

Daytop Village
of New Jersey, Inc.

James P. Curtin
President and CEO

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Daytop New Jersey Academy
Erin Carrabba
Principal - Mendham

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Founder

January 28, 2016

FCC Full Commission
Tom Wheeler, Chairman
Mignon Clyburn, Commissioner
Jessica Rosenworcel, Commissioner
Ajit Pai, Commissioner
Michael O'Reilly, Commissioner

Ref: Petition for Reconsideration
Appeal of FCC Denial
DA No. 15-1494 Release Date December 30, 2015

Dear Commissioners:

I am asking that the Full Commission rule on the denial of the original appeal made on behalf of Daytop Preparatory Academy-New Jersey (Daytop NJ). A review of the documentation shows that on February 11, 2011, I sent an email to Paetec stating that I had accepted their bid subject to review by E-rate. This occurred prior to Daytop NJ submitting its FCC Form 470. Unbeknownst to me, this was in violation of the Competitive Bidding 28-day Rule.

I accept full responsibility for this mistake. However, I ask that the Commission consider the following:

1. I was newly appointed to the position of CFO, Daytop NJ, four months previously and had not been involved in the E-rate process and did not know that there was a 28 day window for receiving bids before a vendor could be chosen. While I now realize that I should not have sent the letter of acceptance to the vendor, Paetec when I did, I unknowingly did so and was not trying to circumvent the rules of the program.
2. Daytop Village of NY, the parent of Daytop NJ, had previously handled all bidding, E-rate filings and FCC Form 470 submissions. There was no communication or training about the process when the E-rate bidding process was turned over to Daytop NJ. Mr. Michael Buonauro who handled the E-Rate at Daytop Village of NY and who understood the rules of the program, should have been the person to make the decision to choose a vendor and when to do so.



Commission on Accreditation of Rehabilitation Facilities

Executive Office	Women's Halfway House	Residential Centers/Schools		Outpatient Centers		
80 West Main Street Mendham, NJ 07945 (973) 543-0162	Crawford House 362 Sunset Road, P.O. Box 25 Skillman, NJ 08558 (908) 874-5153	80 West Main Street Mendham, NJ (973) 543-5656	9 Harding Highway (Route 40) Pittsgrove, NJ (856) 358-4111	6 Gauntt Pl. Bldg.#2 Hunterdon County Flemington, NJ 08822 (908) 806-5195	320 West Hanover Ave. Parsippany, NJ 07054 (973) 539-5624	399 North Main Street Manahawkin, NJ 08050 732-875-1090

3. Daytop NJ is a not for profit agency that provides residential substance use disorder and mental health treatment as well as 6 hours of school instruction daily to the adolescents we serve. Daytop NJ is the largest residential substance use disorder facility for boys and girls in the state of New Jersey providing treatment to those who cannot afford to pay. 100% of our current adolescent residential population is eligible for Medicaid coverage. The E-rate refunds we have received have allowed us to provide our students and their teachers, access to the internet to enhance their education and especially to engage our students who have special learning needs. Without this financial assistance we received from the E-rate program, it would have been impossible to provide this access to our students and teaching staff. If this appeal is denied and we are required to repay the funds we have received through the E-rate program, it will be a very serious financial hardship for our agency to bear. We would be forced to eliminate special education teaching positions thereby cutting back our educational programming. The results would be catastrophic to our students who need small class sizes, one-on-one tutoring and alternative learning strategies.

In conclusion, on behalf of Daytop NJ, I implore you to overturn the decision by USAC for the FRNs for the funding years 2011, 2012 and 2013.

Sincerely,



Laura Taverna, CFO
Daytop NJ