

Chrisman Public Library

112 SOUTH ILLINOIS
CHRISMAN, ILLINOIS 61924

December 15, 2001

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Federal Communication Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: Billed Entity: Chrisman Public Library
112 S. Illinois St.
Chrisman, IL 61924
Billed Entity#: 136330
471 Application Number: 267310
Funding Request(s) Number: 1 request not assigned
CC Docket Nos. 96-45 and 97-21

Enclosed documents:

- Copy of Fund Year 4 Form 471 rejection letter
- Copy of Administrator's Decision on Appeal-Funding Year 2001-2002

It is still the entity's contention that in our specific case, omission of the signature is a proof-reading error and not an error of substance. In the past 12 years that the current Librarian has worked at Chrisman Public Library, we have never failed to sign grant applications, annual reports to the Illinois State Library and others, and contracts with one exception: Form 471 Funding Year 4. In the same time-span we have successfully written and received \$13,000 in Library Services & Technology Act grants, \$1,400-\$1,500 annually in per capita grants from the State of Illinois, \$4,400 from the Bill & Melinda Gates Foundation and \$12,000 (to date) in donations for a renovation project. All of these projects were submitted with the signature of either the Librarian or Assistant Librarian. We obviously understand the value of certification by signature.

How can experienced librarians make such an error? Chrisman Public Library is open to the public 29 1/2 hrs. a week. There are two staff members at our library with one paid staff member present per day. We provide ALL of the services--except e-books and bookmo-biles--that large city libraries do. The consequent interruptions make grantwriting a chaotic process. Also, since January 1, 2001, Chrisman Public Library has become involved in five ongoing grant projects and three fundraising projects to sustain those grants. Three of those grants were beyond our control to predict: a state grant on a one-time basis, a municipal

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grant, and a private foundation grant offered once only.

It is also unfair to apply an FCC funding decision on an appeal from a school district (see the enclosed Administrator's Decision on Appeal-Funding Year 2001-2002) with an appeal from a small public library. School districts of any size have more than two staff members. School districts also have sufficient revenues to pay for training in grantwriting for at least one staff member and usually provide a stipend for grantwriting. With a tax revenue base of \$15,000 or less, Chrisman Public Library cannot pay for training or a stipend.

Since we did not receive approval and compensation for Form 471 Year 4, we have had to drop one of the telephone lines for which we have been seeking a discount. In June we joined the Illinois Century Network to provide improved internet service for the public access computer. ICN's monthly charge is \$195. When we successfully went online with them in November 2001, we were forced to discontinue service on one line in order to pay our telecommunications bills.

For the above reasons we are appealing the Administrator's Decision on Appeal-Form 471 Year 4.

Sincerely,



Mary E. Galway, Librarian
Chrisman Public Library

Entity: Chrisman Public Library
Entity#: 136330



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

November 27, 2001

Mary E. Galway
Chrisman Public Library
112 South Illinois Street
Chrisman, IL 61924

Re: Billed Entity Number: 136330
471 Application Number: 267310
Funding Request Number(s): 1 Request not assigned
Your Correspondence Dated: March 6, 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: 1 Request not assigned
Decision on Appeal: Denied in full
Explanation:

- Your appeal claims that the omission of the signature is a proof reading error and not an error substance. You have resubmitted a signed certification, and would like the SLD to consider your application for funding.
- Consistent with the FCC Decision on South Barber Unified School District, the signature certification is fundamental to the administration of the program. SLD relies on the signature certification to establish the authority of the signer to represent the applicant. Signature certifications ultimately satisfy the program's policy objective of binding the applicants and service providers to the program requirements.

Failing to submit a signature certification omits the legally binding act that signifies compliance with program rules.¹

- On March 6, 2001, you sent an appeal along with a corrected Block 6 certification page. In your letter you acknowledge that the original form was sent without a signature and request that the correction be accepted and the application considered to be timely filed. As referenced in the South Barber decision, the purpose of a filing window is to put all applicants who file within the window on equal footing.² Allowing applicants to correct their applications and resubmit them after the window has closed would eliminate any incentive to comply with SLD's document demands in a timely fashion, and could jeopardize SLD's ability to accurately apply the rules of priority in years where requests for funding exceed the annual funding cap.³ Therefore, your appeal is denied in full and your application will not be data entered.

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 12th 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>. 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

¹ *Request for Review of the Decision of the Universal Service Administrator by South Barber Unified School District 255, Changes to the Board of Directors of the National Exchange Carriers Association, Inc.*, File No. SLD-158897, CC Dockets No. 96-45- and 97-21, Order, DA 01-2233 (Com. Car. Bur. Rel. Oct. 23, 2001).

² *Id.*

³ *Id.*



Fund Year 4 FORM 471-REJECTION LETTER

February 7, 2001

MARY E. GALWAY
CHRISMAN PUBLIC LIBRARY
10216 E. 2575TH ROAD
CHRISMAN, IL 61924

Re: Applicant's Form Identifier:
Form 471 Application Number: 267310

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 does not contain an original ink signature. The signature is a copy, pencil, stamp or blank.**

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; 12th 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