

**Fall River Joint Unified School District  
Board Policy  
Fees And Charges**

**BP 3260  
Business and Noninstructional Operations**

Education Code 49010-49013, as added by AB 1575 (Ch. 776, Statutes of 2012), prohibit districts from requiring students to pay fees, deposits, or other charges in order to participate in an educational activity, unless authorized by law, and mandate governing boards to adopt policies and procedures implementing this prohibition. However, the prohibition does not restrict districts from soliciting for voluntary donations, participating in fundraising activities, or providing prizes or other recognition for participants in such fundraising activities.\*\*\*

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.

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.

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)

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)

**Legal Reference:**

**EDUCATION CODE**

8239 Preschool and wraparound child care services  
8263 Child care eligibility  
8760-8773 Outdoor science and conservation programs  
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  
 38080-38085 Cafeteria establishment and use  
 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  
 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

Board adopted: 2/13/2013

## **Fall River Joint Unified School District**

### **Regulation 3260**

#### **Business and Noninstructional Operations**

Pursuant to 5 CCR 350, constitutionally permissible fees can be charged only when specifically authorized by law. The following list specifies fees currently authorized by law. Other such fees may exist and be identified in the future. Pursuant to Education Code 49011, as added by AB 1575 (Ch. 776, Statutes of 2012), a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint against the charging of impermissible student fees may be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a fee may be charged should consult with legal counsel.

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)
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)
4. Student fingerprinting program (Education Code 32390)
5. School camp programs operated pursuant to Education Code 8760-8773 provided that the fee is not mandatory (Education Code 35335)
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 as long as exemptions are made for indigent and disabled students (Education Code 39807.5)
8. Transportation to and from summer employment programs for youth (Education Code 39837)
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)
11. Eye safety devices, at a price not to exceed the district's actual costs (Education Code 32033)

12. 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)
15. Food sold at school subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)
16. Fines or reimbursements for lost or damaged district property or damage to library property (Education Code 19910-19911, 48904)
17. Tuition for district school attendance by an out-of-state and out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)
18. Adult education books, materials, and classes as specified in law (Education Code 52612, 60410)
19. Preschool and child care and development services (Education Code 8239, 8263)
20. Physical education uniforms

Adopted: 2/13/2013