



Butte-Glenn Community College District

ADMINISTRATIVE PROCEDURE

AP 5030 - FEES

Reference: Education Code Section 70902(a), 76300, 66205.3; Title V Section 51012; CCC Chancellor's Student Fee Handbook; 60 Ops.Cal.Atty.Gen. 353 (1977), and 61 Ops.Cal.Atty.Gen. 75 (1978)

BASIC LAW ON STUDENT FEES

Express statutory authority is required to charge any mandatory student fee, optional student fees or charges that may, under certain circumstances, be charged under the authority of the "permissive code" as set forth in section 70902(a) of the Education Code.

A student may only be required to pay a fee if a statute requires it (such as the enrollment fee), or if a statute specifically authorizes the District to require it (such as the health fee). In either instance, a student cannot be required to pay a fee in the absence of express legislative authority.

The statutes establishing many of the mandatory fees provide for exemptions which must be granted to qualifying students. The District lacks the authority to charge mandatory fees to those students who are entitled to an exemption.

If a fee must be paid as a condition of admission to the college; or as a condition of registration, enrollment, or entry into classes; or as a condition to completing the required classroom objectives of a course, or to access critical functions of the college (such as financial aid), the fee is mandatory (required) in nature. As noted above, mandatory fees must either be required or authorized by law.

If the fee is for materials, services, or privileges that will assist a student, but is not otherwise required for registration, enrollment, entry into class, or completion of the required classroom objectives of a course, the fee can be classified as optional in nature. Under the authority of the permissive code, the District may charge a fee that is optional in nature, provided that the fee is not in conflict or inconsistent with existing law, and is not inconsistent with the purposes for which community college districts are established. Examples of optional fees are materials fees, fees for a student body card, or a student activities fee.

The optional nature of a fee should be made clear to students. Only if students understand that the fee is truly optional can they make an informed decision about paying it. In addition, the processes by which students may claim exemptions from paying a mandatory fee or may decline to pay an optional fee should not be unduly burdensome to students.

Required fees include:

- Enrollment (Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Nonresident tuition (Education Code Sections 76140 and 76140.5):

Fees authorized by law include:

- Non-District physical education facilities (Education Code Section 76395)
- Noncredit courses (Education Code Section 76385)
- Community service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400 and 59408)
- Athletic insurance (Education Code Section 70902(b)(9))
- Cross-Enrollment with the California State University (CSU) or University of California (UC) (Education Code Section 66753)
- Health (Education Code Section 76355)
- Transportation (Education Code Sections 76361 and 82305.6)
- Student representation (Education Code Section 76060.5; Title 5 Sections 54801 and 54805)
- Student Center (Education Code Section 76375; Title 5 Section 58510)
- Copies of student records (Education Code Section 76223)
- Child care (Education Code Sections 79121 et seq. and 66060)
- Foreign Citizen/Resident capital outlay (Education Code Section 76141)
- Foreign Citizen/Resident application processing (Education Code Section 76142)
- Credit by Examination (Education Code Section 76300; Title 5 Section 55050)
- Use of facilities financed by revenue bonds (Education Code Section 81901(b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone/internet registration (Education Code Section 70902(a))
- Physical fitness test (Education Code Section 70902(b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902(b)(9))
- Credit Card Use (Education Code Section 70902(b)(9))
- International Student Medical Insurance (Education Code Section 70902(b)(9))
- Optional fees charged under the authority of the permissive code (Education Code Section 70902(a))

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Mandatory Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application (CCCCO Student Fee Handbook)
- Field trip (Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001, terrorist attacks (CCCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Use of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (Education Code Section 76350)
- Late payment fee (Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)

Collection and Refund of Fees

Each student is responsible for paying all fees for a term or session. If the California legislature changes the fees, the student is responsible for any fee increase for classes that remain on, or are added to, the student schedule. When fees are not paid, the fees owed are past due and subject to the collections process. Credits to Student Accounts will be provided for the following reasons:

1. The student drops a class by an established deadline.
2. Changes in the law or regulation authorizing and establishing or providing for the exemption of, required fees.
3. Fees have been collected or charged in error.
4. The District cancels classes.

The Refund process:

1. Students seeking a refund should complete the Student Refund Request form available through Admissions & Records and the Business Office.
2. All fee refunds are subject to a \$10.00 processing fee. This fee will be charged only once per semester of enrollment.
3. Students will be notified via the college catalog or class schedule of any exemptions of required fees so that they can request to have the fee waived in accordance with applicable regulations governing student fees.

Approved: 8/14