

SCHOOL FEES

USBE Model Policy: Part 3

FEE APPROVAL

Disclaimer: Please note that the Utah State Board of Education (USBE) model policies and procedures are general guidelines. These model policies are suggested best practices, and LEAs are not required to use or adopt these specific policies. LEAs may modify these policies and procedures to better adapt to the current environment of each specific LEA. Not every LEA has the same personnel positions as listed in the model policies and procedures, so modify the positions to conform to your LEA's circumstances and size.

Guide: Text between brackets (i.e. [LEA]) must be replaced with appropriate text by the LEA seeking to adapt the model policy. Text within a text box informs an LEA of decisions the LEA needs to make to adapt the model policy to their own needs. A glossary of fee definitions can be found at the end of the document.

Fee Approval Model Policy

A. Purpose

[LEA] will balance the increased student access to academic opportunities with the incremental burden of school fees. Consideration must be given to input from parents, students, and the community regarding the academic value of the program or activity and the accompanying costs. The fee schedule shall provide transparency regarding usage of fees and be simple to understand. This school fee policy should safeguard access and equity for all students, and ensure that [LEA] activities, classes, and programs are properly funded. The [LEA's] policy on approving fee schedules shall comply with the Utah Code, and Utah State Board of Education Administrative Rules.

B. Scope

This policy applies to all fees charged at any school within [LEA].

C. References

- Utah Admin. Rule [R277-407](#)
 - [Section 6](#) "LEA Requirements to Establish a Fee Schedule - Maximum Fee Amounts - Notice to Parents",
- Utah Code Ann. (U.C.A.) [53G-7](#)
 - [Part 5 Student Fees](#)
 - Section 505 "Approval and notice of student fees and waivers"
- [Permanent Injunction Civil No. 920903376](#)

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D. General Fee Approval Policy

R277-407-6

[LEA] believes in open communication with students, parents, and the community. All schools within the [LEA] will only charge fees listed on the approved fee schedule. The local [LEA] Board will only approve a fee schedule after giving the public enough opportunity to review the schedule and provide feedback. At a minimum two opportunities will be given for public input at regularly scheduled meetings of the [LEA] governing board. Appropriate notice of these meetings will be given to the students, parents, and community. The approved fee schedule will then be published on each school's website.

All fees must be approved by the [LEA] governing board before the fees may be charged to students. The fee schedule must be approved following the regular approval process described in this policy, and the approval cannot be delegated to the community council, educator, or any other advisory committees or groups.

Fees will be set at appropriate levels so that all [LEA] activities, courses, and programs are appropriately funded, and that no student is excluded from participation due to ineligibility for fee waivers or an inability to pay a fee. To preserve equal opportunity for all students and to limit diversion of money and school and staff resources from the basic school program, [LEA] will seek 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.

Likewise, fee maximums will be set to allow [LEA] to properly fund school activities, classes, and programs, and to protect students and families from unreasonable expenditures when participating in school sponsored and supported activities, classes and programs.

[LEA] will annually review and approve the local fee policy and fee waiver policy and will ensure that these policies allow for all [LEA] schools to provide the best possible activities, classes, and programs, and equitable access for all students.

E. Fee Schedule Requirements

R277-407-6, UCA 53G-7-505

A fee schedule must have the following components in order to be adopted by the [LEA's] Board:

- 1) a specific dollar amount for each fee; If a fee must be given as a range, then an explanation of why should be given in the fee schedule.

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- 2) a delineation of the fees in a simple and easy to understand manner for any class, activity, or program that has multiple fees.;
- 3) a maximum fee amount per student for each activity;
- 4) a maximum total aggregate fee amount per student per school year; This may include a maximum number of activities to be covered by this total per student maximum.
- 5) a spending plan for each fee. The spending plan will be a simple explanation of what [LEA] plans to do with the money collected from the fee. The 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.
- 6) The [LEA's] fee waiver policy.

F. Establishing the Fee Schedule and Amount

R277-407-6(4), UCA 53G-7-505

Fee schedules will be developed by the Superintendent and then presented to the [LEA's] governing Board for approval.

The Superintendent may develop the fee schedule to be identical for each type of school in the district (elementary, middle, and high school), or may have the fees customized to the needs of each individual school. Regardless of which format is used by the Superintendent, all the school fee schedules must be presented to the governing Board for approval.

It is required that the Superintendent set fees equal to or less than the cost to provide the activity, class, or program to the individual students. It is not permissible for fees to be charged to cover student fee waivers.

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FEE AMOUNTS: As part of the fee setting process, the Superintendents are encouraged to review and consider the following:

- a) the school's cost to provide the activity, class, or program;
- b) the school's student enrollment;
- c) the median income of families:
 - within the school's boundary; or
 - enrolled in the school;
- d) the number and monetary amount of fee waivers, designated by individual fees, annually granted within the prior three years;
- e) the historical participation and school interest in certain activities;
- f) the prior year fee schedule;
- g) the amount of revenue collected from each fee in the prior year;
- h) fund-raising capacity;
- i) prior year community donors; and
- j) other resources available, including through donations and fundraising.

PER STUDENT ANNUAL MAXIMUM FEE: While LEAs are given wide latitude in setting fee maximums, maximums should be set to protect students and families from unreasonable expenditures in order to participate in classes, activities, or programs. Fee waivers cannot be funded by school fees. Waivers must be funded through unrestricted State revenues or other unrestricted local revenues. Additionally, if the fee maximums are set too high, LEAs may receive challenges from families that are deemed ineligible for waivers but are unable to participate in school activities due to the costs.

G. Fee Schedule Approval

R277-407-6, UCA 53G-7-505

[LEA]'s governing board shall annually adopt a fee schedule and fee policies in a regularly scheduled public meeting. This meeting will occur on or before the April 1st before the school year. [LEA] may adopt amended fee schedules after the April 1st date following the same approval process used for the original fee schedule. [LEA] commits to adopt all fee schedules only after consultation with parents, students, teachers, and the community.

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Before approving a fee schedule, the [LEA] will provide an opportunity for the public to comment on the proposed fee schedule during a minimum of two public [LEA] governing board meetings. Public notice of these meetings will be provided in accordance with Title 52, Chapter 4, Open and Public Meetings Act. [LEA] will keep minutes of meetings during which fee schedules are developed or adopted, together with copies of approved policies, in accordance with state Code and rule.

[LEA]'s Superintendent will email parents and students notifying them of each meeting at least two weeks before the meeting. This email will:

- a. inform them of the date, time, and location that the meeting will be held;
- b. include the agenda for the meeting;
- c. include a copy of the proposed fee schedule; and
- d. provide instructions on how the students and parents can participate in the meeting or provide written comments.

After receiving public input and approving a fee schedule, the approved fee schedule will be posted on the website for each of the schools within the [LEA] within [one week]. The schedule or links will be easy to find and access on the homepage of each school's website.

H. Fee Schedule Notification and Language Requirements

R277-407-6(6)(b), UCA 53G-7-505

When the student or parent population in [LEA] reaches a point that 20% or more speak a shared language other than English, the [LEA]'s fee schedule and fee waiver policies will be published in that language. Additionally, for those parents that have a language other than English as the parent's first language and the materials have not been published in their language, the school fees administrator, appointed by the principal, or the principal, will meet with those parents personally. The principal will provide an interpreter for the parents to help the parents understand the fee schedule, fee waiver, fee policies and all other relevant documents and information.

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Glossary

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

- a) regardless of how the charge, expense, deposit, rental, or payment is termed, described, requested, or required directly or indirectly;
- b) in the form of money, goods, or services; and
- c) 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.

"Fee" includes:

- a) money or something of monetary value raised by a student or the student's family through fundraising;
- b) charges or expenditures for a school field trip or activity trip, including related transportation, food, lodging, and admission charges;
- c) payments made to a third party that provides a part of a school activity, class, or program;
- d) charges or expenditures for classroom:
 - textbooks;
 - supplies; or
 - materials;
- e) charges or expenditures for school activity clothing.
- f) a fine other than a fine described in the next section.

"Fee" does not include:

- a) a student fine specifically approved by an LEA for:
 - failing to return school property;
 - losing, wasting, or damaging private or school property through intentional, careless, or irresponsible behavior, or as described in Section 53G-8-212; or
 - improper use of school property, including a parking violation;
- b) a payment for school breakfast or lunch;
- c) a deposit that is:
 - a pledge securing the return of school property that is refunded upon the return of the school property; or
 - a charge for insurance, unless the insurance is required for a student to participate in an activity, course, or program.
- d) Fees associated with a non-curricular club.

See "*School Fees USBE Model Policy: Part 1 General School Fees*" for more school fees definitions.