

Business and Noninstructional Operations

TRANSPORTATION FEES

Because the cost of providing student transportation exceeds funding provided by the state, the Governing Board may find it necessary to charge fees for home-to-school student transportation.

The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval. Fees shall be determined on the basis of operating costs, in accordance with law.

(cf. 3260 - Fees and Charges)
(cf. 3540 – Transportation)

If the Governing Board finds it necessary to charge fees, the transportation fee shall be waived for students with demonstrated financial need in accordance with Education Code 39807.5. Eligibility for free transportation based on financial need shall be determined in accordance with the income eligibility scales used for the free and reduced-price lunch program.

(cf. 3553 - Free and Reduced Price Meals)

In addition, no charge shall be made for any transportation of a 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. 3541.2 - Transportation for Students with Disabilities)
(cf. 6159 - Individualized Education Program)

If the Governing Board finds it necessary to charge fees, the Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation program, especially:
10913 Fees for uses of school buses for community recreation purposes
35330 Excursions or field trips
39800 – 39860 Transportation, especially:
39807.5 Payment of transportation cost; amount of payment
39809.5 Excess fees; adjustments
41850 Home-to-school and special education transportation
49014 Public School Fair Debt Collection Act
49557 Applications for free and reduced price meals
49558 Confidentiality of applications and records
39801.5 Transportation fees for adults
39837 Fees for summer employment transportation
56026 Individuals with exceptional needs

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

TRANSPORTATION FEES (continued)

COURT DECISIONS

Arcadia Unified School District et al v. State Department of Education, 2 Cal. 4th 251 (1992)
Hartzell v. Connell 35 Cal.3d 899, 1984

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>

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When approved by the Governing Board, the district may charge transportation fees for students traveling to and from school. (Education Code 39807.5)

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

With Board approval, the district may also charge transportation fees for:

1. Participants in a community recreation program offered pursuant to Education Code 10900-10914.5 (Education Code 10913, 39835)

2. Students traveling between the regular full-time schools they would attend and the regular full-time occupational classes provided by a regional occupational center or program (ROC/P) (Education Code 39807.5)

(cf. 6178.2 - Regional Occupational Center/Program)

3. Matriculated or enrolled adults traveling to and from school, or adults pursuing other educational purposes (Education Code 39801.5)

4. Students traveling to and from their places of employment during the summer in connection with a summer employment program for youth (Education Code 39837)

The total amount received by the district from the state and parent/guardian fees shall not exceed the actual operating cost of home-to-school transportation during the fiscal year. If excess fees are collected due to errors in estimated costs, fees shall be reduced in succeeding years. (Education Code 10913, 39801.5, 39809.5, 39837)

Bus passes may be obtained at the district office. No money shall be collected on school buses.

Exemption from Fees

Upon enrollment and at the beginning of each school year, parents/guardians shall receive information about income eligibility standards and application procedures for a waiver of the transportation fee. All applications and related records shall be confidential and used only for the purpose of determining a student's eligibility for a fee waiver.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

Eligibility for free transportation based on indigency shall be based on the income eligibility scales used for the free and reduced-price lunch program and/or proof of receipt of Temporary Assistance to Needy Families.

TRANSPORTATION FEES (continued)

At the beginning of the school year and whenever a new student is enrolled, parents/guardians shall receive information about free transportation eligibility standards, application procedures and appeal procedures.

All applications and records related to eligibility for free transportation shall be confidential and used only for purposes directly connected with the free transportation program.

Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted or announced in any manner or used for any purpose other than the transportation program.