

DOCKET FILE COPY ORIGINAL

**From:** "Dennis Darger" <ddarger@ccusd.net>  
**To:** <CCBSecretary@fcc.gov>  
**Date:** Fri, Mar 29, 2002 5:28 PM  
**Subject:** SLD Decision Appeal

March 29, 2002

Colorado City Public Library  
120 South Pioneer Street  
P. O. Box 17090  
Colorado City, AZ 86021

LETTER OF APPEAL to the FEDERAL COMMUNICATIONS COMMISSION  
Appeal of Funding Commitment Decision

CC Docket Nos. 96-45 and 97-21

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

Contact Information:

Dennis Darger  
P. O. Box 28  
Colorado City, AZ 86021  
Home Phone: (928) 875-2242  
Work Phone: (928) 875-9021  
Fax: (928) 875-9099  
E-mail Address: ddarger@ccusd.net

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To Whom It May Concern:



Nearly all of the students (98%) were determined to be eligible in the prior (1999-2000) year.

The difference in eligible count between the base year (1999-2000) and the current year (2000-2001) represents a major decline in the Colorado City Unified School District's enrollment, and should never be used to calculate a percentage for determining the proportion of currently enrolled students who come from economically disadvantaged households.

In my appeal to SLD, I sent copies of the actual survey data tabulations, a sample of the actual survey sent, and a sample of the survey letter. Please reference Attachment 2a, 2b, 2c, and 2d. SLD totally ignored the fact that 100% of the surveys received back were indicated either free, or reduced lunch eligibility.

If the e-rate legislation's funding purpose was to provide internet connectivity to schools and libraries, with an emphasis on economically disadvantaged areas, a great disservice will be levied on the patrons of the Colorado City Public Library, and the citizens of the Colorado City area if this appeal is again denied. There is no question that the area is economically disadvantaged.

I know that SLD cannot use other types of data for eligibility, but please take note of Attachment 3 from the U. S Census Poverty Estimates for 1997. 100% of the Colorado City Unified District qualified. You can verify these numbers by going to the following web address:  
[http://www.census.gov/housing/saipe/sd97/sd97\\_AZ.dat](http://www.census.gov/housing/saipe/sd97/sd97_AZ.dat)

Also take note of Attachment 4. It is a Survey Tabulation Form for a 1996 CDBG Application Special Survey conducted by the Town of Colorado City. Again, this survey indicates a 99.33% HUD Low and Moderate Income level.

I only cite these two additional sources as corroborating evidence that the denial of this appeal will be a great injustice, and not consistent with the intent of the e-rate legislation.

If you have any questions about why I feel that the LEA Data Collection Report is erroneous as pertains to e-rate eligibility, which I could better explain on a telephone versus my explanation in this appeal, please contact me. I am very anxious to resolve this issue that we might go forward with our connectivity issues at the public library.

Best Regards,

Dennis Darger

E-rate Coordinator

(928) 875-9021

ddarger@ccusd.net

CC: "Oliver Barlow" <oliver@ccusd.net>

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To Whom It May Concern:

In behalf of the Colorado City Public Library, I am writing to appeal the USAC Schools and Libraries Division's "Administrator's Decision on Appeal – Funding Year 2001-2002" decision dated February 8, 2002 of denial.

Please Reference:	Billed Entity Number:	220639
	471 Application Number:	255830
	Funding Request Numbers:	ALL, 637720, 637775, 637835, 637963, 638172, 638225, 638340, 638403, 638469, 638542, 638606, 638665

The basic issue of appeal is the discount eligibility rate. SLD's review of the Colorado City Public Libraries 471 Application Number 255830 determined that the discount eligibility should have been 70%, instead of the claimed 90%. They state that their decision was made because the LEA data collection report filed by the library and signed on May 1, 2001 by Oliver Barlow indicates that the discount should be corrected to the 70%. They do not indicate in detail the numbers they used to come up with the 70% eligibility, or how they derived that number. The issue is that the LEA data collection

report that was filed is being applied wrong.

The Colorado City Unified School District # 14 does not have a school lunch program, which requires them to send out a survey every year to determine Free and Reduced lunch eligibility percentages for the Title I, and other Federal Programs. The Colorado City Unified School District, and the Colorado City Public Library's district boundaries are co-terminus. Please study Attachment 1, "LEA Data Collection report", the report at issue.

### **Explanation of attached data collection report:**

References to ADM for the year ending June 30, 2000, are for the year ending June 30, 2000.

References to "current" count are for the year ending June 30, 2001.

All of the students (100%) were determined to be eligible in the "current" year.

Nearly all of the students (98%) were determined to be eligible in the prior (1999-2000) year.

The difference in eligible count between the base year (1999-2000) and the current year (2000-2001) represents a major decline in the Colorado City Unified School District's enrollment, and should never be used to calculate a percentage for determining the proportion of currently enrolled students who come from economically disadvantaged households.

In my appeal to SLD, I sent copies of the actual survey data tabulations, a sample of the actual survey sent, and a sample of the survey letter. Please reference Attachment 2a, 2b, 2c, and 2d. SLD totally ignored the fact that 100% of the surveys received back were indicated either free, or reduced lunch eligibility.

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Dennis Darger  
E-rate Coordinator  
(928) 875-9021  
[ddarger@ccusd.net](mailto:ddarger@ccusd.net)

## LEA Data Collection Report To Determine FY 2002 Federal Program Allocations For All LEAS

(Includes Chartered LEAs)

Name of the LEA/District: Colorado City Unified School CTD#: 08-02-14 E-mail Address: oliver@ccusd.net  
 Address: P. O. Box 309 City: Colorado City County: Mohave Zip Code: 86021  
 Phone: (520) 875-9000 Fax: (520) 875-9099 Person Completing This Form: Oliver Barlow  
 Check the appropriate box:  Does not wish to receive these "Federal" funds. Return this form & appropriate attachment prior to March 23, 2001:

Mr. Tillman E. Turley  
 Academic Support Division, Bin # 32  
 Arizona Department of Education  
 1535 West Jefferson Street  
 Phoenix, AZ 85007

Signature of Person Completing This Form: *Oliver Barlow*  
 Date: May 1, 2001

**Instructions:** LEAs with Private Schools must complete Attachment # 1 (Private School Data) and return it with this form.  
 Chartered LEAs must complete Attachment # 2 (Charter School Sites) and return it with this form.  
 Union High School LEAs must complete Attachment # 3 (Elementary Districts Feeding the UHS LEA) and return it with this form.  
 LEAs may use the attached Guidelines to Determine Eligible Students to determine their free lunch eligible count.

**Elementary**

Enter the LEA's K-3 100<sup>th</sup> day student count (ADM) (ages 5-17) for the year ending June 30, 2000: a 334,770

Enter the LEA's K-3 current student free lunch eligible count as of 100<sup>th</sup> day (ages 5-17): b 149,950

Enter the LEA's 4-8 100<sup>th</sup> day student count (ADM) (ages 5-17) for the year ending June 30, 2000: c 406,202

Enter the LEA's 4-8 current student free lunch eligible count as of 100<sup>th</sup> day (ages 5-17): d 159,975  
 Total K-8 100<sup>th</sup> day student count (ADM) (ages 5-17) (a+c): e 740,972

Total K-8 100<sup>th</sup> day student free lunch eligible count (ages 5-17) (b+d): f 309,925  
 Percent K-8 free lunch eligible (f + e): g 100 %

**Secondary**

Enter the LEA's 9-12 100<sup>th</sup> day student count (ADM) (ages 5-17) for the year ending June 30, 2000: h 182,938

Enter the LEA's 9-12 current student free lunch eligible count as of 100<sup>th</sup> day (ages 5-17): i 37,000  
 Box "i" is extrapolated: Yes  No   
 Percent 9-12 student free lunch eligible (ages 5-17) (i + h): j 100 %

**Total for LEA/District (K-12)**  
f+i 346,925      e+h 943,550

\* Union High School LEAs (if eligible count is unknown) enter the total number from Attachment 3. Unified LEAs (if eligible count is unknown) multiply the percent in box 'g' times the number in box 'h' (g x h).  
 FILE: FY2002 LEA DATA COLLECTION REPORT ALL LEAS

Attachment 1

Attachment 2a

Blacked out Survey  
Names and Addresses

Control #	Revised	Free	Free or Reduced	Pre-5th	5th-8th	9th-12th
20011	x	x	x	13	4	2
20013	x	x	x	5	1	0
2002		x	x	2	2	2
20014	x	x	x	4	3	2
20015		x	x	3	1	
20020	x		x	3	2	2
20023	x		x	2	0	0
20022	x	x	x	3	1	0
20027	x	x	x	3	1	0
20031	x	x	x	9		
20048	x	x	x	4	0	0
20042	x	x	x	1		
20032	x	x	x	1	2	2
20034	x	x	x	1	1	1
20045	x	x	x	4	3	0
2013		x	x	5	1	1
20051	x	x	x	2	5	1

Attachment 2b

*Blocked out Sunny  
Haines and Nelson...*

20064	x		x	4		2
20065	x	x	x	3	0	0
20069	x	x	x	3	1	
20060	x		x	1	1	
20073		x	x	1		
20068	x	x	x	4	0	0
20074	x	x	x	2	1	2
20076	x		x	1		
20077	x	x	x	7	3	3
20081	x		x	2	0	0
20083	x	x	x	3	1	2
20086	x		x	4		
20082	x	x	x	6	2	4
20090	x	x	x	3	1	2
20092	x	x	x	2	1	0
20094	x	x	x	5	2	0
20095	x	x	x	6	3	3
<i>Column Totals</i>	30	27	34	120	41	31

Attachment 2c

### PARENT SURVEY TO DETERMINE FUNDING FOR FEDERAL PROJECTS ALLOCATION

The Arizona Department of Education is responsible for determining the allocation of Title I and other project funds in the State of Arizona. Title I funds are used to provide financial assistance to educational agencies to meet the special education needs for educationally deprived children at the elementary and secondary school levels.

In order to assist your school to determine their eligibility for an allocation of funds, please review the free lunch income guidelines below and complete the following to determine the eligibility of your child or children.

Based on the chart below, is your family at or below the reduced lunch income guidelines? Yes \_\_\_ No \_\_\_

Based on the chart below, is your family at or below the free lunch income guidelines? Yes  No \_\_\_

There are 2 children from this household attending Pre-school-5th Grade.

There are 2 children from this household attending 6th-8th Grade.

There are 2 children from this household attending 9th-12th Grade.

I hereby certify that all of the above information is true and correct.

[Redacted Signature] 3-29-01  
Parent/Guardian Signature Date

**Note: These survey forms will be retained by the school district. The information provided by applicant is confidential.**

#### FREE LUNCH GUIDELINES TO DETERMINE SCHOOL DISTRICT FUNDING ALLOCATIONS FOR TITLE I/FEDERAL PROGRAMS

##### USDA Child Nutrition Program Income Guidelines Academic year 2000-2001

Free				Reduced			
Family Size	Year	Month	Week	Family Size	Year	Month	Week
1	10,855	905	209	1	15,448	1,288	298
2	14,625	1,219	282	2	20,813	1,735	401
3	18,395	1,533	354	3	26,178	2,182	504
4	22,165	1,848	427	4	31,543	2,629	607
5	25,935	2,162	499	5	36,908	3,076	710
6	29,705	2,476	572	6	42,273	3,523	813
7	33,475	2,790	644	7	47,638	3,970	917
8	37,245	3,104	717	8	53,003	4,417	1,020
Each	Additional	Member	Add	Each	Additional	Member	Add
+1	+3,770	+315	+73	+1	+5,365	+448	+104

Income includes for all persons living in your household, virtually all items including wages and salaries before any deductions, and other income, such as self employment, welfare, social security, retirement benefits, unemployment compensation, workers compensation, aid for dependant children, alimony, child support, pensions, insurance or annuity payments, etc.

Attachment 2d

**COLORADO CITY UNIFIED SCHOOL DISTRICT No. 14**

50 NORTH COLVIN STREET • P.O. BOX 309  
 COLORADO CITY, ARIZONA 86021  
 PHONE: (520) 875-2288 FAX: (520) 875-8094



F.L. Blattline  
 Board President

Ralph M. Johnson  
 Board Clerk

Wm. Howard Meldrum  
 Board Member

Fred M. Jessop  
 Board Member

Scott V. Jessop  
 Board Member

March 20, 2001

Alvin S. Barlow  
 Superintendent

Jeffery P. Jessop  
 Business Manager

██████████  
 ██████████  
 Colorado City, AZ. 86021-0827

Dear Cherylynn,

The Colorado City Unified School District provides educational services to residents of Colorado City and Hildale, and the surrounding area. Much of our District funding is tied to Federal formula guidelines. We do not maintain a school lunch program and therefore it is our responsibility to survey the local population to determine our status in applying for state and federal funding.

Programs that are influenced by the Federal "Free and Reduced Lunch Formula" criteria include Pre-school special needs, Title I, Special Education and Vocational Education, as well as some basic maintenance and operating funds provided to our school district.

We need to gather data from the school clientele, so this survey is being sent to all of the households attending the public school system. Your immediate response is necessary and will be very greatly appreciated.

Your response to this survey is very important to the district. Individual responses will be held in the strictest confidentiality. I urge you to take the time now to complete the enclosed form and return it in the postage paid envelope we have provided.

For questions or concerns please call Superintendent Alvin S. Barlow or Jeffery Jessop at 875-2288.

Yours truly,

*Alvin S. Barlow*  
 Alvin S. Barlow, Superintendent

2002

Lawrence Steed, Principal  
 Colorado City High School  
 875-2288

Kimball D. Barlow, Principal  
 Colorado City Jr. High  
 875-8020

Warren M. Johnson, Principal  
 Colorado City Elementary  
 875-2288

## Attachment 3

4	450	AGUA FRIA UNION HIGH SCHOOL DI	35267	1760	399	23%	sd97_AZ.dat	5-Jan-01
4	480	AGUILA ELEMENTARY DISTRICT	846	199	138	89%	sd97_AZ.dat	5-Jan-01
4	520	AJO UNIFIED DISTRICT	3583	641	337	53%	sd97_AZ.dat	5-Jan-01
4	600	ALHAMBRA ELEMENTARY DISTRICT	85309	11934	3238	27%	sd97_AZ.dat	5-Jan-01
4	630	ALPINE ELEMENTARY DISTRICT	393	73	30	41%	sd97_AZ.dat	5-Jan-01
4	4770	ALTAR VALLEY ELEMENTARY DISTR	4080	975	282	29%	sd97_AZ.dat	5-Jan-01
4	680	AMPHITHEATER UNIFIED DISTRICT	103911	17155	3514	20%	sd97_AZ.dat	5-Jan-01
4	720	ANTELOPE UNION HIGH SCHOOL DI	6122	337	84	25%	sd97_AZ.dat	5-Jan-01
4	750	APACHE ELEMENTARY DISTRICT	165	33	18	55%	sd97_AZ.dat	5-Jan-01
4	790	APACHE JUNCTION UNIFIED DISTR	31161	4874	990	20%	sd97_AZ.dat	5-Jan-01
4	840	ARLINGTON ELEMENTARY DISTRICT	1230	194	40	21%	sd97_AZ.dat	5-Jan-01
4	870	ASH CREEK ELEMENTARY DISTRICT	644	99	11	11%	sd97_AZ.dat	5-Jan-01
4	910	ASH FORK UNIFIED DISTRICT	998	198	75	38%	sd97_AZ.dat	5-Jan-01
4	960	AVONDALE ELEMENTARY DISTRICT	19757	3925	1656	42%	sd97_AZ.dat	5-Jan-01
4	1000	BAGDAD UNIFIED DISTRICT	3086	819	28	3%	sd97_AZ.dat	5-Jan-01
4	1050	BALSZ ELEMENTARY DISTRICT	29008	3411	1078	32%	sd97_AZ.dat	5-Jan-01
4	1080	BEAVER CREEK ELEMENTARY DISTR	3133	361	99	27%	sd97_AZ.dat	5-Jan-01
4	1110	BENSON ELEMENTARY DISTRICT	8609	1077	253	23%	sd97_AZ.dat	5-Jan-01
4	1140	BENSON UNION HIGH SCHOOL DIST	6773	331	46	14%	sd97_AZ.dat	5-Jan-01
4	1160	BICENTENNIAL UNION HIGH SCHO	5748	141	50	35%	sd97_AZ.dat	5-Jan-01
4	1180	BISBEE UNIFIED DISTRICT	8558	1548	430	28%	sd97_AZ.dat	5-Jan-01
4	1230	BLUE ELEMENTARY DISTRICT	52	11	1	9%	sd97_AZ.dat	5-Jan-01
4	6580	BLUE RIDGE UNIFIED DISTRICT	9098	2055	102	5%	sd97_AZ.dat	5-Jan-01
4	1260	BONITA ELEMENTARY DISTRICT	1237	124	36	29%	sd97_AZ.dat	5-Jan-01
4	1290	BOUSE ELEMENTARY DISTRICT	507	24	10	42%	sd97_AZ.dat	5-Jan-01
4	1330	BOWIE UNIFIED DISTRICT	765	156	61	39%	sd97_AZ.dat	5-Jan-01
4	1380	BUCKEYE ELEMENTARY DISTRICT	8516	1744	570	33%	sd97_AZ.dat	5-Jan-01
4	1410	BUCKEYE UNION HIGH SCHOOL DIS	16921	958	248	26%	sd97_AZ.dat	5-Jan-01
4	1500	BULLHEAD CITY ELEMENTARY DIST	31060	3017	639	21%	sd97_AZ.dat	5-Jan-01
4	1600	CAMP VERDE UNIFIED DISTRICT	9054	1628	470	29%	sd97_AZ.dat	5-Jan-01
4	1650	CANON ELEMENTARY DISTRICT	2350	309	92	30%	sd97_AZ.dat	5-Jan-01
4	1680	CARTWRIGHT ELEMENTARY DISTR	112563	21790	3930	18%	sd97_AZ.dat	5-Jan-01
4	1710	CASA GRANDE ELEMENTARY DISTR	34381	6332	1500	24%	sd97_AZ.dat	5-Jan-01
4	1740	CASA GRANDE UNION HIGH SCHO	48158	2403	641	27%	sd97_AZ.dat	5-Jan-01
4	1760	CATALINA FOOTHILLS UNIFIED DIST	27440	4531	177	4%	sd97_AZ.dat	5-Jan-01
4	1	CAVE CREEK UNIFIED DISTRICT	12074	1880	369	20%	sd97_AZ.dat	5-Jan-01
4	1810	CEDAR UNIFIED DISTRICT	8895	2469	1224	50%	sd97_AZ.dat	5-Jan-01
4	1830	CHAMPIE ELEMENTARY DISTRICT	195	38	3	8%	sd97_AZ.dat	5-Jan-01
4	1870	CHANDLER UNIFIED DISTRICT	81046	16252	4174	26%	sd97_AZ.dat	5-Jan-01
4	1920	CHEVELON BUTTE ELEMENTARY DI	425	67	19	28%	sd97_AZ.dat	5-Jan-01
4	1940	CHINLE UNIFIED DISTRICT	20488	6417	3646	57%	sd97_AZ.dat	5-Jan-01
4	3	CHINO VALLEY UNIFIED DISTRICT	10176	2029	610	30%	sd97_AZ.dat	5-Jan-01
4	2010	CHLORIDE ELEMENTARY DISTRICT	3187	248	91	37%	sd97_AZ.dat	5-Jan-01
4	4	CLARKDALE-JEROME ELEMENTARY	3051	469	167	36%	sd97_AZ.dat	5-Jan-01
4	2110	CLIFTON UNIFIED DISTRICT	2402	500	84	16%	sd97_AZ.dat	5-Jan-01
4	2130	COCHISE ELEMENTARY DISTRICT	372	53	4	8%	sd97_AZ.dat	5-Jan-01
4	21	COLORADO CITY UNIFIED DISTRICT	3819	1545	1545	100%	sd97_AZ.dat	5-Jan-01
4	82	COLORADO RIVER UNION HIGH SCF	42841	1318	281	21%	sd97_AZ.dat	5-Jan-01
4	2190	CONCHO ELEMENTARY DISTRICT	925	215	31	14%	sd97_AZ.dat	5-Jan-01
4	2220	CONGRESS ELEMENTARY DISTRICT	1755	233	50	21%	sd97_AZ.dat	5-Jan-01
4	2250	CONTINENTAL ELEMENTARY DISTR	15892	319	11	3%	sd97_AZ.dat	5-Jan-01
4	2320	COOLIDGE UNIFIED DISTRICT	16242	3578	1457	41%	sd97_AZ.dat	5-Jan-01

Attachment 4

Survey Tabulation Form

APPLICANT TOWN OF COLORADO CITY Survey Area Name: ALL

Read instructions before completing this form

(1) NUMBER OF HOUSEHOLDS TO RECEIVE PROJECT BENEFITS 342  
 (2) NUMBER OF HOUSEHOLDS CONTACTED 342  
 (3) NUMBER OF HOUSEHOLDS RESPONDING TO THE SURVEY 274  
 (4) SURVEY RESPONSE RATE = (3) DIVIDED BY (2) = .8012 = 80 %

BREAKDOWN OF SURVEY RESPONSES BY FAMILY SIZE

(5) FAMILY SIZE	(6) NUMBER OF RESPONSES	(7) NUMBER OF LOW/MOD RESPONSES	(8) NUMBER OF NON LOW/MOD RESPONSES	(9) NUMBER OF LOW/MOD PERSONS	(10) NUMBER OF NON/LOW MOD PERSONS
1 person	17	16	1	16	1
2 people	28	26	2	52	4
3 people	13	13	0	39	0
4 people	16	14	2	56	8
5 people	19	19	0	95	0
6 people	16	16	0	96	0
7 people	22	21	1	147	7
8 people	16	16	0	128	0
9 people	15	15	0	135	0
10 people	110	110	0	1759	0
<b>OR. HOUSE TOTALS</b>	<b>272</b>	<b>266</b>	<b>6</b>	<b>2523</b>	<b>20</b>

(11) TOTAL PERSONS SURVEYED = TOTAL OF (9) + TOTAL OF (10) = 2540  
 (12) LOW/MOD PERCENTAGE = TOTAL OF (9) DIVIDED BY (11) = 99.53 %  
 (13) SURVEY AVERAGE FAMILY SIZE = (11) DIVIDED BY TOTAL OF (6) = 9.34  
 (14) NUMBER OF HOUSEHOLDS NOT SURVEYED = (1) MINUS (3) = 68  
 (15) NUMBER OF BENEFICIARIES NOT SURVEYED = (13) X (14) = 635  
 (16) LOW/MOD BENEFICIARIES NOT SURVEYED = (12) X (15) = 630  
 (17) TOTAL BENEFICIARIES = (11) + (15) = 3175  
 (18) TOTAL LOW/MOD BENEFICIARIES = TOTAL OF (9) + (16) = 3153

CERTIFICATION: I, Kim J. Barber IN MY CAPACITY AS Town Clerk FOR THIS JURISDICTION, CERTIFY THAT THE INFORMATION IN THIS REPORT AND THE SURVEY QUESTIONNAIRES IS CORRECT TO THE BEST OF MY KNOWLEDGE AND WAS REPORTED IN ACCORDANCE WITH THE ACCOMPANYING INSTRUCTIONS.

SIGNATURE Kim J. Barber TITLE: Town Clerk

ADDRESS: P.O. Box 70 Colorado City, AZ 86021

PHONE NUMBER: 520-875-2646 DATE: 4/8/99 (Re-calculate 6/96 Survey)

March 29, 2002

>

Colorado City Public Library

120 South Pioneer Street

P. O. Box 17090

Colorado City, AZ 86021

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Dennis Darger

P. O. Box 28

Colorado City, AZ 86021

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Work Phone: (928) 875-9021

Fax: (928) 875-9099

E-mail Address: [ddarger@ccusd.net](mailto:ddarger@ccusd.net)

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	471 Application Number:	255830
	Funding Request Numbers:	ALL, 637720, 637775, 637835, 637963, 638172, 638225, 638340, 638403, 638469, 638542, 638606, 638665

The basic issue of appeal is the discount eligibility rate. SLD's review of the Colorado City Public Libraries 471 Application Number 255830 determined that the discount eligibility should have been 70%, instead of the claimed 90%. They state that their decision was made because the LEA data collection report filed by the library and signed on May 1, 2001 by Oliver Barlow indicates that the discount should be corrected to the 70%. They do not indicate in detail the numbers they used to come up with the 70% eligibility, or how they derived that number. The issue is that the LEA data collection report that was filed is being applied wrong.

The Colorado City Unified School District # 14 does not have a school lunch program, which requires them to send out a survey every year to determine Free and Reduced lunch eligibility percentages for the Title I, and other Federal Programs. The Colorado City Unified School

District, and the Colorado City Public Library's district boundaries are co-terminus. Please study Attachment 1, "LEA Data Collection report", the report at issue.

**Explanation of attached data collection report:**

References to ADM for the year ending June 30, 2000, are for the year ending June 30, 2000.

References to "current" count are for the year ending June 30, 2001.

All of the students (100%) were determined to be eligible in the "current" year.

Nearly all of the students (98%) were determined to be eligible in the prior (1999-2000) year.

The difference in eligible count between the base year (1999-2000) and the current year (2000-2001) represents a major decline in the Colorado City Unified School District's enrollment, and should never be used to calculate a percentage for determining the proportion of currently enrolled students who come from economically disadvantaged households.

In my appeal to SLD, I sent copies of the actual survey data tabulations, a sample of the actual survey sent, and a sample of the survey letter. Please reference Attachment 2a, 2b, 2c, and 2d. SLD totally ignored the fact that 100% of the surveys received back were indicated either free, or reduced lunch eligibility.

If the e-rate legislation's funding purpose was to provide internet connectivity to schools and libraries, with an emphasis on economically disadvantaged areas, a great disservice will be levied on the patrons of the Colorado City Public Library, and the citizens of the Colorado City area if this appeal is again denied. There is no question that the area is economically disadvantaged.

I know that SLD cannot use other types of data for eligibility, but please take note of Attachment 3 from the U. S Census Poverty Estimates for 1997. 100% of the Colorado City Unified District qualified. You can verify these numbers by going to the following web address:  
[http://www.census.gov/housing/saipe/sd97/sd97\\_AZ.dat](http://www.census.gov/housing/saipe/sd97/sd97_AZ.dat)

Also take note of Attachment 4. It is a Survey Tabulation Form for a 1996 CDBG Application Special Survey conducted by the Town of Colorado City. Again, this survey indicates a 99.33% HUD Low and Moderate Income level.

I only cite these two additional sources as corroborating evidence that the denial of this appeal will be a great injustice, and not consistent with the intent of the e-rate legislation.

If you have any questions about why I feel that the LEA Data Collection Report is erroneous as pertains to e-rate eligibility, which I could better explain on a telephone versus my explanation in this appeal, please contact me. I am very anxious to resolve this issue that we might go forward with our connectivity issues at the public library.

Best Regards,

Dennis Darger

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