

302 Minnesota Public School Fee Statute

I. General Statement

It is the policy of the state of Minnesota that public school education shall be free and no pupil shall be denied an education because of economic inability to furnish educational books and supplies necessary to complete educational requirements necessary for graduation. Any practice leading to suspension, coercion, exclusion, withholding of grades or diplomas, or discriminatory action based upon nonpayment of fees denies pupils their right to equal protection and entitled privileges. It is recognized that school boards do have the right to accept voluntary contributions, to make certain charges and to establish fees in areas considered extra curricular, noncurricular or supplementary to the requirements for the successful completion of a class or educational program, and to waive those fees under certain circumstances. No public school board may require, except as authorized by sections Minn. Statute. 123B.36 and 123B.38, the payment of fees

II. Authorized Fees

A school board is authorized to require payment of fees in the following areas:

- In any program where the resultant product, in excess of minimum requirements and at the pupil's option, becomes the personal property of the pupil;
- Admission fees or charges for extracurricular activities, where attendance is optional and where the admission fees or charges a student must pay to attend or participate in an extracurricular activity is the same for all students, regardless of whether the student is enrolled in a public or a home school;
- A security deposit for the return of materials, supplies, or equipment;
- Personal physical education and athletic equipment and apparel, although any pupil may personally provide it if it meets reasonable requirements and standards relating to health and safety established by the board;
- Items of personal use or products that a student has an option to purchase such as student publications, class rings, annuals, and graduation announcements;
- Field trips considered supplementary to a district educational program;
- Any authorized voluntary student health and accident benefit plan;
- For the use of musical instruments owned or rented by the district, a reasonable rental fee not to exceed either the rental cost to the district or the

annual depreciation plus the actual annual maintenance cost for each instrument;

- Transportation of pupils to and from extracurricular activities conducted at locations other than school, where attendance is optional;
- Transportation to and from school of pupils living within two miles from school and all other transportation services not required by law. If a district charges fees for transportation of pupils, it must establish guidelines for that transportation to ensure that no pupil is denied transportation solely because of inability to pay;

III. Students to furnish certain items

Students may be required to furnish personal or consumable items including pencils, paper, pens, erasers and notebooks.

IV. School Uniforms

Notwithstanding section Minn. Statute 123B.37, a board may require students to furnish or purchase clothing that constitutes a school uniform if the board has adopted a uniform requirement or program for the student's school. In adopting a uniform requirement, the board shall promote student, staff, parent, and community involvement in the program and account for the financial ability of students to purchase uniforms.

V. Waiver of student fees

A board may waive any deposit or fee for any pupil whose parent is serving in, or within the past year has served in, active military service as defined under Minn. Statute section 190.05. A board may waive any deposit or fee if any pupil or the pupil's parent or guardian is unable to pay it.

VI. Prohibited Fees

Boards shall not charge certain fees.

(a) A board is not authorized to charge fees in the following areas:

- (1) Textbooks, workbooks, art materials, laboratory supplies, towels;
- (2) Supplies necessary for participation in any instructional course except as authorized in sections Minn. Statute 123B.36 and 123B.38;
- (3) Field trips that are required as a part of a basic education program or course;
- (4) Graduation caps, gowns, any specific form of dress necessary for any educational program, and diplomas;

(5) Instructional costs for necessary school personnel employed in any course or educational program required for graduation;

(6) Library books required to be utilized for any educational course or program;

(7) Admission fees, dues, or fees for any activity the pupil is required to attend;

(8) Any admission or examination cost for any required educational course or program;

(9) Locker rentals;

(10) Transportation to and from school of pupils living two miles or more from school.

(b) Notwithstanding paragraph (a), clauses (1) and (6), a board may charge fees for textbooks, workbooks, and library books, lost or destroyed by students. The board must annually notify parents or guardians and students about its policy to charge a fee under this paragraph.

VII. Boards shall not withhold grades or diplomas for nonpayment of student fees. No pupil's rights or privileges, including the receipt of grades or diplomas may be denied or abridged for nonpayment of fees; but this provision does not prohibit a district from maintaining any action provided by law for the collection of fees authorized by sections Minn. Statute 123B.36 and 123B.38.