

**School Fees Amendments**  
2025 GENERAL SESSION  
STATE OF UTAH

**Chief Sponsor: Mark A. Strong**

Senate Sponsor:

---

**LONG TITLE**

**General Description:**

This bill amends provisions related to school fees.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires a local education agency (LEA) to:
  - ensure that a student has at least one option at the student's school to complete all required courses and credits without paying a fee or a waiver; and
  - clearly disclose any fee related to a course or activity in the description of the course or activity in the LEA's registration materials;
- prohibits an LEA from:
  - charging a student a fee for certain non-fee courses; or
  - charging or increasing a fee to a student to supplement or supplant a fee the LEA is prohibited from charging;
- allows an LEA to charge a student a fee for certain expenses, under certain circumstances, including for:
  - expenses beyond the common delivery of instruction;
  - extracurricular activities;
  - a discretionary project; and
  - other additional expenses;
- repeals duplicative language regarding fees for textbooks; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

31 AMENDS:

32 **53G-7-501**, as last amended by Laws of Utah 2024, Chapters 20, 497

33 **53G-7-502**, as last amended by Laws of Utah 2024, Chapter 497

34 **53G-7-505**, as last amended by Laws of Utah 2019, Chapters 223, 293

35 REPEALS AND REENACTS:

36 **53G-7-503**, as last amended by Laws of Utah 2024, Chapter 497

37 REPEALS:

38 **53G-7-506**, as renumbered and amended by Laws of Utah 2024, Chapter 497

39

40 *Be it enacted by the Legislature of the state of Utah:*

41 Section 1. Section **53G-7-501** is amended to read:

42 **53G-7-501 . Definitions.**

43 As used in this part:

44 [(1) "Co-curricular activity" means an activity, a course, or a program that:]

45 [(a) is an extension of a curricular activity;]

46 [(b) is included in an instructional plan and supervised or conducted by a teacher or  
47 education professional;]

48 [(c) is conducted outside of regular school hours;]

49 [(d) is provided, sponsored, or supported by an LEA; and]

50 [(e) includes a required regular school day activity, course, or program.]

51 (1)(a) "Common education expense" means an expense an LEA incurs that is related to  
52 the delivery of instruction for all courses, unrelated to a specific course, program, or  
53 activity.

54 (b) "Common education expense" includes the employment of educators and staff, the  
55 provision of capital facilities, and operation and maintenance costs.

56 (2)(a) [~~"Curricular activity"~~] "Course" means an activity, a course, or a program that an  
57 LEA:

58 [(a)] (i) [~~is intended~~] intends to deliver instruction;

59 [(b)] (ii) [~~is provided, sponsored, or supported by an LEA~~] provides, sponsors, or  
60 supports; and

61 [(c)] (iii) [~~is conducted only~~] conducts primarily during school hours.

62 (b) "Course" includes a course in which a student is required to enroll as a condition of  
63 participation in a separate extracurricular activity.

64 (3) "Discretionary project" means a project that a student completes in lieu of or in addition

65 to a required classroom project in accordance with Section 53G-7-503.

66 [(3)] (4) "Elementary school" means a school that provides instruction to students in grades  
67 kindergarten, 1, 2, 3, 4, 5, or 6.

68 [(4)] (5)(a) "Elementary school student" means a student enrolled in an elementary  
69 school.

70 (b) "Elementary school student" does not include a secondary school student.

71 [(5)] (6)(a) "Extracurricular activity" means an activity~~[-a course,]~~ or a program that~~[-is]:~~

72 [(i) not directly related to delivering required instruction;]

73 [(ii) (i) is not a [curricular activity or co-curricular activity] course; and

74 (ii) an LEA provides, sponsors, or supports.

75 [(iii) ~~provided, sponsored, or supported by an LEA.~~]

76 (b) "Extracurricular activity" does not include a noncurricular club as defined in Section  
77 53G-7-701.

78 [(6)] (7)(a) "Fee" means a charge, expense, deposit, rental, or payment:

79 (i) regardless of how an LEA terms, describes, requests, or requires the charge,  
80 expense, deposit, rental, or payment~~[-is termed, described, requested, or required]~~ ,  
81 directly or indirectly;

82 (ii) in the form of money, goods, or services; and

83 (iii) that is a condition to a student's full participation in or admission to an activity,  
84 course, or program that~~[- is provided, sponsored, or supported by]~~ an LEA  
85 provides, sponsors, or supports.

86 (b) "Fee" includes:

87 [(i) ~~charges or expenditures for a school field trip or activity trip, including related~~  
88 ~~transportation, food, lodging, and admission charges;~~]

89 [(ii) (i) payments [made-]to a third party that provides a part of a school activity,  
90 class, or program; and

91 [(iii) ~~charges or expenditures for classroom instructional equipment or supplies;~~]

92 [(iv) ~~charges or expenditures for school activity clothing; and]~~

93 [(v) (ii) a fine other than a fine described in Subsection [(6)(e)(i)] (7)(c)(i).

94 (c) "Fee" does not include:

95 (i) a student fine [specifically approved by an LEA] that an LEA approves for:

96 (A) failing to return school property;

97 (B) losing, wasting, or damaging private or school property through intentional,  
98 careless, or irresponsible behavior, ~~[or]~~ including defacing or damaging school

- 99                    property as described in Section 53G-8-212; or
- 100                    (C) improper use of school property, including a parking violation;
- 101                    (ii) a payment for school breakfast or lunch;
- 102                    (iii) a deposit that[is]:
- 103                    (A) is a pledge securing the return of school property; and
- 104                    (B) [refunded] the LEA or school refunds upon the return of the school property;
- 105                    (iv) a charge for insurance, unless the insurance is required for a student to participate
- 106                    in an activity, course, or program; or
- 107                    (v) money or another item of monetary value [raised by] that a student or the student's
- 108                    family raises through fundraising.
- 109 (8) "Fee course" means a course that is not a non-fee course.
- 110 [~~(7)~~] (9)(a) "Fundraising" means an activity or event [provided, sponsored, or supported
- 111 by an LEA that] that:
- 112                    (i) an LEA provides, sponsors, or supports; and
- 113                    (ii) uses students to generate funds or raise money to:
- 114                    [(i)] (A) provide financial support to a school or a school's class, group, team, or
- 115                    program; or
- 116                    [(ii)] (B) benefit a particular charity or for other charitable purposes.
- 117                    (b) "Fundraising" does not include an alternative method of raising revenue without
- 118                    students.
- 119 [~~(8)~~] (10)(a) "Instructional equipment[or supplies]" means an activity-, course-, or
- 120 program-related [supply or]tool that:
- 121                    (i) a student is required to use as part of an activity, course, or program in a
- 122                    secondary school; and
- 123                    (ii) becomes the property of the student upon exiting the activity, course, or program[;
- 124                    and] .
- 125                    [(iii) is subject to a fee waiver.]
- 126                    (b) "Instructional equipment[or supplies]" does not include:
- 127                    (i) school equipment[-] ;
- 128                    (ii) an instructional supply; or
- 129                    (iii) a personal student supply for a secondary student.
- 130 (11)(a) "Instructional supply" means a non-reusable or a consumable material or supply
- 131 that is necessary to use, expend, or deplete as a component or element of an activity,
- 132 course, or program in a secondary school.

- 133 (b) "Instructional supply" does not include a personal student supply for a secondary  
 134 student.
- 135 (12) "Non-fee course" means a course that results in course credit or a course grade within  
 136 the core standards the state board establishes under Section 53E-4-202 and other  
 137 statutory requirements for:
- 138 (a) English language arts;  
 139 (b) health education;  
 140 (c) mathematics;  
 141 (d) science; and  
 142 (e) social studies.
- 143 (13)(a) "Personal student supply" means, for a secondary student, an object, tool,  
 144 material, or supply that:
- 145 (i) is the personal property of the student;  
 146 (ii) regardless of the use of the supply in the instructional process, individuals not  
 147 enrolled in the course or activity also commonly purchase and use; and  
 148 (iii) has a high probability of regular use in activities other than school-sponsored  
 149 activities.
- 150 (b) "Personal student supply" includes pencils, papers, notebooks, crayons, scissors, and  
 151 basic clothing.
- 152 [(9)] (14)(a) "School activity clothing" means special shoes or items of clothing that:  
 153 (i) [(A) ~~that~~] meet specific requirements, including requesting a specific brand,  
 154 fabric, or imprint;  
 155 [(B)] (ii) [~~that~~] a school requires a student to provide and to wear for an activity-,  
 156 course-, or program-related activity; and  
 157 [(C)] (iii)(A) [~~that~~] the student rents while participating in the activity; or  
 158 (B) become the property of the student upon exiting the activity, course, or  
 159 program[; and] .
- 160 [(ii) ~~that are required to be worn by a student for an activity-, course-, or a~~  
 161 ~~program-related activity-]~~
- 162 (b) "School activity clothing" does not include:
- 163 (i) a school uniform; or  
 164 (ii) clothing that is commonly found in students' homes.
- 165 [(10)] (15) "School equipment" means a machine, equipment, facility, or tool that:  
 166 (a) is durable;

- 167 (b) is reusable;
- 168 ~~[(e) is consumable;]~~
- 169 ~~[(d)]~~ (c) ~~[is owned by a secondary school]~~ a secondary school owns; and
- 170 ~~[(e)]~~ (d) a student uses as part of an activity, course, or program in a secondary school.
- 171 ~~[(11)]~~ (16)(a) "School uniform" means special shoes or an item of clothing that:
- 172 (i)(A) ~~[that]~~ meet specific requirements, including a requested specific color,
- 173 style, fabric, or imprint; and
- 174 (B) ~~[that]~~ a school requires a student to provide and wear during school attendance;
- 175 and
- 176 (ii) ~~[that is worn by a student for a curricular activity]~~ are the property of the student.
- 177 (b) "School uniform" does not include school activity clothing.
- 178 ~~[(12)]~~ (17) "Secondary school" means a school that provides instruction to students in
- 179 grades 7, 8, 9, 10, 11, or 12.
- 180 ~~[(13)]~~ (18) "Secondary school student":
- 181 (a) means a student enrolled in a secondary school; and
- 182 (b) includes a student in grade 6 if the student attends a secondary school.
- 183 ~~[(14)]~~ (19)(a) "Textbook" means instructional material necessary for participation in an
- 184 activity, course, or program, regardless of the format of the material.
- 185 (b) "Textbook" includes:
- 186 (i) a hardcopy book or printed pages of instructional material, including a
- 187 consumable workbook; or
- 188 (ii) computer hardware, software, or digital content.
- 189 (c) "Textbook" does not include school equipment, instructional equipment, or
- 190 instructional supplies.
- 191 ~~[(15)]~~ (20) "Waiver" means a full release from:
- 192 (a) a requirement to pay a fee; and ~~[from]~~
- 193 (b) any provision in lieu of fee payment.
- 194 Section 2. Section **53G-7-502** is amended to read:
- 195 **53G-7-502 . Schools to be free.**
- 196 (1) Except as otherwise provided in this public education code, and in accordance with
- 197 Utah Constitution, Article X, Section 2, the public education system shall be free to an
- 198 individual:
- 199 ~~[(1)]~~ (a) between five and 18 years old who is a resident; and
- 200 ~~[(2)]~~ (b) over 18 years old who is domiciled in the state of Utah and has not completed

201 requirements for a high school diploma.

202 (2)(a) Beginning for the 2026-2027 school year, each LEA shall ensure that a student  
 203 has at the student's school, at least one option for each course, credit, or other  
 204 graduation requirement that:

205 (i) fulfills the course, credit, or other graduation requirement; and

206 (ii) does not require the payment or waiver of any fee.

207 (b) Nothing in this Subsection (2) requires an LEA or a school to provide, without a fee  
 208 or fee waiver:

209 (i) a specific activity, course, or program; or

210 (ii) the student's preferred activity, course, or program.

211 Section 3. Section **53G-7-503** is repealed and reenacted to read:

212 **53G-7-503 . Fees -- Prohibitions -- Voluntary supplies -- Enforcement -- Penalties.**

213 (1) An LEA may only charge a fee that:

214 (a) this part authorizes;

215 (b) the LEA governing board notices and authorizes in accordance with Section  
 216 53G-7-505;

217 (c) is for a service or good that has a direct benefit to the student paying the fee so as to  
 218 not be general in nature;

219 (d) is directly related to the expense the LEA incurs for providing a student the relevant  
 220 activity, course, or program rather than being general in nature;

221 (e) is equal to or less than the expense described in Subsection (1)(d); and

222 (f) does not supplant or subsidize a fee the LEA is prohibited from charging, including  
 223 the normal expense of delivering instruction in a course.

224 (2) Beginning with the 2025-2026 school year, an LEA:

225 (a) may not charge a secondary student a fee for:

226 (i) an expense related to a non-fee course, except for a discretionary project;

227 (ii) except as provided in Subsection (2)(b)(ii), a textbook;

228 (iii) school equipment;

229 (iv) instructional supplies; or

230 (v) a common education expense;

231 (b) subject to Subsections (1) and (2)(a), may charge a secondary student a fee for:

232 (i) relating to a non-fee course or a fee course, for:

233 (A) instructional equipment;

234 (B) a school field trip or activity trip or performance, including related

- 235 transportation, food, lodging, and admission charges or participation fees;  
 236 (C) school activity clothing; or  
 237 (D) discretionary project as described in Subsection (3);  
 238 (ii) an expense related to a course, activity, or program that is a fee course, including:  
 239 (A) instructional supplies;  
 240 (B) a musical instrument rental;  
 241 (C) licensing fees for fine arts intellectual property;  
 242 (D) participating in a driver education course described in Section 53G-10-503; or  
 243 (E) competency remediation programs in accordance with Section 53G-9-803;  
 244 (iii) an expense related to the following post-secondary-related courses, including  
 245 tuition, college credit, an exam, or a textbook, as described in Section 53G-7-506:  
 246 (A) an Advanced Placement course;  
 247 (B) an International Baccalaureate course; or  
 248 (C) a concurrent enrollment course, as described in Section 53E-10-302;  
 249 (iv) an extracurricular activity, including the life-cycle replacement costs for school  
 250 equipment directly related to the extracurricular activity;  
 251 (v) open enrollment application processing in accordance with Section 53G-6-402;  
 252 (vi) charter school application processing in accordance with Section 53G-6-503; and  
 253 (c) may charge a secondary student or an individual a fee for an adult education course  
 254 in accordance with Section 53E-10-202.
- 255 (3) For project-related courses:  
 256 (a) a secondary student may request to complete a discretionary project in lieu of a  
 257 required course activity or project if the discretionary project demonstrates the  
 258 intended core competencies of the required course activity or project;  
 259 (b) nothing prohibits a student from completing a discretionary project in addition to a  
 260 required classroom project;  
 261 (c) an LEA may require a student at any grade level to provide materials or pay an  
 262 additional fee for a discretionary project or a project in which the student engages in  
 263 addition to a required classroom project; and  
 264 (d) nothing in this section entitles a student to an approval of the student's request  
 265 described in Subsection (3)(a).
- 266 (4)(a) An LEA may not require a fee for:  
 267 (i) elementary school activities that are part of the regular school day; or  
 268 (ii) for supplies a student uses during the regular elementary school day.



- 269 (b) An elementary school or elementary school teacher:
- 270 (i) may compile and provide to an elementary school student's parent a suggested list
- 271 of supplies for use during the regular school day so that a parent may furnish, only
- 272 on a voluntary basis, the listed supplies for student use; and
- 273 (ii) shall ensure that the list described in Subsection (4)(b)(i) includes the following
- 274 language before identifying the supplies:
- 275 "NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE
- 276 REGULAR SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A
- 277 VOLUNTARY BASIS, OTHERWISE, THEY WILL BE FURNISHED BY THE
- 278 SCHOOL."
- 279 (5)(a) Notwithstanding Section 53E-3-401, if the state board finds that an LEA has
- 280 violated a provision of this part, the state board shall impose corrective action against
- 281 the LEA, including:
- 282 (i) requiring an LEA to repay fee the LEA improperly charged;
- 283 (ii) withholding state funds; or
- 284 (iii) suspending the LEA's authority to charge fees for an amount of time the state
- 285 board specifies.
- 286 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 287 state board shall make rules:
- 288 (i) that require notice and an opportunity to be heard for an LEA affected by a state
- 289 board action described in this Subsection (5); and
- 290 (ii) to administer this Subsection (5).
- 291 Section 4. Section **53G-7-505** is amended to read:
- 292 **53G-7-505 . Approval and notice of student fees and waivers.**
- 293 (1) An LEA governing board shall annually:
- 294 (a) adopt fee policies and a fee schedule; and
- 295 (b) provide the fee schedule to each student and parent.
- 296 (2) For the fee schedule, the LEA governing board shall:
- 297 (a) before approving the fee schedule, provide at least two opportunities for the public to
- 298 comment on the proposed fee schedule;
- 299 (b) encourage public participation in the development of the fee schedule; and
- 300 (c) approve the fee schedule in a regularly scheduled public meeting.
- 301 (3)(a) The fee schedule shall include the following:
- 302 (i) a specific amount for each fee on the fee schedule;

- 303 (ii) if a student is responsible for multiple fees related to one activity, class, or  
304 program, a clear and easy to understand delineation of each fee and the fee total  
305 for each activity, class, or program;
- 306 (iii) the LEA's fee waiver policy, including an easily understandable statement  
307 informing a parent that a student:
- 308 (A) may be eligible to have one or more fees waived; and  
309 (B) may appeal the LEA's decision if the LEA denies a request for a fee waiver;  
310 and
- 311 (iv) a corresponding spending plan for each fee.
- 312 (b) The LEA shall:
- 313 (i) publish the fee schedule on each of the LEA's school's websites; and  
314 (ii) ~~[include a copy of the LEA's fee schedule with]~~ clearly identify any fee for each  
315 activity, course, or program alongside the description of the activity, course, or  
316 program in the LEA's registration materials.

317 **Section 5. Repealer.**

318 This bill repeals:

319 Section **53G-7-506, State policy on providing free textbooks.**

320 **Section 6. Effective Date.**

321 This bill takes effect:

- 322 (1) except as provided in Subsection (2), May 7, 2025; or  
323 (2) if approved by two-thirds of all members elected to each house:
- 324 (a) upon approval by the governor;  
325 (b) without the governor's signature, the day following the constitutional time limit of  
326 Utah Constitution, Article VII, Section 8; or  
327 (c) in the case of a veto, the date of veto override.