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The California Constitution requires that public education be provided to students free of charge, unless a charge is specifically authorized by law for a particular program or activity. **A student's right to a free education is for all school/educational activities, whether curricular or extracurricular, and whether a student gets a grade for the activity or class.** Therefore, the Novato Unified School District may not charge fees for school programs and extracurricular activities, except for those programs or activities where a fee is specifically authorized by law. Please see [Board Policy 3260 Fees and Charges for more information](#).

**What does this mean for our schools and teachers?**

It means we cannot ask parents, guardians and students to provide the following:

- Books (this also applies to assignments over the summer break)
- Instruments
- Fees for curricular or extracurricular activities except for those authorized by law (see Authorized Fees)

**With regard to classroom supply or wish lists, a teacher may post or distribute a classroom supply or wish list as long as it clearly states that the request is voluntary and a donation.**

The law does allow school districts to request voluntary donations and engage in fundraising activities and programs. These donations and fundraising financial contributions are voluntary, and all students will be allowed to participate in school activities and extracurricular activities regardless of whether the parent or legal guardian makes a donation or contribution.

Below are some examples for soliciting and collecting fees as well as some phrases that can be inserted into existing forms. This language was provided to us by School and College Legal Services of California.

**Suggestions for Soliciting and Collecting Donations (not fees)**

Collecting Money from Students/Parents/Guardians

1. Make sure any communication refers to voluntary donations:

Example: The cost to the district of each student attending the Phantom of the Opera is \$45. If you are able to do so, we request that you make a voluntary donation to the District (School). No student will be denied participation due to the decision of any parent/guardian to not donate the funds in question.

2. Make sure any solicitation for a donation includes who to make the check out to and where to send the funds.
3. Make sure there is an appropriate “audit trail” regarding the collection of the money.

### Don'ts in Collecting Money from Students/Parents/Guardians

1. Do not refer to the amount as a fee.
2. Do not refer to waivers of fees.
3. Do not suggest a student cannot attend even if the requested donation is not paid.

### **Student Fee Language**

California law does not allow school districts to charge fees to students for curricular and extracurricular activities. We are requesting voluntary donations from parents to offset the costs of these programs. Parents are not required to make donations and all students may participate in extracurricular activities regardless of whether their parents make a donation.

### **Are there permissible fees that schools may charge to students?**

There are specific fees, charges and deposits that are legally authorized by law. These specific fees, charges and deposits are:

- Paying the replacement cost for District books or supplies loaned to a student that the student fails to return, or that is willfully cut, defaced or otherwise injured, up to an amount not to exceed \$10,000.
- Fees for field trips and excursions in connection with courses of instruction or school related social, educational, cultural, athletic, or school band activities, as long as no student is prevented from making the field trip or excursion because of lack of sufficient funds.
- Charges for the parking of vehicles on school grounds.
- Charges for the rental or lease of personal property needed for District purposes, such as caps and gowns for graduation ceremonies.
- Charges for standardized physical education attire of a particular color and design, but the school may not mandate that the attire be purchased from the school and no physical education grade of a student may be impacted based on the failure to wear standardized apparel “arising from circumstances beyond the control” of the student.

- Charges for optional attendance as a spectator at a school or District sponsored activity.
- Deposits for band instruments, music, uniforms and other regalia which school band members take on excursions to foreign countries.
- Charges for eye safety devices, at a price not to exceed the district's actual costs, in specified courses or activities in which students are engaged in, or are observing, an activity or the use of hazardous substances likely to cause injury to the eyes.
- Fees for school camp programs, so long as no student is denied the opportunity to participate because of nonpayment of the fee.
- Charges for food served to students, subject to free and reduced-price meal program eligibility and other restrictions specified in law.
- Medical or hospital insurance for field trips that is made available by the school district.
- Charges for required medical and accident insurance for athletic team members, so long as there is a waiver for financial hardship.
- Reimbursement for the actual cost of duplicating public records, student records, or a prospectus of the school curriculum.
- Fees for transportation to and from school, and transportation between school and regional occupational centers, programs or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and provided there is a waiver provision based on financial need.
- Fees for transportation of pupils to places of summer employment.
- Tuition fees charged to pupils whose parents are actual and legal residents of an adjacent foreign country or an adjacent state.
- Tuition fees collected from foreign students attending a District school pursuant to an F-1 visa, equal to the full unsubsidized per capita cost of providing education during the period of attendance.
- Fees for an optional fingerprinting program for kindergarten or other newly enrolled students, if the fee does not exceed the actual costs associated with the program.
- Fees for community classes in civic, vocational, literacy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the community classes.