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To: Members of the Board of Education  
From: Doug Larson  
Re: Policy Readings  
Date: July 1, 2019

Policy and Legal Services will present two Second Readings during the next Board of Education meeting. A description of each policy is provided below.

Article VIII.A.3. Fees in the Public Schools

The Board had a lengthy discussion regarding the new fees policy in the previous board meeting. I made changes to the policy based on feedback from the Board during that discussion. Again, USBE has instructed LEAs that enforcement of the statute and USBE rule regarding fees will be administered gradually to allow LEAs time to work through the compliance issues. Moreover, the statute and USBE rule are evolving. Consequently, this policy will need to be updated in the near future. As written, the policy will allow the District to maintain compliance for the upcoming school year.

Article II.L. Implementation of Standards and Objectives

This policy came before the Board for a second reading in June, but the Board voted to table the second reading for another month. One change was proposed by the Superintendent. Ultimately, this policy is intended to create clear District-wide expectations for student learning.

Article VIII.A.3.      Fees in the Public Schools

A.      Purpose

The Granite School District Board of Education ensures that a free public education is provided to all District students consistent with Utah Code §§53G-7-501 through 505. Pursuant to Utah laws and regulations, fees may be assessed according to an annual fee schedule adopted by the Board, and according to appropriate fee waiver and refund procedures. The purpose of this policy is to outline the District's system of assessing fees, to provide for an annual notice of the District fee schedule, and to establish appropriate fee waiver and refund procedures.

B.      Definitions

1.      "Fee" means any charge, deposit, rental, or other payment assessed to a student or the student's family, however designated, whether in the form of money or goods, requested or required as a condition to a student's participation in an activity, class, or program provided, sponsored, or supported by a school.
  - a.      Fees include: (i) money or something of monetary value raised by a student or the student's family through fundraising; (ii) charges or expenditures for a school field trip or activity trip, including related transportation, food, lodging, and admission charges; (iii) payments made to a third party that provides a part of a school activity, class, or program; (iv) charges or expenditures for classroom textbooks, supplies, or materials; and (v) charges or expenditures for requested or required school activity clothing, equipment, or supplies.
  - b.      Fees do not include: (i) charges related to the National School Lunch Program (ii) student fines specifically approved by the Board for failing to return, losing, wasting, or damaging private or school property; (iii) improper use of school property; (iv) a deposit that is a pledge securing the return of school property, refunded upon the return of the school property; or (v) a charge for insurance, unless the insurance is required for a student to participate in an activity, course, or program.
2.      "Fee waiver" means a full or partial release from the requirement of payment of a fee and from any provision in lieu of fee payment.
3.      "Instructional equipment" means course related tools or instruments required for a student to use as part of a secondary course that becomes the property of the student upon exiting the course.

4. "Requested or required as a condition of 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:
  - a. fully participate in school or in a school activity, class, or program;
  - b. successfully complete a school class for the highest grade; or
  - c. avoid a direct or indirect limitation on full participation in a school activity, class, or program, including limitations created by: (i) peer pressure, shaming, stigmatizing, bullying, or the like; or (ii) withholding or curtailing any privilege that is otherwise provided to any other student.
  
5. "School-sponsored activities" are District or school programs or events approved by the school principal that:
  - a. are initiated, managed, or supervised by schools, teachers, staff, or administrators;
  - b. use school facilities, equipment, or other school resources (not part of a rental or other contractual arrangement); and
  - c. are supported or subsidized by school or District funds, including the public school's activity funds or minimum school program dollars.
  
6. "Textbook" means instructional material necessary for participation in a course or program, regardless of the format of the material (e.g. a book, workbook, or materials similar in function, which are required for participation in a course of instruction). "Textbook" does not include instructional equipment.

C. Fee Schedule

Consistent with this policy, the Board annually adopts a District fee schedule for elementary, junior high, and senior high schools in a regularly scheduled public Board meeting after two public readings. Fee schedule shall be made available to parents/guardians before the start of the school year and shall be published on the District's website and in registration materials. The fee schedule shall include at least the elements described below.

1. A specific maximum amount for each fee that may be charged to a student.
2. The total amount a student may be charged for any given activity, class, or program.
3. A clear statement referencing the fee waiver procedure and appeal information.
4. Other fees as deemed necessary by the Board.

D. Assessment of Fees

Students shall be able to enroll and participate in any class and have the opportunity to acquire all skills and knowledge to obtain full credit and the highest grades at no cost to students or families with the exception of reasonable fees listed in the applicable fee schedule, consistent with the provisions below.

1. No general charges or fees shall be assessed for textbooks and classroom materials to elementary students. All other programs, activities, and materials considered essential or required, such as newspapers, movies, field trips, and similar items shall be made available free of charge to elementary students. A fee may be assessed for approved extracurricular and co-curricular activities at the elementary level if approved on the District fee schedule. For purposes of this policy, an elementary student is a student attending a school that provides instruction to students in Kindergarten through grade 5 or 6. Students in grade 6 served in a junior high or middle school shall be considered secondary students.
2. Secondary students may be charged textbook, lab, and other course-related fees. For purposes of this policy, a secondary student is a student enrolled at a junior high school, middle school, or senior high school that provides instruction to students grades 6 or 7 through 12.
3. Secondary students may be required to provide student supplies. For the purpose of this policy, student supplies are items that 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 outside school-sponsored activities.
  - a. 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.
  - b. Student supplies do not include the items listed above if the school requests or requires a specific color, brand, or specific imprint intended to create a uniform appearance not related to the basic function.
4. Materials for class projects and enrichment activities required for a course shall be provided at no cost to students. Students may be allowed to choose optional projects or enrichment activities but shall not be required to select an optional project or enrichment activity as a condition of enrolling in or completing a course. The cost of materials for such optional projects or enrichment activities is not considered a fee and is not waivable. Costly optional projects and enrichment activities shall be avoided if they result in pressure by teachers or peers to select those options.

5. Fees may be charged to secondary students for school-sponsored extracurricular and co-curricular activities. All such fees shall be disclosed on the fee schedule and are subject to fee waiver. Such fees may include, but are not limited to the following:
  - a. charges for summer camp or other out-of-season, school-sponsored activities;
  - b. charges for uniforms, costumes, clothing, and accessories (other than items of typical student dress) which are required for participation in choirs, drill teams, athletic teams, bands, orchestras, or other student groups;
  - c. charges for student travel as part of a school team, student group, and other school-approved trips;
  - d. charges for transportation; and/or
  - e. general participation fees used for supplies, materials, food, or other items used in a school-sponsored activity.
6. Schools may assess fees for school-sponsored driver's education programs. Fees for driver's education programs are subject to fee waiver except for costs required by the Department of Motor Vehicles (DMV). Fees for driver's education programs provided by a community education program are not subject to fee waivers.
7. Schools may assess a reasonable admission charge for attendance at school dances, performances, competitions, or games when those activities are not held during the school day. Admission charges may also be assessed at activities sponsored by the Utah High School Activities Association or by the local competitive region to which the high schools belong. Secondary students may be issued activity cards, which allow free or reduced price admission to school-sponsored, extra-curricular activities.
8. Participation fees provide funds to offset the cost of uniforms, equipment, supplies, officials, transportation, and supervision. Participation fees may not be charged to a student trying out for a team, program, or activity. Participation fees shall only be assessed after participants are selected.
9. Federal law permits schools to charge for food or drink provided as part of the Child Nutrition Program in both elementary and secondary schools. Parents may submit an application online to request free or reduced price meals. The cost of food items available to students from vending machines, concession stands, or school stores are not fees and are not waivable.
10. A reasonable charge may be assessed to cover the cost of duplicating student transcripts when such transcripts are to be provided to the student or mailed to colleges, universities, or places of employment. A charge will not be assessed for

transcripts that are required as part of a transfer to another public or private elementary or secondary school. These charges are not considered fees. Transcripts shall not be withheld based on a student's outstanding fee balance.

11. Personal or discretionary charges or purchases for personal, consumable items such as a yearbooks, class rings, letterman jackets or sweaters, or other similar items are not fees and are not waivable charges except when requested or required by the school or District. Such items are subject to sales tax.
12. Charges for college credit related to a concurrent enrollment classes and charges for advanced placement examinations are not fees and are not waivable.

E. Limitation on Fees

1. No employee or duly appointed volunteer may require a fee unless it has been approved by the Board and listed on the applicable fee schedule.
2. A fee charged to a student must be equal to or less than the actual cost to the District of the student's participation in the activity for which the fee is charged.
3. No fee may supplant or subsidize any other fee.

F. Fee Waivers and Appeals

Fees shall be waived for students who qualify for fee waiver under Utah law. Fees may be waived for other reasons at the discretion of the principal. Fee waivers are subject to the provisions below.

1. A parent/guardian may apply for a fee waiver by submitting a Fee Waiver Application to the student's school. Application forms shall be made available to parents/guardians prior to the beginning of each school year. The District shall make fee waivers available in languages other than English to students and families, or District employees shall meet with students and families personally and make an interpreter available for the parent/guardian to understand the fee waiver policies and schedules.
2. A student's family may be granted a fee waiver if total family income does not exceed the amount set by the State Superintendent; if the student receives Supplemental Security Income (SSI) payments; if the family is receiving Temporary Assistance to Needy Families (TANF) or Supplemental Nutrition

Assistance Program benefits (food stamps); if the student has been placed with a foster family; or if the student is in state custody.

3. Parents/guardians, at their discretion, may apply for partial fee waiver. Those requests shall be processed in the same manner as requests for waiver of all fees. Unless parents/guardians have specifically requested a partial fee waiver, all fees must be waived completely for eligible students.
4. If a family is having a financial emergency caused by job loss, major illness, or other substantial loss of income beyond the family's control, the student may be eligible for fee waiver even if other eligibility criteria are not met. The school principal is empowered to make a determination of eligibility in such cases.
5. The following documentation may be used to verify fee waiver eligibility:
  - a. bona fide tax returns representing all household income; or secondarily, the three most recent pay stubs, which demonstrate the total contributions to the household income;
  - b. a benefit verification letter for SSI;
  - c. a letter of decision for TANF covering the period for which the fee waiver is sought from Utah Department of Workforce Services (DWS); or
  - d. a required student-in-custody intake form and/or school enrollment letter, for students in foster care provided by the case worker from the Utah Division of Child and Family Services (DCFS).
6. Approval or denial of fee waiver applications will be determined by the school administration based on established state and federal guidelines. If the application is denied, a school administrator shall provide to the parent/guardian a Decision and Appeal Form. The form will explain the reason the application was denied and provide instructions on how to appeal the decision. If a parent/guardian appeals the denial of fee waivers, the requirement to pay the fee is suspended until the appeal is decided.
7. All information provided in the Fee Waiver Application shall be kept strictly confidential. Following the final determination of eligibility, documentation shall be returned to the parent or destroyed. The school shall keep a record of the application (the fees being requested for waiver), the fee waiver determination, and the appeal information (showing the fees waived) until four (4) years after the student has left the District. Thereafter, the records shall be destroyed.
8. Fee waiver documentation may be required at any time by the school, and a parent may ask for review for good cause. Schools may transfer fee waiver

information to other schools within the District to which students advance or transfer, or at which students are dually enrolled.

G. Service in Lieu of Fees

1. At a parent or student's request, Schools may allow alternative service in lieu of fees at the school level (other than waiver of a textbook fee) ~~to students~~ in secondary schools.
2. Alternatives to fees may include such things as a reasonable school or community service, tutoring of other students, custodial work or other service at the school, or an assignment to help on a fundraising activity.
  - a. School or community service requirements and fundraising activities 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.
  - b. School or community service requirements and fundraising activities must comply with federal and state regulations, avoid excessive burdens on students and families, and give proper consideration to a student's education, transportation needs, and other responsibilities.
3. Schools may allow parents/guardians, at the school's discretion, to pay fees in installments over a period of time, but schools may not require the same.

H. Refund of Fees in Secondary Schools

1. Refunds for some fees may be given to students for basic fees, driver's education, and extra-curricular activity fees. Participation fees are not refundable. Refunds of required fees are to be given according to the following schedule:

<u>Full Year Courses</u>	<u>Semester Courses</u>	
First Four Weeks	First Two Weeks	Full Refund
First Term	First Five Weeks	3/4's Refund
Second Term	First Term	1/2 Refund
Third Term	-----	1/4 Refund
Last Nine Weeks	Second Term	No Refund

2. In the event of unpaid student fees and/or negative lunch balances, money scheduled to be refunded to a student may be applied first to outstanding debts to the District.

3. In the event a student transfers to a school within the District during the school year, any refund due shall be transferred to the student's new school to cover fees at that school.
4. End-of-year refunds of deposits may be made to students in cash, subject to payment procedures established by the Director of Accounting.

### References

Utah Constitution, Article X, Section 2  
Utah Code Ann. § 53G-8-212  
Utah Code Ann. §§ 53G-7-501 through 505  
Utah Code Ann. §§ 53G-7-601 through 606  
Utah Administrative Code § R277-407  
Utah Division of Archives and Records Service, General Retention Schedule, GRS-1522  
District Policy, Article V.C.11., Student Fundraising  
District Policy, Article V.C. 8., Donations and Resource Development