MiraCosta College has developed an approval and annual reviewing process for instructional material fees (IMFs) to ensure that the district is in compliance with Board of Governors regulations and the California Code of Regulations. Administrative law dictates that students may only be required to provide materials that are of continuing value to them outside of the classroom setting.

Approval Procedure for a New Fee

A. Review Title 5 standards to ensure the fee would comply with the California Code of Regulations §59402.

Definitions: For the purposes of this subchapter the following definitions apply:

1. "Instructional and other materials" means any tangible personal property that is owned or primarily controlled by an individual student.

2. "Required instructional and other materials" means any instructional and other materials that a student must procure or possess as a condition of registration, enrollment, or entry into a class, or any such material that is necessary to achieve those required objectives of a course that are to be accomplished under the supervision of an instructor during class hours.

3. "Solely or exclusively available from the district" means that the material is not available except through the district or that the district requires that the material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the district if it is provided to the student at the district’s actual cost and:

   a. The material is otherwise generally available, but is provided solely or exclusively by the district for health and safety reasons.

   b. The material is provided in lieu of other generally available but more expensive material that would otherwise be required.

4. "Required instructional and other materials that are of continuing value outside of the classroom setting" are materials that can be taken from the classroom setting and that are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course that are to be accomplished under the supervision of an instructor during class hours.
5. "Tangible personal property" includes electronic data that the student may access during the class and store for personal use after the class in a manner comparable to the use available during the class.

B. If the fee would comply, determine the appropriate cost.
   
   1. List the items each student would buy.
   
   2. Total the cost of items in A. to determine the individual student fee.

C. Identify a specific course objective that cannot be met without the materials.

D. Determine if the materials have continuing value to the student outside the classroom.

E. Discuss the fee and the objective with the department chair and get his or her approval.

F. If making other modifications to the course outline, add the fee information into WebCMS (Sections A.7a. and A.7b). Submit the course outline via WebCMS for Courses and Programs approval.

G. E-mail the request for a new fee to the Office of Instruction. Include the course number, material fee amount, and a detailed description of the fees.

H. Attend the Courses and Programs approval meeting in case the committee has questions about the addition of an instructional material fee.

   1. If Courses and Programs approves the fee, the fee and description will be included in the official course outline.
   
   2. If Courses and Programs does not approve the fee, it will not be included in the official course outline.

Modification Procedure for a Current Fee

A. Review the previous fee and determine the appropriate, modified cost.

   1. List the items each student would buy.
   
   2. Total the cost of items in item 1 to determine the individual student fee.

B. Identify any additional, specific course objectives that cannot be met without the materials.

C. If adding materials, determine if the additional materials have continuing value to the student outside the classroom.

D. Discuss the modified fee and any additional objectives with the department chair and get his/her approval.
E. If making other modifications to the course outline, modify the fee information in WebCMS (Sections A.7a. and A.7b.). Submit the course outline via WebCMS for Courses and Programs approval.

F. E-mail the request for a modified fee to the Office of Instruction. Include the course number, revised material-fee amount, and any changes for the description of the fees.

G. Attend the Courses and Programs approval meeting in case the committee has questions about the addition of an instructional-material fee.

**Annual Review Procedure**

Each spring Instructional Services will contact departments that have courses with instructional material fees. The department will review and if necessary update the material fee and description. Instructional Services will update the instructional material fee annual report to reflect any changes. The instructional material fee document will then be submitted to Courses and Programs for approval and then to the Board of Trustees.