

CHAPTER 18
SCHOOL FEES

PREAMBLE

Equal access to course offerings and related activities enables schools to meet the needs and interests of all students; challenge the abilities of all students consistent with their individual stages of development; and contribute to the physical, mental, athletic, civic, social, moral and emotional growth of all students. It is the intent of the department of education that all students be treated equally, regardless of the student's or the student's parent's financial status. The department considers it essential that procedures be adopted which preserve the integrity and self-esteem of any student and the student's family who apply for a waiver.

281—18.1(256) Policy. It is the policy of the department of education that no Iowa student enrolled in a public school be excluded from participation in or denied the benefits of course offerings and related activities due to the student's or the student's parent's or guardian's financial inability to pay a fee associated with the class, program, or activity.

281—18.2(256) Fee policy. The board of directors of a public school shall adopt a policy regarding the charging and collecting of fees for course offerings and related activities, and for transportation provided to resident students who are not entitled to transportation under Iowa Code section 285.1. The policy established by the board of directors shall apply to any fees charged. The board shall require that procedures be developed to implement the policy pursuant to these rules.

281—18.3(256) Eligibility for waiver, partial waiver or temporary waiver of student fees. The policy required by rule 18.2(256) shall include provisions for granting a waiver, partial waiver, or temporary waiver of student fees upon application by the student.

18.3(1) Waivers. At minimum, the policy shall include the following provisions relating to eligibility for the waivers:

a. Waiver. A student shall be granted a waiver of all fees covered by this chapter if the student or the student's family meets the financial eligibility criteria for free meals offered under the Child Nutrition Program, or the Family Investment Program (FIP), or transportation assistance under open enrollment provided under 281—subrule 17.9(3), or if the student is in foster care.

b. Partial waiver. A school district shall grant a student either a waiver of all student fees or a partial waiver of student fees if the student or the student's family meets the financial eligibility criteria for reduced price meals offered under the Child Nutrition Program. A partial waiver shall be based on a sliding scale related to an ability to pay.

c. Temporary waiver. At the discretion of the school district, a student may be granted a temporary waiver of a fee or fees in the event of a temporary financial difficulty in the student's immediate family. A temporary waiver may be applied for and granted at any time during a school year. The maximum length of a temporary waiver shall be one year.

d. Fees waived not collectable. The policy shall include a provision stating that when an application for any fee waiver is granted, the fee or fees waived under the application are not collectable.

e. Distribution of policy and applications. The procedures on charging fees, a written notice of fees charged to each student, the waiver and reduction policy and procedures including income guidelines, and the application for waiver shall be distributed to all registrants for school at the time of registration or enrollment. For students or families whose primary language is other than English, the school shall provide a copy of the materials in the student's native language or arrange for translation of the materials within a reasonable time.

f. Annual application. The request for a fee waiver shall be made on application forms provided by the department of education. An application can be received at any time but shall be renewed at the beginning of the school year.

18.3(2) Applications. The procedures shall include a description of the confidential application process for the waiver and shall provide that a written decision be issued to the applicant within a reasonable time. If the application is denied, the decision shall include the reason for the denial.

18.3(3) Appeals. The procedures shall include a provision for a confidential review of any denial by a person or persons designated by the board of directors upon request and the manner in which an appeal may be taken. If the decision on review is again to deny the application, the decision maker shall notify the applicant in writing that the applicant may appeal the denial to the director of the department of education by filing a notarized statement within 30 days of the applicant's receipt of the final decision of the district.

281—18.4(256) Fees covered. Fines assessed for damage or loss to school property are not fees and need not be waived.

Nothing in this chapter shall be construed to authorize the charging of a fee for which there is no authority in law.

281—18.5(256) Effective date. These rules are effective for the 1996-97 school year, and school years thereafter.

These rules are intended to implement Iowa Code section 256.7(20).

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