

School Fees Statewide Training

March 25, 2022

ADA Compliant 4/21/2022

UTAH STATE BOARD OF EDUCATION



Objectives of Training

- Transition of School Fees Team to Fiscal Operations
- School Year 2022 -2023 Phased in Requirements
- LEA Monitoring Visits
 - What are the reoccurring findings?



School Fees Transition

Fiscal Monitoring Team in Financial Operations on 4/1/22

Tamy will be available after this training occasionally to consult as needed

Same School Fees Email and Phone

Barbie Faust has transferred to the Fiscal Monitoring team

Scott Crapo is new to the Fiscal Monitoring team

Final Phased In Changes

- No Textbook Fees
- Allowable Fee Amounts



Textbooks

Utah Code Annotated (UCA) 53G-7-602(3)

- (a) 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 costs 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.
- (b) The LEA shall waive a fee described in Subsection (3)(a)(ii) in full or in part if a student qualifies for a waiver in accordance with Section 53G-7-504.

UCA 53G-7-601(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.



Instructional Supply

53G-7-601 Definitions

(3)

(a) “**Instructional supply**” means a consumable or non-reusable supply that is necessary for a student to use as part of an activity, course, or program in a secondary school.

(b) “Instructional supply” includes:

(i) prescriptive footwear;

(ii) brushes or other art supplies, including clay, paint, or art canvas;

(iii) wood for wood shop;

(iv) Legos for Lego robotics;

(v) film; or

(vi) filament used for 3D printing.

Instructional Equipment

53G-7-601 (2) Definitions

(a) **“Instructional equipment”** means an activity-related, course-related, or program-related tool or instrument that:

- (i) is required for a student to use as part of an activity, course, or program in a secondary school;
- (ii) typically becomes the property of the student upon exiting the activity, course, or program; and
- (iii) is subject to a fee waiver.

(b) **“Instructional equipment”** includes:

- (i) shears or styling tools;
- (ii) a band instrument;
- (iii) a camera;
- (iv) a stethoscope; or
- (v) sports equipment, including a bat, mitt, or tennis racquet.

(c) **“Instructional equipment”** does not include school equipment.





School Equipment

R277-407-2(18) Means a durable school-owned machine, equipment, or tool used by a student as part of an activity, course, or program in a secondary school.



School Equipment includes a saw or 3D printer



Are the following Textbooks?

Extra-curricular

- Football play books or software
- A required team building book for all Rugby players to read
- Robotic specs/diagrams

Co-Curricular

- Sheet Music
- Spotify Subscription
- Play Scripts

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

School Fees Equal or Less than Expense Incurred

UCA 53G-7-503(3)

- (a) 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.
- (b) An LEA may not impose an additional fee or increase a fee to **supplant** or **subsidize** another fee.

School Fees Funding Uses

Student fees begin with the student as the basis and fees are paid per student as an identifiable individual transaction. Therefore, the costs funded by school fees should also be limited to the individual student participation.



Funding Uses - *continued*

Throughout the school fees regulations in Utah Code Annotated (UCA) 53G-7 Part 5 and R277-407 school fees are designated as singular (i.e., “a student” and “an activity”).

LEA Monitoring



WHY

Scheduled Review

Annual Risk Score >5

Hotline Call

Monitoring Review

- Review Schedule based on Enrollment
 - >10,000 review cycle 5 years
 - <10,000 review cycle 10 years



Monitoring Review

- Annual Risk Score >5
 - Higher than average Cost per Student
 - Percentage of eligible students not participating in waivers
 - Calls from parents
 - Certificate of Compliance
 - Board Chair and Superintendent/Director
 - Principals



Monitoring Review

- Hotline Complaints



WHAT

Fee Schedule and Spend Plan

Policies

Parent Notifications

Administration of School Fees

Fees at Elementary School

Accounting of School Fees

Training

Corrective Action

- Required by Law
 - UAC R277-407-16; R277-114;
 - UCA 53G-7-503(4)(a)



School Fees

Corrective Action Plan

CAP #	2022-0009
Date Issued	3/15/2022
Response Due Date	4/29/2022

LEA #		LEA Name	
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Areas of Non-Compliance				Corrective Actions Steps		
#	Category	Compliance Criteria	Detail of Non-Compliance	Proposed Actions to Remedy Non-Compliance	Corrective action to be completed by this date	LEA Concur (initial below)
1	Approval and notice of student fees and waivers	53G-7-505 (3)(a)(i)-(iv)	Fee schedule missing required components: spend plan for each fee and per student annual fee maximum. Spend plan shall include a list or discription of the anticipated types of expenditures.	<p><u>Establish</u> and <u>approve</u> fee schedule.</p> <p>All fees must be included on the fee schedule, including fees for after school programs.</p> <p>Each fee must list the maximum amount.</p> <p>Each fee must include a spend plan.</p> <p>See R277-407-6 and 53G-7-505 for details</p> <p>Documentation needed -copy of approved fee schedule.</p>		
2	LEA Requirements to Establish a Fee Schedule – Maximum Fee Amounts – Notice to Parents	R277-407-6 (9)(a)	<p>Fee waiver policy missing required components: procedures for obtaining a fee waiver and for appealing an LEA’s denial of a fee waiver.</p> <p>No fees may be charged for grades K-6, except for fees after regular school day. All fees are subject to fee waivers.</p>	<p>Establish and approve a school fee policy that include procedures for obtaining a fee waiver, eligibility categories, and procedures for appealing an LEA's denial of a fee waiver.</p> <p>See R277-407-6 for details</p> <p>Documentation needed - copy of approved school fee policies</p>		

Finalized CAP - 45 Days Response Deadline

- Superintendent or Charter Director
- LEA Board Chair
- Charter School Authorizer
- USBE Finance Chair



Fine vs Fee

A **fine** is NOT a fee, if it is one of the exceptions:

- Failing to return school property
- Losing, wasting, or damaging private or school property through intentional, careless, or irresponsible behavior,
- Improper use of school property, including a parking violation

A **fee** means something of monetary value, requested or required by an LEA, which includes fines such as:

- truancy;
 - tardies;
 - class changes;
 - fines or penalties designed to influence a student's behavior.
- Fee = < Expense incurred

Cash Management Policies

R277-407-5(3) 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;

UCA 51-4-2(2)(a) Each officer shall deposit all public funds daily, if practicable, but no later than once every three banking days.

UCA 51-4-2(3)(b) Each officer shall deposit all money the officer collects into an account **controlled** by the political subdivision's treasurer.

Thank you

Barbie Faust

and

Scott Crapo

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