

SCHOOL FEES NOTICE
FOR FAMILIES OF CHILDREN IN KINDERGARTEN THROUGH SIXTH GRADES

[IF YOU NEED HELP IN UNDERSTANDING THIS LETTER, CALL _____]

The Utah Constitution prohibits the charging of fees in elementary schools. That means that if your child is in kindergarten through grade six (unless your child is in grade six and attends a school that includes one or more 7-12 grades), you cannot be charged for textbooks, classroom equipment or supplies, musical instruments, field trips, assemblies, snacks (other than food provided through the School Lunch Program), or for anything else that takes place or is used during the regular school day.

If you wish to purchase school pictures, yearbooks, or similar items through the school, those costs are not fees and will not be waived. Also, if your student loses or damages school property, the costs of replacement or repair are not fees and need not be waived.

Federal law permits schools to charge for food or milk provided as part of the School Lunch Program. If you cannot afford to pay, you may be eligible for free or reduced price meals or milk. Your school will give you information about applying for free or reduced price meals and milk. **All information which you provide in your application will be kept confidential.**

State law and State Board of Education rules **do not permit schools to charge fees for anything that takes place during the regular school day** unless your child is in grade six and attends a school that includes one or more 7-12 grades! Fees may only be charged for programs offered before or after school, or during school vacations. *If your child is eligible based on income verification or receives SSI payments (QUALIFIED CHILD WITH DISABILITIES), or if you are receiving TANF (currently qualified for financial assistance or food stamps) or if the child was placed in your home by the government as a foster child, the school must waive the fees.* If you are having a financial emergency caused by job loss, major illness, or other substantial loss of income beyond your control, you **might** be eligible for a waiver even if other eligibility criteria are not met. **If your local school board/charter school allows your school to charge fees, a Fee Waiver Application (Grades K-6) is enclosed.** Your school will give you additional information about fee waivers if you ask.

School funds are limited, and your school may need help. As a result, **the school may ask you for tax-deductible donations of school supplies, equipment, or money**, but the school **cannot require donations** or tell anyone else the names of those who have or have not made donations (except that the school may honor those who make major donations). **No child may be penalized for not making a donation.** For example, if donations are used to pay for a field trip, every child must be allowed to go on the trip even though some may not have made a donation.

State law requires schools or school districts to require DOCUMENTATION of fee waiver eligibility if parent must "apply for fee waivers." Local/charter boards will have policies and/or guidelines for determining eligibility for fee waivers.

School district/school administrators shall request documentation of fee waiver eligibility from those who apply for fee waivers if fees or charges are required for non-regular school day activities, such as after-school music or foreign language programs or Friday ski programs.

Fee waiver eligibility documentation is NOT required annually. Also, documentation shall NOT be maintained for privacy reasons. Schools may transfer fee waiver eligibility information to other schools to which students advance or transfer.

NOTE: If your district/school does not require parents in the entire district area or parents and students in

specific schools or sections of the district to “apply for fee waivers,” district administrators **NEED NOT** require verification of eligibility under this section.

If you have questions, first talk to your school or school district representative listed below. If you still need help, contact one of the other agencies listed:

School telephone no.: _____

Ask for: _____

District telephone no.: _____

Ask for: _____

Utah State Board of Education
250 East 500 South
P.O. Box 144200
Salt Lake City, Utah 84114-4200
801-538-7830

USBE.4/15/13

**SCHOOL FEES NOTICE
FOR FAMILIES OF STUDENTS IN GRADES SEVEN THROUGH TWELVE**

[IF YOU NEED HELP IN UNDERSTANDING THIS NOTICE, CALL _____]

Utah law permits the charging of fees in grades seven through twelve. This means that your student may be charged fees for school materials, supplies, activities and programs. **Except for common household articles and common articles of clothing, your student cannot be required by a teacher or other person to pay fees or provide any materials, money, or any other thing of value unless that requirement has been approved by the local Board of Education and included in the school or district fee schedule.** In addition, no teacher, coach, or other person acting as a representative of the school may invite or require your student to participate in any summer camp or other activity unless the costs have been approved by the local Board of Education and placed on the fee schedule.

If your student is eligible based on income verification or receives SSI payments (QUALIFIED CHILD WITH DISABILITIES), or if you are receiving TANF (currently qualified for financial assistance or food stamps) or the student was placed in your home by the government as a foster child, the school must waive the fees (meaning that you will not be required to pay the fees). If you are having a financial emergency caused by job loss, major illness, or other substantial loss of income beyond your control, your child might be eligible for a fee waiver even if other eligibility criteria are not met.

You may apply for fee waivers by submitting the *Fee Waiver Application (Grades 7-12)*. A copy of the application is included with this notice. Additional copies may be obtained from the school office. As soon as you have sent in the completed forms, the fee requirement will be **suspended until a final decision has been reached about your student's eligibility for fee waivers.** If the application is denied, the school will send you a *Decision and Appeal Form*. The Form will tell you why the application was denied and explain how to appeal the decision. The form for starting an appeal is on the same page as the form for the decision. Remember to always keep a copy for yourself. **If you appeal a denial of fee waivers, you will not need to pay the fees until the appeal is decided.**

If your student is eligible for fee waivers, all fees must be waived, including--but not limited to--the following:

Fees for registration, textbooks, textbook and equipment deposits, school supplies, activity cards, extracurricular activities, and school lockers; lab and shop fees; gym and towel fees; costs for uniforms and accessories; field trips and assembly fees; costs for class or team trips; and costs of musical instruments used in school classes or activities.

There is no such thing as a "non-waivable" or "optional" fee, but alternatives to fee waivers may be arranged in some cases, but not for textbook fees. Alternatives to waivers are not permitted for textbook fees. Alternatives to simply waiving school fees may include such things as a reasonable requirement for community service or an assignment to help on a fundraiser, **but may not include installment payments, IOU's, or other delayed payment plans.** Community service requirements and fundraisers must be appropriate to the age, physical condition, and maturity of the student, and must be conducted in such a way that students are not subjected to embarrassment, ridicule, or humiliation. In addition, community service requirements and fundraisers must avoid excessive burdens on students and families and give proper consideration to a student's educational and transportation needs and other responsibilities.

Your school will inform you if it will be requiring community service as an alternative to fee waivers.

All students involved in a program for which funds are being raised must be invited to participate in the fundraiser, not just those who are eligible for fee waivers. All participants in the fundraiser should share in the earned benefits. Participation in the fundraiser may be required for those who have requested fee waivers. If a fee-waiver eligible student has already performed a community service requirement covering all of the fees in question, then additional fundraising shall not be required of that student unless all students are subject to the same requirement.

Since people in low-income areas usually have less discretionary income and so may be less able to donate or spend money on fundraisers than those in higher-income areas, quotas should not be used. The question should be whether a student made a good-faith effort, not whether a particular student met a sales quota. If a student makes the requested effort, but sufficient money is not raised in the fundraiser to cover all charges for the school activity and the activity goes forward anyway, then the difference between the fee-waiver eligible student's share of the proceeds and the actual amount of the fee must be waived.

School funds are limited, and your school may need help other than fees. As a result, **the school may ask you for tax-deductible donations of school supplies, equipment, or money, but the school cannot require donations. No student may be penalized for not making a donation.** For example, if donations are used to pay for a field trip, every student must be allowed to go on the trip even though some may not have made a donation.

Regardless of whether you have paid fees, donations, and contributions or not, or have applied for, received, or been denied waivers, your name is confidential and cannot be disclosed to **anyone** lacking both a right and a need to know the information. The school may, however, with the consent of the donor, give appropriate recognition to any person or organization making a major donation or contribution to the school.

Charges for class rings, yearbooks, school pictures, letter jackets, and similar items are not fees and need not be waived. Also, if your student loses or damages school property, the costs of replacement or repair are not fees and need not be waived. Students may be required to pay fees for concurrent enrollment or advanced placement courses. The portion of the fees related specifically to college or post-secondary grades or credit is not subject to fee waiver. In addition, only those students who have paid a textbook or equipment deposit are eligible to receive a deposit refund at the end of the year.

The school and school staff **cannot** withhold, reduce, or enhance grades or credit, or withhold grades, credit, report cards, transcripts, or diplomas to enforce the payment of fees. A school may withhold the official student records of a student responsible for lost or damaged school property consistent with Section 53G-8-212; however, may not withhold a student's records that would prevent a student from attending school or being properly placed in school.

State law requires schools or school districts to require **DOCUMENTATION** of fee waiver eligibility if parent must "apply for fee waivers." Local boards will have policies and/or guidelines for determining required documentation for eligibility for fee waivers.

State law requires a school district to provide alternatives in lieu of fee waivers, "to the fullest extent reasonably possible according to individual circumstances of both fee waiver applicant and school," consistent with local board policies and/or guidelines.

Fee waiver eligibility documentation is NOT required annually but may be required at any time by the school or a parent may ask for review for good cause. Also, documentation SHALL NOT be maintained for privacy reasons. Schools may transfer fee waiver eligibility information to other schools to which students advance or transfer.

NOTE: If your district does not require parents in the entire district area or parents and students in specific schools or sections of the district to "apply for fee waivers," district administrators NEED NOT require verification of eligibility under this section.

If you have questions, first talk to your school or school district representative listed below. If you still need help, contact one of the other agencies listed:

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