

# School Fees 2020 Spring Training

Project Lead: Tamra Dayley, CPA CPM

Project Staff: Ian Fitch & Charity Goodfellow



# Schools Fees Training

[://www.youtube.com/channel/UCPc6lpA\\_K8t2cH](https://www.youtube.com/channel/UCPc6lpA_K8t2cH)



“To preserve equal opportunity for all students and to limit diversion of money and school and staff resources from the basic school program, each LEA's fee policies shall be designed to limit student expenditures for school-sponsored activities, including expenditures for activities, uniforms, clubs, clinics, travel, and subject area and vocational leadership organizations, whether local, state, or national.” R277-407-6(10)



# Objectives of the Presentation

Increased Understanding  
the Utah Code and  
Administrative Rules for  
School Fees

What the School Fees  
Team is doing to support  
your LEA and Schools to be  
successful in  
administrating School Fees



# USBE School Fees Monitoring and Support

## 5 Basic Tasks

Training and  
Technical  
Assistance

USBE Policy and  
Procedures

Guidance  
Materials and  
LEA Model  
Policies and  
Procedures

LEA Reporting  
of School Fees

USBE  
Monitoring and  
Corrective  
Actions



# Topics for Today's Discussion

1. Review School Fee Definitions
2. Fee Schedules
3. 2019 Changes to R277-407
4. Fundraising
5. Fee Waivers
6. Monitoring – by USBE
7. Best Practices/Resources
8. Questions & Answers



# What is a Fee?

The past few years,  
This is the cultural  
shift that is occurring.

R277-407-2(3)

(a) "Fee" means something of monetary value requested or required by an LEA as a condition to a student's participation in an activity, class, or program provided, sponsored, or supported by a school.

(b) "Fee" includes money or something of monetary value raised by a student or the student's family through fundraising.

# What is a Fee?

## 53G-7-501(6)

(a) "Fee" means a charge, expense, deposit, rental, or payment:

(i) regardless of how the charge, expense, deposit, rental, or payment is termed, described, requested, or *required directly or indirectly*;

(ii) in the form of money, goods, or services; *and*

(iii) that is a condition to a student's *full participation* in an activity, course, or program that is provided, sponsored, or supported by an LEA.



# “Sponsored or Supported?”

- Authorized *or*
- Managed *or*
- Use school facilities or resources *or*
- Use public funds

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*Indicators that an activity or program is school supported or sponsored (not an exhaustive list):*

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Free use of school property

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Free advertising

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Use of the school name

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LEA employees assisting (as part of their job)

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The LEA is handling the funds

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Use of school records to contact students or parents

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Teachers or coaches using their position to promote the activity or program to students

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Does NOT include official non-curricular clubs

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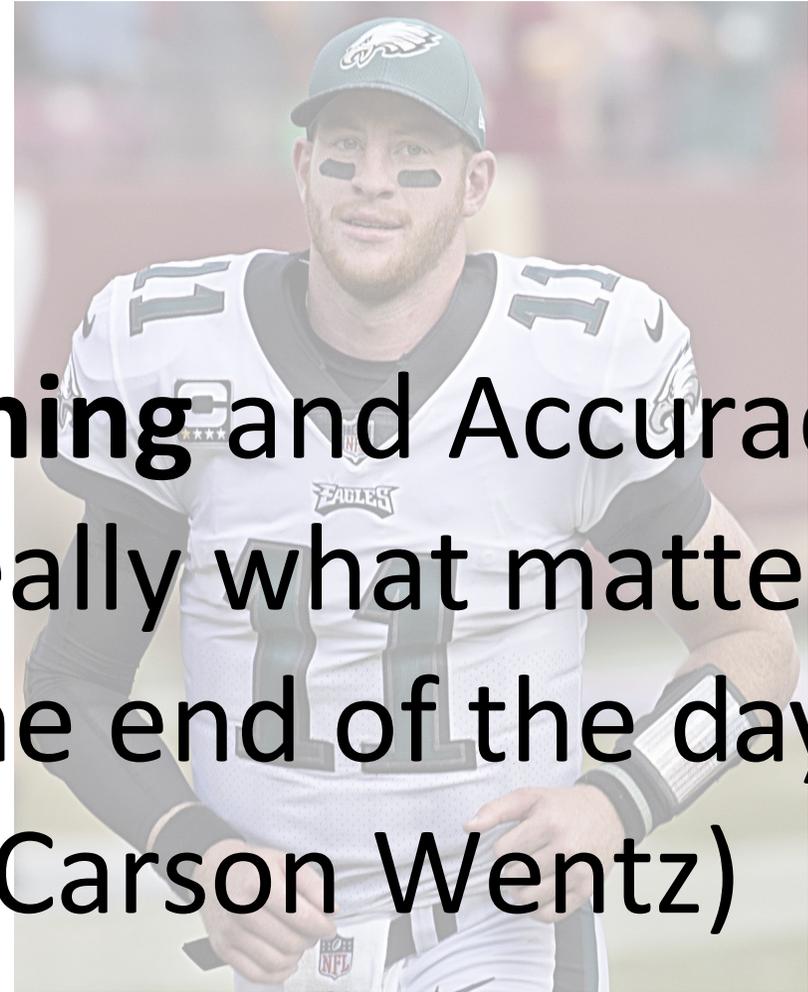
## Sponsored or Supported?

- What do the rules, MOU, agreements, or policy state for use of the LEA resources, funds, or facilities?
- How is the event or activity perceived by the students?



# School Fee Schedules & Registration Materials

**“Timing and Accuracy  
is really what matters  
at the end of the day.”  
(Carson Wentz)**



# Fee Schedules

Fee schedules have six required elements:

1. specific amount for each fee on the schedule
2. delineation of fees for activities/classes with multiple fees
3. spend plan for each fee
4. maximum aggregate amount per student per year
5. maximum amount per activity per student per year
6. fee waiver policy



# School Fee Schedules & Registration Materials

## R277-407-6(7)

(a) If an LEA charges a fee, the LEA shall:

(i) annually publish the LEA's fee waiver policies and fee schedule, including the fee maximums described in Subsection(4), on each of the LEA's schools' **websites**;

(ii) annually include a copy of the LEA's fee schedule and fee waiver policies ***with the LEA's registration materials***; and

(iii) provide a copy of the LEA's fee schedule and fee waiver policies to a student's parent who enrolls a student after the initial enrollment period.



# Fee Schedules: Notice

## For a school serving elementary students:

- School Fees Notice for Families of Children in Elementary School;
- Fee Waiver applications (Elementary School);
- Fee Waiver Decision and Appeals Form; and
- the Board's elementary school poster;

## For a school serving secondary students:

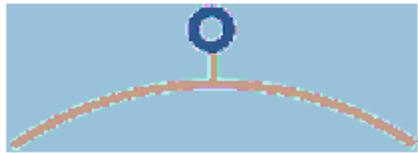
- School Fees Notice For Families of Students in a Secondary School;
- Fee Waiver Application (Secondary School);
- Service Document:
  - Application for Fee Waivers and Service (Secondary School);
  - Service Assignments and Notice of Appeal Rights;
  - Appeal of Service Assignment; and
- the Board's secondary school poster.



# R277-407 Implementation Phases

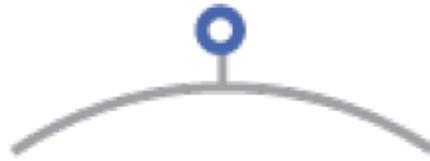


School Year  
2020-2021



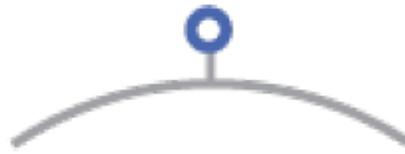
- **Fee Schedule approval – April 1 deadline, public notice, public meeting, 2 public comment opportunities**
- **New fee schedule rules include spend plans**

School Year  
2021-2022



- Fees must be equal or less than the cost of the activity (per 53G-7-503(3))
- Leas cannot use one fee to subsidize another fee or waiver
- State Board shall take corrective action

School Year  
2022-2023



- LEAs may not sell textbooks or charge a textbook fee

# Phases of R277-407

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# School Fees: SY21-22 Changes to Implement

- School Board Approval by April 1, **2021**
  - LEAs cannot use one fee to subsidize another fee or waiver
  - Fees must be equal or less than the cost of the activity
- USBE Changes
  - State Board shall take corrective action



# 2019 Changes to R277-407



## ▸ R277-407 changes since Spring, 2019

**R277-407-2(23)** Textbook Definition excludes **instructional equipment** (becomes property of student) and **instructional supplies** (consumable or non-reusable such as footwear, art brushes, wood).



**R277-407-4(5)** Clarification that fees for **supplemental kindergarten** held outside of the regular kindergarten school day can be charged a fee and are subject to fee waivers.

**R277-407-6(3)** Allows for **changes to the fee schedule** after April 1st if the same approval process is followed.



## R277-407 changes since Spring, 2019

**R277-407-5** Can charge a fee, subject to waivers, for the cost to **access** (wifi) software or **digital content**. Starting SY 2022-2023 **digital content** that is instructional materials (included in textbook definition) are not subject to fees.

**R277-407-6(4)** LEAs will include the total per student amount expected to be received through required group fundraising as part of the **maximum fee amount** for an activity.

**R277-407-13(3)** The **Spend plan** purpose and description provides students, parents, and employees transparency by identifying a fee's funding uses.



# 2020 Current Legislation

- HB391 by Representative Lisonbee – School Textbook Fee Amendments. Provides technical changes to clarify textbook definition so it will not include “instructional equipment” and “instructional supplies”.
- HB80 1<sup>st</sup> Sub. By Robertson – School Fees Modification. Passed unanimously out house committee on Wednesday.

# Fundraising

R277-407-2(4)

(a) “Fundraiser,” “fundraising,” or “fundraising activity” means an activity or event provided, sponsored, or supported by a school that uses students to generate funds to raise money to:

- (i) provide financial support to a school or any of the school’s classes, groups, teams, or programs; or
- (ii) benefit a particular charity or for other charitable purposes.



# Fundraising: Policy

*R277-407-10 Individual and Group Fundraising Requirements*

## Individual Fundraising

- ***Cannot*** be required
- LEA may provide opportunities



# Fundraising: Policy

## *R277-407-10 Individual and Group Fundraising Requirements*

### Group Fundraising

- LEA **may allow** required group fundraisers
- May not deny a student membership based on non-participation in a group fundraiser
- A fundraising activity where the **money raised is used for the benefit** of the group, team, or organization
- No individual quota or sales goals within group fundraising
- Total per student amount **expected to be received** through required group fundraising as part of the maximum fee amount for an activity on the fee schedule
- Requirement that a school **notify parents** of required group fundraising, letting parents and students know how and when specific details



# Fundraising: Policy

## R277-113-6(2)(c) LEA Fiscal Policy

- Who Authorizes fundraisers and grant fee waivers . . .
- Internal Controls and Cash handling policies
- Tax exempt status and charitable donations receipts
- LEA employee interactions with parents, donors and non-school organizations
- Disclosure requirements including bank account access
- Title IX compliance
- Procedures governing allowable types of fundraising, student participation, and non-school organizations



# Fee Waivers

“An LEA shall administer the process for obtaining a fee waiver or pursuing an alternative fairly, objectively, without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.”

- R277-407-8(5)



# Fee Waivers: Process

Each LEA must have a process in place for handling fee waivers.

This process must include:

- designating at least one administrator to handle waivers at each school
- ensuring a fair, confidential, and embarrassment-free application process
- letting students know about the application process
- documenting waivers



# Fee Waivers: Notice



Informing students and parents about waivers:



Waiver policy must always accompany the fee schedule



Providing students a COPY of the fee schedule & waiver policy



Posters, notices, waiver applications, appeals forms

# Fee Waivers: Eligibility

<b>Eligibility:</b>		<b>Documentation:</b>
Family receiving TANF/FEP	»»»	Screenshots, letter from DWS
Student receiving SSI	»»»	Letter confirming SSI
Student in state custody	»»»	Intake form
Student in foster care	»»»	Intake form
Meeting income standards	»»»	Pay stubs or tax returns (IP guidance)
<b>Other students in need of help</b>	»»»	<b>see local policy</b>



# Fee Waivers

“An LEA 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 a fee.”

– R277-407-8(8)(a)

“An LEA shall provide, as part of any fee policy or schedule, for adequate waivers or other provisions in lieu of waivers to ensure that no student is denied the opportunity to participate in a class or school-sponsored or supported activity because of an inability to pay a fee.”

– R277-407-8(3)

# Fee Waivers

Current approved list of provisions in lieu of fee waivers:

- Tutorial assistance to other students
- Assistance before or after school to teachers and other school personnel on school related matters
- General community or home service

Local policy should guide which options an LEA provides and provide more structure for the provisions.



# Fee Waivers: Service in Lieu of Waivers

Federal labor laws:

For a student that is under 18-years-old: no hazardous job

For a student that is 14- to 15- years-old, all work must be performed outside school hours and the student may not work:

- more than 3 hours on a school day, including Friday;
- more than 18 hours per week when school is in session;
- more than 8 hours per day when school is not in session;
- more than 40 hours per week when school is not in session; and
- before 7 a.m. or after 7 p.m. on any day, except from June 1st through Labor Day, when nighttime work hours are extended to 9 p.m.

For a student that is younger than 14-years-old, there are virtually no options that meet both state and federal rules

BREAK



2020-21  
Certificate of  
Compliance

“An LEA shall submit school fee compliance forms to the Superintendent for each school that affirm compliance with the permanent injunction, consistent with Doe v. Utah State Board of Education, Civil No. 920903376 (3<sup>rd</sup> District 1994).”

- R277-407-8(9)



# Certificate of Compliance Results

96%



SUBMISSION RATE

27%



INCOMPLETE PERCENTAGE



SCHOOL FEES COLLECTED  
VS. FEES WAIVED



# Certificate of Compliance Results

Fees Charged  
\$65,672,467

8%

Fees Waived  
\$5,360,438

2020-21  
Certificate  
of  
Compliance



New submission time frame

1 month: October 1<sup>st</sup> – October 31<sup>st</sup>



Allow for all principal changes to be set



Verification of individual emails



Fall training prior to start of submission



Links will automatically inactivate after 1 month



# Certificate of Compliance Submission



## Board Chairs/Principals

- Affirm compliance for the current school year.



## Superintendents/Charter Directors

- Affirm compliance for the current school year and attach accompanying documents.
- Submit Statistical Data for previous school year.



# Certificate of Compliance Updates:



New and updated questions



Ability to go back unless warned



Automatic completion email with a copy of responses



Status updates will be sent to Superintendent's, Charter Director's, School Fees Contacts, and Charter Authorizers

# Monitoring

“The Superintendent shall monitor compliance with this rule through the compliance reports ... and by such other means as the Superintendent may reasonably request ...”

- R277-407-16(1)



# Monitoring: What can you expect from USBE?

Regular monitoring, both through the annual certificates and through other monitoring actions

Open communication through the LEA administration

Consistent guidelines set in harmony with Code and rule

Training, training, and more training

Corrective action as required in law

# Monitoring

What does monitoring look like for LEAs?

- **Self-reporting**

Example. Certificates of Compliance

- **Self-reporting with independent validation**

Example. USBE reviews submitted fee schedules, and confirm local board approval through public meeting minutes

- **Independent validation**

Example. USBE conducts an onsite review to verify confidentiality in the waiver application process



# Monitoring: Two Big Questions

When will  
monitoring lead to  
corrective action?

What does  
corrective action  
look like?

# Monitoring: Corrective Action Plan

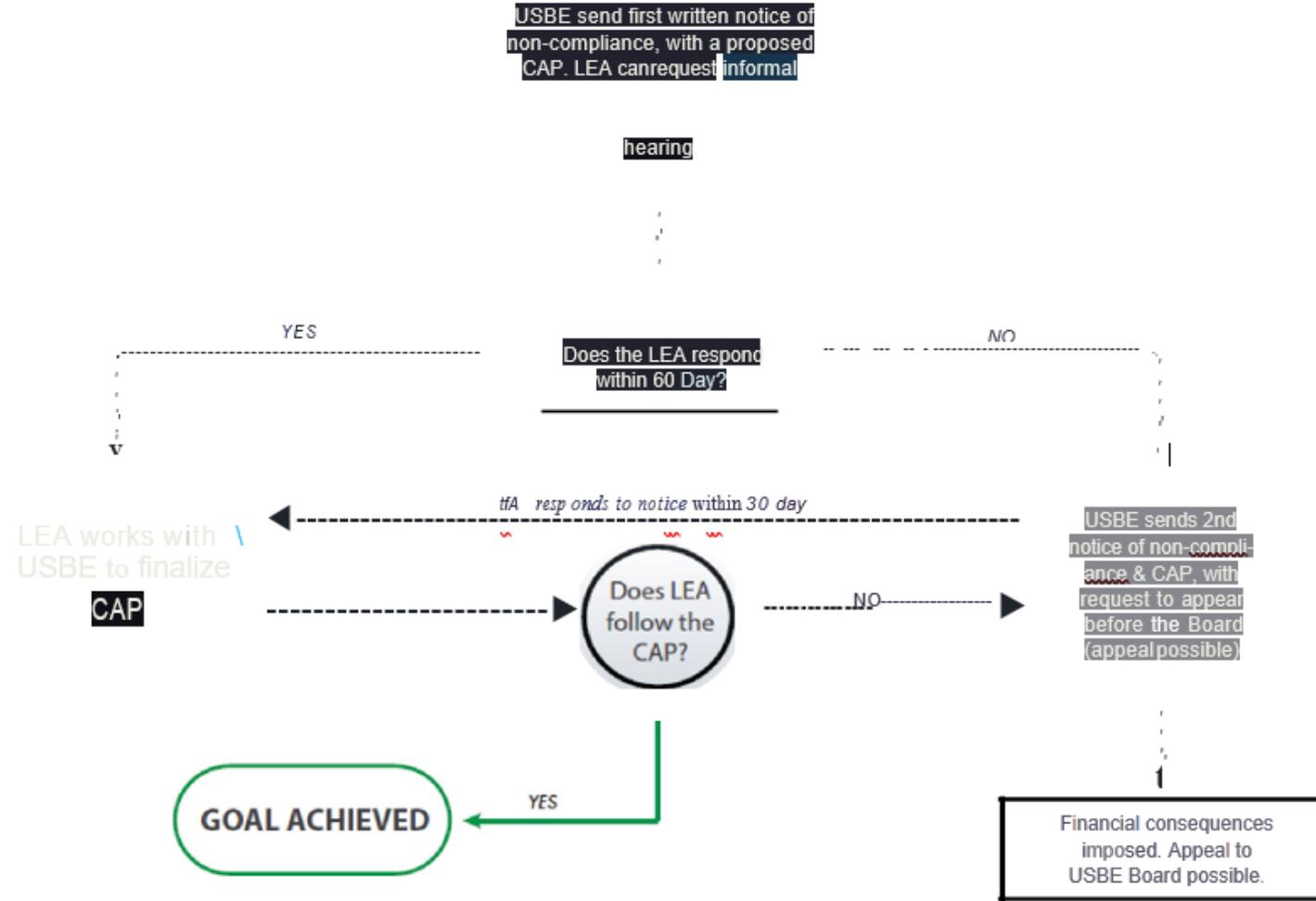
A corrective action plan (CAP) includes:

1. A description of all areas of noncompliance
2. Steps to be taken for the LEA to come back into compliance
3. The time frame for the corrective action plan



# Monitoring

## School Fees Corrective Action



## Best Practices & Resources

“The Superintendent shall provide ongoing training, informational materials, and model policies, as available, for use by LEAs....

An LEA shall develop a plan for, at a minimum, annual training of LEA and school employees on fee related policies enacted by the LEA specific to each employee’s job function.”

- R277-407-15(1) & (4)



# Collaboration

"Effectively, change is almost impossible without industry-wide collaboration, cooperation, and consensus." – Simon Mainwaring



# Best Practices

Fee Schedule Example

## ATHLETICS

PARTICIPATION FEE: \$ 40.00

**\*The \$40 participation fee will be charged to ALL athletic teams \***

### COST BREAKDOWN:

Baseball	\$ 400.00
Boys Basketball	\$ 750.00
Girls Basketball	\$ 575.00
Cheerleading	\$ 2,235.00
Cross Country	\$ 200.00
Drill Team	\$ 2,000.00
Football	\$ 410.00
Boys Golf	\$ 275.00
Girls Golf	\$ 235.00
Boys Soccer	\$ 460.00
Girls Soccer	\$ 460.00
Softball	\$ 580.00
Swim Team	\$ 340.00
Track & Field	\$ 275.00
Volleyball	\$ 580.00
Wrestling	\$ 730.00

Best  
Practices -  
Spend Plan  
Example

## Track and Field 2021 Cost Breakdown

*(All prices are estimates)*

Participation Fee	\$ 40.00
<i>(Meet Entrance Fees, Stop watches, Supplies, Etc.)</i>	
Meet Day Apparel <i>(T-shirt, Jacket)</i>	\$ 100.00
Hotel Travel Fee <i>(State/1 night)</i>	\$ 35.00
Meals <i>(Away meets \$10.00 x10)</i>	\$ 100.00
<b>TOTAL</b>	<b>\$ 275.00</b>

## CO-CURRICULAR FEES

- A Cappella – \$1,045
- Bel Canto – \$985
- Bell Choir – \$135
- Cheer – \$2,970
- Dance Company – \$887
- Debate Team – \$2,080
- Drill Team – \$3,304
- Educators Rising – \$40
- FBLA – \$1,601
- FCCLA - \$3,676
- French German Alliance – \$56
- HOSA – \$15
- Jazz Band – \$165
- Latinos in Action – \$185
- Madrigals – \$1,135
- Marching Band: Fall – \$565
- Marching Band: Summer – \$35
- Men's Choir – \$15
- Peer Leadership Team – \$80
- Skills USA – \$115
- State Math Competition – \$30
- Student Government – \$693

# BEST PRACTICES

## | Fee Schedule Example



# Best Practices

## Spend Plan Example

### Fee and Spend Plan

Item	Approved Fee	Fundraising Offered	Anticipated Fundraising Amount	Spend Plan Items this fee covers
Participation/Program Support	\$15			Transportation/Bussing
Uniform/Other Clothing/Boys	\$180			Men's Tux, Slacks, Shirt, Bow Tie, Cummerbund
Uniform/Other Clothing/Girls	\$120			Women's Dress
Choir Tour	\$850	Individual	\$175	Bus transportation, Meals, Housing, Clinicians fees, travel arrangements, admission to activities
<b>TOTAL FEE FOR PARTICIPATION</b>	<b>\$1045.00</b> Boys <b>\$985.00</b> Girls	<b>Individual Fundraising:</b> all funds raised by the student are used to offset the expense of the student's own fees. Individual fundraising is not required.		

# Spend Plan:

“(a) A spend plan described in Subsection (2)(a) provides students, parents, and employees transparency by identifying a fees funding uses.

(b) An LEA or school’s spend plan shall identify the needs of the activity, course, or program for the fee being charged and shall include a list or description of anticipated types of expenditures, for the current fiscal year or as carryover for use in a future fiscal year, funded by the fee charged.”

- R277-407-13(3)

# Resources

- Website: [schools.utah.gov/schoolfees](https://schools.utah.gov/schoolfees)
  - Links to the Injunction, Code and Rule
  - Information on the Certificate of Compliance
  - Frequently Asked Questions documents
  - Informational papers
  - LEA Examples
  - Forms – Posters, Notices, Fee Waiver Applications, etc.
  - Model Policy
  - Trainings
  - Local School Fees Contacts – Coming Soon!
- School Fees Team



# Questions?

