



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: J - Students
POLICY TITLE: Collection of Delinquent Student Debt
FILE NO.: JNA
DATED: March 13, 2024

TABLE OF CONTENTS

1. PURPOSE AND PHILOSOPHY
 2. DEFINITIONS
 3. STUDENT PARTICIPATION AND PAYMENT OF STUDENT FEES
 4. COLLECTION PROCEDURES FOR DELINQUENT STUDENT DEBT
 5. NSF CHECKS
 6. CONSEQUENCES OF DELINQUENT DEBT
-

1. PURPOSE AND PHILOSOPHY

- 1.1. Student participation in District programs may require payment of fees and other charges. Under various District policies, student debts typically arise under three categories: student fees, nonwaivable charges, and the cost of food under the School Lunch Program. When these amounts are not paid, the debt becomes delinquent. This policy primarily covers collection of student fees. As applicable, the procedures described herein for collecting delinquent student fees also apply to the collection of delinquent nonwaivable charges. Procedures for the collection of delinquent student meal debt are described in [Nebo School District Policy EF, *Child Nutrition Programs*](#).
- 1.2. 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, *Student Fees*](#).
- 1.3. 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, as do lunch debts and nonwaivable charges. This policy is adopted to minimize the amount of unpaid debt owed to the District and to establish procedures for collecting delinquent debts. The policy aims to ensure that employees, students, and parents have a shared understanding of the expectations for payment and collection of debts.

2. DEFINITIONS

- 2.1. **Collection Efforts:** Using a collection agency or other means to collect delinquent debts.
- 2.2. **Delinquent:** A student debt that shows a balance owed beyond its due date.
- 2.3. **Fee:** A fee, as defined in [Nebo School District Policy JN, *Student Fees*](#), is any charge, expense, deposit, rental, or payment, regardless of how it is termed, described, requested, or required, in the form of money, goods, or services, that is a condition to a student's full participation in an activity, course, or program that is provided, sponsored, or supported by the District or its schools.

- 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. **Nonwaivable Charge:** In this policy, a nonwaivable charge is used as defined in [Nebo School District Policy JN, Student Fees](#).
- 2.6. **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, 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, 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, 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 fees have not first been paid. Schools may use collection efforts to collect unpaid registration fees.
 - 3.5.2. Except for student travel, a school administrator 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 paragraphs 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 DEBT

- 4.1. As described in Section 3 above, and consistent with the exceptions listed therein, payment 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 payment is

required. If a student participates or receives items before payment is made, the charge becomes delinquent as soon as the student participates or receives any items for which payment is required. A school may engage in collection efforts to recover a delinquent debt.

- 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, 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 debt becomes delinquent, the school shall employ the following minimal procedures to collect it. A school shall document each of the procedures it completes.
 - 4.3.1. Provide written notice to the parent of the amount, what the debt was charged for, the date payment was due, and a new date by which payment must be made before the school engages in further attempts to collect.
 - 4.3.2. If the amount is not paid by the date specified in the notice provided under paragraph 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 debt is not paid or a payment plan is not entered into by the date specified in the notice provided under paragraph 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 debt is not paid or a payment plan is not entered into.
 - 4.3.4. If the debt is not paid or a payment plan is not entered into by the date specified in paragraph 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 debt. 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 debt 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 should 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 DEBT

Schools may deny certain privileges to students who have delinquent debt. A student with delinquent debt 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 payment is required.

EXHIBITS

None

REFERENCES

[Nebo School District Policy DJA, Accounting Procedures](#).
[Nebo School District Policy EF, Child Nutrition Programs](#)

[Nebo School District Policy IICA, *Student Educational Travel*.](#)
[Nebo School District Policy JN, *Student Fees*.](#)
[Nebo School District Policy KAC, *School Fundraising Activities*.](#)

FORMS

None

HISTORY

Revised 13 March 2024 – broadened purpose and philosophy to include nonwaivable charges; updated definitions; made technical changes.

Adopted 12 April 2017
