

System: 165.135.210.45 sec fax,sec, 4181087 --- Time Printed: 05-04-2006 09:08:43

From: 7607653135
Media: Fax 7 pages
Subject:
Status:
Received: 06:27 PM 05/03/06

DOCKET FILE COPY ORIGINAL

RECEIVED & INSPECTED
MAY 3 - 2006
FCC - MAILROOM

No. of Copies rec'd 0
List ABCDE

7 pages

Spencer Valley School

4414 Hwy. 78 & 79

PO Box 159

Santa Ysabel, CA 92070

760/765-0336

www.sdcoe.k12.ca.us/districts/spencer/welcome.html

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

RECEIVED & INSPECTED
MAY 3 - 2006
FCC - MAILROOM

Subject: Request for Review - USAC funding denial dated April 27, 2006 (attached)
Applicant Name: SPENCER VALLEY ELEM SCH DIST
Reference: CC Docket No. 02-6
Billed Entity Number: 143655
Form 471 Application Number: 452594
Funding Request Numbers: 1253594, 1264725, 1264727, 1264728

May 3, 2006

Dear Secretary,

Spencer Valley must respectfully take exception with the recent USAC denial of funds based on categorizing the school as urban instead of rural. The second point noted in the USAC letter notes:

“Upon review of your appeal letter and the relevant supporting documentation, it was determined that the correct classification of Spencer Valley Elementary School is Urban.”

In fact, the web-site, nces.ed.gov, which the USAC person directed me to today as the site “used to determine rural status”, lists Spencer Valley School as rural, as does do the CDE and ed.gov web-sites, and state and federal REAP administrators.

Please advise if the FCC requires any additional information to reverse the status from urban to rural, and expedite funding.

Sincerely,

Julie Z. Weaver, Superintendent Spencer Valley School

cc: Tom Holland, AT&T Sr. Account Manager
Vicki Bergstrom, Technical Advisor, Spencer Valley School

JZW:ab

No. of Copies rec'd 0
List ABCDE



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal -- Funding Year 2005-2006

April 27, 2006

Vicki Bergstrom
Spencer Valley Elementary School District
4414 Highway 78-79
Santa Ysabel, CA 92070

RECEIVED & INSPECTED

MAY 3 - 2006

FCC - MAILROOM

Re: Applicant Name: SPENCER VALLEY ELEM SCH DIST
Billed Entity Number: 143655
Form 471 Application Number: 452594
Funding Request Number(s): 1253594, 1264725, 1264727, 1264728
Your Correspondence Received: February 02, 2006

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 Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-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 you will receive a separate letter for each application.

Funding Request Number(s): 1253594, 1264725, 1264727, 1264728
Decision on Appeal: **Denied**
Explanation:

- You are appealing SLD's decision to change the status from Rural to Urban for Spencer Valley School District, which modified the discount from 60% to 50%. You state that you are a Rural school according to the California REAP Eligibility List.
- Upon review of your appeal letter and the relevant supporting documentation, it was determined that the correct classification for Spencer Valley Elementary School (BEN 104063) is Urban. During PIA review of your application, it was determined that the billed entity is located in San Diego County. The physical address was needed for the Census Tract to determine the status. You provided the physical address of the billed entity, which resulted that the status should have been Urban and not Rural. The address was validated with the FFIEC Website. On

appeal, you provide additional information (websites) to prove that the school belong under the Rural status. However, review of the documentation did not verify the Rural classification. It is the applicant's ultimate responsibility to ensure the accuracy of the information submitted during the application process.

- SLD's review of your application determined that your discount eligibility should have been 50%. Since you did not demonstrate in your appeal that the adjustment SLD made to your discount percentage was incorrect because the status should be urban not rural, SLD denies your appeal.
- You indicated on your Form 471 that your discount eligibility is 60%. FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. 47 C.F.R. § 54.505(b). The level of poverty is measured by the percentage of students enrolled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program, 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, FCC 97-157, n.1334 (rel. May 8, 1997). The high cost determination is made pursuant to FCC rules that classify a school or library as rural or urban. 47 C.F.R. § 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether a school is classified as rural or urban. 47 C.F.R. § 54.505(c).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

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

Schools and Libraries Division
Universal Service Administrative Company

Spencer Valley Elementary

Print More Information District Information

Information		
Institution Name: Spencer Valley Elementary		Institution Type: Public School
Mailing Address: P.O. Box 159 Santa Ysabel, CA 92070 Phone: 760-765-0336	District: Spencer Valley Elementary County: San Diego	NCES District ID: 0637680 NCES School ID: 063768006380
Characteristics		
Locale: Rural, Inside CBSA Type: Regular school Charter: no Magnet: no Total Teachers (FTE): 3.8 Total Students: 33 Student/Teacher Ratio: 8.7		
Enrollment by Race/Ethnicity		
American Indian/Alaskan Native: 5 Asian/Pacific Islander: 0 Hispanic: 4 Black, non-Hispanic: 0 White, non-Hispanic: 21		
Enrollment by Grade		
Grade Levels: KG - 08 KG: 3 5th Grade: 4 1st Grade: 9 6th Grade: 2 2nd Grade: 5 7th Grade: 4 3rd Grade: 2 8th Grade: 2 4th Grade: 2		

(Source: CCD Public school data 2003-2004 school year)

National Center for Education Statistics
 Institute of Education Sciences

Close Window

FISCAL YEAR 2006 SPREADSHEET FOR SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM AND RURAL LOW-INC
California School Districts Preliminary Eligibility Determinations by CDE

NOES LEA ID	State ID	District Name	Mailing Address	City	State	Zip Code	Zip 4	Telephone
0637680	3768403	SPENCER VALLEY ELEMENTARY	PO BOX 159	SANTA YSABEL	CA	92070	159.00	7607650336

Yes	
Y	
YES	Preliminary SRSA Eligibility Determination by CDE
	Preliminary RLIS Eligibility Determination by CDE

3