

**Policy 3250: Transportation Fees**

**Status:** DRAFT

**Original Adopted Date:** 06/22/2021 | **Last Reviewed Date:** 06/22/2021

Whenever the cost of providing student transportation exceeds funding provided by the state, the Governing Board may charge fees for home-to-school student transportation and other transportation services as expressly authorized by law.

The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval.

The transportation fee shall be waived for students with demonstrated financial need in accordance with ~~any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth.~~(Education Code 39807.5. Eligibility for free.)

**At the recommendation of the Superintendent or designee, the Board may also approve a waiver of a transportation based on financial need shall be determined in accordance with the income eligibility scales used for the free and reduced-price lunch program fee for any group of district students.**

In addition, no charge shall be made for any transportation of a student with a disability whose individualized education program includes transportation as a related service necessary to receive a free appropriate public education. (Education Code 39807.5)

**Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.**

The Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

5 CCR 350	Fees not permitted
Ed. Code 10900-10914.5	Community recreation programs - <a href="https://simbli.eboardsolutions.com/SU/2plusoQINP9plus8k2kxekeluvFw==">https://simbli.eboardsolutions.com/SU/2plusoQINP9plus8k2kxekeluvFw==</a>
Ed. Code 10913	Fees for uses of school buses for community recreation purposes - <a href="https://simbli.eboardsolutions.com/SU/yqjrwj2jlslhxfZEKciUSABLg==">https://simbli.eboardsolutions.com/SU/yqjrwj2jlslhxfZEKciUSABLg==</a>
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 39800-39860	Transportation
Ed. Code 39801.5	Transportation for adults
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39809.5	Excess fees; adjustments
Ed. Code 39837	Transportation to summer employment program
Ed. Code 41850	Transportation to regional occupational center or program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49557-49558	Applications for free and reduced-price meals
Ed. Code 56026	Individual with exceptional needs

**Management Resources References****Description**

California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
Court Decision	Hartzell v. Connell, 35 Cal.3d 899 (1984)
Court Decision	Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Cross References****Description**

3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplu9byKOL49dVplusQ==">https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplu9byKOL49dVplusQ==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/Mr7mOJYGplusRzB7O3OQI7wEQ==">https://simbli.eboardsolutions.com/SU/Mr7mOJYGplusRzB7O3OQI7wEQ==</a>
3540	Transportation - <a href="https://simbli.eboardsolutions.com/SU/oHIB8FMU3wvBplusClxqkkoGg==">https://simbli.eboardsolutions.com/SU/oHIB8FMU3wvBplusClxqkkoGg==</a>
3540	Transportation - <a href="https://simbli.eboardsolutions.com/SU/pjEuL7zEoSZe6Exf5UeCpQ==">https://simbli.eboardsolutions.com/SU/pjEuL7zEoSZe6Exf5UeCpQ==</a>
3541	Transportation Routes And Services - <a href="https://simbli.eboardsolutions.com/SU/pRnghpy2WvRLpluszmg8gC7aw==">https://simbli.eboardsolutions.com/SU/pRnghpy2WvRLpluszmg8gC7aw==</a>
3541.2	Transportation For Students With Disabilities - <a href="https://simbli.eboardsolutions.com/SU/3bYidVdrEaCplusZzQhhXplus2sg==">https://simbli.eboardsolutions.com/SU/3bYidVdrEaCplusZzQhhXplus2sg==</a>
3541.2	Transportation For Students With Disabilities - <a href="https://simbli.eboardsolutions.com/SU/sswtR2ITm2oZ2jw2WQJiQA==">https://simbli.eboardsolutions.com/SU/sswtR2ITm2oZ2jw2WQJiQA==</a>
3553	Free And Reduced Price Meals - <a href="https://simbli.eboardsolutions.com/SU/veLi3k2THgUOfAplusDEpluskdyw==">https://simbli.eboardsolutions.com/SU/veLi3k2THgUOfAplusDEpluskdyw==</a>
3553	Free And Reduced Price Meals - <a href="https://simbli.eboardsolutions.com/SU/bJft7yoiEWomeYDx1LdKBg==">https://simbli.eboardsolutions.com/SU/bJft7yoiEWomeYDx1LdKBg==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshMQ==">https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshMQ==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/Arf4IGHplusJnGslsh3Sd1slshP0Hw==">https://simbli.eboardsolutions.com/SU/Arf4IGHplusJnGslsh3Sd1slshP0Hw==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/3vVDizDulqY8I7eXsslshJApA==">https://simbli.eboardsolutions.com/SU/3vVDizDulqY8I7eXsslshJApA==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/3on5FNplusCvSTDslshj1eANpc2Q==">https://simbli.eboardsolutions.com/SU/3on5FNplusCvSTDslshj1eANpc2Q==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==">https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZIZTrvBvW6Wjw==">https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZIZTrvBvW6Wjw==</a>
6178.2	Regional Occupational Center/Program - <a href="https://simbli.eboardsolutions.com/SU/Jc1u7vpV6ST8UnysQFNtrQ==">https://simbli.eboardsolutions.com/SU/Jc1u7vpV6ST8UnysQFNtrQ==</a>