

# Santa Barbara Unified School District

## Board Policy

### Business and Non-Instructional Operations

BP 3260

#### FEES AND CHARGES

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.

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. In accordance with Board Policy 6153, *No field trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds. The superintendent or designee shall coordinate with community groups to supply funds for students in need.* (Education Code 35330)

*(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)*

#### 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)*

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

#### *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 programs*

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  
39801.5 Transportation for adults  
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  
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.cde.ca.gov>

SANTA BARBARA UNIFIED SCHOOL DISTRICT

Santa Barbara, California

November 10, 2015; February 13, 2018; August 13, 2019