

Federal Communications Commission  
Washington, D.C. 20554

In the matter of Request for Review of the }  
Decision of the }  
Universal Service Administrator by }  
 }  
North American Family Institute }  
Peabody, Massachusetts }  
 }  
Billed Entity Number: 227033 }  
Form 471 Application Number: 517431 }  
Funding Request Number: 1423961 }  
 }  
Federal-State Joint Board on Universal Service } FCC DOCKET NO. 02-6  
 }

**REQUEST FOR REVIEW OF AN ADMINISTRATOR DECISION BY THE  
FEDERAL COMMUNICATIONS COMMISSION**

**i. Introduction**

This is an appeal seeking review of an Administrator's Decision on Appeal dated January 26, 2010 by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator). By this appeal, the North American Family Institute (NAFI) seeks review of the USAC's Funding Year 2006 Notification of Improperly Disbursed Funds Letter. For the reasons which follow, NAFI respectfully requests that the FCC grant its appeal.

**ii. Statement of the Relevant Facts**

The North American Family Institute (NAFI) is a private non-profit organization that operates small, specialized schools for youth from the juvenile justice (non-traditional by USAC standards), child welfare, mental health and development disabilities

systems. The schools generally serve a state-wide population, which can make parent/teacher meetings problematic. Most students' families do not live near the schools. For example, the Monticello New Life School is located north of Tallahassee, near the Georgia border. However, the program is funded by the Florida Department of Education for youth committed to the Florida Department of Juvenile Justice, both state-wide agencies. A large number of the Monticello students are from south Florida, more than 400 miles away. While this is an extreme case, we do find that the distances between our school locations and the students' home communities where families reside to often be substantial. This continually makes meetings with students, teachers and parents not only impractical, but often nearly impossible.

Further, many of our students are from dysfunctional families. In addition to having low-incomes, these families have histories with law enforcement, drug and alcohol abuse, and have been found neglectful or even abusive. Family support for these youth can be extremely limited or non-existent. In many cases, we are lucky if we can maintain telephone contact with these families. Even in cases where distance is not an issue, we have found that attendance is poor for teacher/parent meetings at our schools.

As a consequence of these factors, NAFI determined that the most effective way to notify its constituent community of the Internet Safety Policy is by reviewing the policy with both students and family members (guardian) at admission or shortly thereafter and having them document the same by signing the document. We are then assured that the Policy is communicated to all students and families and documented.

**iii. Question Presented for Review**

In reference to the denial of the NAFI appeal of August 11, 2009 by the SLD Decision on Appeal dated January 26, 2010, the question presented for review is:

“The record shows during an audit, North American Family Institute (the District) was unable to provide documentation that it provided reasonable public notice and at least one public hearing to address a proposed Technology Protection Measure and internet safety policy.”

**iv. Argument**

North American Family Institute (the District) is being held to the standard for public schools. NAFI operates private schools (including many non-traditional by USAC standards) and should be held to USAC’s requirement (Schools and Libraries News Brief – June 5, 2009) for private schools which specifies “the notice can be provided to the constituent community rather than the public at large.”

NAFI provides the notice directly to students and parents/guardians. The Schools Internet Safety Policy is reviewed with students and parents at admission or shortly thereafter and they sign off on the actual document. We believe that this is the most effective manner for us to notify our constituent community.

v. **Relief Sought**

For the reasons stated above, NAFI respectfully requests that the FCC grant its appeal.

Respectfully submitted,  
THE NORTH AMERICAN FAMILY  
INSTITUTE

By:   
Daniel Nakamoto, Executive Director of  
Administrative Services  
North American Family Institute  
26 Howley Street  
Peabody, MA 01960  
Phone: 978-882-4858  
Fax: 978-531-9313  
dannakamoto@nafi.com