

Fresno Unified Board Policy (BP) 3260

Business and Noninstructional Operations

Fees and Charges

The Governing Board recognizes its responsibility to ensure that books, materials, instructional equipment, supplies, and other resources necessary for students' participation in the educational program are made available to them at no cost. No student shall be required to pay any fees, deposits, or other charges for their 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 Co-curricular Activities)

As necessary, the 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.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0415 - Equity)

(cf. 3250 - Transportation Fees)

(cf. 3553 - Free and Reduced Lunch Program)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for their participation in an educational activity, the student or their 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)

(cf. 1312.3 – Uniform Complaint Procedures)

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 district 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)

(cf. 4112.9/4212.9/4312.9 – Employee Notifications)

(cf. 5145.6 – Parental Notifications)

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

(cf. 4131 – Staff Development)

(cf. 4231 – Staff Development)

(cf. 4331 – Staff Development)

Complaints

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)

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

Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.

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 Excursions and field trips 35335
School camp programs
38085 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 cost
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
51810-51815 Community service classes
52500 Adult classes; admission of minors 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
CODE OF REGULATIONS, TITLE 5
350 Fees not permitted
4600-4687 Uniform complaint procedures
CALIFORNIA CONSTITUTION
Article IX, Section 5 Common school system
UNITED STATES CODE, TITLE 8
1184 nonimmigrant students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1992) 11 Cal. App. 4th 1513
Hartzell v. Connell (1984) 35 Cal. 3d 899
Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739
Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251 CTA v. Glendale SD
Board of Education (1980) 109 Cal. App. 3d 738, 746-748
Driving School Assn of California v. San Mateo Union High School District (1993) 11 Cal. App. 4th 1513

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES
1030.97 Fiscal Management Advisory 97-02: Fees, Deposits and Other Charges

Policy FRESNO UNIFIED SCHOOL DISTRICT
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