

## **Business and Noninstructional Operations**

### **FEES AND CHARGES**

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the educational program are made available to them. No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

(cf. 1321 - Solicitation of Funds from and by Students)  
(cf. 3290 - Gifts, Grants and Bequests)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 9323.2 - Actions by the Board)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. For such authorized fees, deposits, and charges, the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions.

(cf. 3250 - Transportation Fees)  
(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 3553 - Free and Reduced Price Meals)  
(cf. 5143 - Insurance)  
(cf. 9323.2 - Actions by the Board)

Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the principal or designee using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all district students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against districts requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures. (Education Code 49013)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)

#### EDUCATION CODE

38120 Use of school band equipment on excursions to foreign countries  
39807.5 Payment of transportation costs  
39837 Transportation of students to places of summer employment  
48050 Residents of adjoining states

**FEES AND CHARGES** (continued)

- 48052 Tuition for foreign residents
- 48904 Liability of parent or guardian
- 49010-49013 Student fees
- 49065 Charge for copies
- 49066 Grades, effect of physical education class apparel
- 49091.14 Prospectus of school curriculum
- 51810-51815 Community service classes
- 52612 Tuition for adult classes
- 52613 Nonimmigrant aliens
- 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
- 4622 Notice

UNITED STATES CODE, TITLE 8

- 1184 Foreign students

COURT DECISIONS

- Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513
- Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251
- 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 MANAGEMENT ADVISORIES

- 1030.97 Fiscal Management Advisory 97-02: Fees, Deposits and Other Charges

WEB SITES

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

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

## **Business and Noninstructional Operations**

### **FEES AND CHARGES**

The district shall not require any district student to pay any fees, deposits, or charges except as specifically authorized by law. (Education Code 49011; 5 CCR 350)

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following:

1. Insurance for athletic team members, with an exemption for financial hardship (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 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 (Education Code 32390)  
  
(cf. 5142.1 - Identification and Reporting of Missing Children)
5. School camp programs operated pursuant to Education Code 8760-8773 provided that the fee is not mandatory (Education Code 35335)  
  
(cf. 6142.5 - Environmental Education)
6. Personal property of the district fabricated by students, as long as the cost of the property does not exceed the cost of the materials provided by the district (Education Code 17551)
7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and so long as exemptions are made for indigent and disabled students (Education Code 39807.5)  
  
(cf. 3250 - Transportation Fees)
8. Transportation to and from summer employment programs for youth (Education Code 39837)

**FEES AND CHARGES** (continued)

9. Deposit for band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)
10. Fees for community service classes (Education Code 51815)  
(cf. 6142.4 - Service Learning/Community Service Classes)
11. Eye safety devices, at a price not to exceed the district's actual costs (Education Code 32033)  
(cf. 5145 – Safety)
12. Actual cost of furnishing copies of any student's records except, if he/she is a former student, up to two transcripts or two verifications of his/her various records (Education Code 49065)
13. Actual costs of duplication for copies of public records (Government Code 6253)
14. Actual costs of duplication for reproduction of the prospectus of school curriculum (Education Code 49091.14)  
(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)  
(cf. 3550 - Food Service/Child Nutrition Program)  
(cf. 3551 - Food Service Operations/Cafeteria Funds)  
(cf. 3553 - Free and Reduced Price Meals)  
(cf. 3554 - Other Food Sales)
16. Fines or reimbursements for lost or damaged district property or damage to library property (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 and out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)  
(cf. 5111.2 - Nonresident Foreign Students)

**FEES AND CHARGES** (continued)

18. Adult education books, materials, and classes as specified in law (Education Code 52612, 60410)  
  
(cf. 6200 - Adult Education)
  
19. Preschool and child care and development services (Education Code 8239, 8263)  
  
(cf. 5148 - Child Care and Development)  
(cf. 5148.3 - Preschool/Early Childhood Education)
  
20. Physical Education Uniforms  
  
(cf. 6142.7 - Physical Education and Activity)