

# MODESTO CITY SCHOOLS

## Board Policy

**BP 7211**

### FACILITIES

#### Developer Fees

In order to finance the construction or reconstruction of school facilities needed to accommodate students coming from new development, the Governing Board may establish, levy and collect developer fees on residential, commercial and industrial construction within the district, subject to restrictions specified by law and administrative regulation.

#### Appeals Process for Protests by Developers

The Superintendent or designee shall establish an appeals process for the handling of protests by developers. (Education Code 17621)

#### Legal Reference:

##### EDUCATION CODE

*17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998*

*17582 District deferred maintenance fund*

*17620-17626 Levies against development projects by school districts*

##### GOVERNMENT CODE

*6061 One time notice*

*6066 Two weeks' notice*

*65352.2 Level 2 funding notification requirement*

*65864-65869.5 Development agreements*

*65995-65998 Payment of fees against a development project*

*66000-66008 Fees for development projects*

*66016-66018.5 Development project fees*

*66020-66025 Protests and audits*

##### CODE OF REGULATIONS, TITLE 2

*1859-1859.106 School facility program*

##### COURT DECISIONS

*Dolan v. City of Tigard (1994) 114 S.Ct. 2309*

##### Management Resources:

##### WEB SITES

*Department of General Services, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>*

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ADOPTED: