

School Fees - FAQs

Frequently Asked Questions



What is a School Fee?

What is the definition of a fee?

Fees can be something of monetary value requested or required by an LEA as a condition to a student's participation in an activity, class, or program provided, sponsored, or supported by a school. Payments to third parties such as admission fees or transportation expenses may also be fees.

Can a choir student be required to pay a fee to go to Disneyland to perform?

Yes, if the school sponsors the trip or is involved with planning and scheduling and/or provides resources (e.g. buses, chaperone's, director, etc.). If a student is fee waiver eligible, costs essential to the trip/experience must be waived.

What is a NOT a School Fee?

Are charges related to the school lunch program considered fees?

No. Under the definition in the Utah Board of Education administrative rules, school lunch charges are not considered fees. Nor can students be charged for snacks.

Should early college class fees be waived for high school students on fee waivers?

The early college class fees need not be waived if they are attributable to the college and not the public school, in which case they are post-secondary expenses.

Is the rental cost of cap and gown for graduation a fee waiver eligible expense?

Yes. The graduation exercise, including the public acknowledgment, is considered integral to the public education experience. Therefore, the cost of cap and gown should be borne by the school. Schools can negotiate with rental companies for reduced rates or waiver of rental fees for fee waiver eligible students.

If school lets out early for a state football game, and a bus is provided for students who want to attend the game for a fee, should the fee be waived for those who qualify for waivers?

Yes. Even if the game is after school hours, especially if other transportation is not readily available to students or the distance is significant.

Can students be charged for lost or damaged supplies?

Yes. If they are lost or damaged under Utah Code Section 53G-8-212(2):

- (a) *If a school's property has been lost or willfully cut, defaced, or otherwise damaged, the school may withhold the issuance of an official written grade report, diploma, or transcript of the student responsible for the damage or loss until the student or the student's parent or guardian has paid for the damages.*
- (b) *The student's parent or guardian is liable for damages as otherwise provided in Section 78A-6-1113.*

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By the Grades

Can students in a K-6 school be required to provide their own supplies?

No. Supplies (paper, pencils, etc.) needed in the regular classroom must be provided by the schools.

Can 6th graders attending a middle school with 7th and 8th graders be charged fees?

Yes. Board-approved fees may be charged to students in 6th grade only if they are attending a school that also includes students in grade 7 or above.

May an elementary school or elementary teacher provide a suggested list of school supplies to be requested from parents/legal guardians?

Yes. However, the information to the parents must be clear and explicit that providing supplies for the student or class is voluntary. The list, if provided, must include very specific language, as follows:

“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.”

Activities and Courses outside of the Regular School Day

Can fees be charged for activities outside of the regular school day?

Fees may be charged in connection with school-sponsored activities that do not take place during the regular school day, regardless of the age or grade level of the student.

Fee waivers always apply, even for these “optional” activities.

What about fees for a driver education program offered over the summer or after school?

After school or summer driver education programs which are school-sponsored are fee waiver eligible. Fees paid to the Department of Motor Vehicle are NOT eligible for waiver, but any fees required as part of the program must be waived for eligible students. Fees for programs that are provided by a community education program may not be subject to waiver.

Collecting Unpaid School Fees

Can students be denied walking through promotion if they have school fines or fees owed?

Yes, but they cannot be denied a diploma or credit for coursework completed. Also, a school should give advance notice to parents that administrative penalties may be imposed for failure to pay fees, including denial of graduation activities. These kinds of penalties should be used sparingly and reluctantly as a last resort because courts see graduation exercises and activities as integral to the public education experience.

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Collecting Unpaid School Fees *continued*

Can a student be denied enrollment because of outstanding fees from a school attended previously?

No. Students cannot be denied enrollment because of outstanding fees from a prior school. The previous school/district could pursue reasonable means to collect fees, e.g. small claims court, collection agency, but the new school/district may not deny enrollment due to fees owed.

Can an LEA withhold class schedules from a student until the school fees are paid?

No. LEAs may not, as a result of unpaid fees, withhold any official student records, or deny students participation during the regular school day. All students, regardless of fee payment status, should have the same access to class schedules.

Can yearbooks be held at the end of the school year until all fees are paid?

Yearbook deposits may be diverted to pay for outstanding fees if stated in district policy. If a student purchases a yearbook outright, the school would have to provide it. If holding a yearbook is designated as a possible administrative consequence for non-payment of fees, the yearbook could be held because the yearbook cost is greatly subsidized by the school. Also keep in mind, if the student participates in instructional time for the yearbook production or signing, then the yearbook may be subject to fee waivers.

Fee Amounts, Limits, Approvals and Notifications

Is there a limit to the cost of fees that may be charged for students to participate in school-sponsored activities, clubs, or programs?

Yes. The limits are outlined in each individual district's fee policy or schedule, which must be approved each year by the local board of education. Individual district fee policies may differ.

Can a teacher charge an additional fee to a class in a secondary school level without school board approval if it is determined mid-year that the approved fee was not adequate?

Only if the local board approves the fee after providing notice of the fee to students and parents, including fee waiver information.

School fees must be approved by the local board before April 1, and the public shall be provided opportunity to comment during a minimum of 2 public meetings (Utah Administrative Rule R277-407-6(2)(b)). Can the Board Meeting where the approval is ratified count as one of the two public board meetings?

Yes. Also, copies of the fee schedule shall be distributed annually to all the parents in the district.

Does an LEA have to meet personally with each student's parent or family with an interpreter if their first language is not English?

Only if the LEA has not published the LEA's fee schedule and fee waiver policies in the parents first language. See R277-407-6(7)(c).

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Accounting for Fees

When a charter student participates in a district class or extra-curricular activity, will the charter school be required to administer and pay the fee waiver when the student is eligible?

R277-494 explicitly requires the charter school to pay for the fee waiver. See Subsection R277-494-4(5).

Are refunds of fees given for a student who transfers schools?

There is no entitlement to a refund. Refunds are governed by school/district policy.

Can an installment plan be set up for a student's family to pay fees?

Yes, but an installment plan may not be required in lieu of a fee waiver. See R277-407-9(5)(b).

Waivers

Who is eligible for fee waivers?

A student is eligible for fee waiver as follows:

- Income verification consistent with Utah Code Section 53G-7-504(4) & R277-407-11.
- The student receives (SSI) Supplemental Security Income (Only the student who receives the SSI benefit qualifies for fee waivers).
- The family receives TANF (currently qualified for financial assistance or food stamps).
- The student is in foster care (under Utah or local government supervision).
- The student is in state custody.
- A school may grant a fee waiver to a student, on a case by case basis, who does not qualify under the above criteria, but because of extenuating circumstances is not reasonably capable of paying the fee.

Why are local school boards required to provide a waiver of fees to qualifying students?

To ensure that no student is denied the opportunity to participate in programs, courses, or activities because of an inability to pay the required fee, deposit, or charge based on a 1994 Utah state court case and current state law.

To whom do fee waivers apply?

- All students who meet criteria (see left).
- Fee waivers do not apply to:
 - o Pre-K students.
 - o Adult students outside of the K-12 program.
 - o Foreign exchange students.
 - o Non-resident students who are specifically exempt.

Can a local school board establish policies for partial fee waivers or other alternatives for those students who cannot pay the entire fee?

Yes, but fee waiver eligible students cannot be required to complete alternatives in place of receiving fee waivers.

Are fees for school clubs subject to fee waivers?

Fee waivers may apply if the club is a curricular-club. However, if the club is non-curricular as defined in Section 53G-7-701 then it is not subject to the fee waivers. See R277-407-2(12)(b).

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Waivers *continued*

What kind of work activities are available for grade 9-12 students in lieu of fee waivers that are not demeaning and enhance self-esteem?

Janitorial work should not be the only option for students working to pay for fees. Office responsibilities, activity help, teacher aide assistance, charitable causes for the school, service, and help with athletic clinics should be considered.

If students are injured while working to pay for fees, what is the school's liability?

Students would be protected as employees or students of the district for any activity reasonably within the scope of the student's assignment. In assigning work to students, schools/districts should consider age-appropriateness and student ability.

Are students in a Utah history class who are fee waiver eligible entitled to a fee waiver to attend a voluntary overnight trip to the state capitol?

Yes. If the school sponsors and plans the trip and assists with resources and chaperone's, fees must be waived for eligible students.

If a student is required to have tools that are necessary to complete class assignments, should the cost of the tools be waived for students on fee waivers?

Yes. If the student must have the tools to complete his assignments and if the teacher/school does not have adequate tools to loan.

Can students on a waiver go bowling with their gym class and have the bowling costs waived?

Yes, if the bowling activity is part of the school experience.

A drill team has the chance to go to a national competition in California. No school funds are available, and most of the team pays out of pocket for the trip. Would a team member on fee waivers be allowed to go if the trip is voluntary and not a part of the grade?

Yes. Fee waivers apply to any course or activity sponsored "by or through the public schools." This type of a trip is subject to fee waivers. If the team decides to raise money for the trip by fundraising, all participants of the trip, not the fundraiser, share equally in whatever money is raised. If additional money is needed for fee waiver eligible students, that money must be provided by the school or LEA. See Utah Administrative Rule R277-407-10(2).

Should the names and other information about those who qualify for fee waivers be kept confidential?

Yes. That information should be used and discussed only by those who have a need and a right to know, such as the personnel who process paperwork, etc. Other students should never be involved in processing fee waiver information.

If a bus stops on an activity trip to allow students to get something to eat, is the meal a student fee? If yes, then does the meal qualify for a fee waiver and must it be included on the fee schedule?

Yes, meals of a school sponsored activity are needful for the student's participation in the activity and are therefore waivable and should be included on the fee schedule.

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Waivers *continued*

Can a school or district ask for verification or documentation of fee waiver eligibility?

Consistent with Section 53G-7-504(4), a school or district shall require documentation and certification verifying the student's eligibility and, if applicable, the student's compliance with alternative service in lieu of fees.

The acceptable forms of documentation include income tax returns, current pay stubs, benefit verification from the Department of Workforce Services for the period eligibility is sought, a benefit verification document from the Social Security Administration, or documents provided by a case worker from the Utah Division of Child and Family Services or the Utah Juvenile Justice Department providing the appropriate information of current benefits.

The certification of eligibility should be included as part of the LEA's Fee Waiver application form.

A school or school district may destroy all supporting documents after the approval process is complete. However, the LEA should keep a record or log of applications, approvals, and denied applications with a brief explanation of denial.

For further information contact:

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