

3000 BUSINESS/NON INSTRUCTIONAL OPERATIONS

3200 INCOME

3260(a) FEES AND CHARGES

The Superintendent/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 Superintendent/Governing 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)

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

Approved as to form:


Robert J. Henry, of Counsel

6.11.13
Dated

Approved by
Marin County Board of Education: 6/11/13

References

- (cf. 1321 – Solicitation of Funds from and by Students)
- (cf. 3100 – Budget)
- (cf. 3290 – Gifts, Grants and Bequests)
- (cf. 6145 – Extracurricular and Cocurricular Activities)
- (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)
- (cf. 1312.3 – Uniform Complaint Procedures)
- (cf. 4112.9/4212.9/4312.9 – Employee Notifications)
- (cf. 5145.6 – Parental Notifications)
- (cf. 4131 – Staff Development)
- (cf. 4231 – Staff Development)
- (cf. 4331 – Staff Development)

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:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

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

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

MARIN COUNTY OFFICE EDUCATION
ADMINISTRATIVE REGULATIONS AND PROCEDURES

FEES AND CHARGES
(Board Policy 3260(a))

The Marin County Office of Education (MCOE) shall not require any MCOE student to pay any fees, deposits, or charges except as specifically authorized by law. (Education Code 49011; 5 CCR 350)

The Superintendent/Governing Board may impose a fee for the following:

1. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)
2. 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)
3. Student fingerprinting program (Education Code 32390)
4. School camp programs operated pursuant to Education Code 8760-8773 provided that the fee is not mandatory (Education Code 35335)
5. 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)
6. 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)
7. Fees for community service classes (Education Code 51815)
8. Eye safety devices, at a price not to exceed the district's actual costs (Education Code 32033)
9. Actual cost of furnishing copies of any student's records, except no fee shall be assessed if he/she is a former student, up to two transcripts or two verifications of his/her various records (Education Code 49065)
10. Actual costs of duplication for copies of public records (Government Code 6253)
11. Actual costs of duplication for reproduction of the prospectus of school curriculum (Education Code 49091.14)
12. Food sold at school subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

13. Fines or reimbursements for lost or damaged district property or damage to library property (Education Code 19910-19911, 48904)
14. Tuition for district school attendance by an out-of-state and out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)
15. Adult education books, materials, and classes as specified in law (Education Code 52612, 60410)
16. Preschool and child care and development services (Education Code 8239, 8263)
17. Physical education uniforms

References:

- (cf. 6153 – School-Sponsored Trips)*
- (cf. 6142.5 – Environmental Education)*
- (cf. 3250 – Transportation Fees)*
- (cf. 6142.4 – Service Learning/Community Service Classes)*
- (cf. 5142 – Safety)*
- (cf. 5125 – Student Records)*
- (cf. 1340 – Access to District Records)*
- (cf. 5020 – Parent Rights and Responsibilities)*
- (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)*
- (cf. 3515.4 – Recovery for Property Loss or Damage)*
- (cf. 5111.2 – Nonresident Foreign Students)*
- (cf. 6200 – Adult Education}*
- (cf. 5148 – Child Care and Development)*
- (cf. 5148.3 – Preschool/Early Childhood Education)*
- (cf. 6142.7 – Physical Education and Activity)*