

POLICY ON STUDENT FEES

The Board of Directors of Ballington Academy 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 the Ballington Academy'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, the Ballington Academy 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 Ballington Academy'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.

- (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, Ballington Academy 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 districts 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 Ballington Academy 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 Ballington Academy. If a complaint regarding a particular fee is determined to have merit, Ballington Academy will reimburse all such fees paid by any individual.

Addendum To Student Fees Policy

In compliance with the CDE regulation and the Fiscal Advisory 12-2 issued by the CDE, the following will serve as additional guidance for the policy around student fees.

Ballington's Educational Program whereby fees are prohibited: *(This does not prohibit donations)*

1. Textbooks
2. Supplies
3. Art Supplies
4. Classroom Materials (Writing and drawing paper, pens, inks, blackboard erasers, crayons, and lead pencils)
5. Science Supplies
6. Technology Supplies (computers)

Fees Authorized and in accordance with CDE Fiscal Advisory 12-2:

1. Reimbursement for the direct cost of materials property the pupil has fabricated from such materials to take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the pupil. (EC Section 17551.)
2. Charges for safety glasses, for a pupil to keep, so long as the school provides them free of charge for use in specified courses or activities involving the use of hazardous substances likely to cause injury to the eyes. (EC Sections 32030-32033.)
3. Fees for sale or lease of Internet appliances or personal computers to parents for the purpose of providing access to the school district's educational computer network, at no more than cost, so long as the district provides network access for families who cannot afford it. The internet appliances and personal computers referred to in this section are deemed supplemental and not an essential part of the school district's educational program. (EC Section 17453.1.)
4. Fees for transportation to and from school, and transportation between school and regional occupational centers, programs or classes, as long as (1) the fee does not exceed the statewide average nonsubsidized cost per pupil; (2) there is a waiver provision based on financial need; and (3) fees are not charged to pupils with disabilities whose Individualized Education Program (IEP) includes transportation as a related service necessary for them to receive a free appropriate public education. (EC Section 39807.5(b), (d), and (f).)
5. Charges for food served to pupils, subject to free and reduced price meal program eligibility and other restrictions specified in law. (EC Sections 38082 and 38084.)
6. Payment for the replacement cost for district books, supplies or property loaned to a pupil that the pupil fails to return, or that are willfully cut, defaced or otherwise damaged, up to

an amount not to exceed \$10,000, adjusted annually for inflation. (EC Sections 19911 and 48904.)

7. Fees for field trips and excursions in connection with courses of instruction or school-related social, educational, cultural, athletic, or school band activities so long as no pupil is prevented from making the field trip or excursion because of lack of sufficient funds. (EC Section 35330(b).)10
8. 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. (EC Sections 51810 and 51815.) These include classes such as dance, music, theatre, visual arts, handicraft, science, literature, nature study, nature contacting, aquatic sports and athletics. (EC Section 51810.)
9. Fees for outdoor science school camp programs, so long as no pupil is denied the opportunity to participate because of non-payment of the fee. (EC Section 35335.)
10. Fees for the actual cost of duplicating public records, pupil records, or a prospectus of the school curriculum. (Government Code Section 6253; EC Sections 49063(h) and 49091.14.) There are two exceptions: First, no charge shall be made for furnishing up to two transcripts of former pupils' records or up to two verifications of various records of former pupils. (EC Section 49065.) Second, if the cost would effectively prevent the parent of a special education pupil from exercising the right to receive copies of pupil records, the copies shall be reproduced at no cost. (EC Section 56504.)
11. Fees for After School Education and Safety Programs, so long as no eligible student is denied the ability to participate because of an inability to pay the fee. (EC Section 8482.6)