

TRANSPORTATION FEES

~~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. Because the cost of providing student transportation exceeds funding provided by the state, the Board of Education finds it necessary to charge fees for home-to-school student transportation.~~

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 Education Code 39807.5. Eligibility for free transportation based on financial need shall be determined in accordance with the income eligibility scales used for the free and reduced-price lunch program.~~

~~Fees shall be determined on the basis of operating costs in accordance with law.~~

~~In addition, no charge shall be made for any transportation of a students with a disability whose individualized education program ~~requires~~ includes transportation as a related service necessary to receive a free appropriate public education. (Education Code 39807.5) or whose parents/guardians are determined indigent pursuant to administrative regulations.~~

~~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)~~

Legal Reference:

EDUCATION CODE

[10900-10914.5](#) Community recreation program, especially:

[10913](#) Fees for uses of school buses for community recreation purposes

[35330](#) Excursions or field trips

[39800-39860](#) Transportation, especially:

[39801.5](#) Transportation fees for adults

[39807.5](#) Payment of transportation cost; amount of payment

[39809.5](#) Excess fees; adjustments

[39837](#) Fees for summer employment transportation

[41850](#) Home-to-school and special education transportation

[49014](#) Public School Fair Debt Collection Act

[49557-49558](#) Applications for free and reduced-price meals

[56026](#) Individuals with exceptional needs

CODE OF REGULATIONS, TITLE 5

[350](#) Fees not permitted

COURT DECISIONS

Arcadia Unified School District et al v. State Department of Education, 2 Cal. 4th 251 (1992)

Hartzell v. Connell, 35 Cal.3d 899 (1984)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

**Policy
adopted: August 19, 2009**

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California**

TRANSPORTATION FEES

Fee Schedule and Collection

Transportation fees charged by the district shall not exceed the statewide average nonsubsidized cost of providing such transportation to a student on a publicly owned or operated transit system, as determined by the Superintendent of Public Instruction. (Education Code 39807.5)

The total amount received by the district from the state and parent/guardian fees shall not exceed the actual operating cost of home-to-school transportation during the fiscal year. If excess fees are collected due to errors in estimated costs, fees shall be reduced in succeeding years. (Education Code 39809.5)

The Board of Education 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)

Bus passes and tickets shall be sold at district schools and at the district office. No money shall be collected on school buses.

Exemption from Fees

Eligibility for free transportation based on indigency shall be based on the income eligibility scales used for the free and reduced-price lunch program and/or proof of receipt of Temporary Assistance to Needy Families (TANF).

At the beginning of the school year and whenever a new student is enrolled, parents/guardians shall receive information about free transportation eligibility standards, application procedures and appeal procedures.

All applications and records related to eligibility for free transportation shall be confidential and used only for purposes directly connected with the free transportation program.

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.