



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 12.3

Meeting Date: June 4, 2015

Subject: Revision to Board Policy No. 3260: Fees and Charges

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: June 18, 2015)
- Conference/Action
- Action
- Public Hearing

Department: Legal Services

Recommendation: Approve revisions to District policy regarding pupil fees as required by Education Code Sections 49010, 49011.

Background/Rationale: Education Code Sections 49010, 49011, as revised last year, clarify the prohibitions on school districts charging fees for core educational services (such as extra-curricular activities, PE clothes, field trips, etc.). The updated laws require that districts update their policies to align with and accurately reflect the laws.

Financial Considerations: Unknown impacts related to increased costs associated with various educational activities.

LCAP Goal(s): College and Career Ready Students; Family and Community Engagement

Documents Attached:

1. Revised BP 3260; Revised BP 3260 with red lined revisions.

<p>Estimated Time of Presentation: 10 Minutes</p> <p>Submitted by: Raoul Bozio, Manager II, Legal Services</p> <p>Approved by: José L. Banda, Superintendent</p>

Sacramento City USD

Board Policy

Fees And Charges

BP 3260

Business and Noninstructional Operations

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)

(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 socio-economic conditions of district students' families and their ability to pay.

(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)

The prohibition against student fees shall not restrict the district from soliciting for voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such activities and events. However, 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 and 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)

Whenever district employees, volunteers, students, parents/guardians, or educational or civic organizations participate in such events or activities, the Superintendent or designee shall

emphasize that participation in the event or activity is voluntary.

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 required 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 may provide additional 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)

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

8482.6 After School Education and Safety programs

8760-8774 Outdoor science and conservation programs

17453.1 District sale or lease of Internet appliances or personal computers to students or parents

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 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
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
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 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 PUBLICATIONS

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony,

Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

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

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

~~The Governing Board desires to furnish books, materials and instructional equipment as needed for the educational program. Because district needs must be met with limited available funds, the~~

~~Board may charge fees when specifically authorized by law.~~

~~The district shall consider the student and parent/guardian's ability to pay when establishing fee schedules and granting exceptions.~~

~~(cf. 1321—Solicitation of Funds from and by Students)~~

~~(cf. 3290—Gifts, Grants and Bequests)~~

~~(cf. 3515.4—Recovery for Property Loss or Damage)~~

~~(cf. 3553—Free and Reduced Price Meals)~~

~~(cf. 5143—Insurance)~~

~~(cf. 6145—Extracurricular and Cocurricular Activities)~~

~~(cf. 9323.2—Actions by the Board)~~

Legal Reference:

EDUCATION CODE

~~8760-8773 Outdoor science and conservation programs~~

~~17551—Property fabricated by students~~

~~19910—Malicious cutting, tearing, defacing, breaking or injuring~~

~~19911—Willful detention of property~~

~~32221—Insurance for athletic team member~~

~~35330—Excursions and field trips~~

~~35335—School camp programs~~

~~38080-38085—Cafeteria establishment and use~~

~~38119—Lease of personal property; caps and gowns~~

~~38120—Use of school band equipment on excursions to foreign countries~~

~~39807.5—Payment of transportation cost~~

~~39837—Transportation of students to places of summer employment~~

~~41902—Allowances by Superintendent of Public Instruction (re driver training)~~

~~48904—Liability of parent or guardian~~

~~48932—Authorization for activities by student organizations; fund-raising~~

~~49063—Notification of rights~~

~~49490-49493—School Breakfast and Lunch Program~~

~~49500-49505—Meals~~

~~49530-49536—Child Nutrition Act of 1974~~

~~49550-49560—Meals for needy students~~

~~51810-51815—Community service classes~~

~~52500—Adult classes; admission of minors~~

~~52500.1—Eligibility of high school students for enrollment—~~

~~52523—Adult education as supplement for high school curriculum~~

GOVERNMENT CODE

~~6253—Request for copy; fee~~

VEHICLE CODE

~~21113—Public grounds (parking)~~

CODE OF REGULATIONS, TITLE 5

~~350—Fees not permitted~~

~~15500—Food sales in elementary schools~~

~~15501—Food sales in high schools and junior high schools~~

~~15510—Mandatory meals for needy students~~

~~15550-15565—School lunch and breakfast programs—~~

~~CALIFORNIA CONSTITUTION~~

~~Article IX, Section 5—Common school system~~

~~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~~

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adopted: November 16, 1998 Sacramento, California

reviewed: November 5, 2001

revised: June 18, 2015

Sacramento City USD

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