

# CVUSD

## Board Policy

BP 3260

### Fees and Charges

#### Business and Noninstructional Operations

\*\*\*Note: Education Code 49010-49013, as added by AB 1575 (Ch. 766, 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. \*\*\*

\*\*\*Note: In addition, pursuant to 5 CCR 350, only fees specifically authorized by law may be charged by districts. See the accompanying administrative regulation for a list of such fees. \*\*\*

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. 3100 - Budget)  
(cf. 3290 - Gifts, Grants and Bequests)  
(cf. 6145 - Extracurricular and Cocurricular 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.

(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)

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

Management Resources:

CDE MANAGEMENT ADVISORIES

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

WEB SITES

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

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

CSBA: (6/93 7/00) 11/12

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