

FEE WAIVERS SUMMARY

Purpose

This guide is written to help navigate the Utah state law regarding school fee waivers and waiver eligibility. The purpose is to direct the reader to the authoritative administrative rule R277-407 and the Utah Code Annotated (UAC). More information and sample forms for student fee waiver applications can be found on the website <https://schools.utah.gov/schoolfees>.

Overview

1. All fees are subject to waiver. (UCA 53G-7-504(1))
2. All students that are denied fee waiver requests have the right of an appeal. (R277-407-6(8), R277-407-8(10), R277-407-9(6)(e))

LEA Fee Waiver Policy

Each LEA that charges fees is required to adopt a fee waiver policy for review and appeal of fee waiver requests. This policy must (R277-407-8(10)):

1. provide parents the opportunity to review proposed alternatives to fee waivers (should the LEA provide alternatives to fee waivers as an option to students),
2. establish a timely appeals process, and
3. suspend any requirement that a given student pay a fee during any period for which the student's eligibility for waiver is under consideration or during which an appeal of denial of a fee waiver is in process.

This policy must include easily understood procedures for obtaining fee waivers and for appealing an LEA's denial of a fee waiver, as soon as possible before the fee becomes due. (R277-407-6(8)(a))

LEA Fee Waiver Administration

Each LEA that charges fees must designate at least one person at an appropriate administrative level in each school to review and grant fee waiver requests (R277-407-8(4)). The process for obtaining fee waivers or pursuing an alternative must be administered fairly, objectively, and without delay. The application process must avoid stigma, embarrassment, undue attention, and unreasonable burdens on students and parents (R277-407-8(5), R277-407-9(6)(a)). The application process must have no visible indicators that could lead to identification of fee waiver applicants (R277-407-9(6)(b)) and may not have students help with the application process (R277-407-9(6)(d)). Likewise, all FERPA confidentiality requirements must also be met during this process (R277-407-9(6)(c)).

An LEA may not treat a student receiving a fee waiver or provision in lieu of fee waiver differently from other students (R277-407-8(6)), and may not identify a student on fee waivers to students, staff members, or other persons who do not need to know (R277-407-8(7)).

Fee Waiver Eligibility

A student is eligible for a fee waiver if (R277-407-11(1)):

1. the student qualifies for free lunch under USDA regulations, (see table below)
2. the student receives SSI,
3. the student's family receives TANF,
4. the student is in foster care, or
5. the student is in state custody.

If a student does not qualify under these standards, the school must still provide a fee waiver if charging the fee would deny the student the opportunity to fully participate or complete a requirement because of an inability to pay a fee (UCA 53G-7-504(1)(a)).

The LEA must receive verification of the student’s eligibility. The process of applying for fee waivers must be compliant with FERPA confidentiality standards, and so must the verification portion of that process (R277-407-9(6)(c)).

For the 2019-2020 school year, one of the ways to qualify for school fee waiver’s under the first criterion, a student’s family’s income must be below the “130% Free Meals” maximums listed for their family size on the following table:

Household Size	Federal Poverty Guidelines	Free Meals - 130%				
	Annual \$	Annual \$	Monthly \$	Twice Per Month \$	Every Two Weeks \$	Weekly \$
1	12,490	16,237	1,354	677	625	313
2	16,910	21,983	1,832	916	846	423
3	21,330	27,729	2,311	1,156	1,067	534
4	25,750	33,475	2,790	1,395	1,288	644
5	30,170	39,221	3,269	1,635	1,509	755
6	34,590	44,967	3,748	1,874	1,730	865
7	39,010	50,713	4,227	2,114	1,951	976
8	43,430	56,459	4,705	2,353	2,172	1,086
For each additional family member, add	4,420	5,746	479	240	221	111

Table source: May 1, 2019 from <https://www.govinfo.gov/content/pkg/FR-2019-03-20/pdf/2019-05183.pdf>

Please direct additional questions in regards to meeting any of the other four criterion to the local school fees contact.