



LEGAL BRIEFS

by Julia A. Bauer, staff attorney

Student fee waiver change in budget bill

House Bill (HB) 1, the state budget bill, contains a provision changing how boards assess student instructional fees. This change became effective immediately upon Gov. **Ted Strickland**'s signature.

The provision, Ohio Revised Code (RC) Section 3313.642, permits boards of education to adopt a schedule of fees for materials to be used in a course of instruction and a schedule of charges that may be imposed for damage to school property. The statute allows districts to withhold grades and credits for students who fail to pay such fees and charges.

The statute has an important exception that was changed by HB 1. Under prior law, boards were

prohibited from charging fees "for any materials needed to enable the recipient to participate fully in a course of instruction" to students who were eligible for either Ohio Works First funding (RC Chapter 5107) or Disability Assistance (RC Chapter 5115). HB 1 changed this standard to eligibility for a free lunch under the National School Lunch Act or the Child Nutrition Act. Eligibility for free lunch under the federal program is based on income and family size. New income guidelines are established each year and become effective July 1.

Under the new law, any student who qualifies for a free lunch under the federal standard may not be charged fees for materials for

courses of instruction. The change waives fees for students who qualify for a *free* lunch, but *not* students who qualify for a reduced-price lunch. Boards still may assess fees to all students for extracurricular and cocurricular activities or pupil enrichment programs that are not courses of instruction, regardless of free lunch eligibility. Boards that have a sliding scale or other local policies for extracurricular or other enrichment programs (beyond the scope of the statute) may continue to administer these policies.

For an updated sample policy on student fees, fines and charges, contact OSBA's policy services department at (614) 540-4000 or (800) 589-OSBA.

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effective immediately. He replaces **William Lilley**, who retired July 1. Thompson previously was the treasurer at the **Career and Technology Educational Centers of Licking County**. ●●● **Paulding EV** hired **Maria Rellinger** as treasurer effective Aug. 1. She replaces **Rob Giesige**, who retired effective Aug. 6. Rellinger previously was treasurer for **Continental Local (Putnam)**. ●●● **Reynoldsburg City** hired **Tammira S. Miller** as treasurer effective Aug. 17. She replaces Interim Treasurer **Joanne C. Little**. Miller is currently the treasurer for **West Muskingum Local (Muskingum)**.

Sympathies

Former **Brooklyn City** Board of Education member **John Edward Frey Sr.** died July 14. He was 82. ●●● Former **Twinsburg City** Board of Education member **Robert Mueller** died June 25. He was 67.

Correction

A listing in the Administrative Changes section on page 3 of the July 20 issue should have said that **Oak Hills Local (Hamilton)** hired **Todd Yohey** as superintendent effective Aug. 1. The original listing stated the wrong school district. The *Briefcase* apologizes for the error.