

POLICY 5230

Student Fees/Fee Waiver, Fines, and Charges

Box Elder Board of Education hereby adopts the following policy regarding school fees, rental fees, textbook/digital curriculum sales, deposits or rentals and waivers regarding these items.

A. Definitions

1. Fee - 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. For purposes of this policy, charges related to the National School Lunch Program are not fees.
2. Alternate Method of Payment - An alternative to fee payment, or waiver.
3. Student Supplies - 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. The term includes pencils, paper, notebooks, crayons, scissors, basic clothing for healthy lifestyle classes, and similar personal or consumable items over which a student retains ownership.
4. Optional Project - A non-mandatory project chosen and retained by a student in a vocational or other class where projects are part of the curriculum, for which the student covers the cost or provides the materials, in lieu of or in addition to a mandatory classroom project otherwise available to the student which would require only school supplied materials.
5. Textbooks/Digital Curriculum - Book, workbook, periodical, newspaper, other printed materials, computer software, and materials similar in function which are required for participation in a course of instruction.
6. Secondary school – A school that provides instruction to students in any of the following grades 6, 7, 8, 9, 10, 11, or 12.
7. Secondary school student – A student enrolled in a secondary school including a student in grade 6 if the student attends a secondary school.

8. Provision in lieu of fee waiver – An alternative to fee payment and waiver of fee payment. A plan under which fees are paid in installments or under some other delayed payment arrangement is not a waiver or provision in lieu of fee waiver.

[Utah Admin. Rules R277-407-2 \(2018\)](#)
[Utah Code § 53G-7-503\(1\) \(2018\)](#)

B. Standards

1. Fees and Restrictions Regarding Elementary School Students

- a. No fee may be charged to elementary school students for materials, textbooks/digital curriculum, workbooks, supplies or any class, activity, assembly or field trip.
- b. Student supplies must be provided for elementary school students. A student may, however, be required to replace supplies provided by the school which are lost, wasted, or damaged by the student through careless or irresponsible behavior.
- c. An elementary school or elementary school teacher may compile and provide to a student's parent or guardian a suggested list of supplies for use during the regular school day so that a parent or guardian may furnish on a voluntary basis those supplies for student use.
- d. A list provided to a student's parent or guardian 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 \(2018\)](#)
[Utah Code § 53G-7-503\(4\) \(2018\)](#)

2. Donations or contributions may be invited on forms provided to parents or guardians 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 R277-407-5\(7\) \(2018\)](#)

3. Secondary School Students

- a. Textbook/digital curriculum, lab, and course-related fees may be charged in grades seven through twelve as approved by the BESD Board of Education.

- b. If a class is established or approved which requires payment of fees or purchase of items in order for students to participate fully and to have the opportunity to acquire all skills and knowledge required for full credit and highest grades, the class shall be subject to the fee waiver provisions provided herein.
- c. Secondary students may be required to provide their own student supplies, subject to the fee waiver provisions.

[Utah Admin. Rules R277-407-3\(2\), \(4\), \(8\) \(2018\)](#)
[Utah Code § 53G-7-503\(2\) \(2018\)](#)

C. School Activities Outside of the Regular School Day

1. Fees may be charged in connection with any school-sponsored activity, regardless of the age or grade level of the student, 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.
2. Fees related to extracurricular activities sponsored by the Utah High School Activities Association may not exceed limits established by the Association.

D. General Provisions

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 mandatory course project must be based on experiences that are free to all students.

[Utah Admin. Rules R277-407-3\(5\) \(2018\)](#)

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.

[Utah Admin. Rules R277-407-4 \(2018\)](#)

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 unless the fee has been set and approved by the Board and notice given, in accordance with the following provision:
 - a. The Board shall annually adopt a fee schedule and policies during a regularly scheduled Board meeting open to the public. The Board shall encourage public participation in the development of fee schedules and waiver policies. Notice of the meeting shall be posted visibly in the District Office and published in a local newspaper and may be published on the district website. If school is in session one week prior to the meeting, notice shall be sent of the meeting's subject matter to parents via their children. Minutes of meetings at which fee and fee waiver policies are developed or adopted shall be kept and made available upon request, together with approved policies.
 - b. After adoption of the fee schedule and policies, copies thereof shall be made available upon request at all school and offices of the District, and shall be included with all registration materials provided to potential or continuing students. The fee schedule and policies shall be accompanied by a copy of the fee waiver policies, including the required standard forms provided to the District by the State Office of Education regarding fee waivers.
5. Fees for school-sponsored activities, including expenditures for activities, uniforms, clubs, clinics, travel, and subject area and vocational leadership organizations shall be kept to a minimum to allow equal opportunity for participation.
6. Expenditures for uniforms, costumes, clothing, or accessories which are required for school attendance or participation in school activities (other than items of typical student dress), and expenditures for student travel as part of a school team, student group, or other school-approved trip, are fees which require approval of the Board of Education and are subject to the policies relating to fees (including waiver).
7. Charges for items which are not required for participation in a class or activity, such as class rings, letter jackets, school photos, or yearbooks, are not fees and are not subject to fee waiver provisions.
8. Donations or contributions for activities or for general use may be solicited after approval by the school principal or the Board. The Board or its designee may accept such. All requests for donations and contributions must clearly state that donations and contributions are voluntary and that no elementary or secondary school may require a donation in order for a given student to participate in an activity.
9. No present or former student of the District shall be denied receipt of transcripts or a diploma for failure to pay school fees, nor may a school refuse to issue a grade for a course for failure to pay school fees. Reasonable charges may be imposed to cover the cost of duplicating or mailing transcripts and other school records. However, no charge will be made to cover cost of duplicating and mailing copies of school records

to elementary or secondary schools where the student is enrolled or intends to enroll.

[Utah Admin. Rules R277-407-5 \(2018\)](#)

[Utah Admin. Rules R277-407-6\(13\) \(2018\)](#)

10. Box Elder School District may employ the services of a collection agency to collect unpaid student fees.

E. Court Order Allocating Liability for Fees

1. 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 \(2018\)](#)

F. School Store

1. The District may operate a school store where students may purchase school supplies and materials.

G. Collection of Fees

1. The District may pursue reasonable methods of collecting fees. However, the District may not, as a result of unpaid fees, exclude a student from school, refuse to issue a course grade, or withhold official student records, including written or electronic grade reports, diplomas, or transcripts.

[Utah Admin. Rules R277-407-6\(11\) \(2018\)](#)

H. Waiver of Fees

1. A deposit or fee, which a student and his or her parent or guardian is unable to pay, may be waived in whole or in part. In addition to giving notice to parents of fee and fee waiver policies at the time of registration (as provided above), procedures for

waiver of fees or deposits may be posted in a central location in each school and on District and school websites.

[Utah Code § 53G-7-504\(1\) \(2018\)](#)

[Utah Admin. Rules R277-407-5\(3\), \(4\) \(2018\)](#)

2. Textbook/digital curriculum and workbook fees shall be waived, if the books are required for courses of instruction for each child whose parent or guardian is financially unable to purchase them, as determined in accordance with this fee waiver procedure.

[Utah Code § 53G-7-603\(2\) \(2018\)](#)

[Utah Admin. Rules R277-407-6\(2\) \(2018\)](#)

I. General Procedure for Fee Waivers

1. The principal, or the principal's designee, shall review and make decisions regarding fee waiver requests.

[Utah Admin. Rules R277-407-6\(3\) \(2018\)](#)

2. The fee 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.

[Utah Admin. Rules R277-407-6\(4\) \(2018\)](#)

3. Students who are receiving fee waivers or a provision in lieu of a fee waiver may not be treated differently from other student. Students who are receiving fee waivers or provisions in lieu of waivers may not be identified to students or to staff members who do not need to know that status.

[Utah Admin. Rules R277-407-6\(5\), \(6\) \(2018\)](#)

4. Students who are in state custody or foster care, or are receiving public assistance in the form of Temporary Assistance for Needy Families ("TANF"), or receiving Supplemental Security Income as a qualified disabled child, 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 school principal or designee. The principal shall make a fair and objective decision without delay.

[Utah Admin. Rules R277-407-7 \(2018\)](#)

5. The application for fee waiver shall include documentation and verification by the parent (1) of the student's eligibility for the waiver and (2) that the alternatives for satisfying fee requirements have been complied with to the fullest extent reasonably possible under the individual circumstances of the waiver applicant and of the school. In addition, the application shall specify the acceptable forms of documentation, which shall include the last income tax return or the last three pay stubs, or both, if available, of each household member. In lieu of income verification, the following are acceptable verification of eligibility:
 - a. If the student's family receives TANF, a letter of decision regarding TANF from the Utah Department of Workforce Services covering the period for which a fee waiver is sought;
 - b. If a student receives Supplemental Security Income (SSI), a benefit verification letter from the Social Security Administration;
 - c. If a student is in state custody or foster care, a youth in custody intake form or school enrollment form provided by a caseworker from DCFS or the Juvenile Justice Department.

[Utah Code § 53G-7-504 \(2018\)](#)

[Utah Admin. Rules R277-407-7\(1\), \(2\) \(2018\)](#)

6. The waiver application and associated required documentation shall incorporate and conform to the regulations issued by the State Office of Education, which will specify the forms of documentation and verification which are acceptable.

[Utah Code § 53G-7-504 \(2018\)](#)

7. The principal may grant a full or partial fee waiver or deny the waiver request. If the principal grants a waiver in whole or in part, he/she shall also include one or more of the following alternatives to allow the student to satisfy the fee requirement:
 - a. The student provides tutorial assistance before or after school.
 - b. The student provides assistance before or after school to teachers or other school personnel on school related matters.
 - c. The student provides general community or home service.
8. Other alternatives may be added by each school principal, subject to approval by the Board. Parents shall be given the opportunity to review proposed alternatives to fee waivers. When an alternative to meeting the fee requirement is imposed by the principal, then the principal shall outline in detail the responsibilities of the student to

meet the fee requirement alternative. Alternatives shall not apply to textbook/digital curriculum fees, which are waived without an alternative requirement for qualifying students.

[Utah Code § 53G-7-504\(2\) \(2018\)](#)

[Utah Admin. Rules R277-407-6\(7\)\(a\) \(2018\)](#)

9. Appeals of the Principal's decision on the granting of fee waivers may be made to the Superintendent of Schools. Appeals of 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 a request for a fee waiver.

[Utah Admin. Rules R277-407-6\(9\)\(b\) \(2018\)](#)

10. Requirements for fees for a given student shall be suspended during any period during which the student's eligibility for waiver is being determined or appealed.

[Utah Admin. Rules R277-407-6\(9\)\(c\) \(2018\)](#)

11. No waiver shall be granted for charges assessed pursuant to a student's damaging or losing school property. A school shall not exclude the student from school 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 \(2018\)](#)

[Utah Admin. Rules R277-407-6\(1\) \(2018\)](#)

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

[Utah Admin. Rules R277-407-6\(10\) \(2018\)](#)

J. Fee Waiver Reporting

1. The District's annual S-3 statistical report to the State Superintendent shall include

- a. 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;
- b. A copy of the District's fee and fee waiver policies;
- c. A copy of the District's fee schedule for students;
- d. The notice of fee waiver criteria which is provided by the District to parents or guardians; and
- e. A fee waiver compliance form for the District and each school (using the forms approved by the State Superintendent).

[Utah Admin. Rules R277-407-8 \(2018\)](#)

K. Required Notices and Action

1. The District and each school shall use the following standard forms as they are provided by the State Office of Education:
 - a. 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 Grade](#)");
 - b. Standard fee waiver application ("[Fee Waiver Application \(Grades K-6\)](#)" or "[Fee Waiver Application \(Grades 7-12\)](#)");
 - c. Standard written decision and appeal form ("[Fee Waiver Decision and Appeal Form](#)");
 - d. Community service assignment appeal form ("[Appeal of Community Service Assignment](#)");
 - e. Community service assignment form ("[Community Service Assignment and Notice of Appeal Rights](#)");
 - f. Community service assignment appeal form ("[Appeal of Community Service Assignment](#)");
 - g. District certification of compliance ("[School District Certification of Compliance](#)");
 - h. Secondary school certification of compliance ("[Secondary School Certification of Compliance \(For Use In Schools Serving Any Grade, 7-12\)](#)");

- i. Elementary school certification of compliance (["Elementary School Certification of Compliance \(For Use In Schools Serving Any Grade, K-6\)"](#)).
2. 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.
3. As used in the standard forms, the term "waiver" shall include provisions in lieu of fee waivers.