

## **4200 SCHOOL FEE & FEE WAIVER POLICY**

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### **References:**

Utah State Board of Education House Bill 183

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### **1) PURPOSE AND PHILOSOPHY**

Weber School District is committed to providing a free public education to all students enrolled in its schools. Many expenses in the operation of schools are beyond the ordinary costs of education; such as, but not limited to, lockers, yearbooks, clubs, travel and tangible products. The purpose of this policy is to establish a system of reasonable fees with notice and transparency to students and parents of the fee schedule, as well as fee waiver options and to outline the process for granting fee waivers.

### **2) POLICY**

It is Weber School District's policy, with input from parents and community members, to establish a fair fee schedule for school-sponsored activity and program costs incurred by students. Fees that are not approved for and included in the District's fee schedule are not allowed. All fees and options for fee waivers are to be transparent to students, parents, and the community. Schools shall ensure all students eligible for fee waiver have the opportunity to apply for a fee waiver and students who qualify shall be granted a fee waiver under the provision of this policy. Weber School District prohibits practices that would exclude students unable to pay fees from participation in school-sponsored activities or create a burden on a student or family as to have a detrimental impact on participation.

### **3) DEFINITIONS**

- a) **Co-curricular Activity:** an activity, course, or program, outside of school hours that also includes a required regular school day program or curriculum
- b) **Curricular Activity:** an activity, course or program that is provided, sponsored, or supported by the District and conducted only during school hours
- c) **Extra-curricular Activity:** an activity or program for students outside of the regular school day that:
  - i) is sponsored, recognized, or sanctioned by the District and
  - ii) supplements or compliments, but is not part of, the District's required program or regular curriculum
- d) **Fee**
  - i) a charge, expense, deposit, rental or payment that is a condition to a student's full participation in an activity, course, or program that is provided, sponsored, or supported by the District;
    - (1) regardless of how they are termed, described or requested, and regardless of whether it is required directly or indirectly; and
    - (2) may be in the form of money, goods, or services.
  - ii) **Fees include**

- (1) money or something of monetary value raised by a student or the student's family through fundraising;
  - (2) charges or expenditures for a school field trip or activity trip, including related transportation, food, lodging, and admission charges;
  - (3) payments made to a third party that provides a part of a school activity, class, or program
  - (4) charges or expenditures for classroom textbooks and classroom supplies or materials;
  - (5) charges or expenditures for school activity clothing;
  - (6) the activity, class, or program requirement for specific shoes or items of clothing, including requesting a specific color, style, fabric, or imprint
  - (7) Student supplies if there is a specific requirement such as brand, color, or a special imprint in order to create a uniform appearance that is not related to basic function.
  - (8) a fine, other than a fine identified in the subsection below.
- iii) **Fees** do NOT include
- (1) Student supplies (as defined below), including:
    - (a) Pencils
    - (b) Papers
    - (c) Notebooks
    - (d) Crayons
    - (e) Scissors
    - (f) Basic clothing for healthy lifestyle classes; and
    - (g) Similar personal or consumable items over which a student retains ownership.
  - (2) a student fine specifically approved by the Board for:
    - (a) failing to return school property;
    - (b) losing, wasting, or damaging private or school property through intentional, careless, or irresponsible behavior, or as described in Section 53G-8-212; or
    - (c) improper use of school property, including a parking violation;
  - (3) a payment for school breakfast or lunch;
  - (4) a deposit that is:
    - (a) a pledge securing the return of school property that is refunded upon the return of the school property; or
    - (b) a charge for insurance, unless the insurance is required for a student to participate in an activity, course, or program or
  - (5) charges associated with a student's participation in a non-curricular club.
- e) **Non-curricular Club:** a group meeting outside of the school day that is not related to any regular school day course in any way. These are referred to as "Groups" in accordance with Policy 4540.
- f) **"Provided, sponsored, or supported by a school":** an activity, class, program, fundraiser, camp, clinic, or other event that:
- i) is authorized by the District or satisfies at least one of the following three conditions:

- (1) it is managed or supervised by the District or school within the District or District employee in the employee's official capacity as District employee;
- (2) it uses the District's or school's facilities, equipment, or other resources; or
- (3) it is supported or subsidized by public funds, including the school's activity funds or minimum school program dollars.

- g) **“Requested or required by the District as a condition to a student’s participation”:** something of monetary value that is impliedly or explicitly mandated or necessary for a student, parent, or family to provide so that a student may:
- i) fully participate in the 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 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
- h) **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 activity, class, or program and have a high probability of regular use in other than school-sponsored activities.

#### 4) **FEE SCHEDULE**

- a) Each school year, the Board will annually review and approve the District's fee schedule.
- b) The fee schedule will include fees associated with each activity, course, or program that is provided, sponsored, or supported by the District.
- c) A fee that is not on the fee schedule may not be assessed to students throughout the year.
- d) *Fee Setting Process*
  - i) A District fee committee, comprised of District personnel, activity advisors, teachers, coaches, and parents will collect information from the various schools' activities, courses, and programs to formulate and review for the Board's approval, the District's fee schedule each year.
  - ii) The District fee committee may consider any of the following factors when determining a fee proposal to the Board:
    - (1) the school's cost to provide the activity, class, or program;
    - (2) the school's student enrollment;
    - (3) the median income of families;
    - (4) the number and monetary amount of fee waivers, designated by individual fees, annually granted within the prior three years;
    - (5) the historical participation and school interest in certain activities;
    - (6) the prior year fee schedule;
    - (7) the amount of revenue collected from each fee in the prior year;
    - (8) fund-raising capacity;
    - (9) prior year community donors; and

- iii) The District fee committee shall present the fee schedule to the Board and the public on or before the February Board meeting each year,
  - iv) Board approval
    - (1) Fee schedules and policies shall be adopted by the Board at or before the regularly scheduled April Board meeting.
    - (2) Prior to the adoption of the fee schedule, the Board shall allow public participation and comment on the fee schedule during a minimum of two public meetings of the Board. These meetings will typically be the February and March board meetings.
    - (3) The Board shall provide notice of the meetings to the public in accordance with the Open and Public Meetings Act (“OPMA”) and to parents and students using the same communication regularly used by the District to communicate with parents.
    - (4) Minutes of the Board meeting during which fees and fee policies are adopted together with copies of the approved policy and fee schedule will be made available upon request in accordance with the OPMA.
    - (5) The Board may adopt amended fee scheduled after the April Board meeting.
  - v) The fee schedule is attached to this Policy as Appendix A, posted on the District’s website, and included in registration packet materials for parents. The fee schedule is updated annually.
- e) *Fee Schedule Requirements*
- i) The Board’s adopted fee schedule shall include:
    - (1) Notice that students may be eligible for a fee waiver
    - (2) The fee total for each activity, class, or program, including a maximum amount per activity, class, or program
    - (3) A delineation of each fee if the activity, class, or program includes multiple fees
    - (4) A student annual maximum aggregate fee amount for the student’s participation in *all* courses, programs, and activities provided, sponsored, or supported by a school for the year.
    - (5) A spend plan for the revenue collected from each fee charged. The spend plan should provide students, parents, and employees transparency by identifying the fee’s funding uses.
  - ii) The amount of revenue raised by a student through voluntary individual fundraisers or required group fundraisers will be included as part of the maximum fee amount per student for the activity and the maximum total aggregate fee amount per student.
  - iii) Students who do not qualify for fee waivers may not be required to pay an increased fee to make-up for the costs of students who qualify for fee waivers. Schools may, however, notify students and families that they may voluntarily pay an increased fee amount or provide a donation to assist in covering the costs of other students and families.
  - iv) A fee shall be equal to or less than the expense incurred by the District or school to provide for a student activity, course, or program.
  - v) Beginning in the 2022-2023 school year, a fee schedule may not include a textbook fee.

**5) FEES FOR CLASSES AND ACTIVITIES DURING THE REGULAR SCHOOL DAY**

a) Elementary School

- i) No fee may be charged in kindergarten through grade six for any regular school day activity including assemblies and field trips or for any snacks, materials, textbooks, instructional or school supplies, or fundraising, except as provided in Subsection 5)a)ii) below:
- ii) An elementary school or teacher may provide to a student's parent or guardian a suggested list of student supplies, as defined in this policy, for use during the regular school day so that a parent or guardian may furnish, on a voluntary basis, those supplies for student use. Such a list must include the following language in clear and conspicuous location:

**“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.”**

- iii) The school must provide any necessary school supplies not voluntarily furnished by a parent or guardian.
- iv) A student may be required to replace supplies provided by the school which are lost, wasted, or damaged by the student through careless or irresponsible behavior.

b) Secondary

- i) Fees may be charged to secondary students in connection with a regular school day activity, class, or program if the fee is on the Board approved fee schedule and subject to fee waiver.
  - (1) Any new secondary class that is established or approved which requires payment of fees or purchase of items for students to participate fully, the fees or costs for the class must be included on the Board approved fee schedule and is subject to fee waiver
- ii) A school may require a secondary student to provide student supplies, provided the requirement is not specific to brand, color, style, fabric, or imprint.

**6) FEES FOR ACTIVITIES OUTSIDE OF THE REGULAR SCHOOL DAY**

- a) Fees may be charged for any school-sponsored program or activity that does not take place during the regular school, regardless of the age or grade level of the student, if participation is voluntary and the fees meets all the requirements outlined in section 4)e) of this Policy.
- b) Elementary students may be charged a fee if the activity does not affect the student's grade or ability to participate fully in any course taught during the regular school day.
- c) Schools that provide, sponsor, or support an activity, class, or program outside of the regular school calendar are subject to the provisions of this policy regardless of the time or season of the activity, class, or program.

**7) FUNDRAISING AND DONATIONS**

- a) All fund raising activities must be conducted in accordance with Policy 4571.
- b) A school may not allow required individual fundraising, but may allow optional individual fundraising to off set the cost of student's fees.
- c) A school may allow for group fundraisers.
- d) A school may not deny a student membership in or participation on a team or group or in an activity based on the student's non-participation in a fundraiser.
- e) A school may not request a donation in lieu of a fee from a student or parent unless the activity, class, or program for which the donation is solicited will otherwise be fully funded by the school or District and receipt of the donation will not affect participation by an individual student.
- f) The District, through the Weber School District Foundation ("Foundation"), may raise money to offset the cost to the District attributed to fee waivers. All donations through the Foundation shall be handled in accordance with policies governing the Foundation.
- g) The District of school may not accept a donation that would create a significant inequity among schools within the District.

**8) NOTICE TO PARENTS**

- a) The District will provide notice to parents/guardians of all current and applicable fee schedules and fee policies, including the fee waiver provisions in this Policy and notices from the Utah State Board of Education in the form of appendices to this Policy, through annual publication on the District's website.
- b) A copy of the fee schedule fee policy, including the fee waiver provisions in this Policy and notices from the Utah State Board of Education in the form of appendices to this Policy, will be included in the District's registration materials each year and will be provided to the parent of a student who enrolls after the initial enrollment period.
- c) In addition to the above, each elementary school and each secondary school in the District will post notice of fee waivers in their schools.
- d) A district representative will meet with each student's parent and make available an interpreter to understand the district's fee schedules and fee waiver policies if the student or parent's first language is not English and the district hasn't published the fee schedule and fee waiver policies in the parent's first language.

**9) FEE WAIVERS**

- a) General Provisions
  - i) All fees are subject to fee waiver unless specifically identified as a non-waivable charged in this Policy or in UAC R277-407.

- ii) The process for obtaining a fee waiver, pursuing an alternative to fee waiver, or appealing the denial of a fee waiver will be administered confidentially, fairly objectively, without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.
  - iii) During any period in which the student's fee waiver eligibility is being determined or appealed, the requirement to pay a fee will be suspended.
  - iv) A school may provide alternatives in lieu of fee waivers if a student is unable to pay a fee. If a student wishes to perform service in lieu of a fee, the student may submit the Service Agreement, Verification and Appeal Form, attached as Appendix B.
- b) Non-Waivable charges
- i) Non-waivable charges include a personal discretionary charge or purchase for:
    - (1) insurance, unless the insurance is required for a student to participate in an activity, class, or program
    - (2) college credit related to the successful completion of a concurrent enrolment class or an advanced placement examination; and
    - (3) a personal consumable item such as a yearbook, class ring, letterman jacket or sweater, or other similar item, except when requested or required by a school as a condition to a student's participation.
  - ii) Charges designated for Utah Code, federal law, or administrative rule not to be a fee are non-waivable charges including:
    - (1) tuition for nonresident out-of-state students and foreign students, foreign student transcript translation fees and I-20 form processing charges;
    - (2) a charge for a noncurricular club
    - (3) a charge for school breakfast or lunch;
    - (4) a fine for improper use of school property, including a parking violation; or
    - (5) a fine for replacement of damaged or lost school property
- c) Fee Waiver Application Process
- i) Submission
    - (1) Each building principal shall designate an administrator to handle and process fee waivers (Fee Waiver Administrator). Contact information for the Fee Waiver Administrator will be posted on the school's website.
    - (2) A student desiring a fee waiver will submit the Fee Waiver Application, attached to the Policy as Appendix C, and verification of eligibility to the Fee Waiver Administrator.
  - ii) Verification. A student is eligible for fee waiver if the Fee Waiver Administrator verifies one of the following:
    - (1) The student's family income qualifies under the levels set by the State Superintendent by reviewing verification in the form of income statements, pay stubs, or tax returns.
      - (a) All income received by the household is considered including salary, public assistance benefits, social security payments, pensions, unemployment compensation and child support payments.
    - (2) The student receives Supplemental Security Income (SSI) and the parent provides benefit verification documents from the Social Security Administration;

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- (3) The student's family receives Temporary Assistance for needy Families (TANF) and the parent provides benefit verification from the Utah Department of Workforce Services for the period for which the fee waiver is sought
  - (4) The student is in foster care through the Division of Child and Family Services; or is in state custody and the individual seeking the waiver provides the youth in care required intake form and school enrollment letter
- iii) A school shall ensure that a fee waiver or other provision in lieu of fee waiver is available to any student whose parent is unable to pay.
- (1) A Fee Waiver Administrator may grant a fee waiver to a student, on a case by case basis, who does not qualify for a fee waiver under the criteria above, but who, because of extenuating circumstances is not reasonably capable of paying the fee.
  - (2) An opportunity will be provided for those requesting a fee waiver under this standard to meet privately with the Fee Waiver Administrator to discuss their situation and potential eligibility for fee waiver.
  - (3) Verification may be collected as appropriate for the situation
- d) Notification of eligibility
- i) After reviewing the documentation provided by the student and the student's parent, the Fee Waiver Administrator will approve or deny the fee waiver request.
  - ii) The Fee Waiver Administrator shall not retain required fee waiver verification documents or copies of the verification documents but will keep the following information as a log or record
    - (1) That the student's eligibility was verified;
    - (2) The name and position of the person who reviewed the verification documents;
    - (3) The date it was verified; and
    - (4) The type of documentation used to verify eligibility.
  - iii) The Fee Waiver Administrator will maintain documentation of the following:
    - (1) The school year the request was submitted;
    - (2) The type and amount of fees requested to be waived;
    - (3) Whether the request was approved or denied;
    - (4) If approved, the type and amount of fees which were waived
  - iv) The Fee Waiver Administrator shall provide written notice of the decision to grant or deny a fee waiver request to the student's parent using the form attached to the Policy as Appendix D.
  - v) If the fee request is denied, the written notice of decision shall include the reason the request was denied and a copy of the appeal process and appeal form.
- e) Appeal of the Waiver Denial
- i) A student may appeal a denial of a fee waiver by submitting the fee waiver appeal form included in the denial or found on the school website to the school principal, if the principal is someone other than the Fee Waiver Administrator. If the Fee Waiver Administrator is the school principal the appeal may be submitted to the Fee Waiver Administrator's supervisor at the District level.
  - ii) The appeal form must be submitted within ten (10) school days of receiving the denial.



- iii) The school will contact the parent within two weeks after receiving the appeal and schedule a meeting with the principal to discuss the parent's concerns.
- iv) If after a meeting with the school principal, the waiver is still denied, the parent may appeal in writing within ten (10) school days of receiving notice of denial, to the district director over elementary or secondary education, depending on whether the student is in elementary or secondary schools.

**10) COLLECTION OF FEES**

- a) A school may make an installment payment plan available to a parent or student to pay for a fee, however, an installment payment plan may not be required in lieu of a fee waiver.
- b) A student may not collect or receive student fees from other students or parents.
- c) A school may pursue reasonable methods for collecting student fees, but may not, as a result of unpaid fees:
  - i) exclude a student from a school, an activity, class, or program that is provided, sponsored, or supported by a school or [LEA] during the regular school day;
  - ii) refuse to issue a course grade; or
  - iii) deny a former or current student receipt of official student records, including written or electronic class schedules, grade reports, diplomas, or transcripts.
- d) A school may impose a reasonable charge to cover the cost of duplicating, mailing, or transmitting transcripts and other school records.
- e) A school may not charge 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.
- f) 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 has paid for the damages in accordance with 53G-8-212(2)(a).
- g) Notwithstanding Subsection D, a school may not withhold any records required for student enrollment or placement in a subsequent K-12 school.

Approved by the Board 05/06/2020