

**FEES AND CHARGES**

The Board of Trustees recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for student participation in the district's educational program are made available to students at no cost.

No student shall be required to pay a fee, deposit, or other charge for participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

*(cf. 3100 - Budget)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of students' families and their ability to pay.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 0415 - Equity)*

*(cf. 3250 - Transportation Fees)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5143 - Insurance)*

*(cf. 9323.2 - Actions by the Board)*

The prohibition against student fees shall not prevent the district from soliciting for donations, conducting fundraising activities, or providing prizes or other recognition for participants in such activities and events. The Superintendent/Principal or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary. The district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. The district also shall not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

*(cf. 1321 - Solicitation of Funds from and by Students)*

*(cf. 3290 - Gifts, Grants and Bequests)*

The Superintendent/Principal or designee may provide information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

## **FEES AND CHARGES** (continued)

*(cf. 4331 - Staff Development)*

### **Complaints**

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

*(cf. 1312.3 - Uniform Complaint Procedures)*

If, upon investigation, the district finds merit in the complaint, the Superintendent/Principal or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification of uniform complaint procedures to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

*(cf. 5145.6 - Parental Notifications)*

### **Collection of Debt**

The Superintendent/Principal or designee shall, in accordance with law, recover any debt owed to the district as a result of unpaid permissible student fees approved by the Board. However, the district shall not bill a current or former student for accumulated debt, nor take negative action against a student or former student because of such debt, including, but not limited to, any of the following: (Education Code 49014)

1. Denying full credit for any class assignment
2. Denying full and equal participation in any classroom activity
3. Denying access to the library or other on-campus educational facilities
4. Denying or withholding grades or transcripts
5. Denying or withholding a diploma
6. Limiting or barring participation in an extracurricular activity, club, or sport
7. Limiting or excluding the student from participation in an educational activity, field trip, or school ceremony

*Legal Reference: (see next page)*

## **FEES AND CHARGES (continued)**

### *Legal Reference:*

#### EDUCATION CODE

8239 *Preschool and wraparound child care services*  
8250 *Child care and development services for children with disabilities*  
8263 *Child care eligibility*  
8422 *21st Century High School After School Safety and Enrichment for Teens programs*  
8482.6 *After School Education and Safety programs*  
8760-8774 *Outdoor science, conservation, and forestry programs*  
17453.1 *District sale or lease of Internet appliances or personal computers to parents of students*  
17551 *Property fabricated by students*  
19910-19911 *Offenses against libraries*  
32033 *Eye protective devices*  
32221 *Insurance for athletic team member*  
32390 *Fingerprinting program*  
35330-35332 *Excursions and field trips*  
35335 *School camp programs*  
38080-38086.1 *Cafeteria establishment and use*  
38120 *Use of school band equipment on excursions to foreign countries*  
39801.5 *Transportation for adults*  
39807.5 *Payment of transportation costs*  
39837 *Transportation of students to places of summer employment*  
48050 *Residents of adjoining states*  
48052 *Tuition for foreign residents*  
48904 *Liability of parent or guardian*  
49010-49013 *Student fees*  
49014 *Public School Fair Debt Collection Act*  
49065 *Charge for copies*  
49066 *Grades, effect of physical education class apparel*  
49091.14 *Prospectus of school curriculum*  
49557.5 *Unpaid school meal fees*  
51810-51815 *Community service classes*  
52612 *Tuition for adult classes*  
52613 *Nonimmigrant foreign nationals*  
56504 *School records; students with disabilities*  
60410 *Students in classes for adults*

#### GOVERNMENT CODE

6253 *Request for copy; fee*

#### CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*

#### CODE OF REGULATIONS, TITLE 5

350 *Fees not permitted*

4600-4687 *Uniform complaint procedures*

#### UNITED STATES CODE, TITLE 8

1184 *Nonimmigrant students*

*Legal Reference continued: (see next page)*

**FEES AND CHARGES** (continued)

*Legal Reference: (continued)*

COURT DECISIONS

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Driving School Assn of CA v. San Mateo Union HSD (1992) 11 Cal. App. 4th 1513

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

**FEES AND CHARGES**

When approved by the Board of Trustees, the Superintendent/Principal or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

*(cf. 5143 - Insurance)*

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)
3. Expenses of students' participation in a field trip or excursion within the state or to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

*(cf. 6153 - School-Sponsored Trips)*

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

*(cf. 5142.1 - Identification and Reporting of Missing Children)*

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

*(cf. 6142.5 - Environmental Education)*

6. Reimbursement to the district for the direct cost of materials used by students to fabricate property they will take home for their own possession and use, such as wood shop, art, or sewing projects kept by students (Education Code 17551)
7. Home-to-school transportation and transportation between the school and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student, the district provides a waiver based on financial need, and an exemption is made for any student with a disability whose individualized education program includes transportation as a related service necessary to receive a free appropriate public education (Education Code 39807.5)

*(cf. 3250 - Transportation Fees)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6178.2 - Regional Occupational Center/Program)*

**FEES AND CHARGES** (continued)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)
9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)
10. Sale or lease of personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, provided that the items are sold or leased to parents/guardians at no more than cost and the district provides network access for families who cannot afford it (Education Code 17453.1)

*(cf. 0440 - District Technology Plan)*  
*(cf. 6163.4 - Student Use of Technology)*

11. An adult education or secondary school community service class in civic, vocational, literacy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810-51815)

*(cf. 6142.4 - Service Learning/Community Service Classes)*

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

*(cf. 3514.1 - Hazardous Substances)*  
*(cf. 5142 - Safety)*

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

*(cf. 5125 - Student Records)*

14. Actual cost of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

*(cf. 1340 - Access to District Records)*  
*(cf. 5020 - Parent Rights and Responsibilities)*

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

## **FEES AND CHARGES** (continued)

*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 3551 - Food Service Operations/Cafeteria Funds)*  
*(cf. 3552 - Summer Meal Program)*  
*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 3554 - Other Food Sales)*

16. In accordance with law, replacement cost or reimbursement for lost or willfully damaged district books, supplies, or property, or for district property loaned to a student that the student fails to return (Education Code 19910-19911, 48904)

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

*(cf. 5111.1 - District Residency)*  
*(cf. 5111.2 - Nonresident Foreign Students)*

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, classes for which high school credit is granted when taken by a person who does not hold a high school diploma, or classes in English and citizenship (Education Code 39801.5, 52612, 60410)

*(cf. 6200 - Adult Education)*

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is exempted from fees by law (Education Code 8239, 8250, 8263)

*(cf. 5148 - Child Care and Development)*  
*(cf. 5148.3 - Preschool/Early Childhood Education)*

20. Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth (Education Code 8422, 8482.6)

*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 6173 - Education for Homeless Children)*  
*(cf. 6173.1 - Education for Foster Youth)*

## **FEES AND CHARGES (continued)**

### **Collection of Debt**

Before pursuing payment of any debt that has accumulated from unpaid permissible fees, the Superintendent/Principal or designee shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student. The invoice shall reference district policies related to debt collection and the rights established pursuant to Education Code 49014 and 49557.5. For each payment received, the district shall provide a receipt to the parent/guardian. (Education Code 49014)

The Superintendent/Principal or designee shall not sell debt owed by a parent/guardian of a student or former student. (Education Code 49014)