SCHOOL DISTRICT CERTIFICATION OF COMPLIANCE

Note: *as used in this form, "fee waiver," "waiver," "waiver application," and similar terms include both outright waivers and alternatives to fee waivers such as community service, unless otherwise noted. No Child Nutrition Program funds may be used to administer or pay for the fee waiver program or verification of fee waivers.*

We, _____ and _____
(Superintendent) (School Board President)
of the _____ School District, hereby certify that:

A. DOCUMENTS ATTACHED TO THIS CERTIFICATION FORM

We have attached copies of the following documents:
1. the district's Fee Schedule;
2. the district's Fee and Fee Waiver Policy;
3. the district's Community Service Policy, if any; and
4. all signed Elementary and Secondary School Certification of Compliance Forms.

B. ASSURANCES

1. A copy of the *School Fees Notice for Families of Students in Grades Seven through Twelve*, the *Fee Waiver Application (Grades 7-12)*, or if community service was required as an alternative to fee waivers in any school in your district, the *Community Service and Fee Waiver Application Form (Grades 9-12)*, and the *Community Service Obligations* document were provided to each prospective, new, or current secondary student's parent or guardian prior to the time when fees became due, but not the same day fees were due.
2. A copy of the *School Fees Notice for Families of Children in Kindergarten through Sixth Grades* was provided to each prospective, new, or current elementary student's parent or guardian prior to registration.
3. For any elementary school for which fees were authorized for programs offered outside of the regular school day or for sixth grade students only in schools that include one or more 7-12 grades, a copy of the *Fee Waiver Application (Grades K-6)* was provided to each prospective, new or current elementary student's parent or guardian prior to the time when fees became due, but not the same day fees were due.
4. Copies of the school district's Fee Policy, Fee Waiver Policy, Fee Schedule, and Community Service Policy (if any) are maintained in each school and were made available to parents and guardians during registration, and at all other times upon request.
5. The school district's fee waiver policy is in full compliance with applicable law and with rules of the State Board of Education.
6. School fee rules governing elementary grades are applied to all students in any of grades kindergarten through sixth grade, except fees may be charged to sixth grade students only in schools that include one or more 7-12 grades.
7. Fees are only permitted in grades kindergarten through sixth grade for programs and activities which are held before or after school or on days other than those which are part of the regular school year except fees may be charged to sixth grade students only in schools that include one or more 7-12 grades.
8. No fee is permitted in any school in the district unless prior authorization has been granted by the local Board of Education, and the school is in full compliance with all rules of the local

and State Boards of Education and with all State laws governing school fees and school waivers.

9. Principals of all schools in which fees are permitted have been instructed that they are responsible for ensuring that:
   a. Students who apply for or receive fee waivers are allowed to register at the same time and in the same manner as would have been the case if waivers were not involved.
   b. School personnel are prohibited from asking those eligible for fee waivers to consent to delayed or time payment plans or IOU's as alternatives to fee waivers.
   c. Community service assignments and fundraisers offered to students as alternatives to fee waivers provide a reasonable time for completion of the assignment; are appropriate to the age, physical condition, and maturity of the student; and are conducted in such a way that students are not subjected to stigma, unnecessary identification as fee-waiver students, or to ridicule or humiliation.
   d. Community service and fundraiser assignments avoid excessive burdens on students and families and give proper consideration to a student's educational and transportation needs and other responsibilities. If it is not reasonably feasible to arrange an assignment meeting those requirements, the fees in question are waived.
   e. Students who perform community service in lieu of fee waivers receive at least a minimum wage credit for each hour performed. If a student transfers to another school within the district, and any portion of the student's fees would have been refunded had the student paid the fees in question, the new school gives the student credit for an equivalent number of "unused" community service hours.
   f. Alternatives to fee waivers are never applied to textbook fees; textbook fees are simply waived outright for eligible students upon request. Documentation of eligibility will be required.
   g. In the case of programs, classes, and activities which are subject to fees and require "tryouts":
      1) persons involved in the selection process are not informed about the fee waiver eligibility of any student until selections have been announced;
      2) questions and discussions relating to ability to pay are prohibited during the selection process;
      3) ability to pay is not a factor in the selection process; and
      4) no fees relating to the program, class, or activity in question are collected from any student until the selection process has been completed.
   h. The *Fee Waiver Decision and Appeal Form* is used to notify an applicant about the outcome of a request.
   i. If community service is used as an alternative to the outright waiver of a fee, we use the *Community Service Assignment and Appeal Form* when notifying anyone who will be asked to perform such service.
   j. Staff are prohibited from collecting fees, including class, activity, and project fees, or requiring students to purchase materials or supplies, unless the fees or other requirements have been approved by the local board of education and listed on the school's approved fee schedule.
   k. Fees are waived for eligible children if a class is established or approved which requires payment of fees or purchase of materials, special clothing, tickets to events, etc., in order for students to participate fully and have the opportunity to acquire all skills and knowledge required for full credit and highest grades.
   l. Confidential application and notice procedures regarding school fees and school fee waivers are used to avoid stigmatizing or embarrassing children or families applying for

or receiving fee waivers. The procedures for confidentiality include, but are not limited to, the following:

1) a separate line is not used during registration for families or individuals seeking to obtain a school fee waiver;
2) school personnel do not discuss or determine a person's eligibility for school fee waivers in the presence of other parents or children; and
3) public school students do not collect fees or assist in the fee waiver application process.

m. No student, parent, or guardian is asked why school fees cannot be paid, or why the fees cannot be paid in installments, when information about school fee waivers is sought or an application is submitted for a school fee waiver, if the affected student is eligible for a school fee waiver under any of the following categories:

1) the student is eligible based on income verification;
2) the student receives (SSI) Supplemental Security Income (QUALIFIED CHILD WITH DISABILITIES);
3) the family receives TANF (currently qualified for financial assistance or food stamps);
4) the student is in Foster Care (under Utah or local governmental supervision); or
5) the student is in State Custody.

n. Persons not included under Section B.9.m. who request waivers because of exceptional financial hardships are given the opportunity to meet privately with a school administrator to discuss their ability to pay and their eligibility for fee waivers.

o. If donations or contributions are solicited, the solicitation clearly states that donations and contributions are voluntary, and that no donation is required in order for a given student to participate in an activity.

p. Information submitted in connection with fee waiver applications, the names of persons who have or have not paid fees or made donations or contributions, and the names of persons who have applied for, received, or been denied waivers, are confidential. No school employee may make any statement to any person lacking both a right and a need to know, or post any list, regarding the payment or non-payment of any fee, contribution, or donation by any student, parent, or guardian (other than appropriate recognition given to a person or organization making a major contribution or donation).

q. Neither the school nor any teacher enhances, reduces, or withholds grades or credits, or withholds report cards or diplomas, or other official school records to enforce the payment of fees or donations. Our district may permit the withholding of official copies of report cards, transcripts, or diplomas under Utah Code Section 53A-11-806 if fines or other charges for lost or damaged school property have not been resolved.

10. In the elementary schools, and in other schools serving any of grades kindergarten through sixth grade:

a. If a program or activity was offered after school or during vacation periods for which fees were to be charged, those programs and activities were governed by the same rules of school board approval, notice, waiver application, and appeal as govern similar charges in the secondary schools;

b. No fees were charged for textbooks, equipment or supplies, field trips, assemblies, snacks (other than food or drinks supplied through the School Lunch Program in accordance with state and federal rules including those governing free and reduced price meals), or anything else that took place during the regular school day; fees may have been charged to sixth grade students only in schools that include one or more 7-12 grades;

c. If fee waivers were sought for activities where students were required to participate in

fund-raisers, make donations, or bring items other than common household articles from home, students eligible for fee waivers were expected to participate only to the same extent as students not eligible for fee waivers; and

d. Children and families that failed to participate in fundraisers, make donations, or bring common household articles from home were excluded only to the same extent as students not eligible for fee waivers and were not publicly identified, or otherwise humiliated in any way.

11. Each principal of a school serving any of grades kindergarten through six has submitted a signed Elementary School Certification of Compliance to the district superintendent.
12. Each principal of a school serving any of grades seven through twelve has submitted a signed Secondary School Certification of Compliance to the district superintendent.
13. Financial inequities which exist among the various schools in the district are balanced as required under Section R277-407-6A(12), Utah Administrative Code, so that the granting of fee waivers and provisions in lieu of fee waivers does not produce significant inequities through unequal impacts on individual schools within the district.
14. Persons who lack sufficient mastery of the English language to understand the provisions of the school fee schedules, disclosures, and waiver forms are given reasonable assistance by each school or by the district.
15. The school district has revised its fee waiver policy and/or guidelines to:
    a. require principals or assistant principals review documentation of fee waiver eligibility at least once during the student's school experience; and
    b. require alternatives for secondary school students to satisfy fee waiver requirements to the fullest extent reasonably possible according to individual circumstances of both the fee waiver applicant and the school consistent with Section 53A-12-103(5); and
    c. DIRECT PRINCIPALS OR ASSISTANT PRINCIPALS ***NOT*** TO MAINTAIN DOCUMENTATION OF ELIGIBILITY.

NOTE: Schools may transfer fee waiver eligibility information to other schools to which students advance or transfer.

FINAL NOTE: If your district does not require parents in the entire district area or parents and students in specific schools or sections of the district to "apply for fee waivers," district administrators NEED NOT require verification of eligibility under this section.

WE HEREBY CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

DATED this _____ day of _____, 20___ _____
Signed, District Superintendent

DATED this _____ day of _____, 20___ _____
Signed, School Board President

USOE 9/12/13