

HEAD START of Greater Dallas, Inc.

January 19, 2010

Received & Inspected

JAN 20 2010
FCC Mail Room

Letter of Appeal
Office of the Secretary
445 12th Street SW
Washington, DC 20554

SUBMITTED VIA MAIL

Re: Schools & Libraries Program
CC Docket No. 02-6 & CC Docket 96-45

Applicant/Appellant: Head Start of Greater Dallas
BEN: 16045490
Form 471 Application #: 690616

Dear Secretary of the Federal Communications Commission:

This is a letter to "Request for Review" Head Start of Greater Dallas' application for E-Rate discounts filed for the 2009-2010 funding year.

Our appeal is based on the passing of Texas House Bill No 635 effective June 19, 2009. This bill qualifies Head Start programs as eligible for technology funding:

Sec 7.031 (b) Unless otherwise prohibited by federal law, the commissioner may determine, solely for purposes of the program's eligibility to receive federal grant funds, for the purpose of technology services and support, that a Head Start program operated in this state by a school district or a community-based organization serves the function of an elementary school by providing elementary education at one or more program facilities.

Head Start of Greater Dallas is a **501c3** community-based organization. We are the grantee for the Head Start program for Dallas County and daily serve students who qualify for the national school lunch program.

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List ABCDE

■ 3954 Gannon Lane ■
■ Dallas, Texas 75237-2919 ■
■ (972) 283-6400 - Fax (972) 296-6114 ■
■ www.hsgd.org ■

Head Start of Greater Dallas' (HSGD) qualified education centers include:

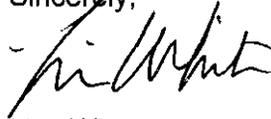
Name	Location	Telephone
A.M. Brooks Head Start	6502 Military Pkwy, Dallas, 75227	214-275-2050
Bachman Head Start	6341 W. Northwest Hwy, Dallas, 75220	214-357-5782
Brookhaven College Head Start	3939 Valley View Ln, Bdg E, Farmers Branch, 75244	972-331-9565
Clifton Early Childhood School	3950 Pleasant Run Rd, Irving 75038	972-600-4228
Dauids' Place Head start	1000 S. Carroll Ave, Dallas 75223	214-823-3309
East Dallas Head Start	4220 Junius St, Dallas, 75246	214-824-2525
Ferguson-Oates Head Start	2345 Oates Dr., Dallas, 75228	214-324-2831
Gannon Head Start	3950 Gannon Ln, Dallas, 75237	972-283-7700
Grand Prairie Head Start	550 S. Carrier Pkwy, Ste 500, Grand Prairie, 75051	972-237-4434
Head Start of Greater Dallas Central Office	3954 Gannon Ln., Dallas, 75237	972-283-6400
Jerry R. Junkins Head Start	321 Calumet Ave., Ste B, Dallas, 75211	214-331-3880
Kinkeade Early Childhood School	2333 Cameron Pl, Irving, 75060	972-273-6521
Lake June Head Start	9030 Lake June Rd., Dallas, 75217	214-398-9696
Lakewest Head Start	3737 Goldman St, Ste 100, Bldg, B Dallas, 75212	214-267-0524
Lancaster-Kiest Head Start	3200 S. Lancaster Rd., #301-308 Dallas, 75216	214-374-5533
Margaret H. Cone Head Start	2919 Troy St., Dallas, 75210	214-217-3170
Mesquite Head Start	650 Lee St., Mesquite, 75149	214-231-1511
Oak Cliff Head Start (now closed)	2623 Southerland Avenue, Dallas, 75203	214-946-1465
Pierce Early Childhood School	901 N. Britain Rd., Irving, 75061	972-554-3721
Robbie Wilkerson-Jones Head Start	1920 Walnut Plaza, Carrollton, 75006	972-416-1595
Roseland Home Head Start	2011 N. Washington Ave., Dallas, 75204	972-284-0040
Rosie M. Harris Head Start (now closed)	5700 Jarvis Circle, Dallas, 75215	214-421-0106
Science Place Head Start	1620 1st Ave, Dallas, 75210	214-426-1188
Socorro Gonzales Head Start	2525 Lucas Dr., Dallas, 75219	214-443-4230
Sunnyview Head Start	2927 Stag Rd., Dallas, 75241	214-372-3051
West Garland Head Start	3709 W. Walnut St., Garland, 75042	972-485-1140
West Triad Support Office	550 S. Carrier Pkwy, Ste 490, Grand Prairie, 75051	972-237-4500

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Since the submission of this application two centers have closed, Oak Cliff and Rosie M. Harris. A revised Attachment 21B is included reflecting this change.

If you have any questions concerning this matter please do not hesitate to contact me. Thank you for your time and consideration.

Sincerely,



Lisa White
Computer Support Services Manager
Head Start of Greater Dallas
3954 Gannon Lane
Dallas, TX 75237
(972) 283-6465
lwhite@hsgd.org

Enclosures:

1. USAC Administrator's Decision on Appeal Letter
2. Attachment 21B (revised)

Mission

Head Start of Greater Dallas provides children with the foundation of skills and knowledge they need to be successful in school and life and fosters self-reliant families and communities.

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Appeal Denied
(USAC)

Lisa White
Head Start Of Greater Dallas, Inc.
3954 Gannon Lane
Dallas, TX 75237

Billed Entity Number: 16045490
Form 471 Application Number: 690616
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

December 11, 2009

Lisa White
Head Start Of Greater Dallas, Inc.
3954 Gannon Lane
Dallas, TX 75237

Re: Applicant Name: HEAD START OF GREATER DALLAS, INC.
Billed Entity Number: 16045490
Form 471 Application Number: 690616
Funding Request Number(s): 1909078
Your Correspondence Dated: November 20, 2009

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 USAC's Funding Year 2009 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC'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): 1909078
Decision on Appeal: **Denied**
Explanation:

- Whether an individual school, school district, or consortia of schools or school districts are eligible for discounts depends on whether the entity meets the statutory definitions as outlined below. The information provided indicates that the following ineligible entities were to receive products and/or services: Head Start Of Greater Dallas, Inc, A.M. Brooks Head Start, Bachman Head Start, Brookhaven College Head Start, Clifton, David's Place Head Start, East Dallas Head Start, Ferguson-Oates Head Start, Gannon Head Start, Grand Prairie Head Start, Jerry R. Jenkins Child Dev. Center, Kinkeade, Lake June Head Start, Lakewest Head Start And Early Head Start, Lancaster-Krest Head Start, Margaret H. Cone Head Start And Early Head Start, Mesquite Head Start, Oak Cliff Head Start, Pierce Early Childhood Center, Robbie Wilkerson-Jones Head Start, Rosie

M. Harris Head Start, Science Place Head Start, Socorro Gonzales Head Start, Sunnyview Head Start, West Garland Head Start, Head Start Of Greater Dallas West Triad Office, and Roseland Homes. These entities do not satisfy the statutory definition(s) as explained below. USAC has given you an opportunity to provide the appropriate additional documentation demonstrating your entity's eligibility and you failed to do so. Accordingly, your funding request was denied. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied.

- FCC rules provide that [o]nly schools meeting the statutory definitions of elementary school, as defined in 20 U.S.C. 7801(18), or secondary school, as defined in 20 U.S.C. 7801(38) . . . shall be eligible for discounts. *See* 47 C.F.R. sec. 54.501(b)(1). The FCC has defined a school as including individual schools, school districts, and consortia of schools and/or school districts. *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9002, FCC 97-157 para. 425, n.1087 (rel. May 8, 1997). 20 U.S.C. 7801(18) defines an elementary school as a nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law. 20 U.S.C. 7801(38) defines a secondary school as a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that such term does not include any education beyond grade 12. *See* 47 C.F.R. sec. 54.500(c) and (k). The FCC's Bootheel Consortium Order directed USAC to permit the applicant to revise its funding request to remove the services for ineligible entities or allow the applicant to provide additional documentation to show why the relevant entity is eligible within 15 calendar days from the date of receipt of notice in writing by USAC. *See* Requests for Review of Decisions of the Universal Service Administrator by Bootheel Consortium, Silver City, NM et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-309634, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8747, FCC 07-62 para. 10 (May 8, 2007).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC 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 section of the USAC website 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

CBeyond Cost

Applicant: Head Start of Greater Dallas
Attachment: 21B
BEN: 16045490
Application: 690616

Cbeyond Communications				
	Address	BeyondVoice Package	# of Local Lines	HSGD Monthly Price
1	Dauids' Place	BeyondVoice I	10	588.82
2	Science Place II	BeyondVoice I	6	399.44
3	Robbie Wilkerson Jones	BeyondVoice I	6	489.85
4	Ferguson-Oates	BeyondVoice I	8	488.91
5	Socorro Gonzales	BeyondVoice I	8	593.31
6	Margaret H. Cone	BeyondVoice II	16	731.19
7	Sunnyview	BeyondVoice I	7	444.21
8	Lancaster Kiest	BeyondVoice II	16	731.19
9	Jerry R. Junkins	BeyondVoice I	6	444.21
10	Roseland	BeyondVoice I	6	427.38
11	Bachman	BeyondVoice I	9	533.65
12	West Garland	BeyondVoice I	6	502.86
13	LakeWest	BeyondVoice I	11	578.36
14	Brookhaven	BeyondVoice I	10	574.39
15	Central Office & Gannon PRI	BeyondVoice III	0	1,536.46
16	West Triad	BeyondVoice I	11	304.62
17	Grand Prairie	BeyondVoice I	11	565.73
18	East Dallas	BeyondVoice I	6	399.44
19	Mesquite	BeyondVoice I	10	559.10
20	A.M. Brooks & East Triad	BeyondVoice II	17	775.96
21	Lake June	BeyondVoice I	7	444.21
22	Central Office & Gannon analog	BeyondVoice III	19	1,357.50
MONTHLY TOTAL			206	13,470.79
Yearly Total				161,649.48
Installation				0.00
Total				161,649.48

*Please note that our Central Administrative office and Gannon have been combined in this spreadsheet since they are on the same property connected via an underground fiber