

8VAC20-720-80. Student Fees and Charges.

- A. No fees or charges may be levied on any pupil by any school board unless authorized by regulation of the Board of Education or by the General Assembly.
- B. Each local school board shall develop a policy in accordance with the requirements of the Standards of Quality, § 22.1-253.13:7 of the Code of Virginia, addressing any fees that are charged. The policy shall include the schedule of fees charged by the school division, provisions for reducing or waiving fees, and consequences for nonpayment of fees. The policy and the fee schedule shall be provided to parents annually and posted on the school division's website.
- C. The policy shall provide for the reduction or waiver of fees for economically disadvantaged students and students whose families are undergoing economic hardships and are financially unable to pay them. This shall include, but not be limited to, families receiving unemployment benefits or public assistance, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Medicaid; foster families caring for children in foster care; or families that are homeless.
- D. School divisions shall provide notice that a fee waiver may be requested, including directions as to how to apply for the waiver, each time a fee is charged.
- E. School divisions shall not charge any fees that have not been approved by the local school board.
- F. The fee policy and the fee schedule shall be consistent throughout the school division, although there may be different fee schedules assessed at the elementary, middle, and high school levels.
- G. Local school boards shall not charge fees:
1. As a condition of school enrollment, except for students who are not of school-age or who do not reside within the jurisdiction, in accordance with §§ 22.1-1 and 22.1-3 of the Code of Virginia and as provided for in § 22.1-5 of the Code of Virginia;
 2. For instructional programs and activities, or materials required for instruction, except as specified in subsection H of this section;
 3. For textbooks or textbook deposits; however, § 22.1-243 of the Code of Virginia permits a local school board to assess a reasonable fee or charge for lost or damaged textbooks;
 4. For pupil transportation to and from school; or

5. For summer school programs or other forms of remediation required by the Standards of Quality, § 22.1-253.13:1 of the Code of Virginia.

H. Local school boards may charge fees for the following:

1. Optional services, such as parking or locker rental;
2. Student-selected extracurricular activities;
3. Class dues; however, class dues shall not be mandatory, and the school board shall specify the kinds of programs and activities covered by class dues;
4. Field trips or educationally-related programs that are not required instructional activities;
5. Fees for musical instruments, so long as the instruction in the use of musical instruments is not part of the required curriculum;
6. Distance learning classes for enrichment and not necessary to meet the requirements for a diploma;
7. Summer school, unless the classes are required for remediation as prescribed by the Standards of Quality, § 22.1-253.13:1 of the Code of Virginia;
8. Overdue or lost or damaged library books;
9. Lost or damaged textbooks, in accordance with § 22.1-243 of the Code of Virginia; however, textbooks shall be provided free of charge;
10. Consumable materials such as workbooks, writing books, drawing books, and fine arts materials and supplies; however, in accordance with § 22.1-243 of the Code of Virginia, the local school board shall develop a policy ensuring that workbooks, writing books, drawing books, and fine arts materials and supplies are furnished to students who are unable to afford them at a reduced price or free of charge. **In addition, local school boards are not authorized to charge fees to students for instructional materials, textbooks, or other materials that are not directly used by a public school student;**
11. The behind-the-wheel portion of the driver's education program in accordance with § 22.1-205 of the Code of Virginia;
12. A fee not to exceed a student's pro rata share of the cost of providing transportation for voluntary extracurricular activities, in accordance with § 22.1-176 of the Code of Virginia; and
13. The preparation and distribution of official paper copies of student transcripts; however, each school board shall provide a reasonable number of copies for free before a charge is levied for additional official copies. Official electronic copies of student transcripts shall be provided for free.

H. Local school boards shall not:

1. Withhold any student's scholastic report card or diploma because of nonpayment of fees

and charges, in accordance with § 22.1-6 of the Code of Virginia;

2. Withhold any student's class schedule; or

3. Suspend or expel a student for nonpayment of fees and charges.

I. Nothing in this chapter shall be construed to prohibit the school board of any county, city, or town from making supplies, services, or materials available to pupils at cost.

J. These regulations do not address the operation of school stores or fund-raising activities where transactions are strictly voluntary.

Statutory Authority

§ 22.1-16 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 29, Issue 6, eff. December 19, 2012.