

STUDENT FEES - ADMINISTRATIVE REGULATIONS

I. Definitions

The general guidelines as to whether or not fees may be assessed are based upon the distinction between "educational" and "non-educational" activities. "Educational" activities are those school-sponsored events, both within and beyond the scope of the normal school days, which are an integral part of a pupil's education program and/or for which a pupil is evaluated and/or assigned school credit. Pupils may not be denied participation in educational activities because of inability to pay assessed fees.

"Non-educational activities are those school-sponsored events which are normally outside the scope of the school day, for which pupil participation is optional, with no grade or credit penalty for non-participation and which are not an integral part of a pupil's education program. Pupils may be assessed fees for non-educational activities.

II. Fees and Charges

A. Prohibited Fees:

Unless otherwise authorized by law and Board policies, pupils and parents shall not be required to pay fees, deposits or charges for services and supplies that come within the educational activities and/or regular instructional program of their school. Specifically, the following types of charges are **prohibited**:

1. Charges for use of textbooks and supplemental books. (EC 60070, 5 Cal. Code of Regs. 350)
2. Charges for writing and drawing paper, pen, ink, crayons, pencils and other necessary instructional supplies including expendable supplies and materials in homemaking, laboratory or shop classes. A school district furnishing materials to a pupil may sell to the pupil, at cost, items the pupil has fabricated from such materials. (EC 39526)
3. If standardized attire is required for physical education classes, the pupils or parents may request that the district provide the specified gym shoes/suits (EC 40011). Otherwise, "suitable attire" (i.e., that which does not restrict movement, create a safety hazard, or damage equipment or facilities) may be required for participation in gym classes; this attire to be provided by the pupil.

If pupils are required to shower, no fee shall be levied for towel service.

4. Deposits in the nature of a guarantee that the district would be reimbursed for loss to the district on account of breakage, damage to or loss of school property. This includes deposits on locks, lockers, books, apparatus, musical instruments or uniforms, or "other equipment if the use of the equipment is necessary to pursue any required course, or course for which scholastic credits are given." (Ops. Cal. Atty. Gen. No. NS-2469, dated 3-30-40).
5. Fees for home-to-school transportation for handicapped pupils. (EC 39807.5)
6. An admission charge to an exhibit, fair, theater or similar activity when a visit to such places is part of the district's educational program. (5 Cal. Adm. Code 350)
7. A tuition fee or charge as a condition to enrollment in any class or course of instruction (except adult education), a registration fee, a fee for a catalog of courses, a fee for an examination in a subject, a late registration or program change fee, a fee for the issuance of a diploma or certification, or a charge for lodging.
8. Membership fees in a student body or any student organization as a condition for enrollment or participation in athletic or other activities sponsored by the school.
9. Admission and other fees connected with a field trip: A school shall not require a fee for a pupil in connection with a field trip or similar activity which is part of the regular educational program, nor may a pupil be required to pay an admission fee to participate in such non-educational activity. Time spent in co-curricular activity cannot be counted in the computation of average daily attendance. (EC 35330)

In the case of out-of-state field trips or excursions, no expense of pupils may be paid with district funds. (cf EC 35350 for details)

Pupils away from school on a field trip have the option to take food from home, or buy it from another source. (Refer to Policy 3420 regarding regulations pertaining to food sales.)

Pupils enrolled in a school camp or outdoor education program may be charged a fee provided such program and fee is not mandatory

and that no pupil will be denied the opportunity to participate because of lack of funds. (EC 35335)

B. PERMITTED FEES:

The following fees and charges are specifically **authorized** by law and are excepted from the general rule prohibiting the imposition of fees:

1. A school district furnishing materials to a pupil may sell to the pupil, at cost, items the pupil has fabricated from such materials. (EC 39526)
2. School districts are authorized to establish cafeterias and sell food to pupils. (EC 39870, 39874, 39876)
3. The parent or guardian of any minor whose willful misconduct results in injury or death to any pupil or any person employed by or performing volunteer services for a school district or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to a school district, or personal property of any school employee shall be liable for all damages so caused by the minor. The liability of the parent or guardian shall not exceed \$10,000 (EC 48904).
4. The parent or guardian shall also be liable for the amount of any reward not exceeding \$10,000 paid pursuant to Section 53069.5 of the Government Code.
5. The parent or guardian of a minor shall be liable to a school district for all property belonging to the school district loaned to the minor and not returned upon demand of an employee of the district authorized to make the demand. (EC 48904)
 - a. Any school district whose real or personal property has been willfully cut, defaced, or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon demand of an employee of the district authorized to make the demand may, after affording the pupil his or her due process rights, withhold the grades, diploma, and transcripts of the pupil responsible for the damage until the pupil or the pupil's parent or guardian has paid for the damages. (EC 48904)
 - (1) The school district shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma, or transcripts pursuant to this subdivision.

- (2) When the minor and parent are unable to pay for the damages, or to return the property, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released.
6. School districts may impose a charge for field trips or excursions or outdoor education camps, principally for transportation or for admission to an event. The Code provides, however, that no pupil shall be prevented from making a field trip or excursion because of the pupil's lack of funds. (EC 35330, 35335)
7. Districts must make medical or hospital service or accident insurance available to pupils participating in field trips. The cost of the insurance may be required to be paid by the pupil or his/her parents. (EC 35331)
8. Governing boards may expend from the general fund of the district any money which is budgeted for community services to establish and maintain community service classes and may charge pupil fees not to exceed the cost of maintaining such classes or may provide instruction in such classes for remuneration by contract, or with contributions or donations of individuals or groups. (EC 51815)
9. A governing board may charge a tuition fee to adults for any class except classes in English and citizenship for foreigners, classes in elementary subjects and classes for which high school credit is granted when taken by a person not holding a high school diploma. (EC 52612)
10. Districts must provide, and each member of an athletic team must have, accidental, death, and medical insurance coverage. The cost of such insurance may be required to be paid by the pupil unless the pupil is unable to pay for such insurance. (EC 32220 and 32221)
11. A school district may require a borrower of school band instruments, music, uniforms, and other regalia for use on an excursion to a foreign country to make a deposit. (EC 40015)

12. In classes for adults, the district may sell such materials as may be necessary for the making of articles by participants. The materials shall be sold at not less than the cost to the district, and any article

made therefrom shall be the property of the person making it. (EC 39527)

13. In summer school, the district may charge fees for courses for which no state funds are received.

Legal References: Education Code §32221, 35330, 35335, 39526, 39527, 39807.5, 39870, 39874, 39876, 40011, 40015, 48904, 51815, 52612, 60070
5 California Code of Regulations § 350

Cross Reference: Policies 1321, 6153 - Field Trips

ADOPTED: 12-14-93 DISTRICT SUPERINTENDENT

PLEASANTON UNIFIED SCHOOL DISTRICT

PLEASANTON, CALIFORNIA