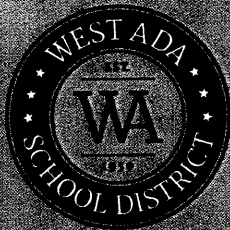
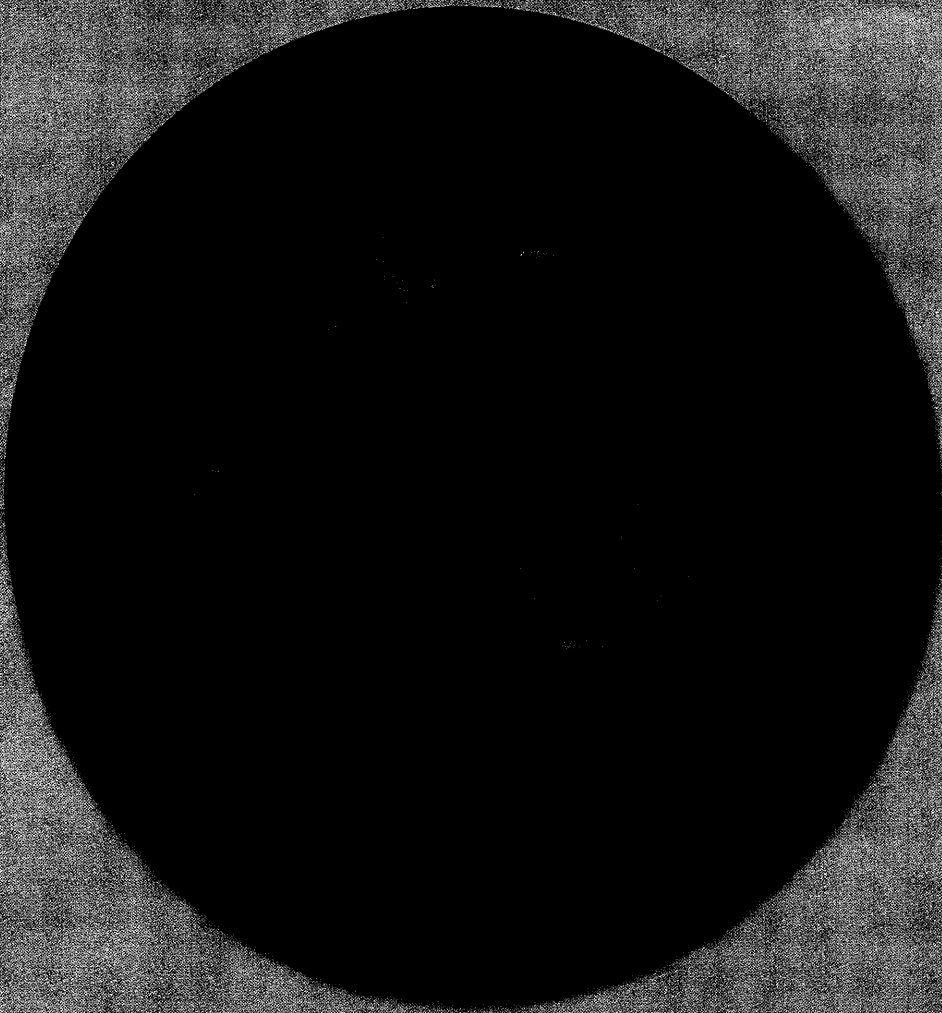


# Students' Right to a Free Public Education

West Ada Guidelines for Student Fees



**WEST ADA SCHOOL DISTRICT**  
Preparing Today's Students for Tomorrow's Challenges



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## West Ada Guidelines for Student Fees

### Classroom supplies

**Authority:**

Paulson v. Minidoka  
1985 State of Idaho: Guidelines for Charges of Student Fees

The student may be required to furnish paper and pencils, and other items which are consumed on an **individual** basis, if the **quality** and **quantity** of such items are not prescribed.

### Course Fees

**Authority:**

Paulson v. Minidoka  
Joki v. Meridian School District  
1985 State of Idaho: Guidelines for Charges of Student Fees

Where a class is offered as part of the regular academic courses, the class **must be offered without charge**. The best determinate of whether a class is part of the regular academic course is whether academic credit toward graduation is granted for the class. No fees will be charged for consumable materials required by the course, such as art, culinary art, etc.

If students, by choice, go beyond the requirements of a course, they may be charged for additional materials and reimburse the school district for the extra materials utilized.

### Class Dues

**Authority:**

Joki v. Meridian School District

The Court ruled that the junior class dues fall in a category "generally imposed on all students whether they participate in extra-curricular activities or not, which becomes a charge on attendance at the school." The Court ruled: "As such, they are **impermissible**."

### Musical Instruments

**Authority:**

1985 State of Idaho: Guidelines for Charges of Student Fees

For reasons of personal health and safety, students may be required to furnish their own equipment for music courses.



## West Ada Guidelines for Student Fees

### Co-Curricular Courses

**Authority:**

Paulson v. Minidoka  
Joki v. Meridian School District  
1985 State of Idaho: Guidelines for Charges of Student Fees

A co-curricular course will be offered without fees so long as it is part of the regular academic course and academic credit toward graduation is granted for the class. Students may choose to accompany a co-curricular class on extra-curricular events for performances and/or competitions, but are not required to do so. A fee may be assessed for travel and/or necessary attire for the extra-curricular events.

### Field Trips

**Authority:**

Paulson v. Minidoka  
Joki v. Meridian School District  
1985 State of Idaho: Guidelines for Charges of Student Fees

Field trips are considered educational activities that are part of a school district's educational program. As such, **no fees** may be assessed in order to participate in field trips.

### Idaho Digital Learning Academy

**Authority:**

Idaho Code Section 33-5505(3)  
Idaho Code Section 33-5508  
Paulson v. Minidoka  
Joki v. Meridian School District

The district will pay the course fee for each student enrolled in Idaho Digital Learning Academy (IDLA) courses, if the course is part of the student's full-time enrollment. The district may require a student to pay a course fee if a student enrolls in additional courses beyond full-time enrollment, or a student elects to participate in summer school courses.

### Post-Secondary

**Authority:**

Idaho Code Section 33-302

The district may make students/parents responsible for any fees charged by colleges or universities to receive college credit for dual credit courses. Additionally, the district may make students/parents responsible for any fees that may be charged by the College Board to take an advanced placement exam. In the event advanced placement and dual credit courses require additional textbooks and/or course materials, the student/parent may be responsible for payment for those additional textbooks and/or course materials.

## West Ada Guidelines for Student Fees

### Waiver of Fees

**Authority:**  
Joki v. Meridian School District

A fee waiver does not make a student fee permissible and is prohibited.

### Damage or Loss of School Property

**Authority:**  
Idaho Code 33-603  
1985 State of Idaho: Guidelines for Charges of Student Fees

Students may be charged for extraordinary wear and tear, damage, breakage, or loss of school-issued materials.

Students may be required, as a condition of graduation, as a condition of issuance of a diploma or certificate, or as a condition for issuance of a transcript, that all indebtedness incurred when the person was a student be satisfied, and that all books or other instructional material, uniforms, athletic equipment, advances on loans, or other personal property of the school district borrowed by the person when he was a student be returned.

The Board of Trustees or its designees may excuse these requirements upon an adequate showing of financial need or other exigency. The lack of payment or return of school property will not delay transfer of school records to another school district.

### Extracurricular Activity Fees

**Authority:**  
Idaho Code 33-512(12)  
Paulson v. Minidoka  
Joki v. Meridian School District  
1985 State of Idaho: Guidelines for Charges of Student Fees

Extracurricular activities are not part of the regular academic courses or curriculum, are not considered a property, liberty or contract right of any student, and are considered to be a privilege. As such, students may be charged for all extracurricular activities in which they voluntarily participate.

### Charges for Transcripts

**Authority:**  
Paulson v. Minidoka  
1985 State of Idaho: Guidelines for Charges of Student Fees

The average cost for duplication and issuance of transcripts may be charged after issuance of one free transcript.

## West Ada Guidelines for Student Fees

### Prohibited Fees

- Registration fees
- Involuntary grade-level fees
- Involuntary extracurricular fees
- General class fees for any class, regardless whether elective or core class
- Class fees for consumables utilized as part of instruction
- Field trips
- IDLA courses that are part of a student's full-time enrollment

### Allowable Fees

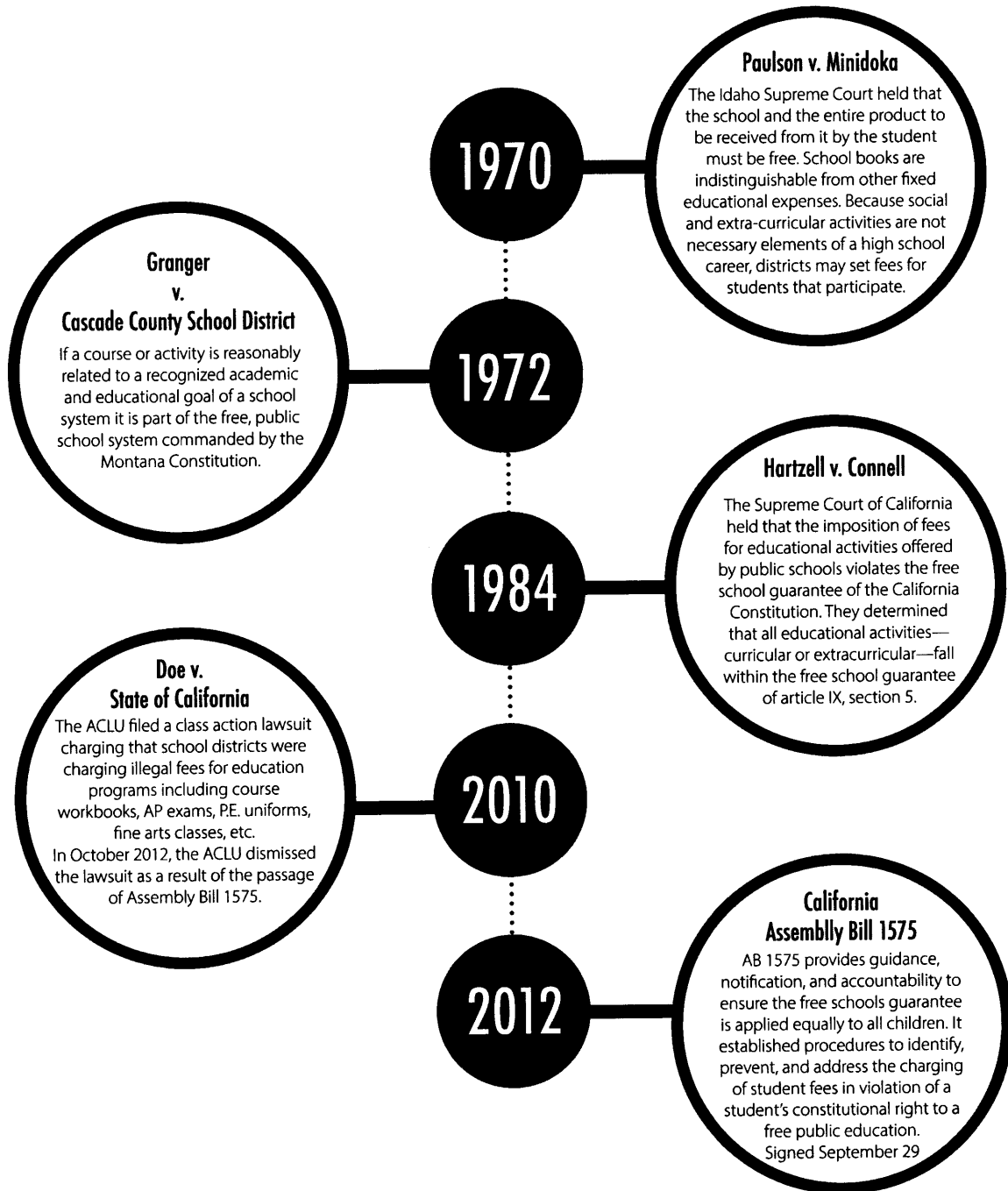
- IDLA courses taken beyond full-time enrollment or during summer
- Fees for college courses
- Advanced placement exams
- Reasonable cost of transcript after one initial free transcript
- Cost for damage or loss of school property
- Fees for voluntary participation in extracurricular activities
- Extracurricular fees for voluntary participation in co-curricular classes
- Reimbursement for use of consumables in excess of course requirement
- Reimbursement for the direct cost of materials provided to a student for item(s) fabricated from the materials for the student's own possession and use, such as art, ceramics, etc.
- Voluntary attendance as a spectator at a school or district-sponsored activity
- School meals, subject to free and reduced price meal program eligibility
- Student parking on school grounds



# Students' Right to a Free Public Education

## West Ada Guidelines for Student Fees

*Historical Context: Idaho, Montana, & California*



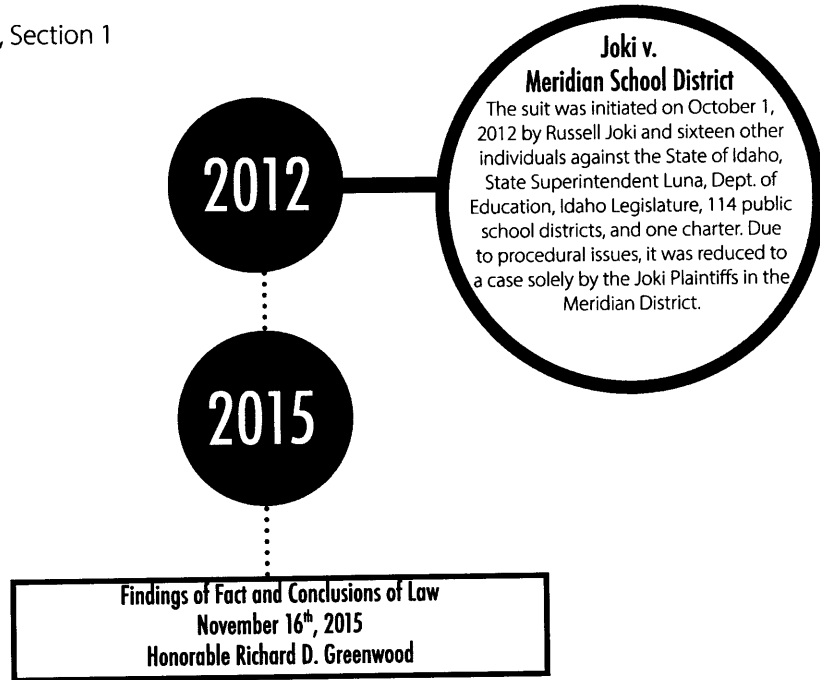
# Students' Right to a Free Public Education

## West Ada Guidelines for Student Fees

*Joki v. Meridian School district*

*"The stability of a republican form of government depending mainly upon the intelligence of the people, it shall be the duty of the legislature of Idaho, to establish and maintain a general, uniform and thorough system of public, free common schools."*

Idaho Constitution, Article IX, Section 1



1. Where a class is offered as part of the regular academic courses of the school, the course must be offered without charge.
2. Based upon the evidence available in this case, the best determinate of whether a class is part of the regular academic course of the Defendant is whether academic credit toward graduation is granted for the class.
3. The Court ruled that the junior class dues fall in a category "generally imposed on all students whether they participate in extra-curricular activities or not, which becomes a charge on attendance at the school." The Court ruled: "As such, they are impermissible."
4. The Court rejected the school's position that "only those classes offered without charge are part of the constitutionally required thorough education." Plaintiffs made as a major point of their case that families should not be forced to choose whether they can afford to take a course or not and they should not be required to seek charity through a waiver. The Court ruled "The fact that the fees may be waived in the discretion of the principal of the building does NOT render them constitutional."
5. With regard to the kindergarten fees charged the Holt sisters, the fees have four components—milk for snacks, field trips, school supplies, and art supplies. There is no indication that taking the field trips or receiving the daily milk is voluntary. This appears to be a levy against every student for the privilege of attending kindergarten. The class fees charged the Holt sisters to attend kindergarten were impermissible fees under the holding in Paulson.

**Notice of Appeal to the Idaho Supreme Court**  
**January 14<sup>th</sup>, 2016**



# Students' Right to a Free Public Education

## Idaho Department of Education 1970

Paulson v. Minidoka

September 3, 1985

rec

### GUIDELINES FOR CHARGES OF STUDENT FEES

Re: Paulson v. Minidoka County School District No. 331  
January 16, 1970

The following guidelines should be used by boards of trustees as they determine those student charges which are applicable in light of the Paulson v. Minidoka Court decision.

1. School districts are advised to consider that required courses are those for which credit is given. Fees cannot be charged for such courses.
2. A reasonable fee, representing an average cost for duplication and issuance of transcripts, may be charged after issuance of the first transcript.
3. School districts cannot charge a fee for "General usage items", as well as textbooks which are indistinguishable from other fixed educational expenses. Fees cannot be charged for library usage, typewriter rental, use of a science lab, or other such items used in a course of study when credit is offered.
4. Extracurricular courses are defined as outside the regular academic courses or curriculum of a school. Fees may be charged students who voluntarily participate in these activities. Such fees may include charges for activity tickets, student council fees, newspapers, annuals or class fees.
5. School districts cannot charge a registration fee.
6. The student may be required to furnish paper and pencils, and other items which are consumed on an individual basis, if the quality and quantity of such items are not prescribed.
7. Charges can be made for extraordinary wear and tear, damage, or breakage, or loss of school books and materials.
8. For reasons of personal health and safety, students may be required to furnish their own clothing for physical education courses.
9. For reasons of personal health and safety, students may be required to furnish their own equipment for music courses.
10. If students, by choice, go beyond the requirements of a course, they may be charged for additional materials.