

Revised Sample Policy

File: JQ

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Student Fees, Fines and Charges

Students shall not be charged an instructional fee as a condition of enrollment in school or as a condition of attendance in any class that is considered part of the academic portion of the district's educational program except tuition when allowed by law. However, the district may require students to pay textbook fees, fees for expendable materials and other miscellaneous fees as more fully set forth in this policy.

All student fees and charges shall be adopted by the Board. The fees shall remain in place until modified or removed by Board resolution. All student fees adopted by the Board shall be used for the purposes set forth in the motion and shall not be spent for any other purpose.

When publicizing any information concerning any fee authorized to be collected by this policy, the school shall specify whether the fee is voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid.

Among the fees which the Board may authorize are the following:

Textbooks, library resources and other school property

Textbooks shall be provided on a loan basis. Students may be asked to pay a nonrefundable rental fee reasonably related to the actual cost of some or all of the textbooks provided for the student. The rental fee and corresponding depreciation schedule shall be adopted by the Board prior to the textbook's introduction into the classroom. No rental fee will be assessed for textbooks and workbooks used in the classroom for reference.

[Choose one of the following two paragraphs]

Students may be assessed a loss or damage deposit prior to use of textbooks, library resources and other school property provided by the district. This deposit shall be refundable, subject to any applicable fines or related charges. The fines will be for the amount of the loss. In computing a fine, 20 percent of the original cost of a book, resource or other school property will be deducted for each year it has been used.

[or]

It is expected that students shall return textbooks, library resources and other school property to the school in good condition except for ordinary wear. Students shall be assessed fines for lost, damaged or defaced books (including those checked out from the library), materials or equipment. The fines will be for the amount of the loss. In computing a fine, 20 percent of the original cost of a book, library resource or other school property will be deducted for each year it has been used.

If the school district has made a reasonable effort to obtain payment for lost or damaged textbooks, library resources or other school property and the student is graduating, the district may deny the privilege of participation in the graduation ceremony if the student fails to return or replace a textbook, library resource or other school property by the date of the ceremony. Alternative payment methods, such as installment plans or school service, shall apply to students who are unable to pay.

A student shall not be refused use of textbooks based on failure to pay the required fees.

Fees for expendable supplies and materials

Teachers shall determine a basic course for each class which can be completed with materials furnished by the school. However students may be charged a fee for expendable supplies and materials used in the course. Fees for expendable supplies and materials shall relate directly to the actual cost of providing these materials to the student. Students shall be required to pay for materials that go into shop, crafts or art projects that are above the basic requirements for the course and are to be retained by the student.

Miscellaneous fees

Students may be asked to pay miscellaneous fees and expenses on a voluntary basis as a condition of attending, participating in, or obtaining materials/clothing/equipment used in a school-sponsored activity or program not within the academic portion of the educational program.

Rental fees for the use of items such as choral robes, band uniforms and school-owned instruments shall be approved by the Board upon the recommendation of the superintendent.

Students participating in activities which are not required by the teacher or used in the determination of a grade may be required to pay charges covering the cost of the activity. Such charges may include but are not limited to admission fees, food costs and transportation costs on activity trips. However, it is incumbent upon the teacher and principal to make every effort to be sure no student is denied the right to participate in trips or other enrichment activities because of lack of funds.

The district may impose and collect a fee for the payment of excess transportation costs in accordance with state law. Only those students who use the district's transportation services shall be required to pay any transportation fee.

Waiver of fees

All fees, fines and charges for textbooks and expendable supplies and materials required for classes within the academic portion of the educational program and any transportation fee shall be waived for indigent students. For purposes of determining if a student is able to pay, an indigent student is defined as any child who is eligible for a free or reduced price lunch under the federal poverty income guidelines.

NOTE: While the definition of "student in out-of-home placement" closely tracks the federal law's definition of a student in foster care, the state law's definition is slightly broader. Thus, the use of the term "student in out-of-home placement" is intentional in the following paragraph, as state law requires the district to waive fees for students in out-of-home placements. C.R.S. 22-32-138 (7).

All fees for textbooks, expendable supplies and materials, and miscellaneous fees shall be waived for students in out-of-home placements, as that term is defined by C.R.S. 22-32-138 (1)(h-e).

Fee schedule

The district shall prepare and make available upon request a complete list of student fees, describing how the amount of each fee was derived and the purpose of each fee.

Parents shall be informed on the fee schedule or otherwise regarding how to apply for a waiver of fees, whether fees are voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid. Students qualifying for a fee waiver will receive it without unnecessary embarrassment or public exposure of their need.

(Adoption date)

LEGAL REFS.: C.R.S. 22-32-109 (1)(u) (*free textbooks to indigent students w/o loss/damage deposit*)
C.R.S. 22-32-110 (1)(o) (*textbooks for free or reasonable rental fee*)
C.R.S. 22-32-110 (1)(jj) (*board power to assess fines or fees for the return or replacement of textbooks, library resources or other school property*)
C.R.S. 22-32-113 (5) (*transportation of pupils and imposition of fee for excess transportation costs*)
C.R.S. 22-32-117 (*fees*)
C.R.S. 22-32-118 (*summer school fees*)
C.R.S. 22-32-138 (7) (*waiver of fees for students in out-of-home placements*)
C.R.S. 22-45-104 (*disposition of moneys collected from fines and fees*)

CROSS REFS.: EEA, Student Transportation
EFC, Free and Reduced-Price Food Services
JFABE*, Students in Foster Care
JJJ, Extracurricular Activity Eligibility

NOTE: State law prohibits districts from withholding student records for enrollment in another school or institution of higher education and from withholding a student's diploma, transcript or grades when a student fails to pay an assessed fine or fee or fails to return or replace textbooks, library resources or other school property at the completion of any semester or school year. C.R.S. 22-32-110 (1)(jj).