



COMMONWEALTH of VIRGINIA
Department of Education

April 19, 2013

TO: Division Superintendents

FROM: Patricia I. Wright, Superintendent of Public Instruction

SUBJECT: New Fees and Charges Regulations

The purpose of this memorandum is to inform you that the new *Regulations Governing Fees and Charges*, [8VAC 20-720-80](#), as approved by the Board of Education on September 23, 2010, completed the Administrative Process Act procedures and became effective on December 19, 2012. At that time the Board of Education's *Rules Governing Fees and Charges*, 8VAC 20-370-10, were repealed. This memo is intended to give you an overview of many of the changes in the new regulations. Please see the revised regulation that is attached to this memo for all of the changes.

The new regulation governing fees charged by local school divisions has several new requirements, including the following:

- Local school boards that charge fees are required to have a policy and a fee schedule that is provided to parents annually and posted on the school division's Web site. The policy shall include the schedule of fees, provisions for reducing or waiving fees, and consequences for non-payment of fees.
- 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.
- School divisions are required to 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.
- The policy and fee schedule must be consistent across the school division.

Additionally, fees may not be charged:

- As a condition of school enrollment unless the student is not of school age or does not live within the school division's jurisdiction;
- For instructional programs and activities, or materials required for instruction except as specified in the regulation;
- For textbooks or textbook deposits; however, local school divisions may assess a reasonable fee for lost or damaged textbooks;
- Pupil transportation to and from school, but may be charged for the student's pro-rata cost of providing for voluntary extracurricular activities; and
- For summer school programs or other forms of remediation required by the Standards of Quality.

Fees may be charged for:

- Optional services, such as parking or locker rental;
- Student-selected extracurricular activities;

- Class dues; however, class dues shall not be mandatory and the school board must specify the kinds of programs and activities covered by class dues;
- Field trips or educationally-related programs that are not required instructional activities;
- Musical instruments, so long as the instruction in the use of musical instruments is not part of the required curriculum;
- Distance learning classes for enrichment and not necessary to meet the requirements for a diploma;
- Overdue , lost, or damaged library books;
- Lost or damaged textbooks; however, textbooks shall be provided free of charge;
- Consumable materials as described in the regulation;
- The behind-the-wheel portion of the driver's education program;
- A fee not to exceed a student's pro rata charge of the cost of providing transportation to voluntary extracurricular activities; and,
- The preparation and distribution of official paper copies of official transcripts.

Local school boards shall not:

- Withhold any student's scholastic report card or diploma because of non-payment of fees and charges;
- Withhold any student's class schedule; or
- Suspend or expel a student for non-payment of fees and charges.

School divisions are expected to make any necessary changes to their fee policies and schedules to incorporate the regulatory changes so they will be in place for the 2013-2014 school year.

Please do not hesitate to contact the Office of Policy and Communications, by telephone at (804) 225-2092, or by electronic mail at policy@doe.virginia.gov, if you need additional information.

PIW/MP/kfg

Attachment:

- a. [Copy of Revised Regulation 8VAC20-720-80](#) (Word)