

COLTON JOINT UNIFIED SCHOOL DISTRICT

Facilities Department

APPEALS PROCESS FOR COLTON JOINT UNIFIED SCHOOL DISTRICT FEES ON DEVELOPMENT PROJECTS IMPOSED PURSUANT TO GOVERNMENT CODE § 65995 AND EDUCATION CODE § 17620

This appeals process is established pursuant to California Education Code § 17621(e)(2) and applicable law for parties subject to developer fees who wish to appeal the applicability and/or amount of the imposed fees. This appeals process provides a structured and fair approach for parties to appeal the amount of developer fees, with specific timelines, clear responsibilities, and formal steps for review.

Step 1: Initial Request for Hearing

1. **Deadline for Filing:** Parties must submit a written request for a hearing within ten (10) working days of receiving written notice of the fee imposition. The request must include the party's current contact information, including a valid mailing address, phone number and email address.
2. **Content of Request:** The request must clearly outline the grounds on which the party is challenging the fees, including the following information:
 - a. A statement informing the District of the factual elements of the dispute and the legal theory forming the basis for the protest;
 - b. Provide or describe any and all writings and things¹, the appellant believes are necessary for the District to review and consider in order to formulate and provide a well-founded decision; and
 - c. A list of all potential witnesses the appellant intends to support their appeal at the hearing.
3. **Submission:** The request must be sent to the District Superintendent via certified or registered mail at the following address:

Attn: District Superintendent
RE: Developer Fee Appeal
1212 Valencia Drive
Colton, CA 92324

Step 2: District Response and Scheduling of Hearing

1. **Notice of Hearing:** Within ten (10) working days of receiving the hearing request, the Superintendent (or a designated representative) will notify the party in writing of the date, time, and location of the hearing.

¹ Writings are defined as handwriting, typewriting, printing, photo-stating, photographing, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

2. **Hearing Timeline:** The District must schedule and hold the hearing within thirty (30) calendar days of receiving the request.

Step 3: Hearing and Superintendent's Decision

1. **Conducting the Hearing:** The Superintendent or designee will conduct the hearing, allowing the appealing party to present their case and any relevant evidence including all documents and witnesses.
2. **Burden of Proof/Responsibility:** The burden of proving that the developer fees are improper rests with the appealing party throughout the process.
3. **Issuance of Decision:** Within ten (10) working days after the hearing, the Superintendent (or designee) will provide a written decision.
4. **Delivery of Decision:** The written decision will be sent to the party via certified or registered mail to the address listed in the appeal request. If no address is provided, the written decision will be sent via certified or registered mail to the party's last known address.
