

FEES AND CHARGES

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge 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. (Education Code 49010, 49011; 5 CCR 350)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of district students' families and their ability to pay.

The prohibition against student fees shall not restrict the district from soliciting for donations, conducting fundraising activities, or providing prizes or other recognition for participants in such activities and events. The Superintendent or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary. The district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. The district also shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

The Superintendent or designee may provide information or professional development opportunities to administrators, teachers, and other personnel to learn about permissible fees.

Complaints

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification of uniform complaint procedures to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

Collection of Debt

The Superintendent or designee shall, in accordance with law, recover any debt owed to the district as a result of unpaid permissible student fees approved by the Board. However, the

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district shall not bill a current or former student for accumulated debt, nor take negative action against a student or former student because of such debt, including, but not limited to, any of the following: (Education Code 49014)

1. Denying full credit for any class assignment
2. Denying full and equal participation in any classroom activity
3. Denying access to the library or other on-campus educational facilities
4. Denying or withholding grades or transcripts
5. Denying or withholding a diploma
6. Limiting or barring participation in an extracurricular activity, club, or sport
7. Limiting or excluding the student from participation in an educational activity, field trip, or school ceremony

State

5 CCR 350: Fees not permitted

5CCR 4600-4687: Uniform complaint procedures

CA Constitution Article 9, Section 5: Common school system

Ed. Code 17453.1: District sale or lease of Internet appliances or personal computers to parents of students

Ed. Code 17551: Property fabricated by students

Ed. Code 19910-19911: Offenses against libraries

Ed. Code 32033: Eye protective devices

Ed. Code 32221: Insurance for athletic team member

Ed. Code 32390: Voluntary program for fingerprinting students

Ed. Code 35330-35332: Field trips

Ed. Code 35335: School camp programs

Ed. Code 38080-38086.1: Cafeteria establishment and use

Ed. Code 38120: Use of school band equipment on excursions to foreign countries

Ed. Code 39801.5: Transportation for adults

Ed. Code 39807.5: Payment of transportation costs by parents

Ed. Code 39837: Transportation to summer employment program

Ed. Code 42238.02: Local Control Funding Formula

Ed. Code 46120: Expanded learning opportunities

Ed. Code 48050: Residents of adjoining states

Ed. Code 48052: Tuition for foreign residents

Ed. Code 48904: Liability of parent or guardian; withholding of grades, diplomas, transcripts

Ed. Code 49010-49013: Student fees

Ed. Code 49014: Public School Fair Debt Collection Act

Ed. Code 49065: Reasonable charge for transcripts

Ed. Code 49066: Grades; effect of physical education class apparel

Ed. Code 49091.14: Parental review of curriculum

Ed. Code 49501.5: California Universal Meals Program

Ed. Code 49557.5: Child Hunger Prevention and Fair Treatment Act of 2017

Ed. Code 51810-51815: Community service classes

Ed. Code 52612: Tuition for adult classes

Ed. Code 52613: Nonimmigrant foreign nationals

Ed. Code 56504: School records; students with disabilities

Ed. Code 60410: Books for adult classes

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Ed. Code 8211: Priority for full-day programs

Ed. Code 8213: Income eligible; definition

Ed. Code 8252-8254: Early childhood education family fees

Ed. Code 8263: Eligibility and priorities for subsidized child development services

Ed. Code 8420-8428: 21st Century High School After School Safety and Enrichment Program for Teens

Ed. Code 8760-8774: Outdoor science, conservation, and forestry programs

Gov. Code 6253: Request for copy; fee

Federal

8 USC 1184: Foreign students

Management Resources

California Department of Education Publication: Summer School, Third Parties, and Tuition Fees, Fiscal Management Advisory 22-01, September 1, 2022

California Department of Education Publication: Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020

Court Decision: CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Court Decision: Driving School Assn of CA v. San Mateo Union HS (1992) 11 Cal.App.4th 1513

Court Decision: Hartzell v. Connell (1984) 35 Cal.3d 899

Court Decision: Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Court Decision: Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Website: CSBA District and County Office of Education Legal Services

Website: California Department of Education

Website: CSBA

Policy Adopted: 3/8/2023

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California