

STUDENT FEES, FINES AND CHARGES

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Definitions

A “fee” is any charge, deposit, rental, or other mandatory payment, however designated, whether in the form of money or goods. Admission fees, transportation charges and similar payments to third parties are fees if the charges are made in connection with an activity or function sponsored by or through a school. For purposes of this policy, charges related to the National School Lunch Program are not fees.

“Student supplies” are items, which are the personal property of a student, which although used in the instructional process, are also commonly purchased and used by persons not enrolled in the class or activity in question and have a high probability of regular use in other than school-sponsored activities. Student supplies include pencils, paper, notebooks, crayons, scissors, basic clothing for healthy lifestyle classes, and any similar personal or consumable supplies over which a student retains ownership. The term does not include items such as the foregoing for which specific requirements such as brand, color, or a special imprint are set in order to create a uniform appearance not related to basic function.

“Optional Project” is a project chosen and retained by a student in lieu of a meaningful and productive project otherwise available to the student, which would require only school-supplied materials.

“Textbook” is a book, workbook, and materials similar in function, which are required for participation in a course of instruction.

“Secondary school” means a school that provides instruction to students in any of the following grades 7, 8, 9, 10, 11, or 12.

“Secondary school student” means a student enrolled in a secondary school, including a student in grade 6 if the student attends a secondary school.

“Elementary school student” means a students who is not enrolled in a secondary school.

Provision in lieu of fee waiver, means an alternative to fee payment and waiver of fee payment. A plan under which fees are paid in installments or under some other delayed payment arrangement is not a waiver or provision in lieu of fee waiver.

Utah Admin. R 277-407-1 (August 7, 2013)

Utah Code § 53A-12-102(1) (2015)

Fees and Restrictions Regarding K-6 Grades Elementary School

No fee shall be charged in kindergarten through sixth grades for materials, textbooks, workbooks, supplies or any class, activity, assembly or field trip.

Student supplies must be provided for elementary students. A student may, however, be required to replace supplies provided by the school, which are lost, wasted, or damaged by the student through careless or irresponsible behavior.

An elementary school or elementary school teacher may compile and provide to a student's parent or guardian a suggested list of supplies for use during the regular school day so that a parent or guardian may furnish on a voluntary basis those supplies for student use.

A list provided to a student's parent or guardian must include and be preceded by the following language:

“NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS, OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL.”

Utah Admin. R. 277-407-3 (August, 7, 2013)

Utah Code Ann. § 53A-12-102(2015)

Donations or contributions may be invited on forms provided to parents or guardians of students, but must clearly state that donations and contributions are voluntary, and are not required for participation in an activity or class.

Utah Admin. R. 277-407-5 (August 7, 2013)

Secondary School Students

Textbook fees may be charged.

If a class is established or approved which requires payment of fees or purchase of materials, tickets to events, etc., in order for students to participate fully and to have the opportunity to acquire all skills and knowledge required for full credit and highest grades, the class shall be subject to the fee waiver provisions provided herein.

Students in grades seven through twelve are required to provide their own student supplies.

Utah Admin. R. 277-407-3 (August 7, 2013)

Utah Code § 53A-12-102 (2015)

General Provisions

Regardless of age or grade level, the following provisions are applicable to all students:

- 1) Students of all grade levels shall be required to provide materials for their optional projects. Students may not be required to select an optional project as a condition for enrolling in or completing a course. Any course related to a project must be based on projects and experiences that are free to all students.

Utah Admin. R. 277-407-3 (August 7, 2013)

- 2) A fee shall be charged in connection with any school-sponsored activity which does not take place during the regular school day, if participation is voluntary and does not affect a student's grade or ability to participate fully in any course

taught during the regular school day, and if school officials determine that a fee is necessary to cover the costs of the activity.

Utah Admin. R. 277-407-4 (August 7, 2013)

- 3) Fees for extracurricular activities sponsored by the Utah High School Activities Association shall not exceed limits established thereby.
- 4) No fee shall be charged or assessed in connection with any class unless the fee has been set and approved by the Board and notice given, in accordance with the following provisions:
 - a) The Board shall annually adopt a fee schedule and policies during a regularly scheduled Board meeting open to the public. Notice of the meeting shall be posted visibly in all District facilities and published in a local newspaper. If school is in session one week prior to the meeting, notice shall be sent of the meeting's subject matter to parents via their children. Minutes of the meeting shall be kept and made available upon request.
 - b) After adoption of the fee schedule and policies, copies thereof shall be made available upon request at all school and offices of the District, and shall be included with all registration materials provided to potential or continuing students. The fee schedule and policies shall be accompanied by a copy of the fee waiver policies, including the required standard forms provided to the District by the State Board of Education regarding fee waivers.
- 5) Fees for school-sponsored activities, including expenditures for activities, uniforms, clubs, clinics, travel, and subject area and vocational leadership organizations shall be kept to a minimum to allow equal opportunity for participation.
- 6) Donations or contributions for activities or for general use may be solicited after approval by the school Principal or the Board. The Board or its designee may accept such. All requests for donations and contributions must clearly state that donations and contributions are voluntary and that no elementary or secondary school may require a donation in order for a given student to participate in an activity.
- 7) No present or former student of the District shall be denied receipt of transcripts or a diploma for failure to pay school fees. A charge shall be made to cover the cost of duplicating and mailing copies of school records to schools where the student is enrolled or intends to enroll.

Utah Admin. R. 277-407-5 (August 7, 2013)

Utah Admin. Rules R277-705-7(3) (January 7, 2016)

Court Order Allocating Liability for Fees—

On or after July 1, 2018, if the school has been provided with a copy of a court order allocating responsibility for school fees between a student's parents before the day on which the school first issues a bill for a school fee, the school shall, upon

request from either parent, separately bill each parent for the share of the fee that the parent is to pay under the court order. Each parent is liable only for the share of the fee the parent is required to pay under the court order, and regardless of whether the court order is provided to the school before or after the bill is issued for the fee, the school may not make a negative credit report relating to a fee about a parent who has paid the share of the fee required by the court order. The school may bill a parent for that parent's share of the fee even though the other parent has obtained a full or partial fee waiver.

[Utah Code § 15-4-6.7 \(2017\)](#)

School Store

The District may operate a school store where students may purchase school supplies and materials.

Waiver of Fees

A deposit or fee, which a student and his or her parent or guardian is unable to pay, may be waived in whole or in part. Procedures for waiver of fees or deposits shall be posted in a central location in each school.

Utah Code Ann. § 53A-12-103(1) (2008)

Textbook and workbook fees may be waived, if the books are required for causes of instruction for each child whose parent or guardian is financially unable to purchase them, as determined in accordance with this fee waiver procedure.

Utah Code Ann. § 53A-12-204(2) (2002)

General Procedure

Students who are in state custody or foster care, or are receiving public assistance in the form of Temporary Assistance for Needy Families ("TANF"), or Supplemental Security Income, or are eligible for free school lunch will have all fees waived. Other fee waivers may be granted in whole or in part because of extenuating circumstances such as exceptional financial burden, loss or substantial reduction of income, or extraordinary medical expenses. Requests for fee waivers are to be made to the school principal. The principal shall make a fair and objective decision without delay.

The application for fee waiver shall include documentation and verification by the parent (1) of the student's eligibility for the waiver and (2) that the alternatives for satisfying fee requirements have been complied with to the fullest extent reasonably possible under the individual circumstances of the waiver applicant and of the school. In addition, the application shall specify the acceptable forms of documentation, which shall include verification based on income tax returns or current pay stubs.

Utah Code Ann. § 53A-12-103 (2008)

Utah Admin. Rules R277-407-6 (August 7, 2013)

The waiver application and associated required documentation shall incorporate and conform to the regulations issued by the State Board of Education, which will specify the forms of documentation and verification which are acceptable.

Utah Code Ann. § 53A-12-103 (2008)

The principal may grant a full or partial fee waiver or deny the waiver request. If the principal grants a waiver in whole or in part, he/she shall also include one or more of the following alternatives to allow the student to satisfy the fee requirement:

- 1) The student provides tutorial assistance before or after school.
- 2) The student provides assistance before or after school to teachers or other school personnel on school related matters.
- 3) The student provides general community or home service.

Other alternatives may be added by each school principal, subject to approval by the Board. When an alternative to meeting the fee requirement is imposed by the principal, then the principal shall outline in detail the responsibilities of the student to meet the fee requirement alternative.

Utah Code Ann. § 53A-12-103(2)(2008)

Appeals of the Principal's decision on the granting of fee waivers may be made to the Superintendent of Schools. Appeals of Superintendent's decision may be made to the Board. At all times during the fee waiver procedure, the privacy rights of students and parents will be protected and no student will be discriminated against or denied an opportunity to participate in a class or school-sponsored or supported activity because of inability to pay or because of a request for a fee waiver.

Full or proportionally reduced waivers or provisions in lieu of fee waivers are available for any student eligible for reduced price school lunch.

Requirements for fees for a given student shall be suspended during any period during which the student's eligibility for waiver is being determined or appealed.

No waiver shall be granted for charges assessed pursuant to a student's damaging or losing school property. A school shall not exclude the student from school but may withhold transcripts or diplomas to obtain payment of such charges pursuant to the Board policy regarding defacing or damaging school property. However, a school may not withhold student records that will prevent the student from attending school or being properly placed in another school. In addition, if the Department of Human Services or a licensed child-placing agency has been granted custody of the student, that student's records, if requested by the department or agency, may not be withheld from the department or agency for nonpayment of damages.

Utah Code Ann. § 53A-11-806 (2017)

Utah Admin. Rules R277-407-6F(2) (August 7, 2013)

The Board shall provide for balancing of financial inequities among District schools so that the granting of waivers and provisions in lieu of fee waivers do not produce significant inequities through unequal impact on individual schools.

Required Notices and Action

The District and each school shall use the following standard forms as they are provided by the State Board of Education:

1. Standard parental notification letter (“School Fees Notice for Families of Students in Grades Seven Through Twelve” or “School Fees Notice for Families of Children in Kindergarten Through Sixth Grade”);
2. Standard fee waiver application (“Fee Waiver Application (Grades K-6)” or “Fee Waiver Application (Grades 7-12)”);
3. Standard written decision and appeal form (“Fee Waiver Decision and Appeal Form”);
4. Community service assignment form (“Community Service Assignment and Notice of Appeal Rights”);
5. Community service assignment appeal form (“Appeal of Community Service Assignment”);
6. District certification of compliance (“School District Certification of Compliance”);
7. Secondary school certification of compliance (“Secondary School Certification of Compliance (For Use In Schools Serving Any Grade, 7-12)”);
8. Elementary school certification of compliance (“Elementary School Certification of Compliance (For Use In Schools Serving Any Grade, K-6)”).

These standard forms as drafted and adopted by the State Board of Education are hereby incorporated into these policies. The forms are also available in Spanish. The District and each school shall adhere to the terms and conditions set forth below and in the standard forms.

As used in the standard forms, the term "waiver" shall include provisions in lieu of fee waivers.