

# **School Fee Rules and Fee Waivers**

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# A New Rule on School Fees R277-407

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Enforceable 1/1/2020

## **R277. Education, Administration.**

### **R277-407. School Fees.**

#### **R277-407-1. Authority and Purpose.**

(1) This rule is authorized under:

- (a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;
- (b) Article X, Section 2 of the Utah Constitution, which provides that:
  - (i) public elementary schools shall be free; and
  - (ii) secondary schools shall be free, unless the Legislature authorizes the imposition of fees;
- (c) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law;
- (d) Subsection 53G-7-503(2), which requires the Board to adopt rules regarding student fees; and
- (e) Subsection 53G-7-504 which authorizes waiver of fees for eligible students with appropriate documentation.

(2) This rule also serves to comply with the order arising from the Permanent Injunction issued in Doe v. Utah State Board of Education, Civil No. 920903376 (3rd District 1994).

(3) The purpose of this rule is to:

- (a) permit the orderly establishment of a system of reasonable fees;
- (b) provide adequate notice to students and families of fees and fee waiver requirements; and
- (c) prohibit practices that would:
  - (i) exclude those unable to pay from participation in school-sponsored activities; or
  - (ii) create a burden on a student or family as to have a detrimental impact on participation.

#### **R277-407-2. Definitions.**

- (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) "Extracurricular activity" means an activity or program for students, outside of the regular school day, that:

## Fee Policy Requirements

- A maximum fee amount must be set by the Board for each activity.
  - Fees for individual classes or activities to be combined/totalled.
  - A spend plan is required for each fee.
  - Must include amounts raised through required group fundraising.
- Voluntary individual fundraising may be offered to a student to help them offset their out-of-pocket portion only and is not considered part of the fee. Cannot be required.
- A maximum total aggregate fee amount per student, per year, must be set by the Board.
- The amount of a fee may not exceed the actual expense of the activity or class.
- A fee may not be used to supplant or subsidize another fee or fee waiver.
- All fees are now waivable. If something is provided, sponsored, or supported by a school, it is waivable.
- Districts must assure that there are not disproportioned impacts on schools within district due to fee waivers.

Fees Waived for 2020-21

\$1,138,000

GSD Board reimbursement for 2020-21

\$1,138,000

The last two years GSD has covered 100% of  
waived fees

## Significant Changes that Impact Granite Moving Forward

- Textbook rule:
  - o Fees for textbooks will be **prohibited beginning 2022-2023**  
(only exceptions are fees for textbooks used in a concurrent enrollment or AP course).

*53G-7-601 Definitions.*

*(5)*

*(a) "Textbook" means instructional material necessary for participation in an activity, course, or program, regardless of the format of the material.*

*(b) "Textbook" includes:*

*(i) a hardcopy book or printed pages of instructional material, including a consumable workbook; or*

*(ii) computer hardware, software, or digital content.*

*(c) "Textbook" does not include instructional equipment or instructional supplies.*

*53E-4-401. Definitions.*

*As used in this part, "**instructional materials**" means textbooks or materials used as, or in place of, textbooks and which may be used within the state curriculum framework for courses of study by students in public schools, including:*

- (1) textbooks;*
- (2) workbooks;*
- (3) computer software;*
- (4) online or Internet courses; and*
- (5) audio and video media.*

Textbook expenditures from school funds for 2020-21 were \$409,000 in secondary schools

Factors to consider:

- Lower number of students that were face to face
- Did not include funds expended in non-textbook accounts for items that now qualify as textbooks under the new USBE rule (for example, software, sheet music, etc.)
- USBE has stated that extra-curricular textbook like expenditures are not bound by the new rule
- Some of the funds used to purchase textbooks may not have been from fee revenues (district allocations)

Total estimated loss to secondary schools is \$500,000