

School Fees

2021 May Newsletter



Statistical Report:

Utah Code Ann. 53G-7-503(5) requires that each LEA that charges fees, must submit the total count of fees into curricular, co-curricular, and extracurricular categories to the state board by July 1, 2021. In addition, the requirement includes a count of "students who pay each fee." This coming Friday, each Superintendent will receive an email link to a Qualtrics report to submit the required data. The report will be open from **May 14th to June 15th**.

After June 15th, the School Fees team will work with all LEAs that were unable to submit the information. All data must be received no later than **July 1, 2021**.

Website Updates:

Updated Documents

- McKinney-Vento eligibility has been added to the following forms per R277-616 and will be posted to the website by May 20th:
 - Fee Waiver Applications - All translations
 - Includes Income eligibility update for SY2022
 - School Fees Parent FAQ Translations

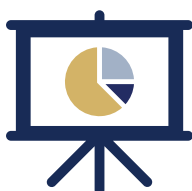
New Documents

- Statistical Report Data Definitions - provides details regarding the data to be submitted for the July 1st report.

Trainings

- 2021 Spring Training - Video and PDF

Documents can be viewed at:
www.schools.utah.gov/schoolfees



Upcoming:

SY 2021-2022:

- Oct. - Certificate of Compliance
Changes to the statistical data reported in July will be accepted at this time.
- July - UAC R277-113-8 takes affect:
*"(1) Each LEA shall:
(f) beginning with the fiscal year that begins on July 1, 2021, accrue school fees and fee waivers and use contra-revenue accounts to record fee waivers in the LEA's accounting system."*

SY 2022-2023:

- July - UCA 53G-7-503(3)(a) takes affect:
"Beginning with or after the 2022-2023 school year, if an LEA imposes a fee, the fee shall be equal to or less than the expense incurred by the LEA in providing for a student the activity, course, or program for which the LEA imposes the fee." (Extended deadline per 2021 S.B. 178)
- July - UCA 53G-7-602(3)(a) takes affect:
*"Beginning with the 2022-23 school year, an LEA:
(i) except as provided in Subsection (3)(a)(ii), may not sell textbooks or otherwise charge a fee for textbooks or the maintenance cost of school equipment; and (ii) may only charge a fee for a textbook required for an Advanced Placement or, as described in Section 53E-10-302, a concurrent enrollment course.*



Training Focus:

DONATIONS

R277-407-7:

(1) (a) A school may not request or accept a donation in lieu of a fee from a student or parent unless the activity, class, or program for which the donation is solicited will otherwise be fully funded by the LEA and receipt of the donation will not affect participation by an individual student.

(b) A donation is a fee if a student or parent is required to make the donation as a condition to the student's participation in an activity, class, or program.

(c) An LEA may solicit and accept a donation or contribution in accordance with the LEA's policies, but all such requests must clearly state that donations and contributions by a student or parent are voluntary.

(2) If an LEA solicits donations, the LEA:

(a) shall solicit and handle donations in accordance with policies established by the LEA; and

(b) may not place any undue burden on a student or family in relation to a donation.

(3) An LEA may raise money to offset the cost to the LEA attributed to fee waivers granted to students through the LEA's foundation.

(4) An LEA shall direct donations provided to the LEA through the LEA's foundation in accordance with the LEA's policies governing the foundation.

The USBE does not give legal advice to LEAs, schools, or donors. Each LEA must contact their legal counsel to ensure they are complying with existing federal (IRS) and state tax regulations regarding donations and fundraising.

An LEA or school should consider:

- The donor's expectation or restriction on a donation when distributing any fundraising proceeds.
- Donation proceeds, where the LEA or school gave the donor "written documentation" of the donation for the purpose of claiming an individual tax or business deduction, may not be distributed back to the donor. The donated funds may not be used by anyone that has a relationship with the donor.

School Fees Team:



Technical Assistance/Compliance Call Line:

- As we near the end of the school year, the number of concerns from parents received by the School Fees call line has increased. Please remember that no student can be denied a diploma or have transcripts withheld for unpaid fees. R277-407-6(10)(a).

Advisory Committee:

- The School Fees Advisory Committee has begun meeting again to discuss LEA practices, upcoming requirements, and LEA concerns. We appreciate all those who have participated. Individuals can submit topics or concerns they wish to be discussed to the school fees email at: schoolfees@schools.utah.gov.

Resources:

- We appreciate all efforts made by LEAs to ensure compliance. Resources and FAQs can be found on our website at: schools.utah.gov/schoolfees.

