

Policy on Student Fees

The Board of Directors of River Montessori Charter School (herein "the Board") recognizes that every California public school student is entitled to a free public education. Therefore, River Montessori Charter School (herein "RMCS") has adopted the following policy regarding charging students fees for participating in educational activities that are a fundamental part of the curricular and extracurricular program. Nothing in this policy limits a parent or student's right to voluntarily contribute time or things of value to our schools. This policy also implements a procedure whereby an individual or organization may file a complaint regarding student fees.

The Free School Guarantee

In accordance with Education Code Section 49011, "a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity." That includes any fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians for any of the following:

- Registering for or participating in a class or extracurricular activity, whether required or elective and without regard to whether the activity is credit-bearing
- A security deposit or other payment required to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment
- A purchase of any supplies, materials, equipment, or uniforms associated with an educational activity

Education Code section 49010(a) defines "educational activity" as an activity offered by a charter school that constitutes "an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities." That does not include, and therefore a fee may be charged, for non-educational services that a charter school elects to provide such as bus transportation, child care, health services, or nutrition services.

Additional Assurances

With regard to charging fees, RMCS also adopts the following policies:

- No pupil or parent/guardian will be required to request a fee waiver.
- No pupil or parent/guardian will be offered a two-tier educational activity with a minimal opportunity for free and a second, higher opportunity for a fee.
- No pupil will be offered or denied the opportunity to participate in educational activities based on whether his or her parent/guardian contributed money, goods, or services to the school.

Voluntary Contributions

Pupils, parents, and guardians are still encouraged to make voluntary contributions or donations of time, money, or property and to participate in fundraising activities.

Complaint Procedures

The following procedures shall be used to address complaints which allege that RMCS has violated the policy on student fees stated above. The Executive Director shall maintain a record of each complaint and subsequent related actions.

- Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance by RMCS with the Executive Director who shall maintain a log of complaints received, providing each with a code number and date stamp.

If a Complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, school staff shall assist him/her in the filing of the complaint.

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of an unlawful fee.

- Step 2: Mediation

Within three days of receiving the complaint, the Executive Director may informally discuss with the Complainant the possibility of using mediation. If the Complainant agrees to mediation, the Executive Director shall make arrangements for this process.

Before initiating the mediation of a discrimination complaint, the Executive Director shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the Executive Director shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend Executive Director timelines for investigating and resolving the complaint unless the Complainant agrees in writing to such an extension of time.

- Step 3: Investigation of Complaint

The Executive Director is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the Complainant and/or his/her representative to repeat the complaint orally.

The Complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A Complainant's refusal to provide RMCS' investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

RMCS' refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the Complainant.

- Step 4: Response

Within 30 days of receiving the complaint, the Executive Director shall prepare and send to the Complainant a written report of RMCS' investigation and decision, as described in Step #5 below. If the Complainant is dissatisfied with the Executive Director's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60 day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the Executive Director's decision shall be final.

If the Board hears the complaint, the Executive Director shall send the Board's decision to the Complainant within 60 days of RMCS' initial receipt of the complaint or within the time period that has been specified in a written agreement with the Complainant.

- Step 5: Final Written Decision

RMCS' decision shall be in writing and sent to the Complainant. RMCS' decision shall be written in English and in the language of the Complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the Complainant's right to appeal RMCS' decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.

Appeals to the California Department of Education (CDE)

If dissatisfied with RMCS' decision, the Complainant may appeal in writing to the CDE within fifteen (15) days of receiving RMCS' decision. When appealing to the CDE, the Complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of RMCS' decision.

Upon notification by the CDE that the Complainant has appealed RMCS' decision, the Director or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by RMCS, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of RMCS' complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by RMCS when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which RMCS has not taken action within 60 days of the date the complaint was filed.

Annual Notice to Parents/Guardians

Notice of this fee policy and the related complaint procedures will be sent annually to the parents or guardians of RMCS students in the same manner as other annual notices that are required by law or the charter agreement.

PUPIL FEE COMPLAINT FORM

Last Name: _____ First Name/MI: _____
Student Name (if applicable): _____ Grade: _____ Date of Birth: _____
Street Address/Apt. #: _____
City: _____ State: _____ Zip Code: _____
Home Phone: _____ Cell Phone: _____ Work Phone: _____
School/Office of Alleged Violation: _____

1. Please give facts about the alleged unlawful student fee or charge. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you discussed your complaint or brought your complaint to any School personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Please deliver the complaint and any relevant documents to River Montessori Charter School at the following location:
3880 Cypress Drive Suite B Petaluma, CA 94954.