



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
 DEPARTMENT OF EDUCATION
 109, Promenade Street, Providence, Rhode Island 02908

Arthur R. Pontarelli
 Acting Commissioner

June 26, 1981

Mr. Domenic R. DiLuglio
 Superintendent
 Warwick School Department
 34 Warwick Lake Avenue
 Warwick, Rhode Island 02889

Re: Opinion on whether charges may be made for extra-curricular activities

Dear Mr. DiLuglio:

The question you pose with regard to charges for extra-curricular activities (i.e., inter-scholastic athletic activities) is somewhat undefined since Rhode Island has no statute governing the subject. Obviously, it would be an extremely difficult situation for public schools, whose *raison d'être* is the provision of free education, to be sponsoring activities in which participation would be limited to children whose parents possessed the funds to pay a fee. Although there are no cases or statutes on the point, one doubts whether Rhode Island courts would uphold a system for financing public school extra-curricular activities which would make use of public school personnel, property, funds, or auspices, along with a student paid fee, as the essential method of support. That is to say that public schools may not become involved in situations where their resources and good offices are being deployed in support of only those children who have parents able and willing to pay additional fees, while excluding from participation in extra-curricular activities those children who are not as fortunate.

This reasoning applies to inter-scholastic activities *Bond v. Public Schools of Ann Arbor School District*, 383 Mich. 693, 179 N.W. 2d 484 (1970).

While we recognize that there may be marginal and special situations where some money charges may be in order (e.g., 16-38-6, purchases of articles made in industrial arts classes), the general rule should be one that does not allow charging fees for participation in extra-curricular activities.

Sincerely,

ARP 6/25/81

Arthur R. Pontarelli
 Acting Commissioner of Education

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