

Booster Clubs, Foundations, Parent-Teacher Associations and Other Auxiliary Organizations

- Formed to contribute financial support to a school, club, sports team, or other district organization
- Unlike student organizations (i.e., Associated Student Bodies), these community supporters are separate from the district and maintain their own Taxpayer Identification Number and tax-exempt status
- Must follow the district's governing board guidelines for fundraising activities and obtain approval in advance
- Must adhere to the "free school guarantee"



RESOURCES

California Attorney General Opinion No. 04-501 (September 2004) <http://ag.ca.gov/opinions/pdfs/04-501.pdf>

California Constitution, Article IX, Sec. 5 http://www.leginfo.ca.gov/const/article_9

California Dept. of Education Fiscal Management Advisory 12-02 <http://www.cde.ca.gov/re/lr/fm/fma1202.asp>

Fiscal Crisis & Management Assistance Team (FCMAT) ASB Manual <http://fcmat.org/wp-content/uploads/sites/4/2014/02/ASBManual2012finalinteractiv.pdf>

"Guidelines for Student Fees," Tulare County Counsel <http://wwwstatic.kern.org/gems/fcmat/StudentfeesguidelinesTulareC.pdf>

Hartzell v. Connell (CA State Supreme Court decision) <http://law.justia.com/cases/california/cal3d/35/899.html>

San Diego Unified School District "Student Fees" website <http://www.sandi.net/Page/3087>

If you have any questions, please contact the Rowland USD at 626.965.2541

Fees, Donations and Fundraising

Guidelines for the Rowland Unified School District, Parents and Community Supporters



"Once the community has decided that a particular educational program is important enough to be offered by its public schools, a student's participation in that program cannot be made to depend upon his or her family's decision whether to pay a fee or buy a toaster."

From 1984 California Supreme Court decision

Rowland Unified School District



FREE PUBLIC EDUCATION

- The California Constitution requires that we provide a free public education, unless a charge is specifically authorized by law.
- Since 1894, the California Supreme Court has interpreted “free school system” to mean that students are entitled to be educated at the public’s expense.
- In 1984, the Supreme Court ruled in the case of *Hartzell v. Connell* that “free school” extended to all educational activities, both curricular and extracurricular.

Permissible Fees

Fees specifically authorized by law:

- Transportation to and from school (except special education)
- Transportation to places of summer employment
- Charges for food (limited by free and reduced meal program)
- Medical or hospital insurance for field trips and for athletic team members (as long as there is a waiver for financial hardship for the latter)
- Charges for lost or damaged books or school supplies
- Direct cost of materials for property the student has made and keeps
- Deposits for band instruments, music & uniforms taken on excursions to foreign countries

Permissible Fees (cont.)

Fees specifically authorized by law:

- Charges for optional attendance as a spectator at a school/district activity
- Charges for eye safety devices
- Actual cost of duplication of public and student records
- Optional fingerprinting program for kindergarten or new students
- Fees for summer camp programs***
- Fees for field trips & excursions in connection with courses of instruction or school-related social, educational, cultural, athletic, or school band activities***

*****NO STUDENT CAN BE DENIED THE OPPORTUNITY TO PARTICIPATE DUE TO LACK OF SUFFICIENT FUNDS**

Permissible Actions

Fundraising and solicitation of donations are allowed as long as they are not required for participation—

Some examples:

- ASB Cards
- Entertainment/Dances
- Car Washes, Book Fairs, Silent Auctions
- Advertising, Publications
- Cultural Events
- Jog-a-Thons, Lift-a-Thons
- Team/Group Sponsorships

Non-Permissible Fees

California public schools—including charter schools—cannot charge fees in order for students to participate in any required “educational” program (curricular, co-curricular, extra-curricular), which includes:

- Security deposits for locks, lockers, uniforms and instruments
- Participation fees for classes, athletic programs, and clubs
- School supplies that are “necessary” for participation in the class
- Gym or physical education clothes
- Fees paid by the district to rent graduation caps and gowns (but students may *choose* to purchase a cap and gown from a vendor)

Non-Permissible Actions

- Mandating fees, donations, or requiring students to fundraise as a condition for participation
 - Cannot set fundraising quote
 - Must be voluntary
- Excluding, “punishing,” or singling out students due to lack of funds or fundraising participation
- Stating a required “donation” amount
- Tracking individual fundraising activity in individual accounts
 - Fundraising must be done for the group as a whole