



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: J - Students
POLICY TITLE: Collection of Delinquent Student Fees
FILE NO.: JNA
DATED: April 12, 2017

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1. PURPOSE AND PHILOSOPHY

- 1.1. Certain programs and services offered by the District are possible only through fees paid by parents of students participating in such programs or receiving such services. Fees may be imposed only in accordance with Utah law and Nebo School District Policy #JN, *Elementary and Secondary Student Fees*.
- 1.2. The success of these programs and services depends on parents paying the associated fees. The District strives to provide students with these opportunities despite the inability of some parents to pay. Parents struggling with the financial burden of student fees may apply for fee waivers as outlined in Policy #JN, and those who qualify may receive assistance. Yet despite these options, many fees remain unpaid. This policy is adopted to minimize the amount of unpaid fees and to establish procedures for collecting them. The policy aims to ensure that employees, students, and parents have a shared understanding of the expectations for payment and collection of fees.

2. DEFINITIONS

- 2.1. **Collection Efforts:** Using a collecting agency or other means to collect delinquent fees.
- 2.2. **Delinquent:** A student fee account that shows a balance owed.
- 2.3. **Fee:** A fee is any charge, deposit, rental, or other mandatory payment, however designated, whether in the form of money or goods. Admission fees, transportation charges, and similar payments to third parties are fees if the charges are made in connection with an activity or function sponsored by or through a school. For purposes of this policy, charges related to the National School Lunch Program are not fees. In addition, costs associated with optional purchases such as school photos or yearbooks and other costs specifically designated in Nebo School District Policy #JN, *Elementary and Secondary Student Fees*, as well as the replacement of lost or damaged items, are not fees.
- 2.4. **Non-Sufficient Funds (NSF):** The status of a bank account upon which is drawn a check when the check cannot be honored because insufficient funds are available in the account. An NSF check is also commonly known as a bad check or a bounced check.
- 2.5. **Parent:** A student's parent, legal guardian, or person acting as the parent for school purposes.

3. STUDENT PARTICIPATION AND PAYMENT OF STUDENT FEES

- 3.1. Student fees must be received and receipted in accordance with Nebo School District Policy #DJA, *Accounting Procedures*.
- 3.2. Students and parents may pay fees using cash, check, credit card, or an online system, in accordance with Nebo School District Policy #JN, *Elementary and Secondary Student Fees*, and Nebo School District Policy #DJA, *Accounting Procedures*. A school may require cash if it has reason to believe a check may be returned NSF or a credit card payment may be cancelled.
- 3.3. A student who qualifies and has been approved for a fee waiver under Nebo School District Policy #JN, *Elementary and Secondary Student Fees*, may participate in a program or activity without paying the fee, as described in Policy #JN. The restrictions in Subsection 3.5 do not apply to a student eligible for a fee waiver.
- 3.4. On rare occasions a principal may determine that a student's circumstances warrant an exception to the requirement that fees be paid before a student may participate. On such occasions the student or his/her family must be undergoing a hardship not covered by the fee waiver provisions of Nebo School District Policy #JN that prevents the fee from being paid before participation. The hardship exception does not waive the fee unless the principal explicitly waives it under Policy #JN. The restrictions in Subsection 3.5 do not apply if the principal has granted a hardship exception.
- 3.5. Except as otherwise provided in this policy, a student may not be allowed to participate in practices, rehearsals, competitions, or performances of a program or activity for which a fee is charged under Nebo School District Policy #JN, *Elementary and Secondary Student Fees*, until the fee for that program or activity is paid in full.
 - 3.5.1. A student may register for school, attend class, and receive textbooks even if the registration and textbook fees have not first been paid. Schools may use collection efforts to collect unpaid registration and textbook fees.
 - 3.5.2. Except for student travel, a school administration may allow a student to participate in an activity or program before the full fee for that program or activity is paid, but only if the following conditions are met:
 - 3.5.2.1. Part of the fee, in an amount set by the school, has been paid;
 - 3.5.2.2. The student's parent has signed a written payment plan, set by the school, specifying the date by which the entire fee will be paid; and
 - 3.5.2.3. The school has reason to believe the fee will be paid in accordance with the plan.
 - 3.5.3. Except as provided under Subsections 3.3 and 3.4, a student may not travel under Nebo School District Policy #IICA, *Student Educational Travel*, until the fees for the travel have been paid in full. Nonrefundable expenses such as hotels, airline tickets, and admissions tickets may not be purchased for a student whose travel fees have not been paid in full.

4. COLLECTION PROCEDURES FOR DELINQUENT STUDENT FEES

- 4.1. As described in Section 3 above, and consistent with the exceptions listed therein, a student fee is due at or before the time of a student's participation in a program or activity, before tickets are purchased for student travel, and before a student receives any goods for which the fee is charged. If a student participates or receives items before a fee is paid, the fee becomes delinquent as soon as the student participates or receives any items for which a fee is charged. A school may engage in collection efforts to recover a delinquent fee.
- 4.2. Before a school can engage in collection efforts, the school must ensure the parent has been provided a fee waiver application. The school must document the date and manner in which it was provided. Consistent with Nebo School District Policy #JN, *Elementary and Secondary Student Fees*, a school may require alternatives to fee waivers or provide other opportunities for students to complete community service or participate in fundraisers under Nebo School District Policy #KAC, *School Fundraising Activities*, to pay delinquent fees.

- 4.3.** When a student fee becomes delinquent, the school shall employ the following minimal procedures to collect the debt. A school shall document each of the procedures it completes.
- 4.3.1.** Provide written notice to the parent of the fee amount, what the fee was charged for, the date the fee was due, and a new date by which the fee must be paid before the school engages in further attempts to collect.
 - 4.3.2.** If the fee is not paid by the date specified in the notice provided under Subsection 4.3.1, the school shall provide a second written notice repeating the information from the first notice, inviting the parent to make a partial payment and enter into a payment plan by a specified date, and outlining the consequences listed in Section 6 below.
 - 4.3.3.** If the fee is not paid or a payment plan is not entered into by the date specified in the notice provided under Subsection 4.3.2, the school shall provide a third written notice repeating the information found in the second notice and notifying the parent of the school's intent to engage in collection efforts by a specified date if the fee is not paid or a payment plan is not entered into.
 - 4.3.4.** If the fee is not paid or a payment plan is not entered into by the date specified in Subsection 4.3.3, the school principal or an assistant principal may proceed with collection efforts. Collection efforts include assigning the debt to a collection agency with which the District has contracted or proceeding with a civil action in court to collect the delinquent fees. The principal or an assistant principal will send written notice to the parents notifying them of the assignment or intent to file a civil action.
- 4.4.** If a student with a delinquent fee changes schools, the receiving school is not responsible for the debt nor is it required to attempt to collect the debt.

5. NSF CHECKS

Utah law provides specific notice requirements and collection procedures after receipt of an NSF check. Therefore, a school may notify the Legal Department immediately upon receiving an NSF check. In addition, a person who knowingly issues a bad check may be guilty of a crime. The Legal Department may notify law enforcement if it has reason to believe a person has knowingly issued to a school or the District an NSF check.

6. CONSEQUENCES OF DELINQUENT FEES

Schools may deny certain privileges to students who have delinquent fees. A student with delinquent fees may be denied the opportunity to participate in graduation ceremonies, attend reward activities, receive an activity card, receive a yearbook early, or participate in the extracurricular activity for which the fee is charged.

EXHIBITS

None

REFERENCES

Nebo School District Policy #DJA, *Accounting Procedures*.
Nebo School District Policy #ICA, *Student Educational Travel*.
Nebo School District Policy #JN, *Elementary and Secondary Student Fees*.
Nebo School District Policy #KAC, *School Fundraising Activities*.

FORMS

None
