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FCC Mail Room

**Request for Review**

To: Marlene H. Dortch, Secretary

Federal Communications Commission

Office of the Secretary

445 12th Street, SW - Washington, DC 20554

CC Docket 02-6

From: Rabbi Asher Yemini

GAN CHABAD

1536 S ROBERTSON BLVD - LOS ANGELES, CA 90035

**RE:** 471 Application 797494

DOCKET FILE COPY CORRECT

To Whom It May Concern

We are appealing the SLD decision to deny funding for FRNs 2158503, 2158509, 2158513 & 2158698.

In the Funding Commitment Decision Letter dated 1/31/2012 it states for **"DR1: Applicant has not provided sufficient documentation needed to determine the eligibility of the following item(s): Entity validation for GanChabad BEN 16062033,**

We are appealing this decision because we are a licensed pre-school in the State of California. A copy of the license is included. We are also listed on The California Department of Education web site. A copy of that print out is included.

Thanks for your consideration.

Asher Yemini, Director

rabbiasher@gmail.com

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## California School Directory

### School: Gan Chabad

County	Los Angeles
Located within the boundaries of this public school district	Los Angeles Unified
School	Gan Chabad
CDS Code	19 64733 6143705
Low Grade	K
High Grade	1
School Email	<a href="mailto:ganchabadschoolla@sbcglobal.net">ganchabadschoolla@sbcglobal.net</a>
Phone Number	(310) 859-1758
NCES/Federal School ID	
School Address	1520 South Robertson Blvd. Los Angeles, CA 90035 <a href="#">Yahoo Map</a>
Mailing Address	1520 South Robertson Blvd. Los Angeles, CA 90035
Administrator(s)	Fay Yemini Administrator
Status	Active
School Type	Elementary School (Private)

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Only private schools with six or more students that filed a private school affidavit appear in this listing.

**NOTE: INCLUSION OF PRIVATE SCHOOLS IN THIS DIRECTORY SHOULD NOT BE INTERPRETED AS AN ENDORSEMENT OR CERTIFICATION OF ANY SORT BY ANY STATE ENTITY OR AGENCY (excluding nonpublic, nonsectarian schools (NPS) that are certified by the California Department of Education to provide special education services to public education students).**

For private school information and instructions on submitting updates, please visit the [Private School Affidavit Web page](#). For general inquiries, please send an e-mail to [privateschools@cde.ca.gov](mailto:privateschools@cde.ca.gov).

Go to the [Private Schools](#) web page for downloadable private school data.

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Questions: Educational Demographics Office | [cdsadmin@cde.ca.gov](mailto:cdsadmin@cde.ca.gov) | 916-327-4014





*State of California*  
*Department of Social Services*

Facility Number: 197410026  
Effective Date: 07/31/03

Total Capacity: 40

In accordance with applicable provisions of the Health and Safety Code of California, and its rules and regulations, the Department of Social Services, hereby issues

*this License to*  
**CHABAD ISRAELI CENTER**

to operate and maintain a CHILD CARE CENTER

*Name of Facility*

GAN CHABAD PRESCHOOL  
1536 S. ROBERTSON BLVD.  
LOS ANGELES, CA 90035

This License is not transferable and is granted solely upon the following:  
FACILITY SERVE (28) PRESCHOOL CHILDREN AGE 3 THROUGH 5 YEARS OLD,  
AND (12) TODDLERS AGE 18 MONTHS THROUGH 30 MONTHS.

Client Groups Served: Children

Complaints regarding services provided in this facility should be directed to:  
L.A. CHILD CARE NORTH WEST D.O. 310-337-4333

DAVE DODDS

Deputy Director,  
Community Care Licensing Division

*Jennifer [Signature]* 8/28/03  
Authorized Representative  
of Licensing Agency



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2011-2012**

July 20, 2012

Asher Yemini  
Gan Chabad  
1536 S. Robertson Blvd.  
Los Angeles, CA 90035

Re: Applicant Name: GAN CHABAD  
Billed Entity Number: 16062033  
Form 471 Application Number: 797494  
Funding Request Number(s): 2158503, 2158509, 2158513, 2158698  
Your Correspondence Dated: March 26, 2012

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2158503, 2158509, 2158513, 2158698  
Decision on Appeal: **Partially Approved, Funding Denied**  
Explanation:

- Your appeal has been partially approved. However, your funding is denied because you have not been able to verify that the entity meets the statutory definition supported by the program rules.
- Whether an individual school, school district, or consortia of schools or school districts are eligible for discounts depends on whether the entity meets the statutory definitions as outlined below. The information provided indicates that the following ineligible entity was to receive products and/or services: Gan Chabad. Gan Chabad does not satisfy the statutory definitions as explained below. USAC has given you an opportunity to provide the appropriate additional documentation demonstrating your entity's eligibility and you failed to do so. Consequently, your appeal is denied.

- FCC rules provide that [o]nly schools meeting the statutory definitions of elementary school, as defined in 20 U.S.C. 7801(18), or secondary school, as defined in 20 U.S.C. 7801(38) . . . shall be eligible for discounts. *See* 47 C.F.R. sec. 54.501(a)(1). The FCC has defined a school as including individual schools, school districts, and consortia of schools and/or school districts. *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9002, FCC 97-157 para. 425, n.1087 (rel. May 8, 1997). 20 U.S.C. 7801(18) defines an elementary school as a nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law. 20 U.S.C. 7801(38) defines a secondary school as a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that such term does not include any education beyond grade 12. *See* 47 C.F.R. sec. 54.500(c) and (k). The FCC's Bootheel Consortium Order directed USAC to permit the applicant to revise its funding request to remove the services for ineligible entities or allow the applicant to provide additional documentation to show why the relevant entity is eligible within 15 calendar days from the date of receipt of notice in writing by USAC. *See* Requests for Review of Decisions of the Universal Service Administrator by Bootheel Consortium, Silver City, NM et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-309634, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8747, FCC 07-62 para. 10 (May 8, 2007).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company