

FEES AND CHARGES

The Board of Education *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.* ~~is committed to providing a free and appropriate educational program to all students, including curricular and extra-curricular activities. This includes furnishing books, materials and instructional equipment as needed for the educational program. No fees shall be charged except where specifically authorized by law.~~

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

(cf. 4131 - Staff Development)

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(cf. 4231 - Staff Development)

(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 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 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*

~~The District shall consider the student and parent/guardian's ability to pay when establishing fee-schedules and granting exceptions.~~

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~~(cf. 1321—Solicitation of Funds from and by Students)~~
~~(cf. 3250—Transportation Fees)~~
~~(cf. 3290—Gifts, Grants and Bequests)~~
~~(cf. 3515.4—Recovery for Property Loss or Damage)~~
~~(cf. 3553—Free and Reduced Price Meals)~~
~~(cf. 5143—Insurance)~~
~~(cf. 6145—Extra-curricular and Co-curricular Activities)~~
~~(cf. 9323.2—Actions by the Board)~~

Legal References:

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
8760-8774 Outdoor science and conservation programs
8760-8773 Outdoor science and conservation 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
38080-38085 Cafeteria establishment and use
38119 Lease of personal property; caps and gowns
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 aliens
52613 Nonimmigrant foreign nationals
56504 School records; students with disabilities
60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

VEHICLE CODE

21113 Public grounds (parking)

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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 Foreign Students-~~

1184 Nonimmigrant students

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 (1993) (1992) 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 PUBLICATIONS

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

~~CDE 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>

CDE: <http://www.cde.ca.gov>

Policy amended: June 9, 2020

Policy amended: June 30, 2011

Policy adopted: April 19, 2007

Business and Noninstructional Operations

AR 3260 (a)

FEES AND CHARGES

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

~~The District shall charge only those fees specifically authorized by law. (5 CCR 350)~~

The following fees and charges are permissible if approved by the Board of Education:

1. ~~Charges for optional attendance as a spectator at a school or District sponsored activity.~~
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. ~~Charges for food served to students, subject to free and reduced price meal program eligibility and other restrictions specified in law. (Education Code 38082, 38084)~~
Insurance for medical or hospital services for students participating in field trips and excursions (Education Code 35331)
(cf. 3551—Food Service Operations/Cafeteria Funds)
(cf. 3553—Free and Reduced Price Meals)
(cf. 3554—Other Food Sales)
3. ~~Paying the replacement cost for District books or supplies loaned to a student that the student fails to return, or that is willfully cut, defaced or otherwise injured, up to an amount not to exceed \$10,000. (Education Code 19910-19911, 48904)~~ *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. 3515.4—Recovery for Property Loss or Damage)
(cf. 6153 - School-Sponsored Trips)
4. ~~Charges for required medical and accident insurance for athletic team members, so long as there is a waiver for financial hardship. (Education Code 32221)~~ *Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)*
(cf. 5143—Insurance)
(cf. 5142.1 - Identification and Reporting of Missing Children)
5. ~~Charges for the rental or lease of personal property needed for District purposes, such as caps and gowns for graduation ceremonies. (Education Code 38119)~~ *School camp*

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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. 5127 - Graduation Ceremonies, Promotion Ceremonies and Activities)
(cf. 6142.5 - Environmental Education)*

6. ~~Fees for school camp programs, so long as no student is denied the opportunity to participate because of nonpayment of the fee. (Education Code 35335)~~ *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.*

(cf. 6142.5 - Environmental Education)

7. ~~Reimbursement for the direct cost of materials provided to a student for property the student has fabricated from such materials for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student. (Education Code 17551)~~ *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, 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)*

8. ~~Reimbursement for the actual cost of duplicating public records, student records, or a prospectus of the school curriculum. (Government Code 6253; Education Code 49091.14)~~ *Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)*

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

9. ~~Fees for transportation to and from school, and transportation between school and regional occupational centers, programs or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and provided there is a waiver provision based on financial need. (Education Code 39807.5)~~ *Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to*

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foreign countries (Education Code 38120)

(cf. 3250—Transportation Fees)

10. ~~Fees for transportation of pupils to places of summer employment. (Education Code 39837)~~ *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. ~~Tuition fees charged to pupils whose parents are actual and legal residents of an adjacent foreign country or an adjacent state. (Education Code 48050-52)~~ *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. 5111.1—District Residency)

(cf. 5111.2—Nonresident Foreign Students)

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

12. ~~Tuition fees collected from foreign students attending a District school pursuant to an F-1 visa, equal to the full unsubsidized per capita cost of providing education during the period of attendance. (8 USC 1184(m)(1))~~ *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. ~~Fees for an optional fingerprinting program for kindergarten or other newly enrolled students, if the fee does not exceed the actual costs associated with the program. (Education Code 32390)~~ *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 costs would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)*

(cf. 5125 - Student Records)

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14. Fees for community classes in civic, vocational, literacy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the community classes. (Education Code 51810, 51815) *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. Deposits for band instruments, music, uniforms and other regalia which school band members take on excursions to foreign countries. (Education Code 38120) *Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified by law (Education Code 38084)*

(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. Charges for eye safety devices, at a price not to exceed the district's actual costs, in specified courses or activities in which students are engaged in, or are observing, an activity or the use of hazardous substances likely to cause injury to the eyes. (Education Code 32033) *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. 5142 – Safety)
(cf. 3515.4 - Recovery for Property Loss or Damage)

17. Fees for field trips and excursions in connection with courses of instruction or school related social, educational, cultural, athletic, or school band activities, as long as no student is prevented from making the field trip or excursion because of lack of sufficient funds. (Education Code 35330(b)) *Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)*

(cf. 6153 – School-Sponsored Trips)
(cf. 5111.1 - District Residency)
(cf. 5111.2 - Nonresident Foreign Students)

18. Medical or hospital insurance for field trips that is made available by the school district. (Education Code 35331) *Adult education books, materials, transportation, and classes,*

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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. ~~Charges for standardized physical education attire of a particular color and design, but the school may not mandate that the attire be purchased from the school and no physical education grade of a student may be impacted based on the failure to wear standardized apparel "arising from circumstances beyond the control" of the student. (Education Code 49066) 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. 6142.7 - Physical Education)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

20. ~~Charging for the parking of vehicles on school grounds. (Vehicle Code 21113) 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)

21. *Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course*

(cf. 6141.4 - International Baccalaureate Program)

(cf. 6141.5 - Advanced Placement)

Collection of Debt

Before pursuing payment of any debt that has accumulated from unpaid permissible fees, the Superintendent or designee shall provide an itemized invoice for any amount owed by the

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

~~A list of fees charged at each school site shall be provided to the Superintendent or designee annually prior to the start of instruction.~~

Regulation amended: June 9, 2020

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Regulation approved: April 19, 2007