

FEES AND CHARGES

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 Administrative Regulation 1312.1 – Uniform Complaint Procedures, or use the form contained herein, AR 3260 (c) and (d).

The District shall investigate complaints alleging failure to comply with applicable State and Federal laws and regulations including, but not limited to, allegations about discrimination, harassment, intimidation, bullying and noncompliance with laws relating to pupil fees for participation in an educational activity and seek to resolve those complaints in accordance with the District's Uniform Complaints (EC 234.4, 49010; 5CCR 4610, 4260-4621) and Districts Administrative Regulation Fees and Charges (AR 3260).

If a District school finds merit in a pupil fees complaint, the District school shall provide a remedy to all affected pupils, parents, and guardians that where applicable includes reasonable efforts by the District school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the State Board (EC 49013 (d)). The District will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid a pupil fee within one year prior to the filing of the complaint (5 CCR 4600(a)). (AR 3260)

The District will annually disseminate a written notice of the District complaint procedures to students, employees, parents or guardians, of students, school and District advisory committees, appropriate private school officials or representatives, and other interested parties that includes information regarding unlawful pupil fees. (EC 234.1, 49013, 5CCR and 4622). A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees (EC 49013(b)). A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred (5CCR and 4630(c)(2)). (AR 1312.1) 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) (cf. 5143 - Insurance)
2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

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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)
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 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) (cf. 3250 - Transportation Fees)
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) (cf. 6142.4 - Service Learning/Community Service Classes)
11. Eye safety devices, at a price not to exceed the District's actual costs (Education Code 32033) (cf. 5142 - Safety)
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) (cf. 5125 - Student Records)
13. Actual costs of duplication for copies of public records (Government Code 6253) (cf. 1340 - Access to District Records)
14. Actual costs of duplication for reproduction of the prospectus of school curriculum (Education Code 49091.14) (cf. 5020 - Parent Rights and Responsibilities)
15. Food sold at school subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084) (cf. 3550 - Food Service/Child Nutrition Program) (cf. 3551 - Food Service Operations/Cafeteria Funds) (cf. 3553 - Free and Reduced Price Meals) (cf. 3554 - Other Food Sales)
16. 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)
17. Tuition for District school attendance by an out-of-state and out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184) (cf. 5111.2 - Nonresident Foreign Students)
18. Physical education uniforms. The California Department of Education (CDE) opines that it is permissible for a district to require students to purchase their own gym

clothes of a district-specified design and color, as long as the design and color are of a type sold for general wear outside of the school. According to the CDE, once the gym uniforms become specialized (e.g., logos, school name), they then become “school supplies” and the district must provide the items free of charge. It is important to note that Education Code 49066 provides that a student’s grade may not be adversely affected due to the fact that he/she does not wear standardized physical education apparel due to circumstances beyond his/her control, such as lack of funds. (cf. 6142.7 – Physical Education and Activity)

Regulation approved: May 14, 2013, March 2 ,2015

AB 1575 Complaint Form

(Uniform Complaint Procedures for complaints filed under California Education Code Section 49013)

Anyone may use this form to file a complaint regarding a “student fee” that is required for participation in an educational activity offered by a California public school, as defined in California Education Code Section 49010. After completing this form, file it with the school-site Principal. If the Principal does not have sufficient authority to fix the problem, he/she will forward this form to the appropriate school district official for resolution.

➤ **Do you want to receive a copy of the written response to your complaint?**

Yes, I request a copy of the written response to my complaint.

Name: _____ Address: _____
City & Zip Code: _____ Phone Number: (optional) _____

No, I do not request a copy of the written response to my complaint.

➤ **I request immediate action to address the imposition of the following student fees:** *Please check all that apply and provide supporting details (attach additional pages if needed).*

(Please note that the remedy must be provided to all affected students, parents, and guardians per California Education Code Section 49013.)

I. Fees Charged for Registration or Participation:

- A fee was charged as a condition for registration for school or classes
- A fee was charged as a condition for participation in a class or extracurricular activity (whether or not the activity or class is compulsory, elective, or for course credit)

Description of the fee: include (1) the school, class, or extracurricular activity for which the registration or participation fee was charged; (2) details regarding how the fee requirement was communicated; and (3) the total amount of the fee.

II. Security Deposits or Other Payments for Materials or Equipment:

- A security deposit or other payment was required to obtain materials or equipment, including, but not limited to, a lock, locker, book, class apparatus, musical instrument, uniform, etc.

Description of the payment: include (1) the class or extracurricular activity; (2) details regarding how the security deposit or other payment requirement was communicated; (3) the item of equipment or material for which a deposit or payment was required; and (4) the total amount of the deposit of payment. _____

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III. **Required Purchases for Educational Activities:**

- A purchase was required to obtain materials, supplies, equipment, or uniforms associated with an educational activity.

Description of the required purchase: include (1) the class or extracurricular activity; (2) details regarding how the requirement to purchase the materials, supplies, equipment, or uniform was communicated; (3) the item required to be purchased; and (4) the total cost of the purchase.

Miscellaneous/Other Fees or Charges:

- The school is violating the requirements Article 5.5 (commencing with Section 49010) of Ch. 6 of Part 27 of Div. 4 of title 2 of the California Education Code, regarding prohibition of student fees for participation in educational activities.

Description with as much detail as possible:

➤ **IMPORTANT: I AM MAILING/HAND-DELIVERING (CIRCLE ONE) THIS FORM ON**
 (date) **to Principal** (name):

at (school name and address):

Please make and keep a copy of this completed form for your records.