

Board Policy #: 014
Adopted/Ratified: July 2009
Revision Date: April 22, 2015

POLICY ON STUDENT FEES

The Board of Directors of Birmingham Community Charter High School (“BCCHS”) recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students’ participation in the educational program are made available to them. 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 BCCHS’s educational program, including curricular and extracurricular 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, BCCHS shall consider students’ and parents/guardians’ ability to pay when establishing fee schedules and granting waivers or exceptions.

Nothing in this policy limits a parent/guardian or student’s right to voluntarily contribute time or things of value to our schools. This policy is subject to BCCHS’s uniform complaint procedure.

The Free School Guarantee

In accordance with the California Constitution and Education Code Section 49011, “a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.”

The following definitions shall apply for purposes of this policy:

- (a) “Educational activity” means an activity offered by a school, school district, charter school, or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
- (b) “Pupil fee” means a fee, deposit, or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in Hartzell v. Connell (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - (i) A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

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- (ii) A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment.
- (iii) A purchase that a pupil is required to make to obtain materials, supplies, equipment, or uniforms associated with an educational activity.

Additional Assurances

With regard to charging fees, BCCHS also adopts the following policies:

- No pupil or parent/guardian will be required to request a fee waiver.
- No pupil or parent/guardian will be offered a two-tier educational activity with a minimal opportunity for free and a second, higher opportunity for a fee.
- No pupil will be offered or denied the opportunity to participate in educational activities based on whether his or her parent/guardian contributed money, goods, or services to the school.

Voluntary Contributions

Pupils, parents, and guardians are still encouraged to make voluntary contributions or donations of time, money, or property and to participate in fund raising activities. Pupils may be encouraged to participate in fundraising activities through prizes or other recognition for voluntary participation.

Notice

The Charter School shall provide all students, parents/guardians, employees, and other interested parties with an annual notification about the requirements relating to the prohibition against 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.

Complaint Procedures

Pupils, parents, and guardians may submit complaints which allege that BCCHS has violated the policy on student fees stated above.

Complaints regarding unlawful fees must be made using the uniform complaint procedures and form adopted by BCCHS. If a complaint regarding a particular fee is determined to have merit, BCCHS shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.