

Duchesne County School District
Policy Committee Recommendations

Current Policy Statement (Proposed deletions from current policy highlighted in red.)	Policy Proposal (Proposed additions to our current policy highlighted in blue.)
<p>5.0900 STUDENT FEES, FINES AND CHARGES</p> <p>5.0900.01 DEFINITIONS</p> <p>Issue Date: 4/10/97</p> <p>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.</p> <p>“Student supplies” are items which are personal property of a student which are commonly 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, but are not limited to, pencils, paper, notebooks, crayons, scissors, standard gym clothing and any similar personal or consumable supplies of which a student retains ownership.</p> <p>5.0900.02 FEES AND RESTRICTIONS KINDERGARTEN THROUGH SIXTH GRADES</p> <p>Issue Date: 4/10/97</p> <p>No fee shall be charged in kindergarten through grade six (6) for materials, textbooks, workbooks, supplies, or any class, activity, assembly or field trip.</p> <p>Student supplies must be provided for elementary students. A student may, however, be required to replace supplies provided by the school</p>	<p>Student Fees, Fines, and Charges</p> <p>Definitions—</p> <p>As used in this policy, the following definitions apply.</p> <p>1. “Fee” means (a) something of monetary value (b) requested or required as a condition to a student’s participation (c) in an activity, class, or program which is provided, sponsored, or supported by a school. It includes money or something of monetary value raised by a student or the student’s family through fundraising.</p> <p>Utah Admin. Rules R277-407-2(3) (April 8, 2019)</p> <p>a. “Something of monetary value” means a charge, expense, deposit, rental, fine, or payment (regardless of how it is described) in the form of money, goods, or services, whether it is directly or indirectly requested or required.</p> <p>Utah Admin. Rules R277-407-2-15(a) (April 8, 2019)</p> <p>For example, it includes:</p> <p>i. Charges or expenditures for a school field trip or activity trip, including related transportation, food, lodging, and admission charges;</p> <p>ii. Payments to a third party providing a part of a school activity, class, or program;</p> <p>iii. Supplies (classroom or student) or materials;</p>

which are lost, wasted, or damaged by the student through careless or irresponsible behavior.

1. A charge may be made for the following items:
2. Supplies and materials to construct personal items that are retained by the student;
3. Band and orchestra instruments, such as violins, clarinets, trumpets, etc., that are taken home;
4. Gym clothing, if students are permitted to furnish their own, with no specificity other than color or type;
5. Club uniforms owned by the school, if students are given the option of providing their own;
6. Choir, band, and orchestra apparel and uniforms, if they have high utility to students in other than school sponsored activities.

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

5.0900.03 FEES AND RESTRICTIONS GRADES SEVEN THROUGH TWELVE

Issue Date: 4/10/97

Textbooks and workbooks required for courses of instruction may be sold or rented, or refundable deposits required. A schedule of book rental fees and deposits will be reviewed and approved by the Board at the beginning of each school year. Textbook and workbook costs, and book rental fees and deposits may be waived in accordance with Waiver of Fees provisions outlined in this policy.

No class may be established or approved which requires payment of fees or other costs or purchase of materials in order for students to

iv. A fine, unless that fine is within the scope of the definition in Non-Fee Charges, below.

Utah Admin. Rules R277-407-2(15)(b) (April 8, 2019)

b. "Requested or required as a condition of a student's participation" means impliedly or explicitly mandated or necessary for a student, parent, or family to provide so that a student may:

- i. Fully participate in school or in a school activity, class, or program;
- ii. Successfully complete a school class for the highest grade; or
- iii. Avoid a direct or indirect limitation on full participation in a school activity, class, or program, including limitations created by:
 1. Peer pressure, shaming, stigmatizing, bullying, or the like; or
 2. Withholding or curtailing any privilege that is otherwise provided to any other student.

Utah Admin. Rules R277-407-2(14) (April 8, 2019)

c. "Provided, sponsored or supported by a school" means an activity, class, program, fundraiser, club, camp, clinic, or other event that:

- i. Is authorized by the District or a District school, according to Board policy; or
- ii. Satisfies at least one of the following conditions:
 1. It is managed or supervised by the District, a District school, or a District employee;
 2. It uses, more than inconsequentially, District or a District school's facilities, equipment, or other resources; or

participate fully and to have the opportunity to acquire all skills and knowledge required for full credit and highest grades.

Students in grades seven (7) through twelve (12) are required to provide their own student supplies.

5.0900.04 GENERAL PROVISIONS

Issue Date: 4/10/97

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.

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.

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 policy 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 of the meeting and its subject shall be sent home with the

3. It is supported or subsidized, more than inconsequentially, by public funds, including school activity funds or minimum school program dollars.

iii. Is not a noncurricular club as defined by Policy FG.

Utah Admin. Rules R277-407-2(11) (April 8, 2019)

This definition applies regardless of the time or season of the activity, class, or program (for example, summer camps or clinics are sponsored by a school if the foregoing requirements are met).

Utah Admin. Rules R277-407-4(4) (April 8, 2019)

2. "Student supplies" means 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.

i. It includes pencils, paper, notebooks, crayons, scissors, basic clothing for healthy lifestyle classes, and similar personal or consumable items over which a student retains ownership.

ii. It excludes any such items if, to create a uniform appearance not related to basic function, the school imposes specific requirements such as brand, color, or a special imprint.

Utah Admin. Rules R277-407-2(16) (April 8, 2019)

3. "Textbook" means instructional material necessary for participation in a course or program, regardless of the format of the material. It excludes instructional equipment.

Utah Admin. Rules R277-407-2(19) (April 8, 2019)

a. "Instructional equipment" means equipment or supplies required for a student to use as part of a secondary course that become the

students. Minutes of the meeting shall be kept and made available upon request.

b. After adoption of the fee schedule and policy, copies shall be made available upon request at all schools and offices of the District, and shall be included with all registration materials provided to potential or continuing student. Copies of the fee schedule and policy shall be accompanied by a copy of the fee waiver policy, including the required standard forms provided to the District by the State Office of Education regarding fee waivers.

c. Fees for school-sponsored activities, including but not limited to expenditures for uniforms, club, clinics, travel, and subject area and vocations leadership organizations, shall be kept to a minimum to allow equal opportunity for participation.

d. Donations or contributions for activities or for general use may be solicited after approval by the principal or the Board. The Board/designee may accept such moneys. All requests for donations or contributions must clearly state that such donations or contributions are voluntary and that no elementary or secondary school may require a donation on order for a student to participate in an activity.

5. No present or former student of the district shall be denied receipt of transcripts or a diploma for failure to pay school fees.

6. 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 Rule 300-407

5.0900.05 SCHOOL STORE

Issue Date: 4/10/97

property of the student upon exiting the course, including course related tools or instruments.

Utah Admin. Rules R277-407-2(7) (April 8, 2019)

4. "Co-curricular activity" means an activity, course, or program, outside of school hours, that also includes a required regular school day program or curriculum.

Utah Admin. Rules R277-407-2(1) (April 8, 2019)

5. "Extracurricular activity" means an activity or program for students, outside of the regular school day, that both:

a. Is sponsored, recognized, or sanctioned by the District or a District school; and

b. Supplements or complements, but is not part of, the District's required program or regular curriculum.

Utah Admin. Rules R277-407-2(2) (April 8, 2019)

Non-Fee Charges—

Certain items of monetary value provided in connection with students and schools are not considered fees.

Student Fines

A student fine is not a fee if it is specifically approved by the District and is imposed for one of the following:

1. Failing to return school property;

2. Losing, wasting, or damaging private or school property through intentional, careless, or irresponsible behavior; or

3. Improper use of school property (including a parking violation).

The District may operate a school store where students may purchase school supplies and materials, which will be provided at cost.

5.0900.06 WAIVER OF FEES

Issue Date: 6/09/05

A deposit or fee which a student and/or parent or guardian are 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.

Documentation will be required in the form of two (2) most recent pay stubs or a copy of the most recent tax return.

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

Utah Code § 53A-12-204(2)

5.0900.07 GENERAL PROCEDURES

Issue Date: 4/10/97

Students who are in state custody or foster care, or who are receiving public assistance in the form of aid to families with Dependent Children, or Supplemental Security Income, or who 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 principal. The principal shall make a fair and objective decision without delay.

The principal may grant a full or partial fee waiver or deny the request. If the principal grants a waiver in whole or in part, one or more of the

Utah Code § 53G-8-212 (2019)

Utah Admin. Rules R277-407-2(15)(b)(iv) (April 8, 2019)

When fines have been assessed to a student for damaging or losing school property, the school shall not exclude the student from school for nonpayment but may withhold a transcript or diploma 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 which are required for student enrollment or placement in a subsequent 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 § 53G-8-212 (2019)

Utah Admin. Rules R277-406-12 (April 8, 2019)

Student Records

A school may impose a reasonable charge to cover the cost of duplicating, mailing, or transmitting transcripts and other school records. However, no charge may be imposed for duplicating, mailing, or transmitting copies of school records to an elementary or secondary school in which a former student is enrolled or intends to enroll.

Utah Admin. Rules R277-407-6(9)(b), (c) (April 8, 2019)

Non-Waivable Charges

A cost, payment, or expenditure that falls into one of the following categories is not a fee.

1. A personal discretionary charge or purchase, including:

following alternatives shall be proposed 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 other school personnel in school related matters;
3. The student provides general community or home service.

Other alternatives may be proposed by the principal, subject to Board approval. When an alternative means of satisfying a fee requirement is imposed by the principal, the principal shall outline in detail the responsibilities the student will incur.

Utah Code § 53A-12-103(2)

Appeals of a principal's decision on the granting of fee waivers may be directed to the Superintendent. Appeals of the 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 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. Fee requirements for a student shall be suspended for the period during which the student's eligibility for waiver is being determined or appealed.

No waiver shall be granted for charges assessed for damage to or loss of school property. A school may withhold transcripts or diplomas pending payment of such charges.

Utah Code § 53A-11-806

a. A charge for insurance, unless the insurance is required for a student to participate in a school activity, class, or program;

b. A charge for college credit relating to successful completion of a concurrent enrollment class or an advanced placement examination; or

c. A charge for a personal consumable item such as a yearbook, class ring, letterman jacket or sweater, or other similar item (unless requested or required by the school or District).

2. A charge which is subject to sales tax.

3. Payment for a school uniform unless the uniform policy requires clothing that is expensive or prescriptive. (See Policy FK.)

4. A charge for school lunch or breakfast.

5. A deposit that is a pledge securing the return of school property which is refunded upon return of the property.

6. A charge for a replacement for damaged or lost school equipment or supplies.

Utah Admin. Rules R277-407-2(10) (April 8, 2019)

Utah Admin. Rules R277-407-3(9) (April 8, 2019)

Utah Code § 53G-7-501(6)(c), (9) (2019)

Additional Discretionary Projects

A student may be required to provide materials or to pay for an additional discretionary project if the student chooses a project in lieu of or in addition to a required classroom project. This requirement is not considered a fee. However, the school may not require such an additional project as a condition for enrolling, completing, or receiving the highest possible grade for a course. (Such requirements would result in the project being a fee.) Schools shall avoid allowing high cost

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

5.0900.08 NON-WAIVER

Issue Date: 4/10/97

Charges and fees for articles not required for participation in a class or activity shall not be waived.

Utah Admin Rule 300-407-6

5.0900.09 REQUIRED NOTICES AND ACTION

Issue Date: 4/10/97

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

1. Standard secondary school parental notification letter;
2. Standard fee waiver application;
3. Standard written decision and appeal form;
4. District certification of compliance;
5. Secondary school certification of compliance;
6. Standard elementary school parental notification letter;
7. Elementary school certification of compliance.

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

additional projects, particularly where authorization of an additional discretionary project results in pressure on a student by teachers or peers to also complete a similar high cost project.

Utah Admin. Rules R277-407-3(5) (April 8, 2019)

Donations of Supplies to an Elementary School

An elementary school or elementary school teacher may compile and provide to a student's parent a suggested list of student supplies for use during the regular school day so that a parent may furnish, on a voluntary basis, those supplies for student use. Such a list 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. Rules R277-407-3(1)(c), (6) (April 8, 2019)

Utah Code § 53G-7-503(2)(b) (2019)

Donations

For a donation not to be a fee, it must not affect the participation of an individual student. Donations are generally governed by Policy GF. Donations or contributions may be invited on forms provided to parents 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. Rules R277-407-7(1) (April 8, 2019)

Students and families may be notified that they may voluntarily pay an increased fee amount or provide a donation to cover the costs of other students and families. Any such payments are considered donations and are not fees. In order to accept such payments, schools shall

As used in the standard forms and in the procedures set forth below, the term “waiver” shall include provisions in lieu of fee waivers.

5.0900.10 STANDARD SECONDARY SCHOOL PARENTAL NOTIFICATION LETTER

Issue Date: 6/09/05

The standard secondary school parental notification letter shall be provided to the parent or guardian of every potential, new, or current student prior to the time fees become due, not the same day that fees are due. The notification letter shall include, but not be limited to, the following information:

1. Easily understandable procedures for obtaining waivers, for appealing a denial of a waiver, and stating that any requirement that a student pay a fee is suspended during the period that a student’s eligibility for waiver is being determined, or denial or waiver is being appealed.
2. Eligibility criteria for fee waivers, including the following:
 - a. Any child who is eligible for free school lunch. Copies of the two (2) most recent pay stubs or the most recent tax return are required;
 - b. Any child whose family is receiving public assistance in the form of Aid to Families with Dependent Children (AFDC) or Supplemental Security Income (SSI);
 - c. Any child who is in state custody or foster care.
3. In the event the family does not qualify for a fee waiver under one of the foregoing standards, but is not reasonable capable of paying the fee due to extenuating circumstances, such as but not limited to, exceptional financial burdens such as loss or substantial reduction in income, or extraordinary medical expenses.

require that the payment be clearly designated as made for the purpose of covering the costs of other students.

Utah Admin. Rules R277-407-8(2)(b) (April 8, 2019)

Authorizing Fees—

No fee may be charged by the District, a District school, or any District officer or employee unless the fee has been authorized by the Board as required in this policy and applicable law. This includes any and all fees as defined in this policy, including those related to curricular, co-curricular, and extracurricular activities.

Utah Code § 53G-7-503(1) (2019)

Utah Code § 53G-7-505 (2019)

Utah Admin. Rules R277-407-3(2) (April 8, 2019)

Utah Admin. Rules R277-407-6(1) (April 8, 2019)

Process to Adopt Fee Policies and Schedules

The Board shall annually adopt fee policies and a fee schedule in a public meeting held on or before April 1. The Board shall consult with stakeholders and shall encourage public participation in the development of the fee schedule and of waiver policies. Before taking action to approve the policies and fee schedule, the Board shall provide the opportunity for public comment on the proposed fee schedule during at least two public Board meetings. In addition to the notice required for a regular Board meeting, the Board shall provide notice of these meetings using the same form of communication regularly used by the District to communicate with parents (such as email, text, flyer, or phone call).

Utah Code § 53G-7-505(2) (2019)

4. Information that, if a family is eligible for a fee waiver, a plan under which fees are paid in installments or under some other delayed payment arrangement is not a waiver or provision of lieu of fee waiver.

5. Information that, if a family is eligible for a complete fee waiver, all fees shall be waived, including but, not limited to, the following:

- a. Registration fees;
- b. Textbook fees;
- c. Student activity card fees;
- d. Extracurricular activity participation fees;
- e. Class or classroom fees;
- f. Uniform and accessory fees;
- g. Gym and towel fees;
- h. Locker fees;
- i. Miscellaneous fees.

If a principal determines that a partial fee waiver is appropriate, he/she shall designate those fees and/or portions of fees to be waived.

The parental notification letter may indicate that charges for class rings, letter jackets, yearbooks, and similar articles not required for participation in a class or activity are not fees, and are not subject to the waiver requirements.

5.0900.11 STANDARD FEE WAIVER APPLICATION

Issue Date: 6/09/05

The standard fee waiver application shall be provided to parents and guardians along with either the standard elementary school parental

Utah Admin. Rules R277-407-6(2) (April 8, 2019)

The Board shall annually review the District's policies on fees, waivers, fundraising, and donations.

Utah Admin. Rules R277-407-15(3) (April 8, 2019)

Fee Schedules

A fee must be included in the Board approved fee schedule in order to be charged. The fee schedule shall include the specific amount for each fee and a spending plan for each fee. The fee schedule shall include the maximum fees allowed per activity and per student. If there are multiple fees related to one activity, class, or program, the fee schedule shall include an easy to understand delineation of each of the fees and the fee total for the activity, class, or program. The fee schedule shall also include the District's fee waiver policy, including an easily understandable statement informing a parent that a student may be eligible to have one or more fees waived and may appeal a denial of a requested waiver.

Utah Code § 53G-7-505(3)(a) (2019)

Utah Admin. Rules R277-407-13(2)(a) (April 8, 2019)

Notice of Fee Policies and Schedules

The District shall provide annual written notice to a parent of each student attending school in the District of the current and applicable fee waiver policies and fee schedules. The District shall annually publish the fee waiver policies and fee schedules on each school's website and shall include a copy of these materials in registration materials (including providing them to a parent of a student who enrolls after the initial enrollment period). The written notice shall be in a form approved by the State Board of Education and shall also include:

1. For elementary schools:

notification letter or the standard secondary school parental notification letter. The standard fee waiver application shall remind parents and guardians to read the notification letter and, in addition, note that school officials may not ask students or their parents or guardians to accept any type of deferred payment plan, installment payment plan, or promissory note, in lieu of a required waiver. Copies of the two (2) most recent pay stubs or the most recent tax return are required.

5.0900.12 STANDARD WRITTEN DECISION AND APPEAL FORM

Issue Date: 4/10/97

The standard written decision and appeal form shall be provided to every parent or guardian who requests school fee waivers. The form shall provide for communication of the following information:

1. Whether the waiver is granted or denied;
2. If the waiver is denied in whole or in part, the following information shall also be provided:
 - a. The grounds for denial of the fee waiver;
 - b. The family's right to appeal the denial;
 - c. Notice that any requirement that the student pay a fee is suspended during the period that the student's eligibility is under appeal.

5.0900.13 STANDARD DISTRICT CERTIFICATION OF COMPLIANCE

Issue Date: 06/09/05

The District shall submit a District Certification of Compliance to the State Board of Education. The compliance form must be signed by the president of the Board and by the Superintendent. The form shall certify compliance with the following:

a. School Fees Notice for Families of Children of Kindergarten through Sixth Grade

b. Fee Waiver Application (Grades K-6)

c. Fee Waiver Decision and Appeal Form

d. School fees poster for elementary school

2. For secondary schools:

a. School Fees Notice for Families of Students in Grades Seven Through Twelve

b. Fee Waiver Application (Grades 7-12)

c. Community Service Assignment and Notice of Appeal Rights

d. Appeal of Community Service Assignment

e. School fees poster for secondary school

Utah Code § 53G-7-505(3)(b) (2019)

Utah Admin. Rules R277-407-6(5), (6), (7) (April 8, 2019)

If the District's parent or student population in a single language other than English exceeds 20%, then the District shall also publish the fee waiver policies and fee schedules in that other language. If a student or parent's first language is not English, and the District has not published the policies and fee schedules in that other language, then a District representative will meet personally with each student's parent or family and make available an interpreter for the parent to understand the policies and fee schedules.

Utah Admin. Rules R277-407-6(6) (April 8, 2019)

Standards for Fees—

1. That all secondary schools within the District send the standard secondary school parental notification letter to the parent or guardian of each potential, new or current student.
2. That a copy of each school's standard secondary school parental notification letter is attached to the District's certification of compliance, together with the date the notice was sent to each parent or guardian, and the method used to send the notice.
3. That the District's fee waiver policy is in full compliance with applicable law and with rules of the State Board of Education.
4. That all secondary schools within the District include copies of the school fee waiver policy with all registration materials provided to potential, new, or continuing students.
5. That a copy of the District's fee waiver policy is attached to the certification of compliance.
6. That all secondary schools within the District provide the standard fee waiver application to the parent or guardian of each potential, new, or continuing student upon request.
7. That a copy of each secondary school's standard fee waiver application is attached to the certification of compliance.
8. That all secondary schools within the District use a standard written decision and appeal form in responding to each request for fee waiver, and that the form includes the following information:
 - a. Whether the waiver was granted or denied;
 - b. In the event a waiver was denied in whole or in part, the following information was provided:
 - i. An explanation of the grounds for denial;

In setting fees, the Board shall establish the following maximum fee amounts:

1. The amount that a school may charge to a student in a year for each course, program, or activity.
2. The aggregate amount that a school may charge to a student in fees in a year.

These maximum amounts include the amount of revenue raised by a student through an individual fundraiser. (See Alternatives to Payment of Fees, below.)

Utah Admin. Rules R277-407-6(3) (April 8, 2019)

In order to preserve equal opportunity for all students and to limit diversion of money and school and staff resources from the basic school program, the Board's fee policies shall be designed to limit student expenditures for school-sponsored activities, including expenditures for activities, uniforms, clubs, clinics, travel, and subject area and vocational leadership organizations, whether local, state, or national.

Utah Admin. Rules R277-407-6(10) (April 8, 2019)

No fees may be charged in kindergarten through grade 6 in connection with regular school day instruction or activities (including assemblies and field trips.) Fees may be charged to students in grade 6 if those students are attending a school that includes any of the grades 7 through 12. A school that provides instruction to students in grades other than grades 6 through 12 may not charge fees to students in grade 6 unless for those students the school follows a secondary model of instruction.

Utah Code § 53G-7-503(2)(a) (2019)

Utah Admin. Rules R277-407-3(1), (3) (April 8, 2019)

- ii. An explanation of the family’s right of appeal;
 - iii. Notice that any requirement that the student pay a fee is suspended during the period that eligibility is under appeal.
9. That all District schools and teachers are prohibited from collecting school fees that are not approved by the Board and listed on the District’s secondary school fee schedule.
10. That a copy of the fee schedule used in each secondary school, and a copy of the Board’s minutes approving such fees, are attached to the certification of compliance.
11. That all District schools waive fees for eligible children if a class requires payment of fees, purchase of materials, or other monetary outlay, in order for students to participate fully and acquire all skills and knowledge required for full credit and highest grades.
12. That all District employees are prohibited from presenting the concept of paying fees in installments or some other delayed payment arrangement in response to an inquiry from students, parents or guardians regarding fee waivers.
13. That all District secondary schools use confidential application and notification procedures regarding school fees and/or waivers, in order to avoid stigmatizing or embarrassing children and families applying for or receiving fee waivers. The procedures for maintaining confidentiality include, but are not limited to, the following:
- a. No District school may use a separate line in a large room during registration for students or families seeking a school fee waiver;
 - b. No District school employee may discuss or determine a student’s eligibility for school fee waivers in the presence of other parents or students;

Fees may be charged to elementary school students for activities which do not take place during the regular school day so long as participation in the activities is voluntary and does not affect a student’s grade or ability to participate fully in any course taught during the regular school day.

Utah Code § 53G-7-503(2)(a) (2019)

Utah Admin. Rules R277-407-4(1) (April 8, 2019)

Textbook fees may be charged to secondary school students up through the end of the 2019-2020 school year. Beginning with the 2020-2021 school year, textbooks may not be sold to students and textbook fees may not be charged to secondary school students except for textbooks required for an Advanced Placement or concurrent enrollment course.

Utah Code § 53G-7-602(3) (2019)

Utah Admin. Rules R277-407-12(1)(a) (April 8, 2019)

All fees, including fees for co-curricular and extracurricular activities, must be within the maximum amounts established for the activity by the Board.

Utah Admin. Rules R277-407-4(2) (April 8, 2019)

A fee may not be imposed or increased in order to supplant or subsidize another fee. Beginning with the 2020-2021 school year, the amount of a fee may not be increased to offset the cost of fee waivers. Beginning with the 2021-2022 school year, the fee imposed on a student for a particular activity, course, or program cannot exceed the expense incurred by the school in providing that activity, course, or program.

Utah Code § 53G-7-503(3) (2019)

c. No District school may use students to either collect fees or assist in the fee waiver application process.

14. That District employees are prohibited from asking why students' parents or guardians are unable to pay school fees, or why they are unable to pay fees in installments, when information is sought or an application for a school fee waiver is submitted, if the student is eligible for a school fee waiver within any of the following categories:

a. The student is eligible for free school lunch. Copies of the two (2) most recent pay stubs or the most recent tax return are required.

b. The student's family is receiving public assistance in the form of Aid to Families with Dependent Children (AFDC) or Supplemental Security Income (SSI);

c. The student is in state custody or foster care.

15. That all District elementary schools send, prior to registration, the standard elementary school parental notification letter to the parent or guardian of each potential, new, or current student, notifying the parents or guardians that no compulsory school fees may be assessed in grades K through six (6).

16. That a copy of each elementary school's standard elementary school parental notification letter is attached to the certification of compliance, together with a statement of the date the notice was sent to each parent or guardian, and the method of notification.

17. That although donations and contributions may be solicited by District elementary and secondary schools, such solicitations clearly state that donations and contributions are voluntary, and no elementary or secondary school may require a donation in order for a student to participate in an activity.

18. That no elementary or secondary school employee shall make any statement to any person, who lacks the right and the need to know, or post a list accessible to unauthorized persons, regarding any student,

Utah Admin. Rules R277-407-8(2)(a) (April 8, 2019)

In establishing fee schedules, the Board may also review and consider the following as to each school in the District:

1. The cost to the school to provide the activity, class, or program;
2. The student enrollment;
3. The median income of families within the attendance area or enrolled at the school;
4. The number and monetary amount of fee waivers (designated by individual fee) annually granted in the prior three years;
5. The historical participation and school interest in certain activities;
6. The prior year fee schedule;
7. The revenue collected from each fee in the prior year;
8. Fundraising capacity;
9. Prior year community donors; and
10. Other resources available (including through donations and fundraising).

Utah Admin. Rules R277-407-6(4) (April 8, 2019)

Alternatives to Payment of Fees—

The Board recognizes and allows the following provisions in lieu of fee payment. (A "provision in lieu of fee payment" means an alternative to either payment of the fee or waiver of the fee.)

Utah Admin. Rules R277-407-2(12) (April 8, 2019)

parent or guardian who has or has not paid fees or made a donation or contribution to persons or organizations which have made major contributions or donations.

19. That each District secondary school is prohibited from collecting any school fees unless the school is in full compliance with all rules of the State Board of Education and with all applicable state and federal laws governing school fees and school fee waivers.

20. That each elementary and secondary school has submitted a signed school certification of compliance to the District Superintendent.

21. That no District school enhances, reduces, or withholds grades, report cards or diplomas to enforce payment of fees, donations or fines.

A certification shall be signed by the president of the Board and by the Superintendent certifying that the information reported is true and correct to their best knowledge and belief.

5.0900.14 SECONDARY SCHOOL CERTIFICATION OF COMPLIANCE

Issue Date: 06/09/05

Each secondary school principal shall submit to the District Superintendent a signed copy of the secondary school certification of compliance on the form provided by the State Office of Education. The Superintendent shall forward a copy of each certification to the State Office of Education. The certification shall include the following statements, and each secondary school shall be in compliance with the following requirements:

1. That the school, prior to the time that fees became due, sent the standard secondary school parental notification letter regarding fee schedules and fee waiver policies to the parent or guardian of each potential, new or continuing student.

Fundraising

Consistent with Policy GF, students may avail themselves of optional individual fundraising opportunities to raise money to offset the cost of the student's fees. Required individual fundraising is prohibited. Student membership in or participation on a team or group or in an activity may not be denied based on non-participation in any kind of fundraiser (individual or group).

Utah Admin. Rules R277-407-10 (April 8, 2019)

Service in Lieu of Fees

Students may choose (but may not be required) to perform community service in lieu of paying a fee.

Utah Admin. Rules R277-407-9(1) (April 8, 2019)

If elected by a student, the community service assignment shall be determined by the principal or other designee. The assignment shall be appropriate to the age, physical condition, and maturity of the student and service required shall be consistent with the federal Fair Labor Standards Act. The service must be credited at an hourly rate at least equal to the minimum wage and must be able to be performed within a reasonable period of time. Service assignments may include service within the school, including tutorial assistance to other students and assistance before or after school to teachers and other school personnel on school related matters.

Utah Code § 53G-504-2(a) (2019)

Utah Admin. Rules R277-407-9(2) (April 8, 2019)

A student who performs service in lieu of paying a fee may not be treated differently than students who pay the fee, and the service may not create an unreasonable burden for a student or parent and may not be of such a nature as to demean or stigmatize the student.

2. That a copy of the standard secondary school parental notification letter is attached to the certification of compliance, together with a statement of the date the notice was sent and the method of notification.

3. That the school's fee waiver policy is in full compliance with applicable state and federal law and with the rules of the state Board of Education.

4. That the school includes a copy of the District's school fee waiver policy with all school registration materials provided to potential, new or continuing students.

5. That the school provides the standard school fee waiver application to the parent or guardian of any potential, new, or continuing student upon request.

6. That a copy of the standard fee waiver application is attached to the certification of compliance.

7. That the school uses the standard written decision and appeal form in responding to all students, parents or guardians who request fee waivers, and that the following information is included in the standard written decision and appeal form:

- a. Whether the waiver was granted or denied;
- b. If a waiver request is denied in whole or in part, the following written information is also provided:
 - i. An explanation of the grounds for denial;
 - ii. An explanation of the family's right to appeal the denial;
 - iii. Notice that any requirement that the student pay a fee is suspended for the period that eligibility is under appeal.

Utah Admin. Rules R277-407-9(3) (April 8, 2019)

Upon request of the student, the student's service credit shall be transferred to another school within the District or to another local education agency.

Utah Admin. Rules R277-403-9(4) (April 8, 2019)

Waiver of Fees—

A "waiver" means a full or partial release from the requirement of payment of a fee and from any provision in lieu of fee payment. (A "provision in lieu of fee payment" means an alternative to either payment of the fee or waiver of the fee.) All fees are subject to waiver. Non-fee charges (see above) are not subject to waiver.

Utah Code § 53G-7-501(13) (2019)

Utah Admin. Rules R277-407-2(12), (20) (April 8, 2019)

Utah Admin. Rules R277-407-8(1) (April 8, 2019)

"SSI" means "Supplemental Security Income for children with disabilities," which is a benefit administered through the Social Security Administration that provides payments for qualified children with disabilities in low-income families.

Utah Admin Rules R277-407-2(17) (April 8, 2019)

"TANF" means "Temporary Assistance for Needy Families," which is a program (formerly known as AFDC) which provides monthly cash assistance and food stamps to low-income families with children under age 18 through the Utah Department of Workforce Services.

Utah Admin. Rules R277-407-2(18) (April 8, 2019)

Eligibility for Waiver

8. That the school and its staff do not attempt to collect school fees that are not approved by the Board or not listed in the District's secondary school fee schedule.

9. That a copy of the fee schedule is attached to the certification of compliance form.

10. That the school waives fees for eligible students if a class requires payment of fees, purchase of materials, or other monetary outlay, in order for students to participate fully and acquire all skills and knowledge required for full credit and highest grades.

11. That the school uses confidential application and notification procedures regarding school fees and school fee waivers, in order to avoid stigmatizing or embarrassing student or families applying for or receiving fee waivers. The procedures for confidentiality include, but are not limited to, the following:

a. The school does not use a separate line in a large room during registration for families or individuals seeking to obtain school fee waivers;

b. The school does not discuss or determine a student's eligibility in the presence of other parents or students.

c. The school does not use students to either collect fees or assist in the fee waiver application process.

12. District employees are prohibited from asking a student, parent or guardian either why the school fees cannot be paid, or why the fees cannot be paid in installments, when information is sought about school fee waivers, or an application is submitted, if a student is eligible for a school fee waiver under any of the following categories:

a. The student is eligible for free school lunch. Copies of the two (2) most recent pay stubs or most recent tax return are required.

A waiver shall be granted to a student if charging the fee would deny the student the opportunity to participate in a class or school-sponsored or supported activity because of an inability to pay a fee.

Utah Code § 53G-7-504(1)(a) (2019)

Utah Admin. Rules R277-407-8(3) (April 8, 2019)

A student is eligible for waiver upon providing verification that:

1. The student qualifies for free lunch based on family income;
2. The student receives SSI;
3. The family receives TANF funding;
4. The student is in foster care through the Utah Division of Child and Family Services; or
5. The student is in state custody.

Utah Admin. Rules R277-407-11(1) (April 8, 2019)

A student who does not qualify based on the foregoing may also be granted a waiver if the student is not reasonably capable of paying the fee based on extenuating circumstances. Such circumstances might include exceptional financial burden, loss or substantial reduction of income, or extraordinary medical expenses.

Utah Admin. Rules R277-407-11(3) (April 8, 2019)

In the event that circumstances change for a student or family such that fee waiver eligibility no longer exists, the school may charge a proportional share of a fee or a reduced fee reflecting the change in eligibility.

Utah Admin. Rules R277-407-11(4) (April 8, 2019)

b. The student's family is receiving public assistance in the form of Aid to Families with Dependent children (AFDC) or Supplemental Security Income (SSI);

c. The student is in state custody or foster care.

13. That although, donations or contributions may be solicited by the school, such solicitations clearly state that donations and contributions are voluntary and that the school does not require a donation for a student to participate in an activity.

14. That school staff are prohibited from making any statement, to any person who lacks the right and the need to know, regarding the payment or nonpayment of any fee, donation or contribution, by any student, parent, or guardian, or posting any list accessible to unauthorized persons. However, appropriate recognition may be given to any person or organization which makes a major donation or contribution.

15. That the school does not permit the withholding, enhancement, or reduction of grades, or the withholding or report cards or diplomas, to enforcement payment of fees, donations, or fines.

The principal shall certify that the information in the certification is true and correct to his/her best knowledge and belief.

5.0900.15 STANDARD ELEMENTARY SCHOOL PARENTAL NOTIFICATION

Issue Date: 4/10/97

The standard elementary school parental notification letter shall be provided to the parent or guardian of each potential, new or continuing student prior to the time registration occurs each year, and shall include, but not be limited to, the following:

1. A statement that there are no compulsory school or classroom fees in grades K through six (6).

Process for Waiver

The principal, or the principal's designee, shall review and make decisions regarding fee waiver requests, verifying eligibility as required (including obtaining the required documentation). The decision shall be made promptly and if possible before the fee becomes due. A family may not be subjected to unreasonable demands for re-qualification.

Utah Code § 53G-7-504(b) (2019)

Utah Admin. Rules R277-407-6(8)(a) (April 8, 2019)

Utah Admin. Rules R277-407-8(4), (8)(b) (April 8, 2019)

Utah Admin. Rules R277-407-11(2)(d) (April 8, 2019)

Parents shall be provided the opportunity to review available provisions in lieu of fee payment.

Utah Admin. Rules R277-407-8(10)(a) (April 8, 2019)

The waiver process shall be administered fairly, objectively, without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents. There shall be no visible indicators which could lead to identification of waiver applicants. The privacy requirements of FERPA apply and shall be followed. Other students may not assist in the waiver approval process. Students who receive a waiver may not be treated differently than other students. Students who receive a waiver may not be identified to other students and may not be identified to any other person (including staff members) who do not need to know of the waiver.

Utah Admin. Rules R277-407-8(5) (April 8, 2019)

Utah Admin. Rules R277-407-9(6), (7) (April 8, 2019)

2. A statement that, although donations or contributions may be solicited and accepted by the school, such solicitations make clear that all donations and contributions are voluntary and that a donation is not required for a student to participate in an activity.

5.0900.16 STANDARD ELEMENTARY SCHOOL CERTIFICATION OF COMPLIANCE

Issue Date: 4/10/97

Each elementary school principal shall submit a signed copy of the standard elementary school certification of compliance, provided by the State Office of Education, to the Superintendent. The Superintendent shall forward a copy to the State Office of Education. The form shall contain certification of the following:

1. That the school, prior to registration sent a copy of the standard elementary school parental notification letter to the parent or guardian of each potential, new, or continuing student, including the statement that there are no compulsory school fees in grades K through six (6).
2. That a copy of the standard elementary school parental notification letter is attached to the certification of compliance, together with a statement of the date the notice was sent and the method of notification.
3. That although donations and contributions may be solicited by the school, such solicitations clearly state that donations and contributions are voluntary and the school does not require a donation in order for a student to participate in an activity.
4. That school staff are prohibited from making any statement, to any person who lacks the right and need to know, regarding the payment or nonpayment of any fee, contributions or donation, by any student, parent, or guardian, or posting any list accessible to unauthorized persons. However, appropriate recognition may be given to any person or organization which makes a major donation or contribution.

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 § 53G-7-504(4) (2019)

In lieu of income verification, the school may rely on the following alternative forms of verification:

1. If the student's family receives TANF, a letter of decision from the Utah Department of Workforce Services which covers the period for which waiver is sought;
2. If the student receives SSI, a benefit verification letter from the Social Security Administration;
3. If the student is in state custody or in foster care, either or both of the following when provided by a case worker from the Utah Division of Child and Family Services or the Utah Juvenile Justice Department:
 - a. The youth in care required intake form;
 - b. The school enrollment letter.

Utah Admin. Rules R277-407-11(2) (April 8, 2019)

The principal or designee may grant a full or partial waiver or deny the request. Upon determination by the principal or designee, the parent shall be provided a written decision using the standard written decision and appeal form authorized by the State Board of Education. A full or partial denial decision shall include the reasons for the denial and give notice of the procedure to appeal the decision.

Utah Admin. Rules R277-407-6(8)(b) (April 8, 2019)

Utah Admin. Rules R277-407-9(6)(e) (April 8, 2019)

5. That the school does not permit the withholding, enhancement, or reduction of grades, or the withholding of report cards or diplomas, to enforce the payment of fees, donations or fines.

The principal shall sign the certification of compliance and indicate that the information is true and correct to the best of his/her knowledge and belief.

5.0900.17 REQUIRED ADDRESSES

Issue Date: 4/10/97

In addition to the foregoing information, the standard secondary school parental notification letter, the standard fee waiver application, the standard written decision and appeal form, and the standard elementary school parental notification letter shall include the name and telephone numbers of the following:

1. Utah Issues, Inc.
2. Utah Legal Services, Inc.
3. Utah State Office of Education

Pat Doe v. Utah State Board of Education

3rd Judicial District Court for Salt Lake County,

Civil No. 920903376, preliminary injunction order dated 7/22/92

Appeals of the principal's decision on the granting of fee waivers may be made to the superintendent. Appeals of the superintendent's decision may be made to the Board.

Utah Admin. Rules R277-407-8(10)(b) (April 8, 2019)

The requirement that a student pay a fee shall be suspended during any period when the student's eligibility for waiver is being determined or when an appeal of a denial of waiver is in process.

Utah Admin. Rules R277-407-8(10)(c) (April 8, 2019)

Utah Admin. Rules R277-407-9(6)(f) (April 8, 2019)

Addressing the Effect of Waivers

The District shall identify and address potential inequities due to the impact of the number of students who receive waivers with each of the District's Schools. The Board shall distribute the impact of fee waivers among the schools of the District so that no school carries a disproportionate share of the District's total fee waiver burden, including by sharing revenue among the schools to remedy that lost through waivers.

Utah Admin. Rules R277-407-8(2)(c) (April 8, 2019)

Utah Admin. Rules R277-407-13(2)(b), (3) (April 8, 2019)

Fee Collection—

Students may not be involved in the collection of fees.

Utah Admin. Rules R277-407-9(6)(d) (April 8, 2019)

Upon the request of a parent or student, the school may allow a fee to be paid through an installment payment plan. However, such a plan may not be suggested or recommended by school administration or staff.

Utah Admin. Rules R277-407-9(5) (April 8, 2019)

The District may pursue reasonable methods of collecting fees. However, the District may not, as a result of unpaid fees:

1. Exclude a student from school or from an activity, class, or program;
2. Refuse to issue a course grade; or
3. Withhold official student records, including written or electronic grade reports, diplomas, or transcripts.

Utah Admin. Rules R277-407-6(9)(a) (April 8, 2019)

Utah Admin. Rules R277-407-8(11) (April 8, 2019)

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)

Staff Training—

Employees of the District shall receive, on at least an annual basis, training on fee policies specific to the employee's job function. Such training shall make use of the resources and training materials provided by the State Superintendent.

Utah Admin. Rules R277-407-15 (April 8, 2019)

Reporting and Certification—

The District's annual year-end report to the State Superintendent shall include (1) a summary of the number of students in the District given fee waivers, the number of students who worked in lieu of a fee waiver, and the total dollar value of fees waived by the District; (2) a copy of the District's fee and fee waiver policies; (3) a copy of the District's fee schedule for students; (4) the notice of fee waiver criteria which is provided by the District to parents or guardians; and (5) a fee waiver compliance form for the District and each school (using the forms approved by the State Superintendent).

Utah Admin. Rules R277-407-14 (April 8, 2019)

The District and each school shall complete and submit such compliance forms as are required by the State Board of Education.

Utah Admin. Rules R277-407-8(9) (April 8, 2019)

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 Grades");
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 notice form ("Community Service Obligations");

5. Community service assignment form (“Community Service Assignment and Notice of Appeal Rights”);

6. Community service assignment appeal form (“Appeal of Community Service Assignment”).

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 in the standard forms.