

**SCHOOLS LETTERHEAD – INCLUDING PRINCIPALS CONTACT DETAILS**

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**Notice of Disciplinary Hearing**

You are hereby notified in terms of Notice 10 of 2007 and our code of conduct, to appear before the disciplinary committee of the School Governing Body on the date and at the time and place stipulated at foot of the notice

The purpose of the proceeding will be to hear evidence and make a finding regarding the following allegations of misconduct against:

Name of alledged perpetrator:

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**Charge 1:**

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**Charge 2:**

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**Charge 3:**

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## The following is brought to your attention

1. \_\_\_\_\_ must attend the hearing
2. \_\_\_\_\_ is entitled to represent himself / herself or be represented by a representative of his/her choice, at his/her own cost.
3. The hearing will be conducted as informally as possible with due regard for fairness and reasonableness
4. You will be entitled to question witnesses that may testify against you.
5. You are entitled to testify on your own and/or to call witnesses to testify on your behalf.
6. A learner who is a minor **must be** accompanied by a parent/guardian.

## DETAILS OF THE HEARING:

Date of hearing: \_\_\_\_\_

Time of hearing: \_\_\_\_\_

Place of hearing: \_\_\_\_\_

Original copy of the Disciplinary Notice received on the: \_\_\_\_\_

by the learner: \_\_\_\_\_

Signature of Learner: \_\_\_\_\_

Copy of Disciplinary Notice received on the: \_\_\_\_\_

by the Registered Parent / Guardian of the learner: \_\_\_\_\_

Signature of the Parent / Guardian of the learner: \_\_\_\_\_

## DECLARATION

I, \_\_\_\_\_ having read and fully understood

the above charges

ADMIT
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OR

DENY
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the charges

as outlined in the Notice of the Disciplinary Hearing.

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## NOTICE OF SUSPENSION

You are further advised that in terms of section 9 of the South African Schools Act, 84 of 1996 (as amended) you are hereby given a precautionary suspension from class<sup>1</sup>

Duration of this suspension is from:

Time: \_\_\_\_\_ Date: \_\_\_\_\_ until

Time: \_\_\_\_\_ Date: \_\_\_\_\_

During your period of suspension you will not be permitted on the school premises unless written permission has been given to you by a senior member of the School Management Team, or for attending this hearing.

### Note:

- Learner's signature ***does not*** indicate/signify an admission of guilt, but that :
  - the charges have been explained to him/her ;
  - the notice for the hearing has been given to him and his/her parent/guardian , and
  - the notices of suspension (where applicable) have been explained.
- Learner and parent/guardian ***must receive*** one (1) copy and the signed copy ***must*** be put into the learner's file which ***must*** be kept in the principal's office for safe keeping and easy access.



## EXPLANATORY NOTES

**Learner:** Any person receiving education or obliged to receive education in terms of the South African Schools Act 84 of 1996.

**Minor:** Children under the age of 18 are **legal** minors and, accordingly, have limited **legal** capacity to **act** independently without the assistance of an adult.

**Parent:** In terms of the South African Schools Act 84 of 1996, a parent means;

- a. The biological or adoptive parent or legal guardian of a learner;
- b. The person legally entitled to custody of a learner or
- c. The person who undertakes to fulfil the obligations of a person referred to in (a) and (b) towards the learner's education at school.

**Section 9 of the South African Schools Act 84 of 1996:**

*“the governing body may, on reasonable grounds and as a precautionary measure, suspend a learner who is suspected of serious misconduct from attending school, but only enforce such suspension after the learner has been granted a reasonable opportunity to make representations to it in relation to such suspension”.*