

# Emery County School District



Policy: JQA—Student Fee Waivers

Date Adopted: 17 June 2020  
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## General Fee Waiver Provisions

- “Waiver” or “fee waiver” means a full release from the requirement or payment of a fee and from any provision in lieu of a fee payment.
- All fees are subject to fee waiver unless specifically identified as a non-waivable charge in district policy.
- A school is not required to waive a non-waivable charge.
- To ensure that no student is denied the opportunity to participate in a class or school sponsored or supported activity because of an inability to pay a fee, each school will provide for adequate waivers.
- The process for obtaining a fee waiver, pursuing an alternative to fee waiver, or appealing the denial of a fee waiver shall be administered confidentially, fairly, objectively, without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.
- A student receiving a fee waiver shall not be treated differently from other students or identified to students, staff members, or other persons who do not need to know of the waiver.
- Any requirement that a student pay a fee is suspended during any period in which the student’s eligibility for a fee waiver is being determined or a denial of a fee waiver is being appealed.

## Fee Waiver Eligible Charges

Fees for the following are waivable regardless of whether they are held during the regular school day, during the regular school year, outside of the regular school day, outside of the regular school year, or during the summer:

- An activity, class, or program that is:
  - primarily intended to serve school-age children; and
  - taught, more than inconsequentially, by a school employee as part of the employee’s assignment.
- An activity, class, or program that is explicitly or implicitly required:
  - as a condition to receive a higher grade, or for successful completion of a class or to receive credit, including for a student to attend a concert or museum as part of a music or art class for extra credit; or
  - as a condition to participate in a school activity, class, program, or team, including, a requirement for a student to participate in a summer camp for students who seek to participate on a school team.
- An activity or program that is promoted by a school employee, such as a coach, advisor, teacher, school-recognized volunteer, or similar person, during school hours where it could be reasonably understood that the school employee is acting in the employee’s official capacity.
- Admission, entrance, or gate fees for student attendance to an event or activity provided, sponsored, or supported by the district or school including: athletic competitions, music or theater performances, and parent teacher organization activities.
- An activity where full participation in the activity or program includes travel for state or national educational experiences or competitions, debate camps or competitions; or music camps or competitions.
- A concurrent enrollment, CTE, or AP course.

- Activity or spirit-pack clothing required to be worn by a student when participating as a club, school group, or team such as matching jackets, hoodies, t-shirts or similar.
- Official curricular, cocurricular, and extracurricular club or team uniforms required for participation.

### **Non-Waivable Charges**

Nonwaivable charges are costs or payments not considered to be school fees and are not subject to fee waivers.

- Non-waivable charges include personal discretionary charges or purchases of/for:
  - Insurance, unless the insurance is required for a student to participate in an activity, class, or program;
  - College credit related to the successful completion of a concurrent enrollment class or an AP exam; and
  - Personal consumable items such as a yearbook, class ring, letterman jacket or sweater, or other similar items, except when requested or required by a school as a condition to a student's participation.
- Charges designated by Utah Code, federal law, or administrative rule not to be a fee, including:
  - A charge for an activity, class, program, that meets the criteria of a noncurricular club;
  - A charge for a school breakfast or lunch;
  - A fine for improper use of school property, including a parking violation; or
  - A fine for replacement of damaged or lost school property.
- If a student and the student's parent are unable to pay for damages or if it is determined in consultation with the student's parent that the student's interests would not be served if the parent were to pay for the damages, the school may provide for a program of work the student may complete in lieu of the payment.
- No fine may be assessed for damages which may be reasonably attributed to normal wear and tear.

### **Fee Waiver Administrator**

- School secretaries are designated as the Fee Waiver Administrator for each school. Secretaries shall be trained in and have a knowledge and understanding of school fees, the fee waiver process, and student data privacy laws; and work in an appropriate setting to facilitate confidential conversations and documents.
- The Fee Waiver Administrator is responsible to review applications and verification documents; grant or deny requests; maintain documentation in compliance with FERPA; and report fee waiver information.
- Contact information for the Fee Waiver Administrator will be available on the school's website with other school fee information and in student registration materials.
- A student may not assist in the fee waiver approval process.

### **Fee Waiver Application Process**

- A parent or student desiring to have fees waived shall submit a completed application and verification of eligibility to the Fee Waiver Administrator. Applications are available on the district and school websites.
- A parent or student must reapply for fee waiver eligibility each school year.
- Schools shall use the standardized state board school fees notice and fee waiver applications to inform parents of the process of obtaining a fee waiver.
- The process shall have no visible indicators that could lead to identification of fee waiver applicants.

- It is encouraged that fee waiver applications be completed by September 1; however, as financial circumstances may change at any time, fee waiver applications will be accepted throughout the school year.
- If financial circumstances change so that fee waiver eligibility no longer exists or now does exist, the Fee Waiver Administrator may charge or waive a proportional share of the fees for the remainder of the period.

### **Fee Waiver Eligibility Verification**

- A student is eligible for and will be granted a fee waiver if the Fee Waiver Administrator receives a completed application and verification of one of the following from the student or parent:
  - The student's family income qualifies under the levels set by the State Superintendent and the parent provides verification in the form of income statements, pay stubs, or tax returns:
    - a. these levels are set to correspond to the income levels for the federal free lunch program and may be found on the Utah State Board of Education website;
    - b. all income received by the household is considered including salary, public assistance benefits, social security payments, pensions, unemployment compensation and child support payments.
  - The student has qualified for the federal free lunch program and the parent provides consent for the program to share information with the school. This consent is provided by supplying the Fee Waiver Administrator with a Disclosure Request Form, available on district and school websites.
  - The student receives Supplemental Security Income (SSI) and the parent provides benefit verification documents from the Social Security Administration.
  - The student's family receives Temporary Assistance for Needy Families (TANF) and the parent provides benefit verification from the Utah Department of Workforce Services for the period for which the fee waiver is sought.
  - The student is in foster care through the Division of Child and Family Services; or is in state custody and the individual seeking the waiver provides the youth in care required intake form and school enrollment letter, provided by a case worker from the Utah Division of Child and Family Services or the Utah Juvenile Justice Department.
- A school shall ensure that a fee waiver or other provision in lieu of fee waiver is available to any student whose parent is unable to pay.
  - A Fee Waiver Administrator may grant a fee waiver to a student, on a case by case basis, who does not qualify for a fee waiver under the criteria above, but who, because of extenuating circumstances is not reasonably capable of paying the fee.
  - An opportunity will be provided for those requesting a fee waiver under this standard to meet privately with the Fee Waiver Administrator to discuss their situation and potential eligibility for fee waiver.
  - Verification may be collected as appropriate for the situation.

### **Notification of Eligibility**

- After reviewing the documentation provided by the student and the student's parent, the Fee Waiver Administrator will approve or deny the fee waiver request.
- The Fee Waiver Administrator shall not retain required fee waiver verification documents or copies of the verification documents but will keep the following information as a log or record:
  - That the student's eligibility was verified;
  - The name and position of the person who reviewed the verification documents;

- The date it was verified; and
- The type of documentation used to verify eligibility.
- The Fee Waiver Administrator shall maintain documentation of the following:
  - The school year the request was submitted;
  - The type and amount of fees requested to be waived;
  - Whether the request was approved or denied;
  - If approved, the type and amount of fees which were waived.
- The Fee Waiver Administrator shall provide written notice of the decision to grant or deny a fee waiver request to the student's parent using the standardized state board fee waiver decision and appeal form.
- If a fee waiver request is denied, the written notice of decision shall include the reason the request was denied and a copy of the appeal process and appeal form.

### **Appeal of Fee Waiver Denial**

- A student or the student's parent may appeal the decision to deny a fee waiver request by completing and submitting the appeal form included with the denial or found on the school website to the school principal within ten school days of receiving notice of denial.
- The school shall contact the parent within two weeks after receiving the appeal and schedule a meeting with the principal to discuss the parent's concerns.
- If after meeting with the school principal the waiver is still denied, the parent may appeal, in writing, within ten school days of receiving notice of denial, to the Superintendent.