

## Agency: UTAH STATE BOARD OF EDUCATION

### Request Title: *School Fees Policy Request 2025*

#### Purpose Statement:

Amend the definition of “Instructional Equipment and Supply” into two definitions “instructional equipment” and “instructional supply” to provide clarity to the statute.

#### What is the nature of your request?

Select one:

- POLICY REQUEST – You are seeking changes to Utah State Code to improve your program/services.
- FUNDING REQUEST – You are seeking new or additional financial resources to support a program/service for education.
- BOTH POLICY and FUNDING – You are proposing a new program or expansion of an existing program that will require new/amended state code and financial resources.

Questions? Please contact:

Todd Call (Todd.Call@schools.utah.gov) for questions related to a funding request and  
Greg Connell (Greg.Connell@schools.utah.gov) for questions related to a policy request.

#### Current Funding for FY 2024:

N/A

#### Projected Results:

N/A

#### Rationale:

The statute definitions need to be amended to provide clarity to the LEA regarding what student fees are allowed to be passed to students.

## If not funded/approved:

N/A

## USBE Lead Point of Contact:

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USBE Section: Financial Operations

## Additional USBE points of contact (*as needed*):

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USBE Section: Financial Operations

Deputy Superintendent Name: Scott Jones

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Phone Number: 801-538-7615

USBE Section: Deputy Superintendent of Operations

## POLICY REQUEST

1. Section(s) of State Code to be addressed (if none, insert "N/A"):

[53G-7-501\(8\)](#), [53G-7-501\(10\)](#) (Effective May 1, 2024)

2. Summarize the request, the specific problem it will solve, and how it will solve the problem. (Describe the issues or concerns the legislation will address:)

Current code is not clear on the definition of school equipment. This request seeks to clarify the definition of school equipment. The current definition defines school equipment as a machine, equipment, facility, or tool that is durable, reusable, consumable; owned or retained by a secondary school; and a student uses as part of an activity, course, or program in a secondary school. This definition is problematic since

the definitions of reusable and consumable contradict each other. It is suggested that the code be amended so that consumable supplies are defined as instructional supplies.

This can be accomplished by dividing the definition of "Instructional Equipment and Supply" into two separate definitions, one to define "instructional equipment" and the other to define an "instructional supply".

**3. Describe the history of the issues or concerns including relevant context and timelines:**

The definition for school equipment was changed in the 2024 General Session [HB415](#) to include consumables in an effort to prohibit the charging of a fee for consumable supplies used during the regular school day.

Prior to the 2024 legislative session [53G-7 Part 6](#) Textbooks was separate from [53G-7-Part 5](#) School Fees however during the 2024 legislative session [53G-7-6](#) was amended to be [53G-7-5](#). The definition for "Instructional equipment and supplies" had previously been listed as two separate definitions in [53G-7 part 6](#) Textbooks, however when they were combined into one definition the distinction between a tool and the consumable supplies was lost. This has created confusion since the code now contradicts its-self.

The new language takes effect May 1, 2024.

**4. What are the suggested legislative solutions? Include code references and suggested language where possible:**

Amend [53G-7-501\(8\)](#) and [53G-7-501\(10\)](#) to read as follows -

~~(8) (a) "Instructional equipment or supplies" means an activity, course, or 534 program-related tool or supply that:~~

(8)(a) "Instructional equipment" means an activity, course, or program related tool or instrument that:

(i) is required for a student to use as part of an activity, course, or program in a secondary school;

(ii) becomes the property of the student upon exiting the activity, course, or program; and

(iii) is subject to a fee waiver.

~~(b) "Instructional equipment or supplies" does not include school equipment.~~

(b)"Instructional equipment" does not include school equipment.

(c)"Instructional supply" means a consumable or non-reusable supply that is necessary for a student to use as part of an activity, course, or program in a secondary school.

(10)"School equipment" means a machine, equipment, facility, or tool that:

(a) is durable;

(b) is reusable;

~~(c) is consumable;~~

(d) is owned or retained by a secondary school; and

(e) a student uses as part of an activity, course, or program in a secondary school.

- 5. Provide details, sources, research, and analysis to which forms evidence-basis for this request or the associated program (e.g, cost benefit analysis, program evaluation, results from pilot program, etc). Include whether this data is currently collected and available or whether new data will be collected:**

N/A