

DaVinci Academy of Science and the Arts

Policy Number: 105.5

Policy Section: 100- ADMINISTRATION

POLICY TITLE: SCHOOL FEES

RevisionHistory

Effective Date	ActionDate	Revised
14 May 2014	RevisedPolicy	April 2019

## School Fee Policy

Effective Date: May 2014

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**A. Purpose**

The purpose of a Fee Schedule and a Fee Waiver is to provide educational opportunities for all students. This allows the school to establish a reasonable system of fees, while prohibiting practices that would exclude those unable to pay from participation in school sponsored activities. We must abide by the State Board of Education rules which direct the Board of Education to implement a policy regarding student fees. The rule is authorized under Article X, Sections 2 and 3 of the Utah Constitution which vests general control and supervision of the public education system in the State Board of Education and provides that elementary and secondary schools shall be free except that fees may be imposed in secondary schools as authorized by the Legislature. State Law also allows schools to establish money collection and handling procedures.

**B. Policy:**

Under the direction of the Board of Directors, the principal is authorized to administer this policy and to do so fairly, objectively, without delay, avoiding stigma and unreasonable burdens on students or parents/ guardians.

**C. Classes and Activities during the Regular School Day:**

No fee may be charged in kindergarten through sixth grades for materials, textbooks, supplies, or for any class or activity, including assemblies and field trips.

Textbook fees will be charged in grades seven through twelve. If a class is established or approved which requires payment of fees or purchase of materials, tickets to events, etc., in order for students to participate fully and to have the opportunity to acquire all skills and knowledge required for full credit and highest grades, the class shall be subject to the fee waiver provisions of Utah Administrative Code R277-407-6.

Students of all grade levels may be required to provide materials for their optional projects, but a student may not be required to select an optional project as a condition for enrolling in or completing a course. Project-related courses must be based upon projects and experiences that are free to all students.

Student supplies must be provided for elementary students. Secondary students may be required to provide their own student supplies.

Elementary and secondary students may be required to replace supplies provided by the school which are lost, wasted or damaged by the student through careless or irresponsible behavior in which a fee waiver will not be applicable for such damages.

**School Activities Outside of the Regular School Day:**

Fees may be charged, subject to the Board approved fee schedule, in connection with any school-sponsored activity which does not take place during the regular school day, regardless of the age or grade level of the student, if participation is voluntary and does not affect a student's grade or ability to participate fully in any course taught during the regular school day.

**Activities not sponsored by or supported by DaVinci Academy:**

1. Out-of-state travel to qualifying competitions
2. Summer camps

These excluded activities are not funded by the school because of the following reasons:

1. **NOT** Part of an employee's work assignment or could **NOT** lead a reasonable person to conclude it is part of an employee's work assignment
2. **NOT** Explicitly or implicitly required as a condition of a higher grade, completion of, or full participation in a class or activity
3. **NOT** Actively encouraged by school employee or could **NOT** lead a reasonable person to conclude that outside regular school hours activity is actively encouraged by school employee or sponsor.

This means that DaVinci teams that qualify for out-of-state competitions are voluntary. Students and parents can decide how to participate in these activities. DaVinci Academy does not supervise or coordinate any of the travel details for these types of activities.

**D. General Provisions:**

No fee may be charged or assessed in connection with any class or school-sponsored or supported activity, including extracurricular activities, unless the fee has been set and approved by the Board of Directors and distributed in an approved fee schedule.

Fee schedules and policies for the School shall be adopted at least once each year when the Board of Directors adopts its annual budget in a regularly scheduled public meeting of the Board. Each month, the Board of Directors will review any school program in which new fees need to be addressed and either approve or disapprove.

Principals shall ensure that written copies of the School Fee Schedule and Waiver Policy are included with all registration materials provided to potential or continuing students.

School procedures for obtaining the waivers and for appealing a denial of a waiver shall be provided as soon as possible prior to the time the fees become due.

No present or former student may be denied receipt of unofficial transcripts or diplomas for failure to pay school fees.

1. A reasonable charge may be made to cover the cost of duplicating or mailing transcripts and other school records.
2. No charge may be made for duplicating or mailing copies of school records to an elementary or secondary school in which the student is enrolled or intends to enroll.

In accordance with Utah Code Ann. § 53G-8-2(212), any school whose property has been lost or willfully cut, defaced, or otherwise injured may withhold the issuance of official written grade reports, diploma, and transcripts of the student responsible for the damage or loss until the student or the student's parent or guardian has paid for the damages.

1. Students shall be given notice and an opportunity to pay fines prior to withholding issuance of official written grade reports, diplomas, and transcripts.
2. If the student and the student's parent or guardian are unable to pay for damages or if it is determined by the school in consultation with the student's parents that the student's interests would not be served if the parents were to pay for the damages then the school may provide for a program of voluntary work for the student in lieu of the payment.
3. A general breakage fee levied against all students in a class or school is not permitted. A student may not be excluded from school or withhold unofficial transcripts to obtain payment of school fees or fines.

Donations or contributions may be solicited and accepted, but all such requests must clearly state that donations and contributions are voluntary. A donation is a fee if a student must make a donation in order to participate in an activity. No student may be excluded from an activity or program because they did not make a donation.

In the collection of school fees, the school must comply with statutes and State Tax Commission rules regarding the collection of state sales tax.

#### **E. Waivers:**

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, the school will provide for adequate waivers or other provisions in lieu of fee waivers.

The procedure will include the following:

1. The principal will administer the policy and grant waivers.
2. The process for obtaining waivers or pursuing alternatives shall be administered fairly, objectively, and without delay, and avoid stigma and unreasonable burdens on students and parents.
3. The Principal will inform patrons of the process for obtaining waivers.
4. Students who are granted waivers or provisions in lieu of fee waivers shall not be treated differently from other students or identified to persons who do not need to know of the waiver.
5. Fee waivers or other provisions in lieu of fee waivers are to be available to any eligible student.

#### **F. Eligibility for fee waivers:**

1. Inability to pay is presumed for students who are:
  2. In state custody or foster care, or
  3. Receiving public assistance in the form of Aid to Families with Dependent Children, or Supplemental Security Income (SSI), or
    - a. Are eligible for free school lunch (if applicable).
4. CASE BY CASE DETERMINATIONS are to be made for those who do not qualify under one of the foregoing standards but who, because of extenuating circumstances such as, but not limited

to, exceptional financial burdens such as loss or substantial reduction of income or extraordinary medical expenses, are not reasonably capable of paying the fee.

5. In accordance with Utah State Code §53G-7-5(504), a parent or guardian of a student applying for a fee waiver is to provide documentation and certification of eligibility including income tax returns or current pay stubs.
6. If a student is eligible for waivers, all fees must be waived. Community service in lieu of a fee waiver is permitted except textbook fees and is preferred by DaVinci Academy.
7. If a parent or guardian of an eligible student asks to pay fees in installments' instead of having all or part of the fees waived, an alternative method of payment can be arranged for everything but textbook fees.
8. Denial of eligibility for a waiver may be appealed in writing to the school principal within ten (10) school days of receiving notice of denial.
  - a. The school shall contact the parent within two (2) weeks after receiving the appeal and schedule a meeting with the school principal to discuss the parent's concerns.
  - b. If, after meeting with the school principal, the waiver is still denied the parent may appeal, in writing, within ten (10) school days of receiving notice of denial to the Board of Directors.
9. Any requirement that a student pay a fee will be suspended during any period in which the student's eligibility for waiver is being determined or during the time a denial of waiver is being appealed.

#### **G. Provisions in Lieu of Waivers:**

1. Principal may consider waiver eligible students to perform a work assignment or public service as payment-in-kind in lieu of a fee waiver. Work or service alternatives must be administered according to the following guidelines:
  - a. The student given work alternatives should not be treated differently from other students or identified to persons who do not need to know.
  - b. The work should be appropriate to the age, abilities, and situation of the student and should not create an unreasonable burden on the student or parents.
  - c. The work should be a fair exchange of time for the value of fees to be waived.
2. Parents are to be given the opportunity to review proposed alternatives to fee waivers.
3. Items Eligible for Fee Waivers
  - a. Any charge, deposit, rental, or other mandatory payment for required student participation in any class, program, or activity; provided, sponsored, or supported by the School, are fees requiring approval of the Board, and are subject to the fee waivers requirement.
4. Items Not Subject to School Waivers
  - a. The requirements of fee waiver and availability of other provisions in lieu of fee waiver do not apply to charges assessed pursuant to a student's damaging or losing school property. The school shall pursue reasonable methods for obtaining payment for such charges, including withholding official grade reports, diplomas, and transcripts as indicated in this policy.

Charges for yearbooks, picture books, and similar articles not required for participation in a class or activity are not fees and are not subject to the waiver requirements. All post-secondary expenses, class rings, yearbooks, school pictures, and similar items are not applicable to a fee waiver.

Student supplies for secondary students are not subject to waivers as long as the item is something which is commonly found in students' homes regardless of wealth.

If a student must repeat a course or requires remediation to advance or graduate and a fee is associated with the course or the remediation program, it is presumed that the student will pay the fee.

## H. Fee Waiver Reporting Requirements:

1. The principal will provide the following information to the Management Company of the annual S-3 statistical report:
  - a. A summary of the number of students in the School given fee waivers, the number of students who worked in lieu of a waiver, and the total dollar value of student fees waived by the School; A copy of the School's fee and fee waiver policies;
  - b. A copy of the School's fee schedule for students; and The notice of fee waiver criteria provided by the School to a student's parent or guardian.

## I. Refunds:

All secondary students who withdraw from school shall be refunded all unused fees apportioned by the number of days attended.

## J. SCHOOL FEE COLLECTIONS AND ACCOUNTING PROCEDURES

### 1. School Collections:

#### a. Responsibility of the Principal

- (1) It is the duty and responsibility of the school principal to ensure that all student fees collected are in compliance with the authorized fee schedule and financial procedures as
  - (2) approved by the Board of Directors. These fees are to be received and deposited in a timely manner.

#### b. Monies Shall be Collected by Authorized Personnel Only

- (1) All monies for fees, lockers, student supplies, optional projects, picture books, year books, clinics, etc. are to be collected following this policy and school guidelines using authorized staff only.
- (2) All money collected is to be deposited in the bank by the close of the day or otherwise if approved by the Board.
- (3) No money is to be collected by unauthorized staff, teachers, teaching assistants, or coaches unless authorized by the principal.

## References:

Article X § 2-3, Utah State Constitution

Utah Code Ann. § 53G-7 part 5

Utah Code Ann. § 53G-8 part 2 sec 212

Utah Code Ann. § 53G-7 part 6

Utah Administrative Code R277-407

Utah Administrative Code R277-713-6

Permanent Injunction from Doe v. USBE, 1994

State Policy on student fees, deposits, or other charges; Waiver of fees; Notice of student fees and waivers.  
Rules for School Fees

Defacing or injuring school property, Student's liability; Voluntary work program alternative  
Provides for state policy on providing textbooks  
Student Tuition, Fees and Credit for  
Concurrent Enrollment Programs  
Community service and fundraising explanations