

Electronic Device Deposits

Guidance Document on School Fees

Many LEAs provide one-to-one electronic devices to their students. This document will provide guidance for LEAs regarding refundable deposits and charges for electronic devices that a student is allowed to take home.

Utah Code Annotated (UCA): *(emphasis added)*

53G-7-501(7)(c)(iii)(B) states:

"Fee" does not include: ...

(iii) a deposit that is:

(A) a pledge securing the return of school property; and

*(B) **refunded** upon the return of the school property; or*

*(iv) a charge for insurance, unless the insurance is **required** for a student to participate in an activity, course, or program.*

This means that a **fully refundable deposit** is not a school fee and therefore not subject to fee waivers and other school fee regulations. As it is not included in the definition of a fee, it is allowable for an LEA to charge all grade levels a **fully refundable deposit** for the issuance of a device for student use.

In addition, a charge for insurance on an electronic device is not considered a fee unless it is **required**.

Utah Code Annotated (UAC): *(emphasis added)*

53G-7-501(19) states:

(a) "Textbook" means instructional material necessary for participation in an activity, course, or program, regardless of the format of the material.

(b) "Textbook" includes:

(i) a hardcopy book or printed pages of instructional material, including a consumable workbook; or

*(ii) **computer hardware, software, or digital content.***

(c) "Textbook" does not include school equipment, instructional equipment, or instructional supplies.

One-to-one devices are considered textbooks per this statute. As textbooks, the one-to-one devices (ipads, computers, etc.) have further regulations to consider. Any policies adopted by the LEA for the deposit on these devices should:

1. Ensure that any deposit funds kept by the LEA are reimbursement for loss or damage only. No funds may be kept for normal wear and tear or maintenance cost of the devices. An LEA may not charge a fee for normal wear and tear, that charge would be considered a fee, no fee may be charged for "textbooks" per 53G-7-501.
2. The refundable deposit amount required must not prohibit any student from fully participating in any class, program, or activities regardless of their social or economic situation.

Questions, Comments, or Concerns? Contact the state School Fees team at schoolfees@schools.utah.gov.