

**MATERIALS FEES**

The Office of Education will provide all instructional equipment, books and materials needed to maintain Office of Education-operated instructional programs serving pupils in grades kindergarten through twelve and qualified special education pupils. 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 educational program, including curricular and extracurricular activities.

Non-special-education-qualified pre-kindergarten pupils participating in special education programs and adults enrolled in Humboldt Regional Occupational Program classes may be charged reasonable materials fees to cover the cost of consumable items used by those pupils.

Personal property of the Office of Education fabricated by students may be purchased by students, as long as the cost of the property does not exceed the cost of the materials provided by the Office of Education.

The prohibition against student fees shall not restrict the Office of Education from soliciting for voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such activities and events. However, the Office of Education shall not offer or award to a student any course 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.

Whenever Office of Education 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.

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 procedures in Board Policy/Administrative Regulation 1312.4—Uniform Complaint Procedures.

The principal or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all students in Office of Education programs, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against requiring students to pay fees, deposits and 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.

*Legal reference*

EDUCATION CODE

35272 Educational and athletic materials

17551 Sale of Personal Property

32033 Eye protective devices

35330-35332 Excursions and field trips

39807.5 Payment of transportation costs

48904 Liability of parent or guardian

49019-49013 Student Fees

49065 Charge for copies

GOVERNMENT CODE

6253 Request for copy; fee

TITLE 5 CODE OF REGULATIONS

350 Privileges of Pupils; fees not permitted

4600-4687 Uniform complaint procedures

CALIFORNIA CONSTITUTION

Article IX, Sections 5 and 6 Public School System

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4<sup>th</sup> 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal. 4<sup>th</sup> 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