

# Fees / Contributions / Donations / Fundraising

A Review of Guidelines,  
Policies and Procedures for  
Student Fees, Donations,  
Contributions and Fundraising  
within the RJUHSD



# Purpose

- The purpose of this presentation is to review our District's guidelines, policies and procedures for student fees, donations, contributions and fundraising.



# Purpose

*(continued)*

- The subject of student fees, charges, deposits, donations and fundraising related to athletics, courses and activities has been at the forefront of public attention locally and nationally.



# Free Public Education

- The California Constitution requires that schools provide a free public education, unless a charge is specifically authorized by law.

(California Constitution, Article IX-5)

(Hartzell vs. Connel 1984)



# Free Public Education

*(continued)*

- Since 1874, the California Supreme Court has interpreted “free school system” to mean that students are entitled to be educated at the public’s expense.



# Permissible Fees

- **California public schools may charge fees as outlined in the Education Code. These permissible fees include:**
  - Transportation to and from school
  - Charges for food (limited by the free and reduced price meal program)
  - Insurance for field trips (so long as there is a waiver for financial hardship)
  - Fees for all community/adult classes

# Permissible Fees

*(continued)*

- Permissible Fees Outlined in Ed Code *(continued)*:
  - Lost or damaged books or district supplies
  - Direct cost of materials for property the student has made in class for his/her own use
  - Fees for school camp programs (i.e., outdoor science camp) – allows for this fee, but can't be mandatory
  - Actual cost of duplication of public records or student records
  - Charges for medical and accident insurance for athletic team members (so long as there is a waiver for financial hardship)



# Non-permissible Fees

*(Part I)*

- California public schools cannot charge fees in order for students to participate in any required or elective class.



# Non-permissible Fees

*(Part I continued)*

This includes:

1. Security Deposits (i.e., locks, lockers, uniforms, instruments)
2. Participation Fees (i.e., curricular, co-curricular, extra-curricular)
3. Supplies (both necessary and supplemental)



# Non-permissible Fees

*(Part II)*

- **California public schools cannot charge fees for specialized gym or physical education apparel.**
- **Schools may require students to provide and wear appropriate physical education apparel.**

Education Code §49066: “No grade of a pupil participating in a physical education class may be adversely affected due to the fact that the pupil does not wear standardized physical education apparel where the failure to wear such apparel arises from circumstances beyond the control of the pupil,” such as lack of sufficient funds.

# FAQs

## (Frequently Asked Questions)

**QUESTION 1:** May a school still receive donations from parents and guardians?

**RESPONSE:**

**YES.** School districts, schools, programs and classes can and do seek and accept donations of funds and property, and this practice is permissible as long as the donation is truly voluntary and is in no way a prerequisite to participation in the program or activity. Donations cannot be made for a specific student; instead, they are made to a school or program. For example, if parents wish to donate to their school's cheerleading program, they can donate to the cheer program or to the cost of cheer camp, but they cannot designate the donation for a specific cheerleader.



# FAQs

## (Frequently Asked Questions)

**QUESTION 2:** May a school still fundraise?

**RESPONSE:**

**YES.** School districts, schools, programs and classes can and do engage in fundraising activities and programs, and this practice is permissible as long as the raising of funds is voluntary. You may require students to attend a fundraising event; however, if they are unable to raise funds for the event, you cannot prevent them from participating in an educational activity. Also, attendance at a fundraiser can be required if it is a team or club event. Penalties for non-attendance would be similar to those imposed for failure to attend any other team or club event (i.e., sitting out a game).



# FAQs

## (Frequently Asked Questions)

**QUESTION 3:** May a school charge fees for uniforms for team sports?

**RESPONSE:**

**NO.** A school must provide a free uniform to any student who is a member of the school team in question. You can allow students to purchase their own uniforms if they want to purchase uniforms; however, buying a uniform cannot be a requirement to participate in a sport.



# FAQs

## (Frequently Asked Questions)

**QUESTION 4:** May a school require team members to purchase Spirit Packs?

**RESPONSE:**

**NO.** Spirit packs may be sold; however, a school cannot require a student to purchase a spirit pack as a prerequisite to participate in a sport. If there are practice uniforms, etc., which are required, they must be provided free of charge to any student who is a member of the school team in question.



# FAQs (Frequently Asked Questions)

**QUESTION 5:** May a school only charge fees to those students who can afford them and have a waiver process for those who cannot?

**RESPONSE:**

**NO.** A waiver process based on financial need or inability to pay does not make an otherwise non-permissible fee permissible.



# THE END

*Please contact your site administration if questions arise that need to be addressed.*

*Thank you.*

