

FEES AND CHARGES

The constitutional right of free access encompasses all educational activities, whether curricular, extracurricular or co-curricular, unless a charge is specifically authorized by law. Examples of prohibited fees, although not all inclusive, includes:

- Uniforms
- Membership fees in an Associated Student Body Organization or any other student organization as a condition of participation
- Spirit Packs as a condition of participation
- Locks
- Lockers
- Physical Education Logo Uniforms
- Materials, supplies or equipment associated with any educational activity
- Fees for salaries (e.g. coach, choreographer)

School districts, schools and programs can and do seek and accept donations of property and funds. This is permissible as long as it is truly voluntary and is in no way a pre-requisite to participation. As with donations, school districts, schools, programs and classes can and do engage in fundraising activities. This is also permissible as long as the raising of funds is voluntary. A student who is asked and does not raise funds may not be denied participation in an educational activity. A requirement to raise funds in order to participate, even if there is no mandated amount to fundraise, is the same as requiring a fee.

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 Trustees:

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)

FEES AND CHARGES (continued)

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 school 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)
9. Physical education clothing (non-uniform)

(cf. 6142.7 - Physical Education)

10. Rental or lease of personal property needed for district purposes, such as caps and gowns used by seniors in graduation ceremonies (Education Code 38119)

(cf. 5127 - Graduation Ceremonies and Activities)

11. Deposit for band instruments, music, uniforms and other regalia which school band members take on excursions to foreign countries (Education Code 38120)
12. Fees for community service classes (Education Code 51815)
13. Eye safety devices, at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 5142 - Safety)

14. Actual costs of duplication for copies of public records (Government Code 6253)

(cf. 1340 - Access to District Records)

FEES AND CHARGES (continued)

15. Actual costs of duplication for reproduction of the prospectus of school curriculum (Education Code 49091.14)

(cf. 5020 - Parent Rights and Responsibilities)

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

(cf. 3551 - Food Service Operations/Cafeteria Funds)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

17. 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)

18. Tuition for out-of-state and out-of-country residents (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.1 - District Residency)

(cf. 5111.2 - Nonresident Foreign Students)

19. Adult education books, materials, and classes as specified in law (Education Code 52612, 60410)

(cf. 6200 - Adult Education)

20. Child care and development services (Education Code 8263)

(cf. 5148 - Child Care and Development)

21. Parking on school grounds (Vehicle Code 21113)

Booster Organizations

A school district, school or other working entity working under the supervision of, or in coordination with a district or school, shall not impose a pupil fee for participation in educational activities. This further clarifies that Foundations and Booster Clubs collecting fees on behalf of the program or activity is the same as a district employee collecting the fees directly, and that all must comply with the “free school guarantee” - no mandatory fees, mandatory dues, mandatory donations or mandatory fundraising for educational activities.

FEES AND CHARGES (continued)

Boosters/parents/community members can give donations to the ASB for a group as a whole, meaning no individual student donations are allowed. Furthermore, these groups can buy items for the group, however, payments to individuals will not be allowed. If boosters/parents/community members want a student to attend additional training or lessons not offered by the district they may do so, however, it cannot be mandated as a condition of participation for any district or school sponsored event or for an event where the district or its schools are represented.

A waiver process/agreement or other contract does not supersede the law. Please contact the department of internal audit for further clarification.