



# Santa Ana Unified School District

BOARD POLICY NO: 3260

EFFECTIVE: 08/10/2021

**SUBJECT: Fees and Charges**

**CATEGORY:** Business and Noninstructional Operations

**RESPONSIBLE OFFICE(S):** Business Services, Accounting

## **SCOPE:**

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

## **POLICY:**

No student shall be required to pay a fee, deposit, or other charge for 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) (cf. 3100 - Budget) (cf. 6145 - Extracurricular and Cocurricular Activities)

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 students' families and their ability to pay. (cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 0415 - Equity) (cf. 3250 - Transportation Fees) (cf. 3553 - Free and Reduced Price Meals) (cf. 5143 - Insurance) (cf. 9323.2 - Actions by the Board)

The prohibition against student fees shall not prevent 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. (cf. 1321 - Solicitation of Funds from and by Students) (cf. 3290 - Gifts, Grants and Bequests)

The Superintendent or designee may provide information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees. (cf. 4131 - Staff Development) (cf. 4231 - Staff Development) (cf. 4331 - Staff Development)

## **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) (cf. 1312.3 - Uniform Complaint Procedures)



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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) (cf. 4112.9/4212.9/4312.9 - Employee Notifications) (cf. 5145.6 - Parental Notifications)

## **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 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

## **DESIRED OUTCOME:**

Through this policy, the District shall ensure that no approved fees, deposits, and other chargers shall interfere with or prohibit a student's participation in the District's educational curricular and extracurricular programming. Any complaints regarding permissible fees (such as donations, fundraising activities, or prizes or other recognition for participation in activities or events) can be submitted for investigation. The Board has the authority to approve fees, deposits, or charges as they deem appropriate.



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## **IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:**

### **District Policies and Procedures:**

BP/AR 1312.3 - Uniform Complaint Procedures

BP/AR 3100 - Budget

BP/AR 3290 - Gifts, Grants and Bequests

BP/AR 3553 - Free and Reduced Price Meals

BP/AR 4131 - Staff Development

BP 4231 - Staff Development

BP/AR 4331 - Staff Development

BP/AR 6145 - Extracurricular and Cocurricular Activities

BB 9323.2 - Actions by the Board

### **Legal Reference:**

#### **EDUCATION CODE**

8239	Preschool and wraparound child care services
8250	Child care and development services for children with disabilities
8263	Child care eligibility
8422	21st Century High School After School Safety and Enrichment for Teens
8482.6	After School Education and Safety programs
8760-8774	Outdoor science, conservation, and forestry programs
17453.1	District sale or lease of Internet appliances or personal computers to parents of students
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
38080-38086.1	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
49014	Public School Fair Debt Collection Act
49065	Charge for copies
49066	Grades, effect of physical education class apparel
49091.14	Prospectus of school curriculum



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49557.5	Unpaid school meal fees
51810-51815	Community service classes
52612	Tuition for adult classes
52613	Nonimmigrant foreign nationals
56504	School records, students with disabilities
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  
4600-4687 Uniform complaint procedures

## UNITED STATES CODE, TITLE 8

1184 Nonimmigrant students

## COURT DECISIONS

Arcadia Unified School District v. State Department of Education (1992) 2 Cal. 4th 251  
Driving School Assn of CA v. San Mateo Union HSD (1992) 11 Cal. App. 4th 1513  
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 PUBLICATIONS

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 17-01,  
July 28, 2017

### WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education: <http://www.ocde.ca.gov>

## ADOPTION AND REVISION HISTORY:

(8-98 5-03) 8-21