



9666 Olive Street Blvd., Suite 215
St. Louis, MO 63132
CRN: 16048902
(314) 282-3676 (o)
(314) 395-5882 (f)
www.erateprogram.com

February 25, 2016

Request to Increase %

CC Docket No. 02-6

**Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554**

To whom it may concern;

**Appellant Name: Cricky Cirillo, consultant for applicant.
Applicant: Long Island Lutheran Day School at St. Paul's
Applicant BEN #: 13043
Applicant Form 471 #: 1021581**

We filed for Long Island Lutheran Day School at St. Paul's BEN 13043 for their Category 1 and Category 2 services. They were approved at 40% for Category 2 but only 20% for Category 1. I filed an appeal with USAC and they denied it. We respectfully request that the FCC evaluate the filing for FRNs 2772218, 2772197 & 2772209 and the attached documents and allow the increased % for Long Island Lutheran Day School at St. Paul's Category 1 services.

Respectfully,

**Cricky Cirillo, for Richard Senturia, Consultant
Consulting Number 16048902
9666 Olive Blvd, Suite 215
Olivette, MO 63132
314-282-3675 direct line
314-395-5882 fax
cricky@erateprogram.com**



Administrator's Decision on Appeal – Funding Year 2015-2016

Increase from 20 - 40%

December 09, 2015

Cricky Cirillo
E-Rate Program LLC
9666 Olive Blvd, Suite 215
St. Louis, MO 63132

Re: Applicant Name: LONG ISLAND LUTHERAN DAY
SCHOOL AT ST. PAUL'S
Billed Entity Number: 13043
Form 471 Application Number: 1021581
Funding Request Number(s): 2772197, 2772209, 2772218
Your Correspondence Dated: October 15, 2015

After review of the information and documentation provided, 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 commitment decision for the FCC Form 471 Application Number and funding requests number(s) (FRN(s)) referenced above. This letter provides an explanation for USAC's decision. The date of this letter also begins the sixty (60) day time period for appealing this decision. If your Letter of Appeal included more than one FCC Form 471 Application Number, please note that you will receive a separate decision for each funding application.

Funding Request Number(s): 2772197, 2772209, 2772218
Decision on Appeal: **Denied**
Explanation:

- You indicated on your FCC Form 471 that your discount eligibility is 20% and upon appeal requested the discount eligibility be approved at 40%. The change requested was not implemented because your request for change was received after the associated FCC Form 471 1021581 was committed and as such could not be processed. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied.
- FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. For schools and school districts, the level of poverty is based on the percentage of the student enrollment that is eligible for a free or reduced price lunch under the National School Lunch Program (NSLP) or

a federally-approved alternative mechanism. Alternatively, the level of poverty is measured according to participation in Medicaid, Food Stamps, Supplementary Security Income (SSI), Federal Public Housing Assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9045, FCC 97-157 para. 510, n.1334 (rel. May 8, 1997). Schools and school districts that are participating in the NSLP community eligibility provision (CEP) will use the same approach for determining their E-rate discount rate as they use for determining their NSLP reimbursement rate. Specifically, schools utilizing the CEP shall calculate their student eligibility for free or reduced priced lunches by multiplying the percentage of directly certified students by the CEP national multiplier. *See* In the Matter of Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184, Report and Order and Further Notice of Proposed Rulemaking, FCC 14-99 para. 225 (rel. Jul. 23, 2014). School districts shall divide the total number of students eligible for the NSLP within the school district by the total number of students within the school district to arrive at a percentage of students eligible. Independent charter schools, private schools, and other eligible educational facilities should calculate a single discount percentage rate based on the total number of students under the control of the central administrative agency. *See* 47 C.F.R. sec. 54.505(b)(1). For libraries and library systems, the level of poverty is based on the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism in the public school district in which they are located. When a library system has branches or outlets in more than one public school district, that library system and all library outlets within that system should use the address of the central outlet or main administrative office to determine which school district the library system is in, and should use that school district's level of poverty to determine its discount rate. *See* 47 C.F.R. sec. 54.505(b)(2). Consortia members shall calculate their discounts by calculating a simple average of the applicable discounts of all consortia member school districts and libraries. *See* 47 C.F.R. sec. 54.505(b)(4). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether the entity is classified as rural or urban as determined by the most recent Bureau of the Census rural-urban classification. "Urban" designation if the entity is located in an urbanized area or urban cluster area with a population equal to or greater than 25,000, while all other entities shall be designated as "rural." Any school district that has a majority of schools in a rural area qualifies for the additional rural discount. *See* 47 C.F.R. sec. 54.505(b)(3)(i)-(ii).

- The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. *See* Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, Louisiana, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter

(RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections to its FCC Form 471. *See* Ministerial & Clerical Errors posted in the Reference Area of the SLD section of the USAC website. Per the FCC's directive, applicants should be allowed to amend their forms to correct clerical and ministerial errors until a Funding Commitment Decision Letter (FCDL) is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. *See* Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. *See* Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December 16, 2010). An applicant's request to remove entities from its application, when such removal would raise the average discount percentage for the relevant funding request above the funding threshold for that year, is not justifiable as a ministerial or clerical error. *See* Request for Waiver and Review of Decisions of the Universal Service Administrator by Alexander County School District, Taylorsville, North Carolina, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-827833 et al., CC Docket No. 02-6, Order, DA 13-1383 para. 2 (rel. June 14, 2013).

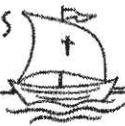
If you wish to appeal this decision, you may file an appeal pursuant to 47 C.F.R. Part 54, Subpart I. Detailed instructions for filing appeals are available at:
<http://www.usac.org/sl/about/program-integrity/appeals.aspx>.

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

Schools and Libraries Division
Universal Service Administrative Company



Long Island Lutheran Day School at St. Paul's



Sept 24, 2015

Dear USAC reviewer,

Our school had 98 students enrolled when we filed for 2015 E-Rates. Before filing our Form 471, we employed the services of TADS. Each application contained at least the following information.

Name of Family and first name of each Student
Size of Family
Income level of the family

The report contains the result of the completed applications, which identified 7 students from families whose income is below the E-Rate eligibility guidelines. Those 7 eligible students make up 7% of the students enrolled. This supports a discount rate of 40%.

We attach ONE completed application with personal data blackened out. We keep all completed and returned surveys on file for at least ten years.

"I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 9a, of Block 4 of the Form 471."

Respectfully,

Dr. Andrew P. Gove, Ed.D.
Head of School

APG/jel
ENC.

Financial Aid Office Long Island Lutheran Day School 100 Verrill Valley Road East Northport, NY 11731		Application Dates Application Received: 3/31/15 Request for More Information: YES Last Document Received from App: 5/29/15 Date of Last Change: 6/25/15 Date of this Report: 9/24/15		Quick Household Reference Number of Parents: 2 Number of Dependents: 2 Number of Tuition Schools: 2 Total NET Allowed Ed. Expense: \$12,920 Total Household Contribution Ed. (HCE): \$6,440	
Program Code: NY323560000 TADS ID (CHRON ID): [REDACTED]		Application Statuses Need for Administrator Review Form Quality: GOOD Special Circumstances: NONE		Household Financials - THIS SCHOOL No. of Dependents at your School: 2 Total Allowed Education Expenses: \$12,920 Projected HCE: \$6,440 TADS Calculated Need: \$6,480 Suggested Grant - Equal Need: \$0 Suggested Grant - Equal Ratio: \$0 Suggested Grant - Equal Stress: \$0	
Documentation Enclosed: 2014 FORM 1040, DEBIT DOCUMENTATION [REDACTED] Awards: Financial Aid Awarded [REDACTED] [REDACTED] 2014-15 Awards: Financial Aid Awarded [REDACTED]					

A. Heads of Household / Household Information

Parent / Guardian	Work Phone	Birth	Relationship to Dependents	Work Status
1. [REDACTED]	[REDACTED]	[REDACTED]	PARENT	EMPLOYED
2. [REDACTED]	[REDACTED]	[REDACTED]	PARENT	EMPLOYED

Address: [REDACTED] Phone Number: [REDACTED] Email: [REDACTED]

B. Schools

ID	Name	City	Tuition	Name	Birth	2015 Grade	2015 Schools	Ward of State	Boarding at School	Days in School
A 32356	LONG	EAST	\$0	1. [REDACTED]	[REDACTED]	[REDACTED]	A	NO	NO	5
				2. [REDACTED]	[REDACTED]	[REDACTED]	A	NO	NO	5

X = Public or Home School Z = Not in School

D. Detailed Dependent Need Information

Dep. #	---Tuition---		---Non-Tuition---		---Student---		--Contrib. From--		Net Allowed	-TADS Calculated- HCE	-TADS Calculated- Need	---Suggested Grants---		
	Actual	Allowed	Actual	Allowed	Earnings	Savings	Student	Others	Ed. Exp.			Equal Need	Equal Ratio	Equal Stress
1.	\$6,800	\$6,800	\$300	\$0	\$0	\$750	\$0	\$0	\$6,800	\$2,863	\$3,937			
2.	\$6,120	\$6,120	\$300	\$0	\$0	\$60	\$0	\$0	\$6,120	\$2,577	\$3,543			

E. Parent / Guardian Jobs

Employer	Employed	At Job	-----W-2 Income-----		Manual Calc.	Scenario Choice	Assigned Income
			Actual 2014	Est. 2015			
[REDACTED]	[REDACTED]	[REDACTED]	\$71,622	\$71,622	\$0	EST	\$71,622
[REDACTED]	[REDACTED]	[REDACTED]	\$55,645	\$55,645	\$0	EST	\$55,645

F. Business Income

Business Name	Operating	% Owned	Type	-----Actual 2014-----		2015 Est. Profit	Manual Calc.	Scenario Choice	Assigned Profit
				Depreciation	Net Profit				
1. [REDACTED]	YES	100	PROP	\$0	\$10,862	\$11,183	\$0	EST	\$11,183

C. Other Information from the Application Form

5. Income - Other Monthly

1. Welfare	\$0
2. Food Stamps	\$0
3. S.S. Parents/Guardians	\$0
4. S.S. Dependents	\$0
5. S.S. Elderly Dependents	\$0
6. Child Support	\$0
7. Alimony	\$0
8. Taxable Misc.	\$0
9. Non-taxable Misc.	\$0
10. Monthly Income Types:	NONE

6. Income - Other Yearly

1. Interest & Dividends	\$0
2. Worker's Comp - Actual	\$0
3. Worker's Comp - Estimated	\$0
4. Unemployment - Actual	\$0
5. Unemployment - Estimated	\$0
6. Lump Sum	\$0
7. Recurring Yearly	\$0
8. Yearly Income Types:	NONE

7. Expenses - Rent

1. Monthly Rent	\$0
2. Yearly Renters Insurance	\$0

8. Expenses - Home Energy

1. Electricity	\$1,169
2. Gas, Oil, Coal	\$1,156
3. Water & Sewage	\$325

9. Assets and Expenses - Home

1. Year of Purchase	2005
2. Purchase Price	\$335,000
3. Improvements / Additions	\$0
4. Current Market Value	\$285,680
5. Amount Owed	\$212,000
6. Monthly Mortgage Payment	\$1,614

9. Assets and Expenses - Home (Cont.)

7. Property Tax	\$0
8. Home Insurance	\$900
9. Dwelling Type	SINGLE-FAMILY
10. Rental Income	\$0
11. Rental Expense	\$0

10. Assets and Expenses - Other Real Estate

1. Number of Properties	0
2. Purchase Price (Total)	\$0
3. Improvements / Additions	\$0
4. Current Market Value	\$0
5. Amount Owed (Total)	\$0
6. Monthly Payments	\$0
7. Gross Income	\$0
8. Gross Expenses	\$0
9. Property Types:	NONE

11. Vehicle Insurance

1. Number of Vehicles Owned	3
2. Yearly Vehicle Insurance	\$3,600
3. Make of Primary Vehicle	Subaru
4. Make of Secondary Vehicle	Honda

13. Assets - Liquid

1. Checking, Savings, Cash	\$0
2. Stocks & Bonds	\$0

14.1 Assets - Retirement - IRA

1. Household Contribution	\$2,400
2. Employer Contribution	\$0
3. Current Total Value	\$0

14.2 Assets - Retirement - 401K

1. Household Contribution	\$2,420
2. Employer Contribution	\$0
3. Current Total Value	\$0

11/12. Assets - Automobiles/Recreational Vehicles

	Total Value	Total Debt	Equity
Vehicles	\$27,000	\$22,636	\$4,364
Recreational	\$0	\$0	\$0

15. Expenses / Debt - Medical

1. Total Payments	\$0
2. Total Debt	\$0
3. Ann. Insurance Premiums	\$0
4. Employer Pays Medical	SOME
5. Employer Pays Dental	SOME

16. Expenses - Allmony/Child Supp.

1. No. of Children Supported	0
2. Child Support - Actual	\$0
3. Child Support - Estimated	\$0
4. Alimony - Actual	\$0
5. Alimony - Estimated	\$0

17. Expenses - Day/Elderly Care

1. Total Payments - Actual	\$9,000
2. Total Payments - Estimated	\$15,000

18. Expenses - Charitable Contr.

1. Total Contributions	\$0
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19. Debt - Miscellaneous

1. Total Credit Card Debt	\$52,000
2. Total Loans Debt	\$0
3. Total Education Debt	\$0
4. Total Other Debt	\$0
Total Debt	\$52,000

20. Miscellaneous Household

1. Parent is Widowed	NO
2. Non-Custodial Parent	NO

21. Contributions to Education

1. By Heads of Household	\$6,000
2. By Non-Custodial Parent	\$0
3. By Other Relatives/Friends	\$0

III. Calculated Numbers

Assigned Ann. Household Income	Reported Ann. Deductions	Actual	Allowed	Applied Assets		
W-2 Earnings	\$127,267	2014 Housing Expense	\$25,775	\$25,775	Gross Assets	\$341,248
Business Profit	\$11,183	Assigned Ann. Daycare/Elderly Exp.	\$15,000	\$11,250	Net Assets	\$73,680
Other Taxable Income	\$0	Assigned Ann. Alimony & Child Supp.	\$0	\$0	Weighted Assets	\$14,736
Other Non-taxable Income	\$0	2014 Medical Expenses	\$0	\$0	Retirement Allowance	\$121,500
Earned Income Credit	\$0	2014 Charity Contributions	\$325	\$325	Net Weighted Assets	(\$106,764)
Value of Empl. Med/Dental	\$3,600	Total Annual Deductions	\$41,100	\$37,350	Applied Asset Factor	30%
Recaptured Income from Excessive		Calculated Annual Deductions			Total Applied Assets	\$0
Retirement Contribution	\$0	Annual General Maintenance Allowance		\$30,000	Household Adjusted Income (HAI)	
Business Entertainment	\$0	Annual Social Security Tax		\$11,318	Assigned-Recaptured Annual Income	\$142,050
Business Prop. Depreciation	\$0	Automatic Annual Med/Dental Insurance Ded.		\$8,000	Reported Annual Deductions Allowed	\$37,350
Business Asset Increment	\$0	Annual Income and Sales Tax		\$26,374	Calculated Annual Deductions	\$83,870
Total Assigned and	\$142,050	Annual Work Allowance		\$4,400	Applied Assets	\$0
Recaptured Ann. Income		Annual Allowed Interest/Payback on Debt		\$3,780	Household Adjusted Income (HAI)	\$20,830
		Total Calculated Annual Deduction		\$83,870	Household Contribution to Education	\$5,440