

# CENTER FOR CREATIVITY, INNOVATION, AND DISCOVERY

## Fee Schedule and Fee Waiver Policy

### **Purpose**

The Board of Directors of the Center for Creativity, Innovation, and Discovery has established this policy in accordance with Utah Constitution, Article X, Section 2 , Utah Codes §53G-7-502 through §53-G-7-505, and Utah Admin. Code R277-407 which require that public education in Utah be free but allow for the establishment of a system of reasonable fees. In accordance with these laws and rules, the board provides adequate notice to students and families of fees and fee waiver requirements, and prohibits practices that would exclude those unable to pay from participation in school sponsored activities or would create an undue burden on students and families.

### **Definitions**

Common Education Expense: means an expense an LEA incurs that is related to the delivery of instruction for all courses, unrelated to a specific course, program, or activity, including the employment of educators and staff, the provision of capital facilities, and operation and maintenance cost.

Course: means an activity, a course, or a program that an LEA intends to deliver instruction; provides, sponsors, or supports; and conducts primarily during school hours. The definition includes a course in which a student is required to enroll as a condition of participation in a separate extracurricular activity.

Discretionary Project: means a project that a student completes in lieu of or in addition to a required classroom project in accordance with Utah Code §53G-7-503.

Extra-Curricular Activity: means an activity or a program that is not a course that an LEA provides, sponsors, or supports. Extra-curricular Activity does not include a non-curricular club as defined in Utah Code §53-G-7-701.

Fee: means a charge, expense, deposit, rental, or payment: regardless of how an LEA terms, describes, requests, or requires the charge, expense, deposit, rental, or payment, directly or indirectly; in the form of money, goods, or services; and, that is a condition to a student's full participation in or admission to an activity, course, or program that an LEA provides, sponsors, or supports. The definition of fee includes payments to a third party that provides a part of a school activity, class, or program; and a fine other than a fine as described below.

Fee Does Not Include: a student fine that an LEA approves for failing to return school property; losing, wasting, or damaging private or school property through intentional, careless, or irresponsible behavior, including defacing or damaging school property as described in Utah Code §53G-8-212; or improper use of school property, including a parking violation, a payment for school breakfast or lunch; a deposit that is a pledge

securing the return of school property and that the LEA or school refunds upon the return of the school property; a charge for insurance, unless the insurance is required for a student to participate in an activity, course, or program; or money or another item of monetary value that a student or the student's family raises through fundraising.

Fee Course: means any course that is not a "non-fee course," meaning that it falls outside the core academic subjects (English, Math, Science, Social Studies, Health) that must be offered without mandatory fees for public secondary students. Fee courses are typically specialized or elective courses (like CTE or advanced electives) where fees can cover specific materials or expenses, but must comply with regulations, be directly related to the course, and be subject to fee waivers

Fundraising: means an activity or event that: an LEA provides, sponsors, or supports; and that uses students to generate funds or raise money to provide financial support to a school or school's class, group, team, or program; or that benefits a particular charity or for other charitable purposes. Fundraising does not include an alternative method of raising revenue without students.

Fundraiser, Fundraising, or Fundraising Activity: may include the sale of goods or services; the solicitation of monetary contributions from individuals or businesses; or other lawful means or methods to generate funds.

Group Fundraiser or Group Fundraising: means a fundraising activity where the money raised is used for the benefit of a group, team, or organization.

Individual Fundraiser or Individual Fundraising: means a fundraising activity where money is raised by an individual student to pay the individual student's fees.

Instructional Equipment: means a tool related to an activity, course, or program that a student is required to use as part of an activity, course or program in a secondary school; and becomes the property of the student upon exiting the activity, course, or program. Instructional equipment does not include school equipment, an instructional supply, or a personal student supply for a secondary student.

Instructional Supply: means a non-reusable or a consumable material or supply that is necessary to use, expend, or deplete as a component or element of an activity, course, or program in a secondary school. Instructional supply does not include a personal student supply for a secondary student.

Non-Fee Course: means a course that results in course credit or a course grade within the core standards the state board establishes under Utah Code §53E-4-202 and other statutory requirements for:

- English Language Arts;
- Health Education;
- Mathematics;
- Science; and,
- Social Studies.

Personal Student Supply: means, for a secondary student, an object, tool, material, or supply that is the personal property of the student; regardless of the use of the supply in the instructional process, individuals not enrolled in the course or activity also commonly purchase and use; and, has a high probability of regular use in activities other than school-sponsored activities. Personal student supply includes pencils, papers, notebooks, crayons, scissors, and basic clothing.

School Activity Clothing: means special shoes or items of clothing that meet specific requirements, including requesting a specific brand, fabric, or imprint; a school requires a student to provide and to wear related to an activity, course, or program; and the student rents while participating in the activity; or become the property of the student upon exiting the activity, course, or program. School activity clothing does not include a school uniform or clothing that is commonly found in students' homes.

School Equipment: means a machine, equipment, facility, or tool that is durable; is reusable; a secondary school owns; and a student uses as part of an activity, course, or program in a secondary school.

School Uniform: means special shoes or an item of clothing that meets specific requirements, including a requested specific color, style, fabric, or imprint; and that a school requires a student to provide and wear during school attendance; and is the property of the student. School uniform does not include school activity clothing.

Secondary School: means a school that provides instruction to students in grades 7, 8, 9, 10, 11, or 12.

Secondary School Student: means a student enrolled in a secondary school; and includes a student in grade 6 if the student attends a secondary school.

Textbook: means instructional material necessary for participation in an activity, course, or program, regardless of the format of the material. The definition of textbook includes a hardcopy book or printed pages or instructional material, including a consumable workbook; or computer hardware, software, or digital content. The definition of textbook does not include school equipment, instructional equipment, or instructional supplies.

Waiver: means a full release from a requirement to pay a fee; and any provision in lieu of fee payment.

## **Approval and Notice of Student Fees and Waivers**

### Annual Adoption of Fee Policies and Fee Schedule

The Board of Directors will annually adopt fee policies and a fee schedule, and provide the fee schedule to each student and parent in accordance with Utah Code §53G-7-505. The Board of Directors will take the following actions related to establishing, approving, and providing notice of a school fee schedule:

- Before approving the fee schedule, provide at least two opportunities for the public to comment on the proposed fee schedule;
- Encourage public participation in the development of the fee schedule; and,

- Approve the fee schedule in a regularly scheduled public meeting.
- The fee schedule will include the following:
  - A specific amount for each fee on the fee schedule;
  - A clear and easy to understand delineation of each fee and the fee total for each activity, class, or program, if a student is responsible for multiple fees related to one activity, class, or program;
  - The school's waiver policy, including an easily understandable statement informing a parent that a student:
    - May be eligible to have one or more fees waived; and
    - May appeal the school's decision if the school denies a request for a fee waiver; and,
    - A corresponding spending plan for each fee.
- Publish the fee schedule on the school's website; and,
- Clearly identify in the school's registration materials any fee for each activity, course, or program alongside the description of the activity, course, or program.

#### Authorization of Fees for Secondary Students

The school may charge a fee if authorized by Utah Code §53G-7-503 and if it meets the following criteria:

- The Board of Directors notices and authorizes the fee in accordance with Utah Code §53G-7-505;
- The fee is for a service or good that has a direct benefit to the student paying the fee so as to not be general in nature;
- The fee is directly related to the expense the school incurs for providing a student the relevant activity, course, or program rather than being general in nature;
- The fee is equal to or less than the expense the school incurs for providing a student the relevant activity, course, or program; and,
- The fee does not supplant or subsidize a cost for which the school is prohibited from charging a fee, including the normal expense of delivering instruction in a course.

#### **School Fee Guidelines**

##### Fees Prohibited for Non-Fee Courses

The school may **not** charge a secondary student a fee for an expense related to a non-fee course or for general activities including:

- A textbook;
- Instructional material necessary for participation in an activity, course, or program, regardless of format including:
  - Hardcopy books;
  - Printed pages (like consumable workbooks);

- Computer hardware;
- Computer software;
- Digital content.
- Registration;
- General supplies;
- Locker fees;
- General activity fees; or
- A common education expense.

### General Allowable Fees for Secondary Students

The school may charge a secondary student general fees and fees in both “fee courses” and “non-fee” courses for the following:

- Charter school application processing in accordance with Utah Code 53G-6-503;
- Open enrollment application processing in accordance with Utah Code 53G-6-402;
- Instructional equipment or tools that become the student's property after the program;
- A school field trip, activity, or performance, including related transportation, food, lodging, and admission charges or participation fees;
- School activity clothing;
- A discretionary project as described below;
- A competency remediation program in accordance with Utah Code §53G-9-803;
- Fees related to a secondary student or an individual for an adult education course in accordance with Utah Code §53E-10-202.

### Fees Allowed for Secondary Students in “Fee Courses”

The school may charge a secondary student a fee in a course that is categorized as a “fee course” for any of the following:

- The life-cycle replacement costs for school equipment directly related to the fee course;
- An extracurricular activity, including the life-cycle replacement costs for school equipment directly related to the extracurricular activity;
- Instructional equipment or tools for activities that become the property of the student;
- School-sponsored activities and field trips that include costs for transportation, food, lodging, admission, or participation
- Activity-related costs such as uniforms, spirit wear, club dues, instrument rental and repair, and similar;
- Optional project materials such as supplies for optional projects in Art, Family and Consumer Sciences, and Career and Technical Education;

- A competency remediation program;
- School equipment such as durable and reusable equipment, facilities, or tools to supplement the life-cycle replacement costs for school equipment directly related to a fee course;
- Musical instrument rental;
- Licensing fees for fine arts intellectual property;
- Participation in a driver education course as described in Utah Code §53G-10-503;
- Expenses related to post-secondary courses including tuition, college credit, an exam, or a textbook such as expenses related to an Advanced Placement course, a Concurrent Enrollment course, or an International Baccalaureate course as described in Utah Code §53G-7-506;
- Payments for school breakfast or lunch;
- Refundable deposits that are a pledge securing the return of school property, which the school refunds upon the property's return;
- Charges for insurance, unless the insurance is specifically required for a student to participate in an activity, course, or program;
- Money or other items of monetary value that a student or the student's family raises through fundraising;
- Additional items that are generally expected to be provided by students and families which are not considered school fees;
- Registration.

#### Fees for Discretionary Projects

For a course requiring the completion of a project for a grade or credit:

- A secondary student may request to complete a discretionary project in lieu of a required course activity or project if the discretionary project demonstrates the intended core competencies of the required course activity or project;
- If a secondary student is given approval by the teacher to complete a discretionary project in lieu of a required course activity or project, the student is responsible for the materials or cost of the discretionary project that is in lieu of a required course activity or project;
- Nothing prohibits a student from completing a discretionary project in addition to a required classroom project;
- The student is responsible for the materials or cost of an additional discretionary project; and,
- Nothing in this section entitles a student to an approval of a student's request to complete a discretionary project in lieu of a required course activity or project.

#### **Requirement of a Non-Fee Pathway for Graduation Requirements**

In accordance with Utah Code §53G-7-502, the school must provide at least one option for each graduation requirement that fulfills the graduation requirement but does not require a payment or waiver of any fee. This requirement does not apply to a charter school that only offers one of the following for a given graduation requirement:

- An Advanced Placement course; an International Baccalaureate course; or,
- A concurrent enrollment course as described in Utah Code §53E-10-302.

### **Fees Allowed for Requested or Preferred Activities, Courses, or Programs**

The school is not required to provide an alternative activity, course, or program, or a student's preferred activity, course, or program, if not generally offered by the school. If the school chooses to provide a student with a requested activity, course, or program, or the student's preferred activity, course, or program, not generally offered by the school, that requested or preferred activity, course, or program is subject to fees.

### **Fee Waivers**

#### **General Information**

In accordance with Utah Code §53G-7-504, the school ensures that a fee waiver or other provisions in lieu of a fee waiver are available to any student whose family is unable to pay a fee. A fee waiver is a full release from the requirement to pay a fee. If a student is eligible for a fee waiver, all fees will be waived, including in those courses, programs, or activities that are optional.

#### **Fees or Fines Not Eligible for Waivers**

- Charges for class rings, yearbooks, school pictures, letter jackets, and similar items are not fees and will not be waived.
- If a student loses or damages school property, the costs of replacement or repair are not fees and will not be waived.
- Fee waivers do not apply to concurrent enrollment courses, advanced placement exams, or other portions of fees related specifically to college or post-secondary grades or credit.

#### **Student Eligibility for Fee Waivers**

A student is eligible for a fee waiver if:

- The student's family receives TANG, FEP, or SNAP funding;
- The student receives SSI;
- The student qualifies for McKinney-Vento Homeless Assistance Act assistance;
- The student is in foster care through the Division of Family Services;
- The student is in state custody; or,
- The student is eligible based on family/household income (which match those of free lunch eligibility).

## **Fee Waiver Application Process**

The school provides notice of the procedure for obtaining a fee waiver to all parents at registration, upon enrollment, and again in a dedicated email sent to parents at the start of the school year. A student/family wishing to apply for a fee waiver will provide documentation of fee waiver eligibility as part of the application process. Forms for obtaining a fee waiver are available digitally on the USBE and the school's website, and in hard copy at the school's Front Office.

- A student/family will submit the Fee Waiver Application to the Executive Director;
- The Executive Director is the designated officer at the school who receives requests for fee waivers, grants fee waivers, and receives appeals of decisions concerning fee waivers;
- Once the documents have been submitted to the school, the fee requirement will be suspended until a final decision has been reached about the student's eligibility for fee waivers;
- The Executive Director shall manage the process for obtaining a fee waiver or pursuing a provision in lieu of a fee waiver fairly, objectively, without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents;
- The Executive Director will keep confidential all aspects of the fee waiver process including the application for a fee waiver, decisions about a fee waiver, an appeal of a decision, and a decision on appeal;
- All documents provided to the Executive Director to support a request for a fee waiver will either be returned to the requesting family or student or, if a copy of an original, will be destroyed. No supporting documents related to a family's income or status in federal or state programs that qualify students for a fee waiver will be kept at the school after a decision about a fee waiver has been made;
- The Executive Director will document waivers given each fiscal year at the school;
- If the application is denied, the school will send a "Decision and Appeal Form." The form will explain why the application was denied and how to appeal the decision.
- If an appeal for a denial of fee waivers is submitted, all fees will be suspended until the appeal has been decided.

## **Additional Considerations in the Fee Waiver Process**

- The school may grant a fee waiver to a student, on a case-by-case basis, who does not qualify for a fee waiver, but who, because of extenuating circumstances, is not reasonably capable of paying the fee;

- The school may charge a proportional share of a fee or a reduced fee if circumstances change for a student or family so that the fee waiver eligibility no longer exists;
- The school may retroactively waive fees if eligibility can be determined to have existed before the date of the fee waiver application;
- When considering fee waivers, the school will not subject a family to unreasonable demands for requalification of fee waiver status.

### **Confidentiality**

Student information regarding fees, fee waivers, and related is confidential and cannot be disclosed to anyone lacking both a right and need to know the information, regardless of whether a student has paid fees, donations, and contributions or not; or has applied for, received, or been denied waivers.

- The Executive Director will include administrative staff on a need-to-know basis about fee waivers granted so that students are not embarrassed, targeted, or in any other way singled-out in the process of applying for or obtaining a fee waiver, or in appealing a decision about a fee waiver;
- Any staff member who receives information about fee waivers on a need-to-know basis will ensure that this information is kept confidential and that the information is handled in such a way as to ensure that a student is not embarrassed, targeted, or in any other way singled-out in the process of applying for or obtaining a fee waiver, or in appealing a decision about a fee waiver;
- The school may not treat a student receiving a fee waiver or provision in lieu of a fee waiver differently from other students;
- The school will ensure that this process does not produce visible indicators that could lead to the identification of fee waiver applicants;
- Throughout the fee waiver process, the school will comply with the privacy requirements of The Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA);
- The school will ensure that a fee waiver or other provision in lieu of a fee payment is available to any student whose parent cannot pay a fee;
- The school will ensure that no student is involved in the collection of fees or assists in the fee waiver approval process.

### **Alternatives to Fee Waivers**

The school may provide a variety of alternatives for a student or family to satisfy a fee requirement, including, but not limited to, allowing a student to provide:

- Tutorial assistance to other students;
- Assistance before or after school to teachers and other school personnel on school-related matters; and,

- General community or home service;
- Similar alternative efforts that support or improve the school community.

### **Donations**

Because school funds are limited, a school may ask for tax-deductible donations of school supplies, equipment, and money. However, these donations are requests and not requirements. With the consent of the donor, the school may give appropriate recognition to any person or organization making a major donation or contribution to the school.

### **Fee Collection on Unpaid Student Fees**

The school has the authority to send unpaid student fees (beyond basic education costs) to collections, including using collection agencies or pursuing legal action. Prior to sending any unpaid student fees to collections, the school will make a good faith effort to contact parents or guardians about unpaid fees and to offer payment or installment plans, including for past due amounts. Failure to resolve delinquent accounts can escalate debt collection efforts.

### **Limitations on Enforcement of Fees**

The school and school staff cannot withhold, reduce, or enhance grades or credit, or withhold grades, class schedules, credit, report cards, transcripts, or diplomas to enforce the payment of fees.

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