

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

[IF YOU NEED HELP IN UNDERSTANDING THIS NOTICE, CALL Mark Johnson 801-302-9579]

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 family assets do not exceed the statewide fee waiver asset limits and your student is eligible for free school lunch or receives SSI payments, or if you are receiving AFDC 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). A school administrator may require your family to complete a ***Statewide Fee Waiver Assets Questionnaire*** even if you satisfy the income eligibility guidelines for fee waivers. The conclusion of this asset test may determine your student's eligibility for fee waivers. 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 and, if required by your district, the ***Statewide Fee Waiver Assets Questionnaire***, 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. However, the school may withhold **official** copies of report cards, transcripts, or diplomas if fines or other charges for lost or damaged school property have not been resolved.

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.: 801-302-9579

Ask for: Mark Johnson

Utah Legal Services, Inc.
254 West 400 South
2nd Floor
Salt Lake City, Utah 84101
328-8891 (Salt Lake Area)
or 1-800-662-4245 (other areas)

Utah Issues Information Program, Inc.
330 West 500 South
Salt Lake City, Utah 84101
521-2035 (Salt Lake area)
or 1-800-331-5627 (other areas)

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