at a hearing and to produce in evidence at the hearing any documents specified by the summons (s. 12); and
- e) make interim decisions and orders (s. 16.1).

3. *Hearing Committee Decision to Expel a Pupil (Education Act, ss. 311.3, 311.5, 311.6 and Board Policy):*

3.1 Submissions and Views of the Parties:

At the hearing the Hearing Committee shall:

- a) consider the submissions of each party in whatever form the party chooses to deliver his or her submissions, whether orally, in writing or both;
- b) solicit the views of all the parties as to whether the pupil, if he or she is expelled, should be expelled from his or her school only or from all schools of the board; and
- c) solicit the views of all the parties as to whether, if the pupil is not expelled, the board should confirm the suspension originally imposed, confirm the suspension but reduce its duration or withdraw the suspension.



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3.2 Hearing Committee Decision with respect to Expulsion:

After completing the hearing, the Hearing Committee shall decide:

- a) whether to expel the pupil; and
- b) if the pupil is to be expelled, whether the pupil is expelled from his or her school only or from all schools of the board.

3.3 Factors the Hearing Committee Must Consider on a Pupil Expulsion:

In making its decision to expel a pupil the Hearing Committee shall take into account:

- a) all submissions and views of the parties, including their views as to whether the pupil, if expelled, should be expelled from his or her school only or from all schools of the board;
- b) any mitigating or other factors prescribed by the regulations; and
- c) any written response to the principal's report recommending expulsion that a person gave to the Board before the completion of the hearing.

3.4 Hearing Deadline:

The Board shall not expel a pupil if more than 20 school days have expired since the pupil was suspended, unless the Parties to the expulsion hearing agree on a later deadline.

3.5 Assignment to a Program for Expelled Pupils:

If the Hearing Committee expels a pupil, the Committee shall assign the pupil to:

- a) in the case of a pupil expelled from his or her school only, another school of the board; and
- b) in the case of a pupil expelled from all schools of the board, a program for expelled pupils.

3.6 Notice of Expulsion:

a) If the Hearing Committee expels a pupil, the Committee shall ensure that written notice of the expulsion is given to:

- i) all of the parties to the expulsion hearing and
- ii) the pupil, if the pupil was not a party to the expulsion hearing.

b) The Notice of Expulsion must include:

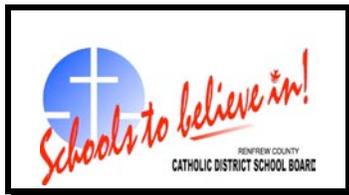
- i) The reason for the expulsion.
- ii) A statement indicating whether the pupil is expelled from his or her school only or from all schools of the board.
- iii) Information about the school or program for expelled pupils to which the pupil is assigned.
- iv) Information about the right to appeal, including the steps that must be taken to appeal.

c) The Notice of Expulsion shall be sent by registered mail.

3.7 Persons Entitled to Appeal a Pupil Expulsion:

The following persons may appeal the Board's decision to expel a pupil:

- a) the pupil's parent or guardian, unless
 - i) the pupil is at least 18 years old or
 - ii) the pupil is 16 or 17 years old and has withdrawn from parental control.
- b) The pupil, if
 - i) the pupil is at least 18 years old or
 - ii) the pupil is 16 or 17 years old and has withdrawn from parental control.
- c) In the event that a pupil does not have a parent or a formal guardian, such other persons as the Chair of the Hearing Committee in his or her discretion may direct.



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3.8 Expulsion Appeal Procedure (Ontario Regulation 472/07):

a) Designated Tribunal:

The Child and Family Services Review Board, 2 Bloor Street West - 24th Floor, Toronto, ON M4W 3V5 is the tribunal designated to hear appeals of board decisions to expel pupils.

b) Appeal Deadline:

A person entitled to appeal the Board decision to expel a pupil shall give the Child and Family Services Review Board a written notice of appeal within 30 days after the date the person is considered to have received the Notice of Expulsion from the Board.

c) Notice of Appeal:

The notice of appeal shall,

- i) set out the date of the decision that is being appealed;
- ii) set out the name of the board that made the decision;
- iii) state whether the decision expels the pupil from his or her school only or from all schools of the board; and
- iv) be in a form acceptable to the designated tribunal.

The designated tribunal shall not refuse to deal with an appeal on the ground that there is a deficiency in the content or form of the notice of appeal.

d) A person is considered to have received the Notice of Expulsion in accordance with the following rules:

- i) If the Notice is sent by mail or another method in which an original document is sent, the Notice shall be considered to have been received by the person to whom it was sent on the fifth school day after the day on which it was sent.
- ii) If the Notice is sent by fax or another method of electronic transmission, the Notice shall be considered to have been received by the person to whom it was sent on the first school day after the day on which it was sent.

e) Decision of Child and Family Services Review Board:

The decision of the Child and Family Services Review Board on an appeal of a pupil expulsion is final.

4. *Hearing Committee Decision not to Expel a Pupil (Education Act, ss. 311.4 and Board Policy):*

4.1 Powers of the Hearing Committee:

If the Hearing Committee does not expel a pupil; the Hearing Committee shall, with respect to the original suspension:

- a) confirm the suspension and the duration of the suspension;
- b) confirm the suspension, but shorten its duration, even if the suspension that is under appeal has already been served, and order that the record of the suspension be amended accordingly; or
- c) quash the suspension and order that the record of the suspension be expunged, even if the suspension that is under appeal has already been served.

The decision of the Hearing Committee on dealing with the original suspension is final.

4.2 Factors the Hearing Committee Must Consider on dealing with the Original Suspension:

In making its decision on the original suspension the Hearing Committee shall take into account:

- a) any submissions made by the parties as to whether the suspension and its duration should be confirmed, the suspension should be confirmed but its duration reduced or the suspension should be withdrawn; and
- b) any mitigating or other factors prescribed by the regulations.



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4.3 Notice Pupil Not Expelled:

In situations where the Hearing Committee has not expelled a pupil, the Hearing Committee shall give written notice containing the following to every person who was entitled to be a party to the expulsion hearing.

- a) A statement indicating the pupil is not expelled.
- b) A statement indicating whether the Hearing Committee has confirmed the suspension and its duration, confirmed the suspension but reduced its duration, or withdrawn the suspension.

5. Settlement Meeting (Education Act, s. 309 (5) and Board Policy):

5.1 Board Contact:

The current Superintendent of Education or his or her designate shall be the person appointed by the Board for the purposes of conducting any settlement meetings prior to the commencement of the Expulsion Hearing by the Board Hearing Committee.

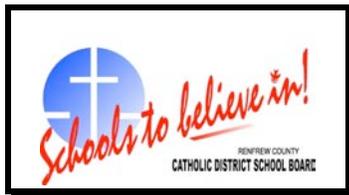
5.2 Settlement Meeting:

- a) If possible, prior to the commencement of the Hearing by the Board Hearing Committee, the current Superintendent of Education shall convene a settlement meeting with Parties to the hearing and their representatives.
- b) The purpose of the above meeting is to hear the positions and interests of the Parties to the hearing and to attempt to reach a settlement of any or all of the issues in dispute and/or an agreement on any matters which may expedite the hearing.
- c) The communications of the Parties in this settlement process is privileged and shall not be released to the Hearing Committee.
- d) In the event that the current Superintendent of Education conducts a settlement meeting, the said Superintendent shall not be called as a witness at the Hearing and the Superintendent shall not be involved as an advisor for one or other of the Parties to the Hearing.
- e) If the Parties to the hearing reach agreement on all of the issues or some of the issues in dispute, the Parties shall sign a binding memorandum of settlement setting out their agreement. This memorandum of settlement shall be released to the Hearing Committee.
- f) In the event that all of the issues in dispute have not been settled, the remaining issues in dispute will be dealt with by the Hearing Committee.

5.3 Powers of the Superintendent of Education:

Prior to the commencement of the Hearing by the Board Hearing Committee, the current Superintendent of Education shall have the power to:

- a) make a decision that the pupil not be expelled;
- b) make a decision on alternatives to expulsion, including alternative educational arrangements for the pupil;
- c) confirm any suspension pending expulsion and the duration of the suspension;
- d) confirm any suspension pending expulsion, but shorten its duration, even if the suspension has already been served, and order that the record of the suspension be amended accordingly; or
- e) quash the suspension pending expulsion and order that the record of the suspension be expunged, even if the suspension has already been served.



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6. *Assignment to a Program for Expelled Students (Education Act, s. 311.5 & PPM No. 142):*

6.1 Assignment to another Board School or to a Program for Expelled Pupils:

If the Hearing Committee expels a pupil, the Committee shall assign the pupil to:

- a) in the case of a pupil expelled from his or her school only, another school of the board; and
- b) in the case of a pupil expelled from all schools of the board, a program for expelled pupils.

6.2 Assignment to Another Board School:

Where an expelled student who is transferred to another school requires additional support and resources, the Board shall endeavour to provide appropriate support and/or facilitate the student's referral to community agencies.

6.3 Discipline and Safety Requirements:

Prior to entry into a program for expelled pupils, each pupil, if applicable, and the pupil's parent or guardian in the case of pupils under the age of eighteen shall sign a written Agreement agreeing to attend the program for expelled pupils and agreeing to be bound by the discipline and safety requirements set out in Appendix B and in the Agreement in Appendix C. The requirement for the signature of a parent or guardian shall be waived for pupils who are 16 or 17 years of age and who have withdrawn from parental control.

6.4 Student Action Plan (SAP):

A Student Action Plan (SAP) shall be developed for every pupil who has been assigned to a program for expelled pupils provided the necessary written commitment to attend the program and to be bound by the discipline and safety requirements has been obtained.

6.5 Planning Meeting:

The Principal shall hold a planning meeting in accordance with the relevant provisions of PPM #142 for holding such planning meetings. A precondition for the said planning meeting is the obtaining of the necessary written commitment to attend the program and to be bound by the discipline and safety rules.

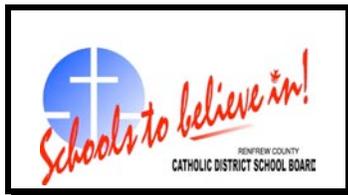
7. *Return to School After Expulsion:*

7.1 Status of Expelled Pupil (Education Act, s. 313):

- a) An expelled pupil continues to be a pupil of the board that expelled him or her if the pupil attends a program for expelled pupils,
 - i) offered by that board; or
 - ii) offered by another board under an agreement between that board and the board that expelled the pupil.
- b) An expelled pupil ceases to be a pupil of the board that expelled him or her if,
 - i) the pupil is assigned by that board to a program for expelled pupils and does not attend the program; or
 - ii) the pupil registers as a pupil of another board.

7.2 Return to School after Expulsion (Education Act, s. 314.1, 314.2 & 314.3):

- a) A pupil who has been expelled from all schools of a board is entitled to be readmitted to a school of the board if the pupil has, since being expelled,
 - i) successfully completed a program for expelled pupils; or
 - ii) satisfied the objectives required for the successful completion of a program for expelled pupils.



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- b) The determination of whether an expelled pupil has completed the program for expelled students or has satisfied the objectives required for successful completion of a program is to be made by a person who provides a program for expelled pupils.
- c) An expelled pupil may apply in writing to the current Superintendent of Education to be readmitted to a school of the board and, if the pupil has completed a program for expelled students or has satisfied the objectives required for successful completion of a program, the board shall,
 - i) readmit the expelled pupil to a school of the board; and
 - ii) promptly inform the pupil in writing of his or her readmittance.
- d) An expelled pupil who has been expelled from one school of the Board may apply in writing to the current Superintendent of Education to be reassigned to the school from which he or she was expelled.

7.3 Expelled Pupils from Other Boards (Education Act, s. 314):

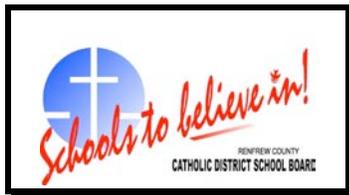
- a) If a pupil who has been expelled from one board registers as a pupil of this Board, the Board may,
 - i) assign the pupil to a school of the Board; or
 - ii) assign the pupil to a program for expelled pupils, unless the pupil has completed a program for expelled students or has satisfied the objectives required for successful completion of a program.
- b) If the Board assigns the expelled pupil to a school without knowing that he or she has been expelled by another board, the Board may subsequently remove the pupil from the school and assign him or her to a program for expelled pupils, subject to the following conditions:
 - i) The Board must assign the pupil to a program for expelled pupils promptly on learning that he or she has been expelled from another board.
 - ii) The Board shall not assign the pupil to a program for expelled pupils if the pupil has completed a program for expelled students or has satisfied the objectives required for successful completion of a program.

8. *Record of Expulsion:*

- 8.1 Information relating to pupil expulsion shall be removed from the expelled pupil's OSR Folder five years after the date on which the Board expelled the pupil.
- 8.2 Where an expelled pupil has been readmitted to a school in Ontario, and is expelled again, the information relating to the expulsions shall not be removed from the expelled pupil's OSR Folder until five consecutive years have passed without any further expulsion.

9. *Record of Suspension:*

- 9.1 Information relating to pupil suspension for violent behaviour shall not be removed from the suspended pupil's OSR Folder unless three consecutive years have passed during which no further suspensions for violent incidents have taken place.
- 9.2 Information relating to student suspensions for conduct which did not involve violent behaviour shall be retained in the suspended pupil's OSR Folder for at least one school year.
- 9.3 At the end of the each school year the Principal in consultation with the appropriate Superintendent shall review each suspension relating to conduct which did not involve violent behaviour which took place over one (1) year ago and make a determination whether the record of the suspension should be expunged or retained.
- 9.4 Information relating to pupil suspension for conduct which did not involve violent behaviour shall be removed from the suspended pupil's OSR Folder, if three (3) consecutive years have passed during which no further suspensions have taken place.



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Related Information

Procedures / Information for the Safe Schools Policies

Appendix A: Occurrences Requiring Police Response

Appendix B: Reporting Violent Incidents to the Ministry of Education (MOE)

Appendix C: Incident Reporting Form

Appendix D: Suicide Prevention Protocol

Board Policies

POLICY: Safe Schools – Access to School Premises

POLICY: Safe Schools – Bullying, Prevention, Intervention & Suicide Protocol

POLICY: Safe Schools – Code of Conduct

POLICY: Safe Schools – Delegation of Authority

POLICY: Safe Schools – Progressive Discipline

POLICY: Safe Schools – Pupil Suspension

POLICY: Safe Schools – Pupil Suspension Appeal

POLICY: Safe Schools – Pupil Expulsion

POLICY: Safe Schools – Pupil Expulsion Hearing

Other Relevant Board Policy and Procedure (Administration Category)

POLICY: Information (Personal) – Collection, Use and Disclosure

PROCEDURE A: Information (Personal) – Student Information

Legislation [see Ontario Government web site: e-laws]

Education Act, Part XIII, ss. 300 – 316, (Behaviour, Discipline and Safety)

Education Act, ss. 306 - 309 (Pupil Suspension)

Education Act, ss. 310 – 316 (Suspension leading to Expulsion)

Access to School Premises (Ontario Regulation 474/00)

Behaviour, Discipline and Safety of Pupils (Ontario Regulation 472/07)

Ministry of Education [see Ontario Ministry of Education web site]

Policy / Program Memorandum No. 120 (Reporting Violent Incidents to the MOE)

Policy / Program Memorandum No. 128 (Provincial Code of Conduct and School Board Codes of Conduct)

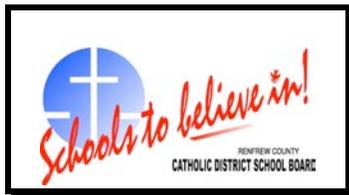
Policy / Program Memorandum No. 141 (School Board Programs for Students on Long Term Suspensions)

Policy / Program Memorandum No. 142 (School Board Programs for Expelled Students)

Policy / Program Memorandum No. 144 (Bullying Prevention and Intervention)

Policy / Program Memorandum No. 145 (Progressive Discipline & Promoting Positive Student Behaviour)

Suicide. In *Supporting Minds*, Draft Version 2013 (pp. 126-137)



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Appendix A: General Guidelines for an Expulsion 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.



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- 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.