

**LOMPOC UNIFIED SCHOOL DISTRICT**  
**Protest and Appeal Process for Commercial/Industrial School Fees**

Pursuant to Education Code section 17621(e)(2), the following protest and appeal process is made available to a party against whom commercial/industrial school impact fees are imposed:

1. Within 30 calendar days after the payment of the commercial/industrial fees pursuant to Education Code section 17620(a)(1)(A), a party shall fill a written protest with the District's Superintendent regarding the imposition of commercial/industrial school fees. The written protest shall be served by personal delivery or certified or registered mail addressed to the Superintendent at the District office: Lompoc Unified School District, 1301 North A Street, Lompoc, CA 93436. Payment of the commercial/industrial fees imposed must be tendered in full prior to or at the time the written protest is served.

2. The written protest shall contain all of the following in accordance with Education Code section 17621(e)(2) and Government Code section 66020(a)(1) & (2):

(a) A statement that the required payment is tendered;

(b) A statement informing the governing body of the factual elements of the dispute and the legal theory forming the basis of the protest; and

(c) The grounds for the protest, which include, but are not limited to, the inaccuracy of including the project within the category pursuant to which the commercial/industrial school fees are to be imposed, or that the employee generation or student generation factors utilized under the applicable category are inaccurate as applied to the project.

3. The District's Superintendent, or designee, shall render a written decision within thirty (30) calendar days following receipt of the written protest and deliver it to the appealing party by certified or registered mail to the last known address of the party.

4. The party against whom the commercial/industrial school fees are imposed may appeal the Superintendent's decision to the Board. Any appeal to the Board must be filed within ten (10) calendar days of receipt of the Superintendent's written decision.

5. The party appealing the Superintendent's decision to the Board shall state the grounds for opposing the decision. The written appeal shall be served by personal delivery or certified or registered mail addressed to the President of the Board at the District office: Lompoc Unified School District, 1301 North A Street, Lompoc, CA 93436.

6. Within ten (10) calendar days of receipt of the written appeal of the Superintendent's decision to the Board regarding the imposition of commercial/industrial fees, the Board Secretary or designee shall give notice in writing of the date, place, and time of the hearing before the Board to the appealing party. The Board shall notice and conduct said hearing at a regular or special meeting of the Board no later than sixty (60) days following receipt of the written appeal, provided that the appealing party is given notice at least five (5) calendar days prior to the meeting of the Board. The Board shall render a written decision on the appeal within ten (10) calendar days following the Board's hearing on the party's appeal, and serve the Board's decision by certified or registered mail on the appealing party.

7. A party who has timely filed a written protest and appeal has 180 days from the date of imposition of the commercial/industrial fees to commence a legal action.

8. The party appealing the imposition of the commercial/industrial school fees shall bear the burden of establishing that the commercial/industrial school fees are improper.

Timely completion of this protest and appeal process is required to exhaust a party's administrative remedies.