

WATERVLIET SCHOOL DISTRICT  
10TH AVE & 25TH STREET  
WATERVLIET, NY

DOCKET FILE COPY ORIGINAL

JULY 20, 2001

RECEIVED

JUL 23 2001

FCC MAIL ROOM

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
445 12TH STREET, SW  
ROOM TW-A325  
WASHINGTON, DC 20554

RE: ADMINISTRATOR'S DECISION ON APPEAL - FUNDING YEAR 2001-2002  
CC DOCKET NOS. 96-45/AND 97-21

DEAR SIR/MADAM:

PLEASE BE ADVISED THAT THE WATERVLIET CITY SCHOOL DISTRICT IS APPEALING THE ADMINISTRATOR'S DECISION ON OUR APPEAL OF THE REJECTION OF OUR FORM 471 APPLICATION. OUR ORIGINAL APPLICATION AND OUR APPEAL WERE BOTH REJECTED ON THE GROUNDS THAT BLOCK 6 OF FORM 471 WAS NOT SUBMITTED. IT IS OUR CONTENTION THAT SAID PAGE WAS SUBMITTED WITH OUR ORIGINAL APPLICATION IN A TIMELY MANNER.

AS NOTED IN OUR APPEAL WE ARE A SMALL CITY SCHOOL DISTRICT WITH A LARGE NUMBER OF DISADVANTAGED AND SPECIAL EDUCATION STUDENTS. APPROXIMATELY 70% OF OUR STUDENTS QUALIFY FOR FREE/REDUCED LUNCH. WE HAVE PARTICIPATED IN THE E-RATE FUNDING FOR THE PAST TWO YEARS AND SAID FUNDING IS VITAL TO PROVIDING THE BEST POSSIBLE EDUCATION FOR OUR STUDENTS.

ENCLOSED FOR YOUR INFORMATION/REVIEW PLEASE FIND THE FOLLOWING:

1. FUND YEAR 4 FORM 471 REJECTION LETTER DATED 3/22/01.
2. LETTER OF APPEAL FROM THE DISTRICT TECHNOLOGY CONSULTANT DATED 4/12/01.
3. LETTER OF APPEAL FROM MYSELF DATED 4/18/01.
4. ADMINISTRATOR'S DECISION ON APPEAL - FUNDING YEAR 2001-2002 DATED 6/26/01.

THANK YOU FOR YOUR ATTENTION AND CONSIDERATION OF THIS MATTER. IF ANY FURTHER INFORMATION IS NEEDED PLEASE CALL ME AT THE NUMBER LISTED BELOW.

SINCERELY,

*John P. Heid*

JOHN P. HEID  
BUSINESS MANAGER  
PHONE - 518-273-4713

No. of Copies rec'd 0  
List A B C D E

WATERVLIET SCHOOL DISTRICT  
10TH AVE & 25TH STREET  
WATERVLIET, NY

APRIL 18, 2001

LETTER OF APPEAL  
SCHOOLS AND LIBRARIES DIVISION  
BOX 125 - CORRESPONDENCE UNIT  
80 SOUTH JEFFERSON ROAD  
WHIPPANY, NJ 07981

RECEIVED

JUL 23 2001

FCC MAIL ROOM

RE: FUND YEAR 4 FORM 471 REJECTION LETTER

DEAR SIR/MADAM:

PURSUANT TO YOUR LETTER OF MARCH 22, 2001 PLEASE BE ADVISED THAT THE WATERVLIET SCHOOL DISTRICT STRONGLY DESIRES TO APPEAL THE REJECTION OF OUR FORM 471 APPLICATION. IN CONVERSATIONS WITH YOUR OFFICE WE HAVE BEEN ADVISED THAT PAGES # 5 + 6 WERE NOT INCLUDED IN OUR APPLICATION. IT IS OUR FIRM BELIEVE THAT SAID PAGES WERE SUBMITTED.

ENCLOSED HEREIN IS OUR FORM 471 APPLICATION AND A COPY OF THE REJECTION LETTER.

PLEASE NOTE THAT WE ARE A POOR SMALL CITY SCHOOL DISTRICT WITH A LARGE NUMBER OF DISADVANTAGED AND SPECIAL EDUCATION STUDENTS. THE E-RATE FUNDING IS A VITAL PART OF OUR PROVIDING THE BEST POSSIBLE EDUCATION TO THESE STUDENTS.

THANK YOU FOR YOUR ATTENTION TO THIS MATTER. IF ANY FURTHER INFORMATION IS NEEDED PLEASE CALL ME AT THE NUMBER LISTED BELOW.

SINCERELY,

JOHN P. HEID  
BUSINESS MANAGER  
PHONE - 518-273-4713  
FAX - 518-273-5312



**Administrator's Decision on Appeal - Funding Year 2001-2002**

June 26, 2001

John P. Heid  
Watervliet Public School District  
10<sup>th</sup> Avenue and 25<sup>th</sup> Street  
Waervliet, NY 12189

RECEIVED

JUL 23 2001

FCC MAIL ROOM

Re: Billed Entity Number: 124133  
471 Application Number: 275615  
Funding Request Number(s): 3 not assigned  
Your Correspondence Dated: April 18<sup>th</sup>, 2001

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 SLD's Year Four Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 30-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 for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 3 not assigned  
Decision on Appeal: **Denied in full**  
Explanation:

- Your appeal claims that all six Blocks of your Form 471 were submitted to the SLD. You would like the SLD to reconsider their decision to deny funding for this application.
- The program's minimum processing standards require that all six Blocks of the Form 471 be submitted in order for an application to be considered for funding. Program rules further require that a successfully completed Form 471 must be postmarked no later than January 18<sup>th</sup>, 2001 in order to be considered within the original window for Funding Year Four. After thorough review of your original submission it was determined that it did not include Block 6 of the Form 471. Since, your Form 471 failed to meet the minimum processing standards it was returned to you. Your appeal has failed to bring forward persuasive information that your original submission did include all six Blocks of the Form 471. The corrected Form 471 submitted with your

appeal was not postmarked prior to January 18<sup>th</sup>, 2001, and is therefore outside the original Funding Window. Consequently, your application will be not be considered for funding, and your appeal is denied in full.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12<sup>th</sup> Street, SW, Room TW-A325, Washington, DC 20554. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted on the website at <[www.universalservice.org](http://www.universalservice.org)>. **You must file your appeal with the FCC no later than 30 days from the date on this letter for your appeal to be filed in a timely fashion.**

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

Schools and Libraries Division  
Universal Service Administrative Company



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

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**Fund Year 4 FORM 471-REJECTION LETTER**

March 22, 2001

**JOHN HEID  
WATERVLIET PUBLIC SCHOOL DISTRICT  
10 TH AVE & 25TH STREET  
WATERVLIET, NY 12189-0000**

**Re: Applicant's Form Identifier: WATYEAR4  
Form 471 Application Number:**

Dear Applicant:

This letter is your notification that the entire FCC Form 471, *Services Ordered and Certification Form*, you submitted did not meet Minimum Processing Standards and cannot be processed. *Your Form 471 is enclosed with this letter, which means that the Schools and Libraries Division (SLD) could not process any portion of it.* Below is an explanation of the specific reason(s) your Form 471 did not meet the Minimum Processing Standards:

- **The Form 471 submitted was incomplete. All 6 blocks, pages 1- 5, must be submitted.**

If you disagree with this decision and you wish to appeal to the SLD, your appeal must be made in writing and received by us within 30 days of issuance of this letter. In your letter of appeal, please include: correct contact information for the appellant, information on the decision you are appealing, the specific Funding Request in question, a copy of this letter and an original authorized signature. Appeals sent by fax, e-mail or phone call cannot be processed. Please mail your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125-Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. You may also call our Client Service Bureau at 888-203-8100. While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC), by sending your notice of appeal to: FCC, Office of the Secretary, 445 12th Street, SW; 12<sup>th</sup> Street Lobby, SW; Washington, D.C. 20554. . Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. If you choose to file an appeal with the FCC, your appeal must be received no later than 30 days from the date on this letter.

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

**Enclosure:**

**(1) Form 471**

April 12, 2001

Schools & Libraries Division  
Box 125  
Correspondence Unit  
100 South Jefferson Rd.  
Whippany, NJ 07981

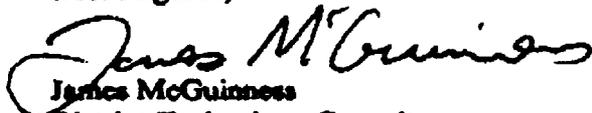
To Whom it May Concern:

This letter is to appeal to your decision not to process the requests for funding for your enclosed letter dated March 22, 2001, (Reference Number - CC Docket Nos. 96-45 and 97-21.) We request this decision to be reviewed due to the following reasons:

- 1.) The denied items were deemed not to have met the minimum processing standards for a form 471 submission because all 6 Blocks were supposedly not submitted.
- 2.) The Watervliet Public School District, Billed Entity #124133, believes that a full 471 application was sent based on it's records.
- 3.) We have included a copy of the Block 6 in question.
- 4.) The form 471 application was submitted via Federal Express with multiple 471 applications.
- 5.) We believe that somehow our Block 6 got mixed up with one of those other applications.

We hope that this helps clarify our situation and aids you in the review of your decision. Any consideration to this matter will be greatly appreciated and if there is any way in which we can further help with this resolution, please do not hesitate to call.

Best Regards,



James McGuinness  
District Technology Consultant  
14 State Street  
Troy, NY 12180  
(518) 271-0570

Do not write in this area

Entity Number  
Contact PersonApplicant's Form Identifier  
Phone Number**Block 6: Certifications and Signature**

- 24 The entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)
- schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1986, 20 U.S.C. Secs. 8001(14) and (25), that do not operate as for-profit businesses and do not have endowments exceeding \$60 million; and/or
  - libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1986 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary and secondary schools, colleges, or universities
- 25 The eligible schools and libraries listed in Block 4 of this application have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- 26 All of the schools and libraries or library consortia listed in Block 4 of this application are covered by:
- an individual technology plan for using the services requested in this application; and/or
  - higher-level technology plan(s) for using the services requested in this application; or
  - no technology plan needed; applying for basic local and long distance telephone service only.
- 27 Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):
- technology plan(s) has/have been approved; and/or
  - technology plan(s) will be approved by a state or other authorized body; or
  - no technology plan needed; applying for basic local and long distance telephone service only.
- 28 I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- 29 I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
- 30 I certify that the entity(ies) I represent has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- 31 I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- 32 I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.
- 33 I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

34 Signature of authorized person

John P. Heid

35 Date

1/17/01

36 Printed name of authorized person

John Heid

37 Title or position of authorized person

Assistant Superintendent for Finance

38 Telephone number of authorized person:

(518) 273-4661 ext.

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 602, 603B, or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.