EXPULSION APPEAL PROCESS

Public Information Brochure

INTRODUCTION

One of the duties and responsibilities of the Ventura County Board of Education is to hear expulsion appeals from school districts under its jurisdiction. These include: Briggs, Hueneme, Mesa Union, Mupu School, Ocean View, Oxnard, Pleasant Valley, Rio, Santa Clara, Somis Union, Oxnard Union High, Conejo Valley Unified, Fillmore Unified, Moorpark Unified, Oak Park Unified, Ojai Unified, Santa Paula Unified, Simi Valley Unified, and Ventura Unified.

In hearing appeals, the Board is committed to fairness and consistency in its decisions. To achieve this goal, the Board wishes to ensure that community members know how to appropriately exercise their right to appeal.

This brochure is intended to provide the information necessary to assist in appealing an expulsion order of your school district board of education. While this information attempts to explain the appeal process, it is not a substitute for important original sources such as the California Education Code (E.C. §48900-48926) or the local school district’s policies and procedures for suspension and expulsion. You also should review the complete record of the hearing which includes a transcript of the proceedings along with supporting documents. In addition, you may want to consult with a parent/child advocate or attorney.

WHEN MAY AN APPEAL BE FILED WITH THE VENTURA COUNTY BOARD OF EDUCATION?

1. The pupil/parent/guardian have the right to file an appeal of expulsion to the Ventura County Board of Education within thirty (30) calendar days after the local district's decision to expel the pupil. If thirty days (30) have passed since the date of the local board decision to expel, the Ventura County Board of Education does not have jurisdiction to hear the appeal.

On some occasions, a district may suspend an expulsion allowing a pupil to return to school under certain conditions. However, the thirty (30) day time limitation applies, even though the pupil may be attending school.

2. An appeal may be made when the pupil, parent, or guardian feels that one or more of the conditions as described under “Scope and Limitations of a Hearing” (see page 3) have been violated. It is helpful if the parties making an appeal understand that an appeal before the Ventura County Board of Education is not a rehearing, but rather a REVIEW OF THE RECORD OF LOCAL PROCEEDINGS to determine that all due process procedures were followed and that a fair hearing was conducted. Individuals are encouraged to carefully review “Scope and Limitations of the Hearing” and to contact Ventura County Superintendent of Schools with any questions (telephone 805-383-1901).
HOW IS A HEARING REQUEST MADE?

The pupil or the person having legal custody of the pupil may file an appeal by submitting a letter (see Attachment A) to the Ventura County Superintendent of Schools in person or by mail to:

Ventura County Board of Education
Attn: County Superintendent of Schools
5189 Verdugo Way
Camarillo, CA 93012-8603

The letter requesting an appeal must contain the following information:

1. Name, address and telephone number of parent or guardian of the pupil and the name, address and telephone number of the person, if any, representing the pupil.
2. Name, age, date of birth, and grade level of pupil.
3. School district of residence and school most recently attended by the pupil.
4. The date the local school board voted to expel the student and the date the expulsion became effective.
5. A written request for a copy of the transcripts and supporting documents from the school district.
6. A statement of the basis for the appeal that relates to one or more of the conditions as described in "Scope and Limitations of the Hearing" (page 3).

*See attachment A if you prefer to use our form "Request for Expulsion Appeal."

WHAT HAPPENS NEXT?

Once the Ventura County Office of Education has received a letter requesting an appeal of the expulsion order, a date will be set for the appeal hearing. The hearing must be held within twenty (20) school days after the request for an appeal has been received. A waiver permitting some flexibility in setting the actual date of the appeal hearing may be offered or requested. Typically, appeal hearings are held in conjunction with the regularly scheduled meetings of the Ventura County Board of Education. Both the appellant and the local school district will receive notices by mail at least ten (10) calendar days before the hearing regarding the date, time, and place of the hearing.

The notice of the hearing will contain a statement that the Ventura County Board of Education intends to hold the hearing in closed session (i.e., not open to the general public). The California Education Code requires that the hearing be closed unless there is a request that the hearing be conducted in open (public) session. If an open hearing is desired, it must be requested in writing five (5) days prior to the hearing date (E.C. §48920).

Within ten (10) school days of receipt of a written request for records, the district must provide a transcribed copy of the complete record of the hearing, which must be certified by the local district's superintendent or designee, to the applicant. Typically, the local district will have a taped record of the hearing that must be transcribed to a written record for an appeal. The applicant will be responsible for the cost of the transcription. If the appeal is upheld, the district is required to reimburse costs. If the applicant cannot afford the cost of the transcription due to "limited income" or "exceptional necessary expenses," the transcripts will be provided at no cost (E.C. §48921). It is the applicant's responsibility to see that the transcripts are immediately provided to the Ventura County Superintendent of Schools office.
During this period prior to the hearing, the Ventura County Board of Education will also request that the local school district provide:

1. Copies of all documents pertaining to the expulsion.
2. The local school district's policies, rules and procedures dealing with disciplinary due process.

All of this information is forwarded to the Ventura County Board of Education members for review prior to the appeal hearing.

SCOPE AND LIMITATIONS OF THE HEARING

The Ventura County Board of Education is required to base its appeal consideration upon the written record of the hearing including documents produced at the hearing, conducted in the pupil's district. Only under special circumstances discussed in item 4 (see below) may a County Board of Education actually consider new evidence. The County Board's charge is to determine if the pupil's due process rights were violated in a manner which resulted in the pupil's receiving an unfair hearing.

It is NOT the charge of the County Board of Education to agree or disagree with the local board's decision to expel, but to assure that due process procedures were followed as prescribed in the Education Code and that a fair hearing was conducted. Please consider the following questions and related explanations in preparing an appeal.

1. Did the district governing board proceed without or in excess of its jurisdiction in expelling the pupil?
   **Explanation:** The California Education Code (§48900 and §48915) specifies the reasons for which a pupil may be expelled, required procedural time lines, and that the act or acts must be related to school activities or attendance at school.

2. Was the pupil afforded a fair hearing before the district governing board?
   **Explanation:** The local school district is required to provide a timely notice of the hearing; hear and examine all evidence submitted; and a reasonable opportunity for the student/representative to present evidence to deny, explain, or mitigate the allegations.

3. Was there a prejudicial abuse of discretion by the district governing board?
   **Explanation:** The basic objective of the expulsion process, as defined in the Education Code, is to afford a fair hearing to the student. If the district fails to meet certain procedural time lines, expels a student for the wrong reason (E.C. §48900 and §48915 attached) or refuses to allow the student an opportunity to introduce relevant evidence at the hearing, this may amount to an abuse of discretion. If the circumstances are such that these errors result in an unfair and unjustified determination by the district to the detriment of the student, then the decision may be challenged on that basis by the student.

4. Is there NOW relevant and material evidence which, with reasonable diligence, could not have been revealed in the hearing before the governing board, and was not produced, or was improperly excluded?
   **Explanation:** Sometimes evidence, including documents and witnesses, are not known or are unavailable at the time of the hearing, through no fault of the student or the representative. Additionally, the district incorrectly may not have allowed certain documents or witnesses to be presented during the hearing. If such evidence could reasonably have changed the determination of the board, the case may be remanded (returned) to the district for a redetermination or heard as a hearing de novo (new hearing) by the board.
WHAT WILL HAPPEN AT THE HEARING?

Hearings are conducted in closed session (unless an open hearing has been requested) during regular Ventura County Board of Education meetings held at the:

Ventura County Office of Education
Conference and Educational Services Center
5100 Adolfo Road
Camarillo, CA 93012-8603

The appellant and/or the appellant's representatives and the representatives of the district will be asked to take seats at a table in front of the Board. The appellant, the district, and the Board have the right to legal counsel. The Board generally will be represented by a legal counsel for the board. A certified court reporter will be present to take and prepare a transcript of the proceeding. If an open meeting is requested the public, including the media, also have the right to be present.

The hearing will be conducted as follows:

1. The President of the Board will preside over the meeting. The Ex-Officio Officer and Executive Secretary to the Board will provide a brief summary of the case. This will be followed by a statement of Board legal counsel as to the general procedures to be followed. The parties will be cautioned that this is an appellant process and no new evidence can be considered. However, new evidence may be presented to support an argument that such evidence should have been allowed at the hearing or that while it was unknown or unavailable then, a new hearing should be conducted because of its importance to the ultimate determination of the expulsion.

2. The pupil, parent/guardian, or counsel for the pupil will be allowed to present the initial opening statement. A written brief may be submitted by each of the parties prior to the opening of argument but will not be considered as "evidence."

3. Following the opening statement, the district will then make an oral response.

4. The pupil or his/her representative will then have an opportunity to make a reply to the district.

5. During or after the arguments, members of the Board may question both sides and request clarification of certain facts and circumstances relating to the district's expulsion hearing.

6. Upon completion of the arguments and questioning by the Board, all those present will be excused by the Board's President. The members will thereafter deliberate in closed session and review the arguments of both sides and the evidence presented during the district's expulsion hearing. The Board may call back any party for further questions during the course of deliberations. If this occurs, all parties must be present.

7. Following deliberations, the Board will convene in open session to make its decision. The Board has up to three (3) school days to finalize its decision in writing.

8. The Board may do the following:
   a. Remand the case to the district for a rehearing as to new evidence which was not presented at the initial proceeding. The Board may order the student reinstated pending this hearing.
   b. Conduct a new hearing ("hearing de novo") considering all of the evidence. If the Board decides to have a new hearing, it will contact representatives of the student and the district as to scheduling.
   c. Uphold the decision of the district.
   d. Reverse the decision of the district and reinstate the student.

The decision of the County Board of Education is final.

RIGHT TO HAVE ATTORNEY OR ADVOCATE PRESENT

It is the intention of the Ventura County Board of Education to conduct hearings in a manner which does not require attorneys. Hopefully, this Public Information Brochure will adequately enable the applicant to understand the appeal hearing process. However, a legal representative (or professional advocate) may be desired if the procedures are not thoroughly understood or if there is limited English or difficulty in expression before a group. While attorneys are not required, all parties involved do have a right to have an attorney present.

The Attorney Referral Service of the Ventura County Bar Association at (805) 650-7599 will provide you with the name of an attorney.

PARENTAL OPTIONS/RESPONSIBILITIES UNDER THE COMPULSORY EDUCATION LAW IF EXPULSION IS UPHELD

1. Contact the local district and ask for a copy of its procedures to review and readmit the expelled pupil.

2. If the pupil has moved to another district, the law requires that the new district be notified of the expulsion or any pending expulsion (E.C. §48915.1 and §48918).

3. A pupil may apply to another district and must inform its staff of the expulsion order or any pending expulsion.

4. A pupil may apply for admission to a private school.

5. A credentialed teacher may be employed to instruct the pupil in the appropriate grade level (home tutoring).

6. A request may be made for placement in Gateway Community School. Call (805) 383-4731 for an appointment.

NOTE: CITATIONS SUCH AS "E.C. 46601" refer to sections in the California Education Code.
VENTURA COUNTY
OFFICE OF EDUCATION

To: Ventura County Board of Education
5189 Verdugo Way
Camarillo, CA 93012-8603
TELEPHONE: (805) 383-1901
FAX: (805) 383-1908

Attention: County Superintendent of Schools

NOTICE OF APPEAL FROM EXPULSION

(Please print or type all material except signature)

1. ___________________________________________ 2. __________________________
   Name of Pupil                                    Date of Birth

3. ___________________________________________ 4. _________
   Street Address                                   Grade
   City                                           ZIP

5. ___________________________________________ 6. ________________________
   School District                                 School

7. Date local board voted to expel:
   ____________________________
   Month          Day           Year

8. Date expulsion became effective:
   ____________________________
   Month          Day           Year

Note: If pupil is an adult or an emancipated minor, the pupil may make this appeal
him/herself as the Appellant. If the pupil is not an adult nor an emancipated
minor, the pupil's parent or guardian is the Appellant.
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<thead>
<tr>
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<tbody>
<tr>
<td>9.</td>
<td>Name(s) of Parents</td>
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<tr>
<td>9.a.</td>
<td>Telephone</td>
</tr>
<tr>
<td>10.</td>
<td>Street Address</td>
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<tr>
<td>11.</td>
<td>Guardian</td>
</tr>
<tr>
<td>12.</td>
<td>Telephone</td>
</tr>
<tr>
<td>13.</td>
<td>Street Address</td>
</tr>
<tr>
<td>14.</td>
<td>Attorney or other representative (if any)</td>
</tr>
<tr>
<td>15.</td>
<td>Telephone</td>
</tr>
<tr>
<td>16.</td>
<td>Street Address</td>
</tr>
<tr>
<td>17.</td>
<td>Appellant's understanding of reason(s) given by the local board for expulsion (Attach copy of notice of expulsion if possible.):</td>
</tr>
</tbody>
</table>

- - OR - -
18. Why should the expulsion be set aside? (Attach documentation if any.)

Note: An expulsion may be appealed only on one or more of the following four grounds: (With respect to each ground that applies, give a brief statement of the facts in support of such ground.)

A. The local board proceeded without or in excess of its jurisdiction
(If applicable, state briefly why you believe this is true.)
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

B. The local board failed to provide for a fair hearing.
(If applicable, state briefly why you believe this is true.)
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

C. There was a prejudicial abuse of discretion in the hearing as such abuse is described in Section 1094.5(b) of the Code of Civil Procedure.
(If applicable, state what abuse occurred and how it prejudiced the case.)
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
Attachment A

D. There is now relevant evidence which could not have been produced at the time of the hearing or there was relevant evidence which was improperly excluded at the hearing. (If applicable, explain the circumstances and describe briefly the nature of the new or improperly excluded evidence.)

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

19. ____________________________________________________________
Signature of Parent/Guardian or Adult Pupil

20. ____________________________________________________________
Date delivered or mailed to the Ventura County Superintendent of Schools Office

NOTE: ONLY ONE COPY OF THIS NOTICE OF APPEAL IS REQUIRED TO BE FILED WITH THE COUNTY BOARD OF EDUCATION. THE COUNTY BOARD WILL PREPARE A COPY FOR THE LOCAL SCHOOL DISTRICT. IF YOU HAVE NOT ALREADY RECEIVED A COPY OF THE RULES FOR COMPLETING YOUR APPEAL, PLEASE NOTIFY THIS OFFICE AS SOON AS POSSIBLE BY TELEPHONING (805) 383-1901.

For use by County Board of Education Only

Date received by Office of the Secretary, Board of Education: ____________________________

Date copy of this notice of appeal mailed to Appellant and Respondent: ____________________________

By: ____________________________
Deputy

By: ____________________________
Deputy
# SUMMARY OF TIME REQUIREMENTS IN EXPULSION PROCEEDINGS

<table>
<thead>
<tr>
<th>STEP</th>
<th>TIME REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determination of Conduct in Violation of E.C. §48900</td>
<td>Day 1</td>
</tr>
<tr>
<td>Suspension</td>
<td>Not more than 5 school days, unless extended (E.C. §48911)</td>
</tr>
<tr>
<td>Recommendation for Expulsion/Extension of Suspension. Required second conference.</td>
<td>(E.C. §48915) Within the 5 school days of suspension/extension pending decision on expulsion. (E.C. §48911[g]) Requires second conference with superintendent's designee.</td>
</tr>
<tr>
<td>Notice of Hearing</td>
<td>At least 10 calendar days prior to hearing (E.C. §48918[b]).</td>
</tr>
<tr>
<td>Pupil Request for Open Hearing</td>
<td>Within 5 calendar days prior to hearing (E.C. §48818[c]).</td>
</tr>
<tr>
<td>District Extension of Hearing Date</td>
<td>Up to 5 school days for good cause. (E.C. §48918[a])</td>
</tr>
<tr>
<td>Pupil Postponement</td>
<td>Entitled to not more than 30 calendar days--additional days at Board’s discretion.</td>
</tr>
<tr>
<td><strong>HEARING</strong></td>
<td>To be conducted within 30 school days of determination of pupil violation. (E.C. §48918[a])</td>
</tr>
<tr>
<td>Administrative Panel or Hearing Officer Recommendation</td>
<td>Within 3 school days or by 33rd day without postponements. (E.C. §48918[e])</td>
</tr>
<tr>
<td>Decision of Governing Board</td>
<td>Within 10 school days or by 40th day without pupil requested hearing postponement. (E.C. §48918[i])</td>
</tr>
<tr>
<td>Appeal to County Board</td>
<td>Within 30 calendar days following local board decision. (E.C. §48919)</td>
</tr>
<tr>
<td>Appellate Hearing</td>
<td>Within 20 school days following filing of formal request. (E.C. §48919)</td>
</tr>
<tr>
<td>Decision of County Board</td>
<td>Within 3 school days of hearing. (E.C. §48919)</td>
</tr>
</tbody>
</table>
Grounds for Suspension and Expulsion (E.C. §48900)

A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has:

(a) Caused, attempted to cause, or threatened to cause physical injury to another person.

(b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

(e) Committed or attempted to commit robbery or extortion.

(f) Caused or attempted to cause damage to school property or private property.

(g) Stolen or attempted to steal school property or private property.

(h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including but not limited to cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

(i) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

1. While on school grounds.
2. While going to or coming from school.
3. During the lunch period whether on or off the campus.
4. During, or while going to or coming from, a school sponsored activity.

It is the intent of the Legislature that alternatives to suspensions or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities.

**Sexual harassment as ground for suspension or recommendation for expulsion (E.C. §48900.2)**

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

**Participation in act of hate violence as grounds for suspension or expulsion (E.C. §48900.3)**

In addition to the reasons specified in Section 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 33032.5.

**Engaging in harassment or intimidation as grounds for suspension or expulsion (E.C. §48900.4)**

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment.
Attachment C

Grounds for Expulsion; Recommendation; Order by Governing Board (E.C. §48915)

(a) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

(1) Causing serious physical injury to another person, except in self-defense.

(2) Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.

(3) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.

(4) Robbery or extortion.

(5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(b) Upon recommendation by the principal, superintendent of schools or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:

(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.

(2) Brandishing a knife at another person.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
Attachment C

(d) The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

1. Is appropriately prepared to accommodate pupils who exhibit discipline problems.
2. Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
3. Is not housed at the schoolsite attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2. That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.
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<tr>
<th>TRUSTEE AREA</th>
<th>BOARD MEMBER</th>
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<tbody>
<tr>
<td><strong>Area 1</strong></td>
<td>Ventura, Saticoy, Montalvo, Portions of El Rio, Ojai, Ojai Valley, Riverpark, Northwest Oxnard, Oakview, Meiners Oaks, Wheeler Springs, North Coast</td>
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<td>Thousand Oaks, Newbury Park, Westlake Village (Ventura County portion), Oak Park, Lake Sherwood, Hidden Valley, Somis, CSUCI, Santa Rosa Valley, Portion of Oxnard Plain, Bell Canyon, Las Posas Valley, Naval Base VC Point Mugu, South Coast</td>
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<tr>
<td><strong>Area 3</strong></td>
<td>Camarillo, Port Hueneme, Santa Paula, Fillmore, Piru, Portion of Naval Base VC Port Hueneme, East Oxnard Plains, Southeast Oxnard</td>
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<td>Moorpark, Simi Valley, Santa Susana Knolls, Box Canyon, Chatsworth Peak, Home Acres, Sinoloa Lake, Tierra Rejada Valley</td>
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<tr>
<td><strong>Area 5</strong></td>
<td>Oxnard, Colonia, Oxnard Shores, Mandalay Bay, Silver Strand, Hollywood Beach, Hollywood By the Sea, Channel Islands Harbor, Portions of El Rio, Nyeland Acres, Del Norte Area, Oxnard College, Oxnard Plains, Portion of Naval Base VC Port Hueneme</td>
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*Year Term Expires*

Revised: 09/15