

# Electronic Device Deposits

## Guidance Document on School Fees



Many LEAs have been transitioning to one-to-one electronic devices for the upcoming school year to accommodate health and safety protocols for 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(6)(c)(iii)(B) states:

"Fee" does not include: . . .

(iii) a deposit that is: . . .

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

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.

### **Utah Administrative Code (UAC):** *(emphasis added)*

R277-407-2(23) states:

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

(b) "Textbook" includes:

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

(ii) **computer hardware, software, or digital content;** and

(iii) **the maintenance costs of school equipment.**

One-to-one devices are considered textbooks per this rule. 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. If an LEA chooses to charge a fee for normal wear and tear, that charge would be considered a fee, would be subject to fee waiver, and not allowed to be charged in elementary schools.
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.



For LEA specific questions regarding this guidance, please contact the USBE School Fees Team at: [schoolfees@schools.utah.gov](mailto:schoolfees@schools.utah.gov).