



Student Fees Policy

Reviewed/Revised: November 2020, March 2022	Effective Date: April 1, 2022
Authorized By: Utah State Board of Education, May 2022	

1. PURPOSE

- 1.1. Consistent with [Board Rule R277-407](#) "School Fees," The Utah State Board of Education (USBE) adopts this policy for the Utah Schools for the Deaf and the Blind (USDB) to:
 - 1.1.1. provide for the orderly establishment and management of a system of reasonable fees;
 - 1.1.2. to provide adequate notice to families of fees and fee waiver requirements;
 - 1.1.3. to establish a fair and efficient process for granting fee waivers; and
 - 1.1.4. to prohibit 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.

2. DEFINITIONS

- 2.1. "Co-curricular activity" means an activity, course, or program, outside of school hours, that also includes a required regular school day program or curriculum.
- 2.2. "Curricular activity" means an activity, a course, or a program that is provided, sponsored, or supported by USDB and conducted only during school hours.
- 2.3. "Extra-curricular activity" means an activity or program for students, outside of the regular school day, that is sponsored, recognized, or sanctioned by USDB and supplements or complements, but is not part of USDB's required program or regular curriculum.
- 2.4. "Fee" means a charge, expense, deposit, rental, or payment, regardless of how it is termed, described, requested, or required directly or indirectly; in the form of money, goods, or services; that is a condition to a student's full participation in an activity, course, or program provided, sponsored, or supported by USDB.
- 2.5. "Fee" includes:
 - 2.5.1. money or something of monetary value raised by a student or the student's family through fundraising;
 - 2.5.2. charges or expenditures for a school field trip or activity trip, including related transportation, food, lodging, and admission charges;
 - 2.5.3. payments made to a third party that provides a part of a school activity, class, or program
 - 2.5.4. charges or expenditures for classroom textbooks, supplies, or materials;
 - 2.5.5. charges or expenditures for school activity clothing; and
 - 2.5.6. a fine, other than a fine identified in the subsection below.
- 2.6. "Fee" does not include:
 - 2.6.1. a student fine specifically approved by the Board for:
 - 2.6.1.1. failing to return school property;
 - 2.6.1.2. losing, wasting, or damaging private or school property through intentional,

- careless, or irresponsible behavior, or as described in [Section 53G-8-212](#);
- 2.6.1.3. improper use of school property, including a parking violation; or
- 2.6.1.4. payment for school breakfast or lunch;
- 2.6.2. a deposit that is:
 - 2.6.2.1. a pledge securing the return of school property that is refunded upon the return of the school property; or
 - 2.6.2.2. a charge for insurance, unless the insurance is required for a student to participate in an activity, course, or program; or
 - 2.6.2.3. a charge associated with a student's participation in a non-curricular club.
- 2.7. "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 provide financial support to a school or any of the school's classes, groups, teams, or programs; or benefit a particular charity or for other charitable purposes.
- 2.8. "Fundraiser," "fundraising," or "fundraising activity"
 - 2.8.1. may include the sale of goods or services, the solicitation of monetary contributions from individuals or businesses, or other lawful means or methods that use students to generate funds;
 - 2.8.2. does not include an alternative method of raising revenue without students;
 - 2.8.3. means a fundraising activity where the money raised is used for the mutual benefit of the group, team, or organization.
- 2.9. "Individual fundraiser" or "individual fundraising" means a fundraising activity where the money is raised by each individual student to pay the individual student's fees.
- 2.10. "Non Curricular club" has the same meaning as that term is defined in [Section 53G-7-701](#).
- 2.11. "Provided, sponsored, or supported by a school" means an activity, class, program, fundraiser, club, camp, clinic, or other event that is authorized by USDB, according to local education board policy, or satisfies at least one of the following conditions:
 - 2.11.1. the activity, class, program, fundraiser, club, camp, clinic, or other event is managed or supervised by USDB or a school employee;
 - 2.11.2. the activity, class, program, fundraiser, club, camp, clinic, or other event uses, more than inconsequentially, USDB school facilities, equipment, or other school resources; or
 - 2.11.3. the activity, class, program, fund-raising event, club, camp, clinic, or other event is supported or subsidized, more than inconsequentially, by public funds, including the school's activity funds or minimum school program dollars.
- 2.12. "Provided, sponsored, or supported by a school" does not include an activity, class, or program that meets the criteria of a non-curricular club as described in [Title 53G, Chapter 7, Part 7](#), Student Clubs.
- 2.13. "Provision in lieu of fee waiver" means an alternative to fee payment or waiver of fee payment.
- 2.14. "Provision in lieu of fee waiver" does not include a plan under which fees are paid in installments or under some other delayed payment arrangement.
- 2.15. "Regular school day" has the same meaning as the term "school day" described in [Section R277-419-2](#).
- 2.16. "Requested or required by USDB as a condition to a student's participation" means 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:

- 2.16.1. fully participate in school or in a school activity, class, or program;
 - 2.16.2. successfully complete a school class for the highest grade; or
 - 2.16.3. avoid a direct or indirect limitation on full participation in a school activity, class, or program, including limitations created by peer pressure, shaming, stigmatizing, bullying, or the like, or withholding or curtailing any privilege that is otherwise provided to any other student.
- 2.17. "Something of monetary value" means a charge, expense, deposit, rental, fine, or payment, regardless of how the payment is termed, described, requested, or required directly or indirectly, in the form of money, goods, or services.
- 2.18. "Something of monetary value" includes charges or expenditures for a school field trip or activity trip, including related transportation, food, lodging, and admission charges; payments made to a third party that provide a part of a school activity, class, or program; classroom supplies or materials; and a fine, except for a student fine specifically approved by USDB for failing to return school property; losing, wasting, or damaging private or school property through intentional, careless, or irresponsible behavior; or improper use of school property, including a parking violation.
- 2.19. "Student supplies" means 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 class or activity in question and have a high probability of regular use in other than school-sponsored activities.
- 2.20. "Student supplies" include pencils, paper, notebooks, crayons, scissors, basic clothing for healthy lifestyle classes, and similar personal or consumable items over which a student retains ownership.
- 2.21. "Student supplies" does not include items listed above if the requirement from the school for the student supply includes specific requirements such as brand, color, or a special imprint in order to create a uniform appearance not related to basic function.
- 2.22. "Waiver" or "fee waiver" means a full release from the requirement or payment of a fee and from any provision in lieu of a fee payment.

3. POLICY

- 3.1. USDB, a school official, or employee may not charge or assess a fee or request or require something of monetary value as a condition to a student's participation in an activity, class, or program provided, sponsored, or supported by a school including for a co-curricular or extra-curricular activity unless the fee has been approved by the Board and included in the approved USDB fee schedule.
- 3.2. To preserve equal opportunity for all students and to limit diversion of money and school and staff resources from the basic school program, USDB shall limit student expenditures for USDB and school-sponsored activities, including expenditures for uniforms, clubs, clinics, travel, and subject area and vocational leadership organizations.
- 3.3. USDB shall provide notice to a parent of each student attending the school of all current fee policies, schedules, and the opportunity for fee waivers prior to the student being registered for a course, activity, or program to enable the parent and student to make an informed decision prior to committing to the student's enrollment or participation.
- 3.4. USDB shall provide an opportunity for a parent to apply to have one or more fees waived (or be provided alternatives to waivers) and shall grant requested fee waivers (or alternatives to waivers) to students who are eligible under the provisions of this policy.

- 3.5. USDB may only collect a fee for an activity, class, or program provided, sponsored, or supported by a school consistent with USDB policies and state law.
- 3.6. USDB does not charge fees for classes and activities during the regular school day.
- 3.7. Students and parents who do not qualify for fee waivers may not be required to pay an increased fee amount to make-up for or cover the costs of students and families who qualify for fee waivers.
- 3.8. In calculating the expense incurred by USDB in relation to an individual student, the cost of providing fee waivers to fee waiver eligible students may not be considered.
- 3.9. USDB may 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.
- 3.10. A fee shall be equal to or less than the expense incurred by USDB to provide for student activity, course, or program.
- 3.11. An additional fee may not be charged, or a particular fee may not be increased to supplant or subsidize another fee.
- 3.12. A fee listed on a school fee schedule is the maximum amount that may be charged per student for a class or school-sponsored or supported activity, regardless of whether the activity is labeled as curricular, co-curricular, or extra-curricular. The actual amount charged may be less.

4. FEE SCHEDULE REQUIREMENTS

- 4.1. The Board's adopted fee schedule shall include:
 - 4.1.1. a specific amount for each fee;
 - 4.1.2. if a student is responsible for multiple fees related to one activity, class, or program,
 - 4.1.3. a clear and easy to understand the delineation of each fee and the fee total for each activity, class, or program;
 - 4.1.4. a per student annual maximum aggregate fee amount that USDB may charge a student for participation in all courses, programs, and activities provided, sponsored, or supported by a school for the year;
 - 4.1.5. a maximum fee amount per student for each activity;
 - 4.1.6. a spend plan for the revenue collected from each fee charged. The spend plan for each fee charged should provide students, parents, and employees transparency by identifying the fee's funding uses. The fee's corresponding spend plan 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.

5. FEE SETTING PROCESS

- 5.1. USDB will annually develop a proposed fee schedule and policies for Board approval.
- 5.2. The Board shall annually review the provisions of this policy and provide a minimum of two opportunities for public comment during regularly scheduled board meetings.
- 5.3. USDB shall provide notice to parents and students using the same form of communication regularly uses to communicate with parents, ie. ParentSquare message, email, text, flier or phone call.
- 5.4. Subsequent to the second public hearing, the Board shall adopt the USDB policy and fee schedule in a regularly scheduled public meeting of the Board.
- 5.5. The Board shall submit the USDB fee schedule to the Utah State Legislature for approval annually, consistent with the requirements of Utah law.

6. NOTICE TO PARENTS

- 6.1. USDB shall annually publish the Board's approved fee schedule, including fee maximums, and fee waiver policies on the school's website in an easily accessible location.
- 6.2. The parent of each student shall be provided a copy of the fee schedule, fee waiver policies, and the school fee documents required by Utah Administrative Code [R277-407-6](#) annually in the school's registration materials and upon registration to the parent of a student who enrolls in a program after the initial school registration period.
- 6.3. Upon request, USDB shall provide printed copies of school fee schedules, waiver policies, and documents to a parent or guardian who is unable or chooses not to access them through the USDB website.
- 6.4. If more than 20% of the student or parent population of USDB uses a single language other than English as their first language, USDB will publish the fee schedule and fee waiver policies in the language of those families.
- 6.5. USDB educational program directors and principals shall make arrangements for a USDB representative to meet personally with each student's parent or family and make available an interpreter for the parent to understand the fee schedule and waiver policies when the student or parent's first language is a language other than English and USDB has not published the information in the parent's first language.

7. FEE WAIVERS

- 7.1. General Fee Waiver Provisions
 - 7.1.1. All fees are subject to fee waiver unless specifically identified as a non-waivable charge in this policy or Administrative Rule [R277-407](#).
 - 7.1.2. USDB is not required to waive a non-waivable charge.
 - 7.1.3. 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, USDB will provide for adequate waivers or other provisions in lieu of fee waivers.
 - 7.1.4. The process for obtaining a fee waiver, pursuing an alternative to a fee waiver, or appealing the denial of a fee waiver shall be administered confidentially, fairly, objectively, without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.
 - 7.1.5. A student receiving a fee waiver or other provisions in lieu of a fee shall not be treated differently from other students or identified to students, staff members, or other persons who do not need to know of the waiver.
 - 7.1.6. Any requirement that a student pays a fee is suspended during any period in which the student's eligibility for a fee waiver is being determined or denial of a fee waiver is being appealed.
- 7.2. Fee Waiver Eligible Charges
 - 7.2.1. Fees for the following are waivable regardless of whether they are held during the regular school day, during the regular school year, outside of the regular school day, outside of the regular school year, or during the summer:
 - 7.2.1.1. An activity, class, or program that is primarily intended to serve school-age children; and taught or administered, more than inconsequentially, by a school employee as part of the employee's assignment.
 - 7.2.1.2. An activity, class, or program that is explicitly or implicitly required:
 - 7.2.1.2.1. as a condition to receive a higher grade, or for successful completion of a school class or to receive credit, including a requirement for a

student to attend a concert or museum as part of a music or art class for extra credit; or

7.2.1.2.2. as a condition of participating in a school activity, class, program, or team, including, a requirement for a student to participate in a summer camp or clinic for students who seek to participate on a school team, such as cheerleading, football, soccer, dance, or another team.

7.2.1.3. An activity or program that is promoted by a school employee, such as a coach, advisor, teacher, school-recognized volunteer, or similar person, during school hours where it could be reasonably understood that the school employee is acting in the employee's official capacity.

7.2.1.4. Admission, entrance, or gate fees for student attendance to an event or activity provided, sponsored, or supported by USDB or a school, including athletic competitions; music or theater program performances; and parent teacher organization activities.

7.3. Non-waivable Charges

7.3.1. Nonwaivable charges are costs, payments, or expenditures that are not considered to be school fees and are not subject to fee waivers.

7.3.2. Non-waivable charges include a personal discretionary charge or purchase for:

7.3.2.1. insurance, unless the insurance is required for a student to participate in an activity, class, or program;

7.3.2.2. college credit related to the successful completion of a concurrent enrollment class or an advanced placement examination; and

7.3.2.3. a personal consumable item such as a yearbook, class ring, letterman jacket or sweater, or other similar items, except when requested or required by a school as a condition to a student's participation.

7.3.3. Charges designated by Utah Code, federal law, or administrative rule not to be a fee are non-waivable charges including:

7.3.3.1. tuition for nonresident out-of-state students and foreign students, foreign student transcript translation fees, and I-20 form processing charges;

7.3.3.2. a charge for an activity, class, program, that meets the criteria of a non-curricular club as described in [Utah Code Title 53G, Chapter 7, Part 7, Student Clubs](#);

7.3.3.3. a charge for school breakfast or lunch;

7.3.3.4. a fine for improper use of school property, including a parking violation; or

7.3.3.5. a fine for replacement of damaged or lost school property in accordance with [Utah Code Ann. §53G-8-212](#).

7.3.3.5.1. If the student and the student's parent are unable to pay for damages or if it is determined by the school in consultation with the student's parent that the student's interests would not be served if the parent were to pay for the damages, the school may provide for a program of work the student may complete in lieu of the payment.

7.3.3.5.2. No fine may be assessed for damages that may be reasonably attributed to normal wear and tear.

7.4. Fee Waiver Application Process

7.4.1. A parent or student desiring to have one or more fees waived shall submit a completed fee waiver application and verification of eligibility to the respective USDB program director for their student.

7.4.2. USDB shall inform parents about the fee waiver process, eligibility requirements, and

- the process to appeal a denial of fee waiver at the time of student registration.
- 7.4.3. USDB parents shall use the standardized State Board of Education [fee waiver application](#) to apply for a fee waiver.
 - 7.4.4. The [application for a fee waiver](#) shall also be included or linked on the [policy manual on the USDB website](#).
 - 7.4.5. The fee waiver request process shall have no visible indicators that could lead to the identification of fee waiver applicants.
 - 7.4.6.
- 7.5. Fee Waiver Eligibility Verification
- 7.5.1. A student is eligible for and will be granted a fee waiver if:
 - 7.5.1.1. The Fee Waiver Administrator receives a completed application and verification from the student or parent that the student's family income qualifies under the levels set by the State Superintendent. These levels are set to correspond to the income levels for the federal free lunch program and may be found at schools.utah.gov/schoolfees on the fee waiver application form.
 - 7.5.1.2. The parent provides verification in the form of income statements, pay stubs or tax returns.
 - 7.5.1.3. All income received by the household is considered including salary, public assistance benefits, social security payments, pensions, unemployment compensation, and child support payments.
 - 7.5.2. USDB may use free lunch eligibility IF parental consent is given to share this information between programs.
- 7.6. Appeal of Denial of Fee Waiver
- 7.6.1. If a fee waiver is denied, parents may appeal the decision by submitting the [Fee Waiver Decision and Appeal Form](#) to the USDB associate superintendent responsible for the program in which their child is enrolled.
 - 7.6.2. The appeal Fee Waiver Decision and Appeal Form
 - 7.6.3. The associate superintendent shall respond with a final determination within 10 days.

8. SERVICE IN LIEU OF FEES

- 8.1. USDB may allow students to perform service in lieu of a fee, but service in lieu of a fee may not be required.
- 8.2. A service assignment must be appropriate to the:
 - 8.2.1. Age of the student
 - 8.2.2. Physical condition of the student
 - 8.2.3. Maturity of the student
- 8.3. The service must be consistent with state and federal laws, including:
 - 8.3.1. USC Section 53G-7-504; and
 - 8.3.2. the Federal Fair Labor Standards Act, 29 U.S.C. §201;
- 8.4. The service must be performed within a reasonable period of time; and
- 8.5. The service credit shall be at least equal to the minimum wage for each hour of service.

9. FUNDRAISING

- 9.1. Generally, fundraising by USDB students is not allowed.

- 9.2. Exceptions for special uses where no other sources of funding are available must be approved by the Superintendent and conducted in compliance with R277-113 and the [USDB Donations and Fundraising Policy](#).

10. SCHOOL REPORTING REQUIREMENTS

- 10.1. Accounting for school fees and their usage shall be in compliance with the requirements of R277-113.
- 10.2. USDB shall submit a Certification of Compliance annually affirming compliance with the provisions of this policy and submit the following forms:
 - 10.2.1. Student Fee Schedule with Spend Plan
 - 10.2.2. School Fee Policy
 - 10.2.3. School Fee Waiver Policy
 - 10.2.4. Notice of Fee Waiver Criteria provided by USDB to parents.
- 10.3. Each school program shall maintain records and submit documentation to USDB annually of:
 - 10.3.1. number of students enrolled as of October 1
 - 10.3.2. number of students granted fee waivers
 - 10.3.3. Total dollar amount of fees waived
 - 10.3.4. Number of students denied fee waivers
 - 10.3.5. number of students who worked in lieu of fees
 - 10.3.6. the dollar amount of fees collected from students
 - 10.3.7. the dollar amount of fees collected from students for curricular activities
 - 10.3.8. the dollar amount of fees collected from students for co-curricular activities
 - 10.3.9. the dollar amount of fees collected from students for extracurricular activities

11. TRAINING

- 11.1. USDB shall provide for annual training of each affected program director and other school employees regarding student fees and this student policy.
- 11.2. Training will be provided prior to the beginning of each school year in conjunction with opening institute activities.

12. FORMS

- 12.1. USBE [Fee Waiver Application Form](#)
- 12.2. USBE [Fee Waiver Decision and Appeal Form](#)

13. REFERENCES

- 13.1. [Utah Code Ann. §53G-6-402\(5\)](#) – Open enrollment options – processing fee.
- 13.2. [Utah Code Ann. §53G-6-604](#) – Requirement of the school record for transfer of student.
- 13.3. [Utah Code Ann. §53G-8-212](#) – Defacing or damaging school property – Student's liability – Work program alternative. [Utah Code Ann. Title 53G, Chapter 7, Part 5](#) – Student Fees
- 13.4. [Utah Code Ann. Title 53G, Chapter 7, Part 6](#) – Textbook Fees
- 13.5. [Utah Code Ann. Title 53G, Chapter 7, Part 7](#) – Student Clubs
- 13.6. [Utah Code Ann. Title 53G, Chapter 7, Part 8](#) – School Uniforms
- 13.7. [Utah Administrative Code R277-113](#) – LEA Fiscal and Auditing Policies Part 7

– School Sponsored Activities [Utah Administrative Code R277-407](#) – School Fees

13.8. [Utah Administrative Code R277-713](#) – Concurrent Enrollment of High School Students in College Courses.

13.9. Permanent Injunction issued in Doe v. Utah State Board of Education, Civil No. 920903376 (3rd District 1994).