

Document Status: Draft Update

OPERATIONAL SERVICES

4:140 Waiver of Student Fees

The Superintendent will recommend to the Board of Education a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay fees for the loss of or damage to school books or other school-owned materials.

Fees for textbooks and other instructional materials, as well as fines for the loss or damage of school property [PRESSPlus1](#) are waived for students who meet the eligibility criteria for a fee waiver as described in this policy. In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees and fines, the Superintendent will recommend to the Board which additional fees and fines, if any, the District will waive for students who meet the eligibility criteria for fee waiver. ~~Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.~~

Notification

The Superintendent shall ensure that a notice of waiver applicability is provided to parents/guardians with every bill for fees and/or fines, [PRESSPlus2](#) and that applications for fee waivers are widely available and distributed according to State law and Ill. State Board of Education (ISBE) rule and that provisions for assisting parents/guardians in completing the application are available.

Eligibility Criteria

A student shall be eligible for a fee and fine waiver when:

1. The student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program;
2. The student's parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line; [PRESSPlus3](#) or
3. The student is homeless, as defined in the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a). [PRESSPlus4](#)

The Superintendent or designee will give additional consideration when one or more of the following factors are present:

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Unemployment;
- Emergency situations;
- When one or more of the parents/guardians are involved in a work stoppage.

Verification

The Superintendent or designee shall establish a process for determining a student's eligibility for a waiver of fees and fines in accordance with State law requirements ~~must follow the verification~~

requirements of 7 C.F.R. 245.6a when using the free lunch or breakfast eligibility guidelines pursuant to The National School Lunch Act as the basis for waiver of the student's fee(s). [PRESSPlus5](#)

If a student receiving a waiver is found to be no longer eligible during the school year, the Superintendent or designee shall notify the student's parent/guardian and charge the student a prorated amount based upon the number of school days remaining in the school year.

Determination and Appeal

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall mail a notice to the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the ISBE rule on waiver of fees.

LEGAL REF.:

42 U.S.C. §11434a, McKinney-Vento Homeless Assistance Act.

105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.

23 Ill.Admin.Code §1.245 [*may contain unenforceable provisions*].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:140 (Education of Homeless Children)

Adopted: July 11, 2018

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/10-20.13, amended by P.A. 102-805, eff. 1-1-23, requiring districts to waive fees and fines, including fines for the loss of school property, for all eligible students. While districts are only required to waive fines for the *loss* of school property and not the *damage* of school property, this policy extends fine waivers to both for ease of implementation and to encourage students to return school property even if damaged (instead of claiming property is lost to avoid a fine). **Issue 110, October 2022**

PRESSPlus 2. Required by 105 ILCS 5/10-20.13(b), as amended by P.A. 102-805, eff. 1-1-23. **Issue 110, October 2022**

PRESSPlus 3. Updated in response to 105 ILCS 5/10-20.13, amended by P.A. 102-1032. 105 ILCS 5/10-20.13(b), as amended by P.A. 102-1032, does not specify whether the *income* at or below 200% of the federal poverty line is the household income or solely the income of the veteran/active-duty military parent/guardian. Consult the board attorney for guidance. **Issue 110, October 2022**

PRESSPlus 4. Updated in response to 105 ILCS 5/10-20.13(b), amended by P.A. 102-805, eff. 1-1-23, adding homeless children and youth as students eligible for fee and fine waivers. See also non-regulatory guidance at www.isbe.net/Documents/guidance_reg.pdf, which states that students who are homeless, migrant, in foster care, runaway, or participating in Head Start are

categorically eligible for school fee waivers. **Issue 110, October 2022**

PRESSPlus 5. For districts that establish an application process that is completely independent of a student's application for, eligibility for, or participation in the federal free meals program, see sample exhibit 4:140-E1, *Application for Fee Waiver*. For districts that tie the application process to the federal free meals program application and only ask for *verification* in accordance with the meals program, see sample exhibit 4:140-E2, *Application for Fee Waiver Based on Federal Free Meals Program*. The sample exhibits are available at **PRESS** Online by logging in at www.iasb.com. **Issue 110, October 2022**