



Texas Serenity Academy District Office  
262 North Sam Houston Parkway East Suite 140  
Houston, Texas 77060  
Office (281) 931-8887/Fax (281) 931-8034

**Hagmon D. Simmons, Superintendent**

Received & Inspected

JAN 31 2013

FCC Mail Room

## ***APPLICATION FOR REVIEW BY THE FULL COMMISSION***

January 28, 2013

### **FedEx (or other express delivery services):**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743  
**(8:00 AM - 5:30 PM ET)**

***RE: Texas Serenity Academy Charter School in Houston, Texas; DA No. 13-15, released January 7, 2013, CC Docket No. 02-6, Application Number 581786, Funding Year 2007 and Date Petition for Reconsideration Filed December 6, 2012***

We are requesting an application for review by the full Commission with the Commission within 30 days from the released date of this decision. The reference is CC Docket No. 02-6.

The crux of our argument all along is that our school district (Texas Serenity Academy Charter School) followed the instructions given by a USAC representative and these instructions led us to an untimely filing of our initial appeal.

Our school district would have met the timely appeal of the initial March 7, 2012 Commitment Adjustment Decision (CAL) if it had not been for unforeseen circumstances. Our school district telephoned the USAC and a representative informed us that it was not necessary to submit an appeal because this matter did not directly involve our school. We then received a Demand Payment Letter on May 7, 2012 and a second Demand Payment Letter was issued June 7, 2012. Our mistake was that we relied on the information given by a USAC representative which turned out to be incorrect information.

We have documented and logged telephone calls to the USAC with reference numbers that can prove we made these calls prior to the deadline date to request an appeal. This can be validated in reference calls May 2012 (22-382-962) June 2012 reference call (22-385-775) (22-385-747) and July 2012 reference call (22-24-2012). No consideration has been given in regards to this fact.

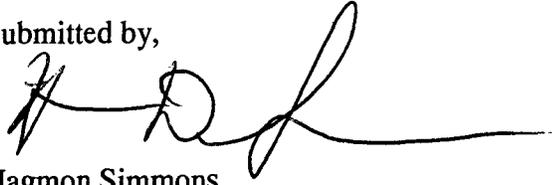
Please review the enclosed attachments that have been previously submitted in our attempt to reverse the decision levied against us. These attachments will give you a history of what has transpired in our case. We have attempted to seek every remedy possible.

We are giving your agency full permission to communicate directly with Senator John Cornyn and his staff members and provide them with any information related to our case. We are hopeful that this matter

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can be resolved and a ruling in our favor will be rendered. We thank you for your time and consideration and look forward to hearing from you.

Submitted by,

A handwritten signature in black ink, appearing to read 'Hagmon Simmons', with a long horizontal flourish extending to the right.

Hagmon Simmons  
Superintendent  
Texas Serenity Academy

**CC: Hon. John Cornyn  
United States Senator**



Federal Communications Commission  
Washington, D.C. 20554

## Memo

**To:** Texas Serenity Academy Charter School

**From:** Trent Harkrader, Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau  
Federal Communications Commission

**Date:** January 7, 2013

**Re:** DA No. 13-15, released January 7, 2013

---

Please find accompanying this memo the Bureau's decision on your appeal. The accompanying decision may be referenced in the future by its proceeding number and release date: DA No. 13-15, Released January 7, 2013.

If the Bureau has granted your appeal, please contact the Universal Service Administrative Company (USAC) at 1-888-203-8100 for more information regarding your application. Please submit any information to USAC that the order may require. Once USAC has reviewed your application related to the issues resolved in the attached letter, you will receive a revised funding commitment decision letter.

If the Bureau has denied your appeal and you choose to seek consideration of the Bureau's decision, you must file either a petition for reconsideration by the Bureau or an application for review by the full Commission with the Commission within 30 days from the released date of this decision. You may file your petition for reconsideration or application for review using the Internet by accessing the Commission's electronic comment filing system (ECFS) at <http://fjallfoss.fcc.gov/ecfs2/>. Please be sure to reference CC Docket No. 02-6 on your filing.

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Requests for Review or Waiver of	)	
Decisions of the	)	
Universal Service Administrator by	)	
	)	
Mt. Olive Township School District	)	SLD Nos. 451894, <i>et al.</i>
Budd Lake, New Jersey, <i>et al.</i>	)	
	)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism	)	

**ORDER AND ORDER ON RECONSIDERATION**

**Adopted: January 7, 2013**

**Released: January 7, 2013**

By the Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Consistent with precedent,<sup>1</sup> we deny two requests from petitioners<sup>2</sup> seeking review of decisions made by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program).<sup>3</sup> Based on our review of the record, we find that the petitioners failed to submit their requests either to the Commission or to USAC within 60 days, as required by the Commission's rules, and failed to demonstrate that special circumstances exist to justify a waiver of the deadline.<sup>4</sup>

2. Consistent with precedent,<sup>5</sup> we also dismiss a petition for reconsideration filed by Texas Serenity Academy Charter School (Texas Serenity) seeking review of a Wireline Competition Bureau

<sup>1</sup> See *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-363747, *et al.*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (Wireline Comp. Bur. 2010); *Requests for Review of Decisions of the Universal Service Administrator by Bloom High School District 206, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-779911, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 14029 (Wireline Comp. Bur. 2012) (both orders denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days as required by the Commission's rules and without showing special circumstances necessary for the Commission to waive the deadline).

<sup>2</sup> The requests are listed in Appendix A.

<sup>3</sup> Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>4</sup> 47 C.F.R. § 54.720 (setting forth the 60-day deadline for appeals of USAC decisions). The Commission may waive any provision of its rules for good cause shown. 47 C.F.R. § 1.3.

<sup>5</sup> See *Requests for Review for Waiver and/or Review of Decisions of the Universal Service Administrator by Chadbad Outreach Center, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-  
(continued...)

**APPENDIX A****Requests for Review or Waiver**

<b>Petitioner</b>	<b>Application Numbers</b>	<b>Funding Year</b>	<b>Date Request for Review/Waiver Filed</b>
Mt. Olive Township School District Budd Lake, New Jersey	451894	2005	Jul. 29, 2008
St. David School Ft. Lauderdale, Florida	835273	2012	Dec. 3, 2012

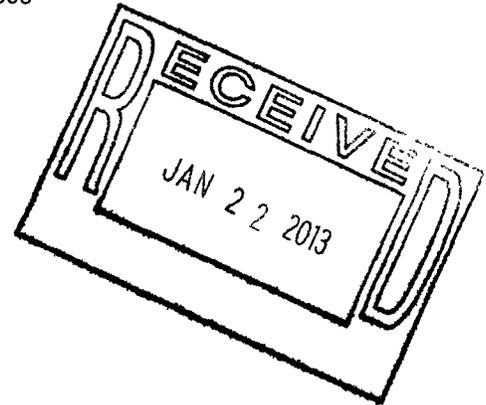
**APPENDIX B****Petition for Reconsideration**

<b>Petitioner</b>	<b>Application Number</b>	<b>Funding Year</b>	<b>Date Petition for Reconsideration Filed</b>
Texas Serenity Academy Charter School Houston, Texas	581786	2007	Dec. 6, 2012

# United States Senate

WASHINGTON, DC 20510-4305

January 15, 2013



Mr. Hagmon Simmons, Superintendent  
Texas Serenity Academy  
262 North Sam Houston Parkway East, #140  
Houston, Texas 77060-2027

Dear Mr. Simmons:

I am writing to inform you of my continuing interest in the matter you recently brought to my attention. Agency delays in responding to congressional inquiries occasionally occur, and I am currently awaiting a reply to my inquiry on your behalf. I will continue to monitor this situation and write you as soon as I receive more information.

I appreciate your patience in this matter and the opportunity to serve Texas as a United States Senator.

Sincerely,

  
JOHN CORNYN  
United States Senator

JC:drs

(Bureau) order that denied, as untimely, its initial requests for review.<sup>6</sup> We dismiss the petition for reconsideration filed by Texas Serenity because it relies on arguments that fail to identify any material error, omission, or reason warranting reconsideration and relies on arguments that have been fully considered and rejected by the Bureau within the same proceeding.<sup>7</sup>

3. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the requests for review or waiver filed by the petitioners listed in Appendix A ARE DENIED.

4. IT IS FURTHER ORDERED, pursuant to authority contained in sections 1-4 and 254 of the Communications Act, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 1.106, and 54.722(a), that the petition for reconsideration listed in Appendix B IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader  
Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau

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703513, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 11079 (Wireline Comp. Bur. Sept. 13, 2012)(dismissing petitions for reconsideration seeking review of decisions that denied as untimely their initial requests for review).

<sup>6</sup> The petition for reconsideration is identified in Appendix B. Texas Serenity's initial request for review was denied in *Requests for Review of Decisions of the Universal Service Administrator by Bloom High School District 206, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-779911, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 14029 (Wireline Comp. Bur. 2012) (denying, *inter alia*, Texas Serenity Academy Charter School request for review). The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(1).

<sup>7</sup> 47 C.F.R. § 1.106(p)(1), (3). In its petition for reconsideration, Texas Serenity states that if the Bureau does not rule favorably on its petition for reconsideration, it would like review by the full Commission within 30 days of the Bureau decision. We note that if Texas Serenity is dissatisfied with this decision on reconsideration, it will have to file an additional application for review with the Commission in accordance with the Commission's rules. See 47 C.F.R. § 1.115.

Before the  
Federal Communications Commission

... of the record, we find that the petitioners failed to submit their requests either to the Commission or to USAC within 60 days, as required by the Commission's rules, and failed to demonstrate that special circumstances exist to justify a waiver of the deadline.<sup>4</sup>

2. Consistent with precedent,<sup>5</sup> we also dismiss a petition for reconsideration filed by Texas Serenity Academy Charter School (Texas Serenity) seeking review of a Wireline Competition Bureau

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<sup>1</sup> See *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-363747, et al., CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (Wireline Comp. Bur. 2010); *Requests for Review of Decisions of the Universal Service Administrator by Bloom High School District 206, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-779911, et al., CC Docket No. 02-6, Order, 27 FCC Rcd 14029 (Wireline Comp. Bur. 2012) (both orders denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days as required by the Commission's rules and without showing special circumstances necessary for the Commission to waive the deadline).

<sup>2</sup> The requests are listed in Appendix A.

<sup>3</sup> Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>4</sup> 47 C.F.R. § 54.720 (setting forth the 60-day deadline for appeals of USAC decisions). The Commission may waive any provision of its rules for good cause shown. 47 C.F.R. § 1.3.

<sup>5</sup> See *Requests for Review for Waiver and/or Review of Decisions of the Universal Service Administrator by Chadbad Outreach Center, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-  
(continued...)

(Bureau) order that denied, as untimely, its initial requests for review.<sup>6</sup> We dismiss the petition for reconsideration filed by Texas Serenity because it relies on arguments that fail to identify any material error, omission, or reason warranting reconsideration and relies on arguments that have been fully considered and rejected by the Bureau within the same proceeding.<sup>7</sup>

3. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the requests for review or waiver filed by the petitioners listed in Appendix A ARE DENIED.

4. IT IS FURTHER ORDERED, pursuant to authority contained in sections 1-4 and 254 of the Communications Act, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 1.106, and 54.722(a), that the petition for reconsideration listed in Appendix B IS DISMISSED.

<sup>6</sup> The petition for reconsideration is identified in *Requests for Review of Decisions of the Universal Service Administrator by Bloom High School District 206, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-779911, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 14029 (Wireline Comp. Bur. 2012) (denying, *inter alia*, Texas Serenity Academy Charter School request for review). The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(1).

<sup>7</sup> 47 C.F.R. § 1.106(p)(1), (3). In its petition for reconsideration, Texas Serenity states that if the Bureau does not rule favorably on its petition for reconsideration, it would like review by the full Commission within 30 days of the Bureau decision. We note that if Texas Serenity is dissatisfied with this decision on reconsideration, it will have to file an additional application for review with the Commission in accordance with the Commission's rules. *See* 47 C.F.R. § 1.115.

(Bureau) order that denied, as untimely, its initial requests for review.<sup>6</sup> We dismiss the petition for reconsideration filed by Texas Serenity because it relies on arguments that fail to identify any material error, omission, or reason warranting reconsideration and relies on arguments that have been fully considered and rejected by the Bureau within the same proceeding.<sup>7</sup>

3. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the requests for review or waiver filed by the petitioners listed in Appendix A ARE DENIED.

4. IT IS FURTHER ORDERED, pursuant to authority contained in sections 1-4 and 254 of the Communications Act, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 1.106, and 54.722(a), that the petition for reconsideration listed in Appendix B IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader  
Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau

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703513, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 11079 (Wireline Comp. Bur. Sept. 13, 2012)(dismissing petitions for reconsideration seeking review of decisions that denied as untimely their initial requests for review).

<sup>6</sup> The petition for reconsideration is identified in Appendix B. Texas Serenity's initial request for review was denied in *Requests for Review of Decisions of the Universal Service Administrator by Bloom High School District 206, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-779911, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 14029 (Wireline Comp. Bur. 2012) (denying, *inter alia*, Texas Serenity Academy Charter School request for review). The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(1).

<sup>7</sup> 47 C.F.R. § 1.106(p)(1), (3). In its petition for reconsideration, Texas Serenity states that if the Bureau does not rule favorably on its petition for reconsideration, it would like review by the full Commission within 30 days of the Bureau decision. We note that if Texas Serenity is dissatisfied with this decision on reconsideration, it will have to file an additional application for review with the Commission in accordance with the Commission's rules. *See* 47 C.F.R. § 1.115.



Federal Communications Commission  
Washington, D.C. 20554

## Memo

**To:** Texas Serenity Academy Charter School

**From:** Trent Harkrader, Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau  
Federal Communications Commission

**Date:** January 7, 2013

**Re:** DA No. 13-15, released January 7, 2013

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Please find accompanying this memo the Bureau's decision on your appeal. The accompanying decision may be referenced in the future by its proceeding number and release date: DA No. 13-15, Released January 7, 2013.

If the Bureau has granted your appeal, please contact the Universal Service Administrative Company (USAC) at 1-888-203-8100 for more information regarding your application. Please submit any information to USAC that the order may require. Once USAC has reviewed your application related to the issues resolved in the attached letter, you will receive a revised funding commitment decision letter.

If the Bureau has denied your appeal and you choose to seek consideration of the Bureau's decision, you must file either a petition for reconsideration by the Bureau or an application for review by the full Commission with the Commission within 30 days from the released date of this decision. You may file your petition for reconsideration or application for review using the Internet by accessing the Commission's electronic comment filing system (ECFS) at <http://fjallfoss.fcc.gov/ecfs2/>. Please be sure to reference CC Docket No. 02-6 on your filing.



Texas Serenity Academy District Office  
262 North Sam Houston Parkway East Suite 140  
Houston, Texas 77060  
Office (281) 931-8887/Fax (281) 931-8034

**Hagmon D. Simmons, Superintendent**

December 6, 2012

United States Senator John Cornyn  
Providence Towers  
5001 Spring Valley Road, Suite 1125E  
Dallas, Texas 75244  
Fax: (972) 239-2110

Dear Senator Cornyn:

Thank you for your support and effort in helping to resolve our situation with the Federal Communications Commission. We would like to reiterate that we will provide you with whatever information needed in order to help resolve this matter.

Enclosed is the information you requested. We made contact with the Federal Communication Commission on December 5, 2012 and December 6, 2012. We electronically completed and submitted the required ECFS Filing information that is necessary to begin the appeal process. Your inquiry into this matter will hopefully end in favorable results for our charter school district.

Sincerely,

A handwritten signature in black ink, appearing to read "Hagmon D. Simmons", with a long horizontal flourish extending to the right.

Hagmon D. Simmons  
Superintendent  
Texas Serenity Academy Charter School

## Your submission has been accepted

ECFS Filing Receipt - Confirmation number: 2012126366834

## Proceeding

Name	Subject
02-6	In the Matter of Schools and Libraries Universal Service Support Mechanism

## Contact Info

Name of Filer: hagmon d simmons  
Email Address: hagmons@sbcglobal.net

## Address

Address Line 1: 262 N Sam Houston Parkway E Suite  
140  
City: Houston  
State: TEXAS  
Zip: 77060  
+4: 2027

## Comment

Our school district is Texas Serenity Academy Charter School We operate one school located in Houston, Texas. We serve a student population that is approximately 97% free and/or reduced lunch eligible. We have requested the assistance of U S. Senator John Cornyn to help us resolve our issue with the FCC. We have proof that we placed numerous telephone calls to the appropriate Schools and Libraries representatives when we first became aware that there was an issue involving our school district having to pay funds back to the FCC Our records clearly indicate that the following documented telephone calls were made to the Schools and Libraries representatives and we were told that "we did not have to refund the money and that the vendor would have to refund the money; the entity was not responsible for refunding the money ." The reference numbers for these calls are listed below. \*\*\*22-382-962 \*\*\*22-385-775 \*\*\*22-385-747 \*\*\*22-24-2012 Our school district received a letter from Trent Harkrader (Chief) dated November 20, 2012 This letter informed us that the Bureau denied our appeal. This is to inform the Bureau that we are officially filing a petition for reconsideration by the Bureau If the Bureau does not rule favorably in our case we then would like an application for review by the full Commission within the 30-day released date of the decision Please reference our CC Docket No. 02-6, our billed Entity Number is 16034288. You may reach me directly at telephone number (281) 931-8887. You may also email me directly at hagmons@sbcglobal.net 24 hours a day. Submitted by, Hagmon D. Simmons Superintendent Texas Serenity Academy Charter School District

## Disclaimer

This confirmation verifies that ECFS has received and accepted your filing. However, your filing will be rejected by ECFS if it contains macros, passwords, redlining, read-only formatting, a virus, or automated links to other documents.

Filings are generally processed and made available for online viewing within one business day of receipt. You may use the link below to check on the status of your filing:

<http://apps.fcc.gov/ecfs/comment/confirm?confirmation=2012126366834>

For any problems please contact the Help Desk at 202-418-0193.

\*.12/05/12

Jenkins & Simmons  
telephoned USAF  
& received this  
help desk reference  
number - 22-442475

\*.12/06/12

We telephoned FCC  
help desk @  
(202) 418-0193  
ECFS was  
confirmed submitted

CASE #

22-442-408





Federal Communications Commission  
Washington, D.C. 20554

-----BY: [unclear]  
RECEIVED [unclear]

**Memo**

**To:** Texas Serenity Academy

**From:** Trent Harkrader, Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau  
Federal Communications Commission

**Date:** November 20, 2012

**Re:** DA No. 12-1820, released November 19, 2012

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Please find accompanying this memo the Bureau's decision on your appeal. The accompanying decision may be referenced in the future by its proceeding number and release date: DA No. 12-1820, Released November 19, 2012.

If the Bureau has granted your appeal, please contact the Universal Service Administrative Company (USAC) at 1-888-203-8100 for more information regarding your application. Please submit any information to USAC that the order may require. Once USAC has reviewed your application related to the issues resolved in the attached letter, you will receive a revised funding commitment decision letter.

If the Bureau has denied your appeal and you choose to seek consideration of the Bureau's decision, you must file either a petition for reconsideration by the Bureau or an application for review by the full Commission with the Commission within 30 days from the released date of this decision. You may file your petition for reconsideration or application for review using the Internet by accessing the Commission's electronic comment filing system (ECFS) at <http://fjallfoss.fcc.gov/ecfs2/>. Please be sure to reference CC Docket No. 02-6 on your filing.

Confirmation # 2012126366834  
ECFS Filing Receipt  
Confirmation # 2012126366834

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Requests for Review of	)	
Decisions of the	)	
Universal Service Administrator by	)	
	)	
Bloom High School District 206	)	SLD Nos. 779911, <i>et al.</i>
Chicago Heights, Illinois, <i>et al.</i>	)	
	)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism	)	

**ORDER AND ORDER ON RECONSIDERATION**

**Adopted: November 19, 2012**

**Released: November 19, 2012**

By the Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Consistent with precedent,<sup>1</sup> we deny eight requests from petitioners<sup>2</sup> seeking review of decisions made by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program).<sup>3</sup> Based on our review of the record, we find that the petitioners failed to submit their requests either to the Commission or to USAC within 60 days, as required by the Commission's rules, and failed to demonstrate that special circumstances exist to justify a waiver of the deadline.<sup>4</sup>

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<sup>1</sup> See *Request for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-363747, *et al.*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (Wireline Comp. Bur. 2010); *Requests for Review and/or Requests for Waiver of Decisions of the Universal Service Administrator by Bonnie Brae Educational Center School, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-625470, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 1344 (Wireline Comp. Bur. 2012) (both orders denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days, as required by the Commission's rules, and without showing special circumstances necessary for the Commission to waive the deadline).

<sup>2</sup> The requests are listed in Appendix A.

<sup>3</sup> Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>4</sup> 47 C.F.R. § 54.720 (setting forth the 60-day deadline for appeals of USAC decisions). The Commission may waive any provision of its rules for good cause shown. 47 C.F.R. § 1.3.

2. Consistent with precedent,<sup>5</sup> we also dismiss two petitions for reconsideration filed by petitioners seeking review of Wireline Competition Bureau (Bureau) orders that denied as untimely their initial requests for review.<sup>6</sup> We dismiss the petition for reconsideration filed by Monsignor Donovan High School because it was untimely filed.<sup>7</sup> We dismiss the petition for reconsideration filed by Sampson County School District because it relies on arguments that fail to identify any material error, omission, or reason warranting reconsideration and relies on arguments that have been fully considered and rejected by the Bureau within the same proceeding.<sup>8</sup>

3. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the requests for review and/or waiver filed by the petitioners listed in Appendix A ARE DENIED.

4. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 1.106, and 54.722(a), that the petitions for reconsideration listed in Appendix B ARE DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader  
Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>5</sup> *Requests for Waiver and/or Review of Decisions of the Universal Service Administrator by Chadbad Outreach Center, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-703513, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 11079 (Wireline Comp. Bur. 2012) (dismissing petitions for reconsideration seeking review of decisions that denied as untimely petitioners' initial requests for review).

<sup>6</sup> The petitions for reconsideration are identified in Appendix B. Petitioners' initial requests for review were denied in *Requests for Waiver and/or Review of Decisions of the Universal Service Administrator by Churchill County School District, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-664502, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 7103 (Wireline Comp. Bur. 2012) (denying, *inter alia*, Monsignor Donovan High School request for review), and *Requests for Waiver and/or Review of Decisions of the Universal Service Administrator by Baltimore County Public Schools, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-703513, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 9043 (Wireline Comp. Bur. 2012) (denying, *inter alia*, Sampson County School District request for waiver). The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(1).

<sup>7</sup> See 47 C.F.R. § 1.106(p)(9) (petitions for reconsideration that are untimely do not warrant consideration and may be denied by the Bureau). Petitions for reconsideration must be filed within 30 days of public notice of the action. 47 C.F.R. § 1.106(f).

<sup>8</sup> See 47 C.F.R. § 1.106(p)(1), (3).

## APPENDIX A

## Requests for Review and/or Waiver

<b>Petitioner</b>	<b>Application Numbers</b>	<b>Funding Year</b>	<b>Date Request for Review/Waiver Filed</b>
Bloom High School District 206 Chicago Heights, Illinois	779911	2011	Sept. 10, 2012
Cook County School District 130 Blue Island, Illinois	630552	2008	Sept. 12, 2012
Coosa County School District Rockford, Alabama	674444	2009	Oct. 24, 2012
Fredonia Unified School District 484 Girard, Kansas	850595	2012	Oct. 31, 2012
Le Jardin Academy Kailua, Hawaii	790174	2011	Sept. 20, 2012
Mildred Independent School District Corsicana, Texas	827017	2012	Oct. 25, 2012
Scott County Schools District 1 Austin, Indiana	778388	2011	Oct. 18, 2012
Texas Serenity Academy Houston, Texas	581786	2007	Sept. 10, 2012

## APPENDIX B

## Petitions for Reconsideration

<b>Petitioner</b>	<b>Application Numbers</b>	<b>Funding Year</b>	<b>Date Petition for Reconsideration Filed</b>
Monsignor Donovan High School Toms River, New Jersey	510516, 550234, 620016, 678078	2006, 2007, 2008, 2009	Oct. 11, 2012
Sampson County School District Clinton, North Carolina	561507	2007	Aug. 30, 2012

2. Consistent with precedent,<sup>5</sup> we also dismiss two petitions for reconsideration filed by petitioners seeking review of Wireline Competition Bureau (Bureau) orders that denied as untimely their initial requests for review.<sup>6</sup> We dismiss the petition for reconsideration filed by Monsignor Donovan High School because it was untimely filed.<sup>7</sup> We dismiss the petition for reconsideration filed by Sampson County School District because it relies on arguments that fail to identify any material error, omission, or reason warranting reconsideration and relies on arguments that have been fully considered and rejected by the Bureau within the same proceeding.<sup>8</sup>

3. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the requests for review and/or waiver filed by the petitioners listed in Appendix A ARE DENIED.

4. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 1.106, and 54.722(a), that the petitions for reconsideration listed in Appendix B ARE DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader  
Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>5</sup> *Requests for Waiver and/or Review of Decisions of the Universal Service Administrator by Chadbad Outreach Center, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-703513, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 11079 (Wireline Comp. Bur. 2012) (dismissing petitions for reconsideration seeking review of decisions that denied as untimely petitioners' initial requests for review).

<sup>6</sup> The petitions for reconsideration are identified in Appendix B. Petitioners' initial requests for review were denied in *Requests for Waiver and/or Review of Decisions of the Universal Service Administrator by Churchill County School District, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-664502, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 7103 (Wireline Comp. Bur. 2012) (denying, *inter alia*, Monsignor Donovan High School request for review), and *Requests for Waiver and/or Review of Decisions of the Universal Service Administrator by Baltimore County Public Schools, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-703513, *et al.*, CC Docket No. 02-6, Order, 27 FCC Rcd 9043 (Wireline Comp. Bur. 2012) (denying, *inter alia*, Sampson County School District request for waiver). The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(1).

<sup>7</sup> See 47 C.F.R. § 1.106(p)(9) (petitions for reconsideration that are untimely do not warrant consideration and may be denied by the Bureau). Petitions for reconsideration must be filed within 30 days of public notice of the action. 47 C.F.R. § 1.106(f).

<sup>8</sup> See 47 C.F.R. § 1.106(p)(1), (3).

JOHN CORNYN  
TEXAS

012

# United States Senate

WASHINGTON, DC 20510-4305

November 30, 2012

Mr. Hagmon Simmons, Superintendent  
Texas Serenity Academy  
262 North Sam Houston Parkway East, #140  
Houston, Texas 77060-2027

Dear Mr. Simmons:

Thank you for providing me with your signed Privacy Form. I have made an inquiry on your behalf and will contact you again as soon as I receive a reply.

I appreciate having the opportunity to represent you in the United States Senate and to be of service in this matter.

Sincerely,

  
JOHN CORNYN  
United States Senator

JC:drs

# United States Senate

WASHINGTON, DC 20510-4305

November 20, 2012

Mr. Hagmon Simmons, Superintendent  
Texas Serenity Academy  
262 North Sam Houston Parkway East, #140  
Houston, Texas 77060-2027

Dear Mr. Simmons:

Thank you for your recent correspondence regarding your difficulties related to the Federal Communications Commission. I certainly understand the importance of this issue to you.

As your United States Senator, one of my highest priorities is to serve as a liaison with the federal government and its agencies. I understand how challenging it can be when dealing with the bureaucracy, and I am pleased to offer my assistance.

However, the Privacy Act of 1974 requires me to have your written authorization before obtaining personal information from a federal agency on your behalf. If you would like for me to proceed with a congressional inquiry, please complete, sign, and return the enclosed form to my Dallas office at:

United States Senator John Cornyn  
Providence Towers  
5001 Spring Valley Road, Suite 1125E  
Dallas, Texas 75244  
Fax: (972) 239-2110

It is a privilege to represent you in the United States Senate. I will await your response.

Sincerely,

  
JOHN CORNYN  
United States Senator

JC:drs

Enclosure



# U.S. Senator John Cornyn

5001 Spring Valley Road, Suite 1125E  
Dallas, Texas 75244  
(972) 239-1310 (Telephone)  
(972) 239-2110 (Fax)

## PRIVACY RELEASE FORM

I hereby authorize Senator John Cornyn to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, Title 5, Section 552A of the U.S. Code, access to information concerning me in the files of the following agencies Federal Communication Commission  
(Agency with which you are having difficulties). Additionally, Senator Cornyn is authorized to see any materials that may be disclosed pertinent to that request.

\*\*\*PLEASE BRIEFLY DESCRIBE YOUR DIFFICULTY ON A SEPARATE PAGE\*\*\*

Name: (Mr./Mrs./Ms.) HAGMON D. SIMMONS

Address: 262 North SAM HOUSTON PARKWAY E #140  
(Street)  
Houston, TX 77080  
(City, State, Zip)

Telephone Number: 281-931-8887 Alternate Telephone: 281-226-2108

E-Mail Address: hagmons@sbcglobal.net

Social Security Number: 262-19-2716 Date of Birth: 3-14-1955

**Please fill in appropriate case information (when applicable):**

Medicare Claim Number: \_\_\_\_\_

Medicare Provider PTAN, NPI, Tax ID: \_\_\_\_\_

Bank and Loan #: \_\_\_\_\_

VA Claim#: \_\_\_\_\_

U.S. Department of Labor: \_\_\_\_\_

CSA/CSF#: \_\_\_\_\_ OPM retirees only

FEMA Reg.#: \_\_\_\_\_ Disaster #: \_\_\_\_\_

SBA Application#: \_\_\_\_\_

Federal Communication Commission = CC Docket No. 02-6

SIGNATURE: Hagmon D. Simmons DATE: 11-28-2012



Texas Serenity Academy District Office  
262 North Sam Houston Parkway East Suite 140  
Houston, Texas 77060  
Office (281) 931-8887/Fax (281) 931-8034

**Hagmon D. Simmons, Superintendent**

September 7, 2012

Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

RE: CC Docket No. 02-6  
Request for Review

I am requesting your review of a USAC denial of the following:

Applicant Name: Texas Serenity Academy  
Billed Entity Number: 16034288  
Form 471 Application Number: 581786  
Funding Request Number(s): 1621331  
Correspondence Dated: July 26, 2012

Please be advised the Texas Serenity Academy Charter School is requesting a review of the decision to dismiss 1621331 and we are requesting reconsideration regarding our denial. The previous request that we submitted in our July 26<sup>th</sup> 2012 Letter of Appeal that was sent to Schools and Libraries-Correspondence Unit in Parsippany, New Jersey stated the reasons for our request. The key facts were stated in that request for reconsideration. However, we would like to add the following facts:

- Our school district would have met the timely appeal of the initial March 7, 2012 Commitment Adjustment Decision (CAL) if it had not been for unforeseen circumstances. Our school district telephoned the USAC and a representative informed us that it was not necessary to submit an appeal because this matter did not directly involve our school. Sometime thereafter we received a Demand Payment Letter on May 7, 2012 and a second Demand Payment Letter was issued on June 7, 2012. Our mistake was that we relied on incorrect information.

We are asking that you please do not destroy our school district based on a procedural mistake. The facts of our case are laid out in our previous correspondence to the USAC and we have attached that correspondence. It would devastate our small school to have to pay back the amount of money requested in the Demand Payment Letter. Please find enclosures.

Thank you for your consideration.

Hagmon D. Simmons  
Superintendent  
Texas Serenity Academy Charter School

Hagmon D. Simmons  
Texas Serenity Academy  
262 N. Sam Houston Pkwy East  
Suite 140  
Houston, TX 77060

Billed Entity Number: 16034288  
Form 471 Application Number: 581786  
Form 486 Application Number:



Universal Service Administrative Company  
Schools & Libraries Division

---

**Administrator's Decision on Appeal – Funding Year 2007-2008**

August 22, 2012

Hagmon D. Simmons  
Texas Serenity Academy  
262 N. Sam Houston Pkwy East  
Suite 140  
Houston, TX 77060

Re: Applicant Name: TEXAS SERENITY ACADEMY  
Billed Entity Number: 16034288  
Form 471 Application Number: 581786  
Funding Request Number(s): 1621331  
Your Correspondence Dated: July 26, 2012

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 regarding your appeal 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): 1621331  
Decision on Appeal: **Dismissed**  
Explanation:

- Your appeal is being made on a Form 471 for which a Commitment Adjustment Decision Letter (CAL) was issued on March 7, 2012. Procedures for filing an appeal are explained in your CAL and on our website at [www.usac.org/sl](http://www.usac.org/sl). You had 60 days to appeal USAC's decision, which was identified in the CAL. After the 60 days, the Demand Payment Letter was issued on May 7, 2012; a second Demand Payment Letter was issued on June 7, 2012. The Demand Payment Letter, which you are appealing, is a request for payment and is not the USAC decision on the Commitment. Consequently, your appeal is being dismissed.

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



Texas Serenity Academy District Office  
 262 North Sam Houston Parkway East Suite 140  
 Houston, Texas 77060  
 Office (281) 931-8887/Fax (281) 931-8034

**Hagmon D. Simmons, Superintendent**

July 26, 2012

Letter of Appeal  
 Schools and Libraries - Correspondence Unit  
 30 Lanidex Plaza West  
 PO Box 685  
 Parsippany, NJ 07054-0685

***RE: Texas Serenity Academy Charter School Option-A appeal with USAC***

Appellant .....Hagmon D. Simmons, Superintendent  
 Organization Name.....Texas Serenity Academy Charter School  
 Contact Person Name.....Hagmon D. Simmons, Superintendent  
 Contact Mailing Address.....262 N. Sam Houston Pkwy. East Suite 140 Houston, Texas 77060  
 Contact Phone Number.....Office (281) 931-8887 Alternate (281) 226-2108  
 Fax Number.....(281) 931-8034  
 Email.....hagmons@sbcglobal.net

Please be advised this is an appeal to the following USAC action that was dated 06/07/2012:

***Funding Commitment Adjustment Report for Form 471 Application Number: 581786***  
***Funding Request Number: 1621331***  
***Services ID: Internal Connections***  
***SPIN: 143022999***  
***Service Provider Name: Rayner Services, Inc.***  
***Contract Number: 712206***  
***Billing Account Number: N/A***  
***Site Identifier: 16034288***  
***Original Funding Commitment: \$107,205.11***  
***Commitment Adjustment Amount: \$107,205.11***  
***Adjustment Funding Commitment: \$0.00***  
***Funds Disbursed To Date:\$106,621.46***  
***Funding Commitment Adjustment Explanation:***

***“After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the review, it was determined that the applicants consultant had a relationship with a service provider, Rayner Services, Inc. and received finders fees from Rayner Services, Inc. in which a school selected them as their services provider. FCC rules require applicant to submit a FCC Form 470 to initiate the competitive bidding process and to conduct a fair and open process. Neither the applicant nor the applicants consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with “inside” information or allow it to unfairly compete in any way. Since the consultant has engaged in an improper relationship with a selected service provider, which represents a conflict of interest and compromises the competitive bidding process, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from both the applicant and service provider.”***

## Opening Statement

On behalf of the Texas Serenity Academy Charter School district students, parents, faculty, staff, community partners and the Texas Serenity Academy School Board as Superintendent I would like to extend my appreciation for the USAC allowing us to submit this letter of appeal. It is vitally crucial that our school district properly presents all of the facts and circumstances which led to our school being placed in the position we currently face regarding the commitment adjustment. We realize the seriousness of this particular issue. In point of fact, if our appeal is not successful in reversing the current commitment adjustment it might jeopardize our ability to continue educating our students and providing them with the tools necessary for a well rounded education. The overall impact of the current commitment adjustment would be devastating to our school which serves 400 students in grades K-8<sup>th</sup>. We will present facts that will clearly show that our school did not violate the spirit and intent of FCC rules in relationship to FCC Form 470 which is designed to initiate the competitive bidding process and to conduct a fair and open process. In our appeal, we will attempt to prove that our school did not limit the competitive bidding process to only one provider. Furthermore, in our appeal we will demonstrate that our school was not unjustly enriched from any agreement with Rayner Services, Inc. or our consultant. In fact, our school eventually dissolved our business relationship with Rayner Services, Inc. before the commitment adjustment was issued. Our school had no knowledge or documented history that a relationship existed between Rayner Services, Inc. and our consultant (**Exhibit-1**). The first time this issue was brought to our attention was when we were notified by the USAC. However, we must note that upon our contacting Rayner Services, Inc. they vehemently denied to us that they had an improper “inside” relationship with our consultant. One fact not in dispute is that Rayner Services or our consultant had an improper “inside” relationship with our school. Prior to seeking funding from this program, we had never done business with Rayner Services, Inc. or our consultant. No member of the Texas Serenity Academy administration had ever contacted Rayner Services, Inc. or our consultant prior to our school seeking funding from this program.

Our position is that at the time we were seeking to participate in the program, we did everything reasonable to solicit bids from other providers than just Rayner Services, Inc. Our actions clearly demonstrated our intention to comply with the intent of the program which is ***“to initiate the competitive bidding process and to conduct a fair and open process.”*** We maintained what we believe the intent and the spirit of FCC Form 470 were designed to accomplish. We did not limit our bidding process to Rayner Services, Inc. We openly sought other providers but did not receive any other inquiries. Our initial thought was that since we were new to the program, other providers might not have the interest in servicing our school. At that time our student enrollment was not at the level we are at today. Our school had not attained Adequate Yearly Progress (AYP) or achieved the success that we currently enjoy. We were a struggling school district at the time we submitted our application to participate in the program. However, our school district has improved significantly as evidenced by the Texas Serenity Academy Press Packet enclosed in this correspondence (**Exhibit-2**). We can point to our success being directly contributed to the funds received from participating in the program. Receiving these funds ultimately was the turnaround of our school. Funds from the program allowed us to increase technology throughout our campus. We managed and used the funds from the program in accordance of the guidelines established by USAC. We encourage you to review our record of how we have used funds received from the program. The funds from the program allowed us to introduce certain items to our school that without these funds we would have been unable to obtain the following:

- Wireless Internet
- Smart Boards are in every classroom due to having wireless internet
- Cell phones for all of our bus drivers in order to have constant contact with parents during bus routes.

- Cell phones for administrative staff in order to have constant contact with parents that have questions about their child or children that attend our school.
- A computer lab that now has 85 computer work stations that is connected to the internet
- An updated server system

The above is just a few of the technological benefits as a result of participating in the program. Our improved student test scores on the TAKS test proved that technology makes a difference when working with a student population that is over 94% free or reduced lunch. Prior to participating in the program our school did not make AYP and our student TAKS scores were rated unacceptable. After we became a participant in the program we made AYP the last four years and been rated academically acceptable the last four years. Our school turned around as a result of participating in the program. We have enclosed our AYP and academic rating so that you can compare our school's progress from 2005 to 2011 **(Exhibit-3)**. If our school district is penalized by the USAC for unknowingly committing an unintentional violation that would essentially remove us from the program, the progress we have gained would be greatly jeopardized. Again, Rayner Services, Inc. is no longer a provider for our school district. At the time we received our initial approval to participate in the program no other provider's submitted bids. It must also be noted that when we became a participant in the program we immediately attempted to solicit bids from other providers by posting notices that our school was accepting bids. We posted these bids on our school front doors and had the information listed on our school website.

To punish an entire school for the actions of one company would devastate our school. We implore you to reverse the action of rescinding the status of our participation in the program. Financially, asking our school to pay back \$107,205.11 would virtually wipe our school out.

### Case History

On August 25, 2011 I received a correspondence from Ms. Jessica Olsen (Special Compliance) of Solix, Inc. It was in regards to BENs 16034288 and 16034289. In response to the e-mail I received from Ms. Olsen dated August 25, 2011 I explained that Mr. Will Evans approached me in 2005-06 school year and informed me that our school district (Texas Serenity Academy) might be eligible for E-Rate services due to the makeup of our school district population. At that time over 95% of our students received free and reduced lunch and over 95% of our students were classified as economically disadvantaged. Prior to this time we had never received E-Rate funding and we literally knew nothing about the e-rate program. However, our administrative staff felt this would be a great benefit to our student population. E-Rate would allow us to expand our technology program which at the time was greatly needed.

As Superintendent I assembled a technology consulting team consisting of Texas Serenity Academy school administration members. This team then met with Mr. Evans. Mr. Evans assisted us in completing the necessary E-Rate paperwork including the application; this included our technology plan. We submitted the application but were denied because our expected needs and actual needs changed drastically. The following school year our school relocated to another location, updated our needs and changed the 470 to reflect such. Our school was then approved.

Evans consulting services never determined our needs. Furthermore, Mr. Evans did not participate in the service provider process. As of the 470 range of services generated, Rayner Services contacted me and was the only provider who submitted a bid. Mr. Evans was used as our consultant. He did not participate in the vendor selection process. He inputted the requirements of the school (administrative functions) into the 470 application after discussion with us in regards to our needs. He also provided us with samples of technology plans to assist in the completion and approval of our technology plan. We had no idea Mr. Evans and Rayner Services had any type of relationship. This was never divulged to our organization.

It is our opinion and correct position that the competitive bidding process was fair and open. Rayner Services was the only service provider that submitted a proposal to our school district on the services they were equipped to provide. Since this was a fair and open bid process the FRN's should not be denied.

Finally, it must be noted that after one year of receiving services from Rayner Services we were displeased with their services and the following school year we opted to go with another vendor. We received numerous bids that school year and thus decided to change providers. We selected Advances Network. At no point and time did Mr. Evans attempt to influence our school into remaining with Raynor Services.

### Summary

In summary, on behalf of the students, parents, faculty and staff of Texas Serenity Academy I am pleading that you not punish our school district for something we had no direct control over. Taking any portion of our E-Rate away would significantly harm our school district. Again, we did not breach the spirit or the intent of the open bidding process. Our consultant did not compromise the E-Rate bidding process in relationship to our school. Any prior business relationship that our consultant might have had with Rayner Services was not factored into the selection process. Our school entered into an agreement because at that time Rayner Services was the only viable option we had.

If you need additional information in reaching your decision feel free to contact me via e-mail at [hagmons@sbcglobal.net](mailto:hagmons@sbcglobal.net) or telephone me at (281) 931-8887, or fax (281) 931-8034.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hagmon Simmons', with a long horizontal flourish extending to the right.

Hagmon Simmons  
Superintendent  
Texas Serenity Academy



Texas Serenity Academy District Office  
262 North Sam Houston Parkway East Suite 140  
Houston, Texas 77060  
Office (281) 931-8887/Fax (281) 931-8034

**Hagmon D. Simmons, Superintendent**

August 30, 2011

Ms Jessica Olsen  
Special Compliance  
Solix, Inc.  
Re: BENs 16034288 and 16034289

Dear Ms Olson,

This is a response to the e-mail I received from you dated August 25, 2011. Mr. Will Evans approached me in 2005-06 school year and informed me that our school district (Texas Serenity Academy) might eligible for e-rate services due to the makeup of our school district population. At that time over 95% of our students received free and reduced lunch and over 95% of our students were classified as economically disadvantage. Prior to this time we had never received e-rate funding and we literally knew nothing about the e-rate program. However, our administrative staff felt this would be a great benefit to our student population. E-rate would allow us to expand our technology program which at the time was greatly needed.

As Superintendent I assembled a technology consultant team consisting of Texas Serenity Academy school administration members. This team then met with Mr. Evans. Mr. Evans assisted us in completing the necessary e-rate paperwork including the application; this included our technology plan. We submitted the application but were denied because our expected needs and actual needs changed drastically. The following school year our school relocated to another location, updated our needs and changed the 470 to reflect such. Our school was then approved.

Evans consulting services never determined our needs. Furthermore, Mr. Evans did not participate in the service provider process. As of the 470 range of services generated, Raynor Services contacted me and was the only provider who submitted a bid. Mr. Evans was used as our consultant. He did not participate in the vendor selection process. He inputted the requirements of the school (administrative functions) into the 470 application after discussion with us in regards to our needs. He also provided us with samples of technology plans to assist in the completion and approval of our technology plan. We had no idea Mr. Evans and Raynor Services had any type of relationship. This was never divulged to our organization.

It is our opinion and correct position that the competitive bidding process was fair and open. Raynor Services was the only service provider that submitted a proposal to our school district on the services they were equipped to provide. Since this was a fair and open bid process the FRN's should not be denied.

Finally, it must be noted that after one year of receiving services from Raynor Services we were displeased with their services and the following school year we opted to go with another vendor. We received numerous bids that school year and thus decided to change providers. We selected Advances Network. At no point and time did Mr. Evans attempt to influence us into remaining with Raynor Services.

In summary, on behalf of the students, parents, faculty and staff I am requesting that you not punish our school district for something we had no direct control over. Taking any portion of our e-rate away would significantly harm our school district. Again, we did nothing wrong. Mr. Evans did not compromise the e-rate bidding process.

If you need additional information in reaching your decision feel free to contact me via e-mail at [hagmons@sbcglobal.net](mailto:hagmons@sbcglobal.net) or telephone me at (281) 931-8887, or fax (281) 931-8034.

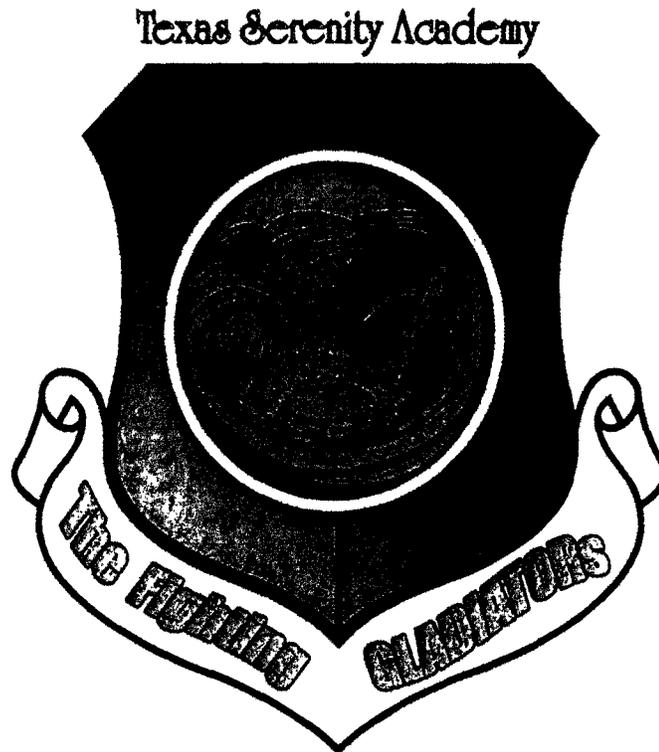
Sincerely,

A handwritten signature in black ink, appearing to read 'Hagmon Simmons', with a long horizontal line extending to the right.

Hagmon Simmons  
Superintendent  
Texas Serenity Academy

# Texas Serenity Academy Press Packet

*“If a child does not learn the way you teach, then teach the way they learn...”*



Summer – Spring  
2012-2013

**PREPARED BY:  
TEXAS SERENITY ACADEMY DISTRICT OFFICE  
(281) 931-8887  
HAGMON SIMMONS, SUPERINTENDENT**

# **THE HISTORY OF TEXAS SERENITY ACADEMY**

**Texas Serenity Academy was founded in 1998 and is a second generation charter school. Texas Serenity Academy is a 501 C-3 non-for-profit corporation registered with the State of Texas. The school was originally located in Conroe, Texas and was part of a Residential Treatment Center designed to help educate at-risk youth. The school relocated to Houston in 1995 as an open enrollment charter school which accepted students throughout the surrounding Houston area. Our district office is located at 262 North Sam Houston Parkway East Suite 140 in Houston; our school has enjoyed our current campus location at 8500 Sweetwater since 2007. Our school serves 400 students a year and we have had a student enrollment waiting list the last 4 years. We turned almost 300 student enrollment applications away the last 4 years due to the fact that we were at our enrollment capacity of 400 students each year.**



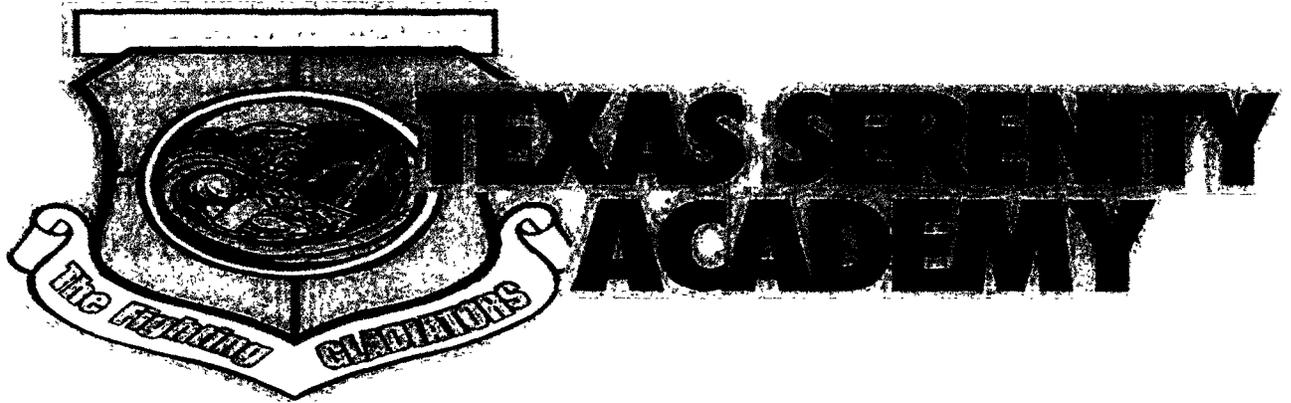
*"We will not compromise our commitment to quality education"*

## **ABOUT THE TSA CORPORATE CAMPAIGN**

*The Texas Serenity Academy Corporate Campaign is designed to help raise community support for the ongoing education and development of disadvantaged and at-risk students who attend Texas Serenity Academy Charter School. The campaign is a result of volunteers within the community taking an interest in Texas Serenity Academy and they feel encouraged to support its positive mission. These volunteers have taken the time to lend their resources, expertise and business relationships to support this effort designed to bring awareness to the positive aspects and growth of our school. Our school is seeking to have the Texas Education Agency renew our charter in an effort to continue providing quality education to students in grades K-8<sup>th</sup>.*

*Here are the levels of participation:*

- **Corporate Leaders:** May assist with expanding programs, mentoring, volunteering for special events and recruiting other leaders interested in helping support the growth of our school.
- **Fundraising:** Help locate resources in which to build a new *Texas Serenity Academy* campus and to provide our students with an improved learning environment.
- **Community Involvement:** Help encourage and increase parents' participation with *Texas Serenity Academy*, to further increase participation from community leaders with *Texas Serenity Academy*, and to teach our students the importance of serving the community in which they live.
- **Special Events:** Participate in coordinating and sponsoring fundraisers such as *Back to School Backpack Give-Away, Fall Festival, Winter Carnival, Science Project Competitions, Monthly Corporate Luncheons, etc.*



*“As Superintendent of Texas Serenity Academy this is the goal our school district has set for every student ...”*

*Thank you for your continued support,*

*Hagmon Simmons, MA  
Superintendent*

# **HIGHLIGHTS OF TEXAS SERENITY ACADEMY SCHOOL**

## ***“Annual Yearly Progress (AYP)”***

- Our school has met AYP the last 4 consecutive years. AYP is awarded to school districts that have met all of the key school operations compliance areas as determined by the Texas Education Agency (TEA).

## ***“ACE 21<sup>st</sup> Century Enrichment Program Recipient”***

- Our school received this grant from the Texas Education Agency in the fall of 2011 and it offers enrichment programs such as extended day tutorials, CSTEM, Robotics, Boy Scouts, Arts and Science Programs, Golf, Karate, Cooking, Self Esteem All About Me, etc. It also allows our school to offer free adult GED, English and computer classes to the community which are held in the evenings at our school.
- Allows students to receive two (2) additional hours of school each day throughout the entire school year and four (4) hours of Enrichment during the Summer.

## ***“Successful Financial Department...”***

- School financial audits submitted on time to TEA
- School financial audits 100% compliant with TEA regulations
- School has met all financial obligations
- School has met financial integrity
- Employee payrolls are made on time
- Vendors are paid on time
- Positive cash flow

## ***“TSA Campus Improvement Committee (CIC)...”***

- Dr. Bobby Mills serves as our Campus Improvement Coordinator and helps develop resources to improve our education format and community partnerships
- CIC helped improve our communication with TEA, Region 4, Region 6 and the Texas Charter School Association

## ***“TSA School/Governance Board Support...”***

- Creditable volunteer school board members
- Bylaws that were accepted by the State and TEA
- All board members participate in TEA required board training
- TSA Board holds regular scheduled board meetings
- Our Board has adopted the Texas Charter School Association Policy & Procedures

***“Improved TAKS and Competitive STAAR Scores...”***

- **TSA rated academically acceptable**
- **TSA TAKS scores average above 93 % in several testing areas**
- **TAKS Scores steadily improve in every grade and testing area**
- **TSA expects to do very well on the new STAAR test in 2012-2013**

***“Student Attendance Compliance...”***

- **TSA student attendance reports remain in 100% compliance with TEA**

***“TSA’s demonstrated leadership, compliance and growth...”***

- **Since 2008 over \$400,000.00 has been invested in improvements to our campus interior and exterior physical plant**
- **TSA School Board and TSA administrative staff leadership has invested money in improvements to the school campus including remodeling all classrooms, adding Smart Boards for 2<sup>nd</sup>-8<sup>th</sup> grades, restrooms, cafeteria, landscaping, building exterior, indoor and outdoor water fountains, electric restroom hand dryers, the heating/air conditioning system, etc.**
- **Since 2008 Texas Department of Criminal Justice has donated their used computers to our school; TSA receives about 400 to 600 computers a year and every student that attends our school receives a free computer to take home; it is fully loaded with educational software**
- **Since 2009 Wal-Mart has donated books, school supplies and toys to our school**
- **Since 2008 LULAC has donated school supplies and toys to our school**
- **Since 2008 the George Strake Foundation has donated \$5000.00 each year to our science laboratory**
- **In 2008 Houston Independent School District donated ESL books to our school**
- **In 2008 Saint Sheppard Church in Dallas, Texas donated an \$80,000.00 portable school building**
- **In 2009 our landlord built a new gymnasium worth over \$300,000.00**
- **In 2008 added Protection One to monitor interior and exterior of campus including 20 security cameras and alarm systems**
- **Lowe’s donated \$5,000.00 for playground equipment**
- **Houston Chronicle Design Center supported the decorating of the school lobby**
- **Since 2009 the United Way has donated furniture and fixtures to TSA**
- **In 2010 TSA hired an experienced grant writing company to write grants for TSA including the ACE 21<sup>st</sup> Century Enrichment Grant**
- **In 2010 TSA received a D.A.T.E Grant for up to \$20,000.00**
- **In 2010 TSA received the Algebra One Readiness Grant of \$42,000.00 from the University of Texas Dana Center**

- In 2010 TSA was selected to participate in a nationwide Waterford software grant that could lead to \$10,000.00 and 5 new laptop computers
- In 2010 TSA received commitments from individuals within the community to participate in a fundraiser to raise and donate \$100,000.00 for TSA
- Since 2008 TSA has maintained school text books in accordance with adoption periods
- 2008 TSA added educational software programs such as Saxon Phonics, Success Maker Pathfinder Version, TSA added Waterford, etc.
- 2008 TSA added an Accelerated Reading Curriculum
- 2008 TSA added math manipulative(s) for K-8<sup>th</sup> grade
- 2008 TSA added listening equipment for reading and listening centers
- 2008 TSA added 3<sup>rd</sup>- 8<sup>th</sup> grade reading novels and DVD's for each novel
- 2011 TSA added new student study guides for the new student STAAR Test

*“Community support for Texas Serenity Academy...”*

- 7<sup>th</sup> Secretary of Education Dr. Rod Paige supports TSA along with many other community leaders, spiritual leaders, political leaders, community activists and spiritual leaders; many of these leaders have attended and participated in our graduation ceremonies and other school events.
- Texas Lieutenant Governor David Dewhurst has written letters supporting TSA.
- TSA has received over 1000 testimonial letters from people in the community that support the mission of our school.

*“How our leadership improved TSA...”*

- Shift focus to classroom management and instruction
- Invested more money into hiring more highly qualified teachers
- Focus on student assessments, student learning materials, technology and daily attendance
- Improved our curriculum and instruction
- Since 2008 TSA has invested heavily in Science to include a fundraiser for private donors
- Added mandatory afterschool and Saturday tutorials
- Added extended school days on Tuesday and Thursdays
- Increased emphasis on daily writing journals
- Actively involved our Campus Improvement Committee
- Worked closely with TEA, Region IV and Region VI
- Improved our staff training and development
- Increased our Ancillary Department to offer students more such as Journalism class, Spanish, Drama, Music, etc.
- Encouraged our Parent Teacher Organization to become more involved

***“Athletic Department improvements...”***

- **Boys and girls soccer**
- **Boys and girls basketball**
- **Boys and girls track/field**
- **Boys flag football**
- **Girls volleyball**
- **Majorette Baton Twirling**

***“Other student activities...”***

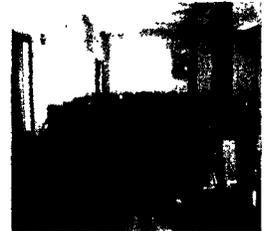
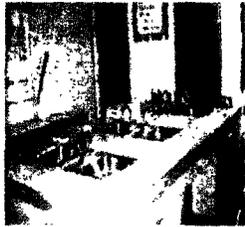
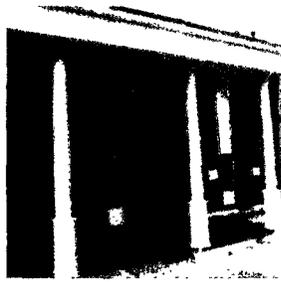
- **Drama Club**
- **Cinco De Mayo program**
- **Black History program**
- **Field Day**
- **Kindergarten, 5<sup>th</sup> & 8<sup>th</sup> Grade graduation ceremonies**
- **Field trips to NASA, Houston Zoo, Petco, Veggie Pals and Splash-Town**
- **Yearbook committee**

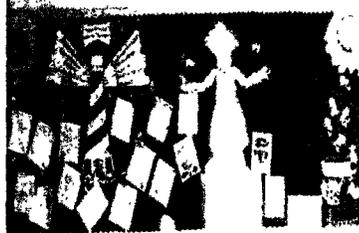
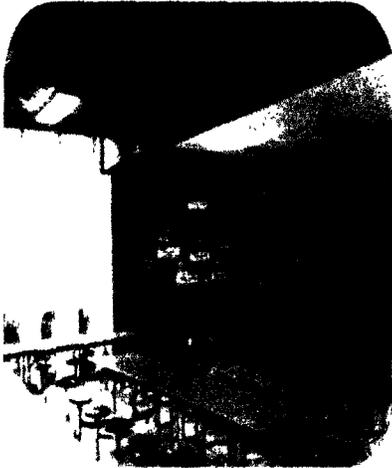
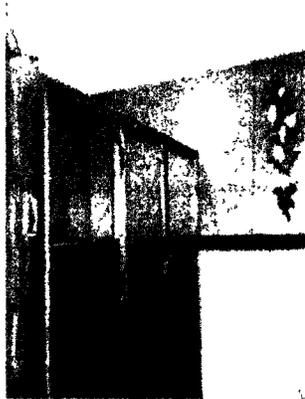
***“Improved Technology”***

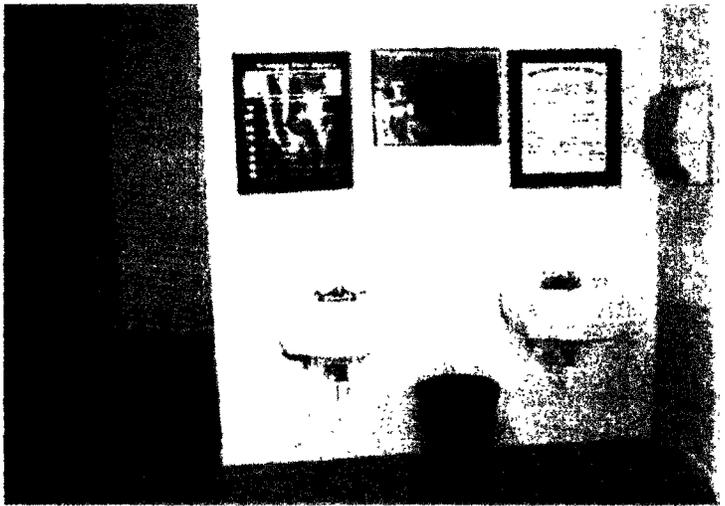
- **Laptop Computers for all middle school students**
- **Every student receives a dell desk top computer to take home**
- **Entire school has wireless internet**
- **E-Rate has been used to improve technology**
- **Smart Boards inside all classrooms**
- **Listening centers in every classroom**
- **Computer work stations in every classroom**
- **90 seat computer laboratory (Photos in Photographic Tour Section)**

# PHOTOGRAPHIC TOUR

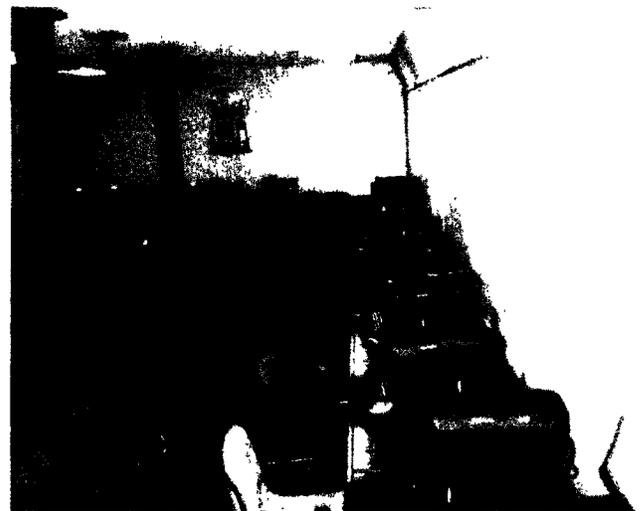
# Tour Our Current Campus 8500 Sweetwater



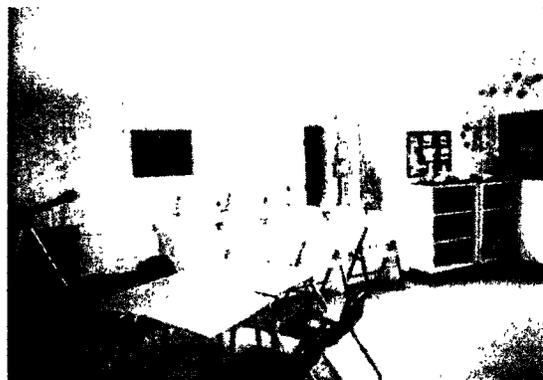
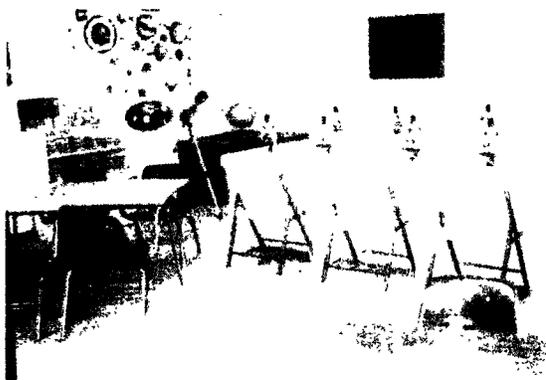
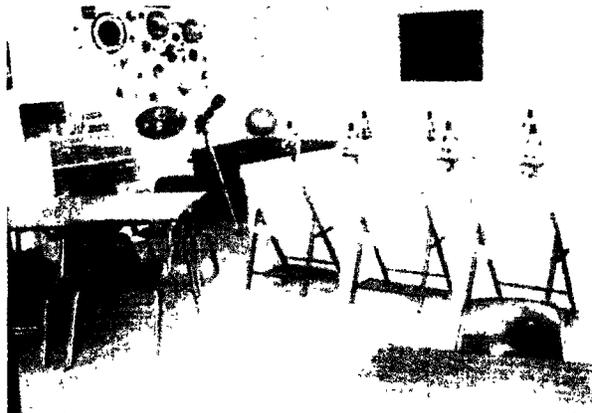
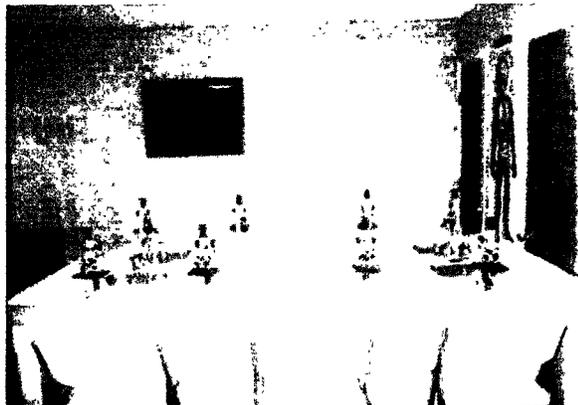




# Sweetwater Campus Computer Laboratory



# Sweetwater Science Laboratory



**Texas Serenity Academy  
Transportation Department  
“Our school district has built a  
fleet of 15 school buses.”**





BOYS FOOTBALL



GIRLS VOLLEYBALL



# Other student activities

## JOURNALISM CLASS



## ETIQUETTE WORKSHOP



VALENTINE DANCE



FALL FESTIVAL



CHRISTMAS PROGRAM



CAREER DAY



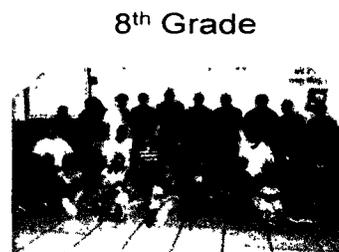
# Graduating Classes



Kinder



5<sup>th</sup> Grade



8<sup>th</sup> Grade



## TAKS TEST PROGRAM



## SCIENCE FAIR



# Meet Some of Our Faculty & Staff

Diversity is a positive learning tool in an educational environment and we strive to have a faculty and staff that are reflective of our student population. We do not discriminate in our hiring process.

## Faculty & Staff



**Chip Simmons - Superintendent**  
Texas Security Academy (281) 931-8887

**Chip Simmons**  
Superintendent



**Larry Jenkins - Asst. Superintendent**  
East County Academy (800) 600-9500

**Larry Jenkins**

Asst. Superintendent



**Michelle Forman - Principal**  
East County Academy (800) 600-9500

**Michelle Forman**

Principal



**Rosa Borrego**

Kindergarten Teacher



**Janice Johnson**

Kindergarten Teacher



**Marlene Hinton**

1st Grade Teacher



**Blanca Rodriguez**

2nd Grade Teacher



**Danielle Johnson**

3rd Grade Teacher



**Debra Rodriguez**

Registrar's  
Office/Substitute



**Amanda Kuehn**

5th Grade Teacher



**Kelsan Shaw**

6th - 8th Grade  
Teacher



**Georgia Williams**

Math Teacher



**Steven Glover**

Technology Teacher



**Cora Kare**

Music & Spanish  
Teacher



**John Washington**

P. E. Teacher



**Phallen Lemons**

Special Ed Teacher



**Ms. Butler**  
4th Grade - Team Secretary Academy

**Ms Butler**

4th Grade Teacher



**Jason Davila**  
Special Ed - Texas Sonoma Academy

**Jason Davila**

Special Ed Teacher



**Tia Boutte**  
Special Ed - Texas Sonoma Academy

**Tia Boutte**

Special Ed Teacher



**Rene Cuellar**  
4th Grade - Texas Sonoma Academy

**Rene Cuellar**

4th Grade Teacher



**Chris Newman**  
P.E. Teacher - Texas Sonoma Academy

**Chris Newman**

P.E. Teacher

# Al Spinks

11822 Guadalupe River Dr. • Houston, Texas 77067  
Phone: 281-704-1724 • E-Mail: Al@asapresents.com

Date: July 25, 2012

Mr. Hagmon Simmons  
Texas Serenity Academy  
8500 Sweetwater  
Houston, TX 77037

Dear Mr. Simmons:

This letter is in response to your request for documentation from me regarding SLD's (Schools and Library Division) decision to cut off funding for your school, Texas Serenity Academy (TSA) – Houston Campus. I also understand that they are seeking a refund of the monies already expended upon goods and services purchased for and in use by TSA since 2006.

As the service provider and, as far as I know, the only company to submit a bid to your publicly available Request for Prices (RFP) there is no way that you were unreasonably influenced to use my firm (Raynor Services, Inc.) as the contractor. Upon accepting my bid you sent it to SLD to determine the reasonableness of the pricing. SLD approved the pricing and the contract was awarded. I met with you and then assembled a team of local businesses to complete the work.

The work was done to your satisfaction and we were paid by SLD for the 90% and TSA for the 10%. Again I would like to state that there was no manipulation of the bid process. Everything was done in an above-board manner. Let me know if there is any additional information I can provide.

I have made the office of Congress Person Sheila Jackson Lee aware of this situation and hope that you do so also.

Sincerely,

*Al Spinks*

# Al Spinks

11822 Guadalupe River Dr. • Houston, Texas 77067  
Phone 281-704-1724 • E-Mail: Al@asapresents.com

Date: July 25, 2012

Mr. Hagmon Simmons  
Texas Serenity Academy  
8500 Sweetwater  
Houston, TX 77087

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I have made the office of Congress Person Sheila Jackson Lee aware of this situation and hope that you do so also.

Sincerely,

*Al Spinks*



Universal Service Administrative Company

Schools and Libraries Division

## Notice of Dismissal

July 20, 2012

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
Houston, Texas 77037

Re: Notification of Dismissal of Applications Pursuant to the Red Light Rule

Application Numbers: 859956, 870143, 870199, 870536  
Billed Entity: 16034288  
Fund Year: 2012

The Schools and Libraries Division received your request, cited above, for a funding for the Schools and Libraries Universal Service Support Mechanism (E-Rate) holding FCC Registration Number 0014574271.

As required by 47 C.F.R. § 1.1910(a)(1), we reviewed our records and determined that as of 06/07/2012, you or an entity sharing the same Taxpayer Identification Number (TIN) is delinquent on the payment of a debt owed to the Universal Service Administrative Company (USAC) and/or the Federal Communications Commission.

Pursuant to 47 CFR § 1.1910(b), we issued a Notice of Withholding Action on 06/07/2012 explaining the nature of the debt(s) owed. As of the date of this letter, the debt has not been satisfied, and therefore the application listed above is dismissed and no funding will be provided for any of the funding requests included in that application.

Please be advised that any additional applications or requests for benefits from the FCC or its reporting components, including but not limited to support from the Universal Service Fund, payments from the Telecommunications Relay Services Fund, or the issuance of telephone numbers from the North American Numbering Plan Administrator, will be reviewed to determine if any delinquent debts are outstanding.

Sincerely,

Schools and Libraries Division  
Universal Service Administrative Company

Cc: Evans Consulting, Cbeyond Communications, Advanced Network Systems, Comcast Business Communications, Sprint.

Facsimile: (888) 637-6226

E-mail: [customerservice@bcd.usac.org](mailto:customerservice@bcd.usac.org)

Sincerely,  
Schools and Libraries Division  
Universal Service Administrative Company

cc.: Evans Consulting, Cbeyond Communications, Advanced Network Systems, Comcast  
Business Communications, Sprint.



## Notice of Withholding of Action

June 07, 2012

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
Houston, Texas 77037

Re: Notification of Withholding of Action Pending Red Light Rule

Application Numbers: 859956, 870143, 870199, 870536  
Billed Entity: 16034288  
Fund Year: 2012

The Schools and Libraries Division received your request, cited above, for a funding for the Schools and Libraries Universal Service Support Mechanism (E-Rate) holding FCC Registration Number 0014574271.

As required by 47 C.F.R. § 1.1910(a)(1), we have reviewed our records and determined that as of 06/07/2012, you or an entity sharing the same Taxpayer Identification Number (TIN) is delinquent on the payment of a debt owed to the Universal Service Administrative Company (USAC):

TEXAS SERENITY ACADEMY      \$106,621.46

Pursuant to 47 CFR § 1.1910(b) no further disbursements will be made until the complete debt owed to USAC and the FCC is satisfied and/or arrangements have been made to pay the delinquent debt. **If no payment is made within 30 days of the date of this letter, any pending applications and requests for benefits may be dismissed.** This means that any funding requests filed on the Form(s) 471 listed above will be denied.

Please be advised that any additional applications or requests for benefits from the FCC or its reporting components, including but not limited to support from the Universal Service Fund, payments from the Telecommunications Relay Services Fund, or the issuance of telephone numbers from the North American Numbering Plan Administrator, will be reviewed to determine if any delinquent debts are outstanding.

If you have any questions regarding the debt owed to USAC, please contact us at:

Address: USAC Billing Collections & Disbursement  
Attention: Red Light Inquiries  
2000 L Street, N.W., Suite 200  
Washington, DC 20036

Telephone: (888) 641-8722

878-203-8100

TRANSMISSION VERIFICATION REPORT

TIME : 07/24/2012 10:16  
NAME : TEXAS SERENITY ACADE  
FAX : 2819318887  
TEL : 2819318887  
SER.# : 000L7N285117

DATE, TIME	07/24 10:13
FAX NO./NAME	18882768736
DURATION	00:03:17
PAGE(S)	13
RESULT	OK
MODE	STANDARD ECM

**Texas Serenity Academy**

262 North Sam Houston Parkway East, Suite 140  
Houston, Texas 77060

Phone: 281-931-8887  
Fax: 281-931-8034  
Web Site:  
[www.texasserenityacademy.net](http://www.texasserenityacademy.net)

To: Jackie  
From:  
Re:  
Cc:

Fax: 1-888-276-8736  
Date: 7-24-2012  
Pages: 1 of 13

MAY  
22-382-962  
JUNE  
22-2012  
22-385-775  
22-385-747  
July 24, 2012  
22-24-2012

- Urgent
- For review
- Please comment
- Please reply
- Please recycle

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
HOUSTON, TX 77037

## ATTENTION!

### BELOW ARE SEVERAL IMPORTANT CHANGES TO THE TEXT IN THE ACCOMPANYING LETTER

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payment payable to:

Universal Service Administrative Company  
c/o Bank of America  
1075 Loop Road (105056)  
Atlanta, GA 30337  
Phone: 1-404-209-6377

Paragraph 2 of the letter is replaced in its entirety:

2. Unless we receive full payment, evidence that the debt is not owed, or a request for installment payment plan for repaying the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Secretary of Treasury (Treasury) for debt collection. The FCC has determined that the funds are owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, and you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury. The Treasury will impose additional charges (currently 28% of the debt). Additional information regarding the DCIA is available at 31 U.S.C. §§ 3701, 3711, 3716, 3717 and 3720B, the Federal Claims Collection Standards (e.g. 31 C.F.R. §900.1, et seq.) and 47 C.F.R. § 1.1901, et seq.

Paragraph 6 of the letter is replaced in its entirety:

6. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. If due to financial hardship you are unable to pay the full amount of the past due invoice in a lump sum, you may contact our Customer Service Office to request an installment payment plan, which will require the payment of interest and execution of a promissory note. If you fail to pay the installment payment plan amount in full, plus accrued interest, penalties, and administrative charges, several administrative or judicial actions may result. First, your delinquent account information will be reported to credit bureaus, your account will be subject to administrative action by the FCC and the Treasury, including administrative offset, denial of certain federal benefits, withholding of action on any pending application (see 47 C.F.R. § 1.1910 (Red Light)), and referral to private collection attorneys. Next, we may refer the circumstances of your delinquency to the FCC's Enforcement Bureau for further action. Finally, your delinquent debt may be transferred to either the Treasury for further administrative collection or the DOJ for enforced collection.

To provide evidence that all or part of the Debt has been paid or request an installment payment plan, you may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Division-  
Correspondence Unit  
30 Lanidex Plaza West, P.O. Box 685  
Parsippany, NJ 07054-0685  
Phone Number: 973-581-5395  
Fax Number: 973-599-6582



Demand Payment Letter

SECOND REQUEST

( Funding Year 2007: July 1, 2007 - June 30, 2008 )

June 7, 2012

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
HOUSTON, TX 77037

- PAST DUE NOTICE -

THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR  
ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW

Re: Form 471 Application Number: 581786  
Funding Year: 2007  
Applicant's Form Identifier: TSAHIC4717  
Billed Entity Number: 16034288  
FCC Registration Number: 0014574271  
SPIN: 143022999  
Service Provider Name: Raynor Services, Inc  
Service Provider Contact Person: Grafton Spinks  
Payment Due By: 6/7/2012

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment Letter.

As of 06/07/2012, the debt is past due and delinquent.

THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES

1. Debtor is cautioned that failure to make the demanded payment or make other satisfactory arrangements will result in further sanctions, including, but not limited to, the initiation of proceedings to recover the outstanding debt, together with any applicable administrative charges, penalties, and interest pursuant to the provisions of the Debt Collection Act of 1982 (Public Law 97-365) and the Debt Collection Improvement Act of 1996 (Public Law 104-134), as amended (the DCIA), as set forth below.

2. If we do not receive full payment of the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Federal Communications Commission (Commission or FCC) and/or the United States Department of Treasury (Treasury) for debt collection. The FCC has determined that the funds are owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen

if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury (currently 18% of the debt), and you will be charged an additional penalty of 6% a year for any part of the debt that is more than 90 days past due. Interest on the outstanding debt (DCIA Interest) will be assessed at the published investment rate for the Treasury tax and loan accounts (Treasury Current Value of Funds Rate). If, however, you pay the full amount of the outstanding debt within 30 days of the Demand Date, the DCIA Interest will be waived. These requirements are set out at 31 U.S.C. § 3717.

3. When we transfer the debt (to the Commission or later to the Treasury), you may be subject to other administrative proceedings. Your failure to pay the debt may be reported to credit bureaus (see 31 U.S.C. § 3711(e)), the debt will be considered for administrative offset (see 31 U.S.C. § 3716), the debt may be further transferred to collection agencies (see 31 U.S.C. §§ 3711 & 3718), and also the debt may be referred to the United States Department of Justice or agency counsel for litigation. In that situation, you may be subject to additional administrative costs that result from the litigation. Moreover, pursuant to 31 U.S.C. §3720 (B), a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. You should be aware that the discharge of any portion of the debt may be reported to the Internal Revenue Service as potential taxable income.

#### Opportunity of Inspection and Review

4. You have an opportunity to inspect and copy the invoices and the records pertinent to the debt. The Notification of Commitment Adjustment Letter constituted notice of your opportunity to appeal the validity of the debt.

#### Opportunity to Request Repayment Agreement

5. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. In that case, however, you must first provide evidence that demonstrates financial inability to pay the debt in one payment. Your claim of financial inability to pay in one payment is subject to verification (see 31 C.F.R. § 901.8). If your request is approved for further processing, you will be required to execute a written agreement suitable to the Commission. You should be aware that repayment agreements regularly impose a number of obligations on the debtor, including additional administrative charges, audit obligations, and surety bond requirements. For more information on the obligations associated with repayment agreements, see "USAC Repayment Request Procedure"

<http://www.usac.org/fund-administration/contributors/paying-your-invoice/payment-extension-plans.aspx>.

If you desire to exercise any of the above described rights, you must do so in writing which must be delivered to and received at the address below within 30 (thirty) days of the Demand Date. Any required evidence must be submitted at the same time that you submit your request. Failure to provide the written request (and, as appropriate, the required evidence) within the stated time is a waiver of these opportunities.

You may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Division - Program Compliance II,  
Dept. 125 - Correspondence Unit,  
100 South Jefferson Road,  
Whippany, NJ 07981  
Phone Number: 973-581-5395  
Fax Number: 973-599-6582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full Funds to be Recovered from Applicant amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Bank of America  
c/o Universal Service Administrative Company (105056)  
1075 Loop Road  
Atlanta, GA 30337  
Phone 404-209-6377

If you are located in the Atlanta area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company  
P.O. Box 105056  
Atlanta, GA 30348-5056  
Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

**PAYMENT MUST BE RETURNED IMMEDIATELY.**

Complete program information is posted to the SLD section of the USAC web site at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Technical Client Service Bureau by e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: *Grafton Spinks*  
*Raynor Services, Inc*

Funding Commitment Adjustment Report  
for Form 471 Application Number: 581786

Funding Request Number: 1621331  
Services Id: INTERNAL CONNECTIONS  
SPIN: 143022999  
Service Provider Name: Raynor Services, Inc  
Contract Number: 712206  
Billing Account Number: N/A  
Site Identifier: 16034288  
Original Funding Commitment: \$107,205.11  
Commitment Adjustment Amount: \$107,205.11  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$106,621.46  
Funds to be Recovered from Applicant: 1 \$106,621.46

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the review, it was determined that the applicants consultant had a relationship with a service provider, Raynor Services, Inc. and received finders fees from Raynor Services, Inc. in which a school selected them as their service provider. FCC rules require applicants to submit a FCC Form 470 to initiate the competitive bidding process and to conduct a fair and open process. Neither the applicant nor the applicants consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way. Since the consultant has engaged in an improper relationship with a selected service provider, which represents a conflict of interest and compromises the competitive bidding process, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from both the applicant and service provider.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING

<sup>1</sup>Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it's because you have partially repaid the debt or because the Service Provider has partially repaid the debt.



**Demand Payment Letter**

**SECOND REQUEST**

( Funding Year 2007: July 1, 2007 - June 30, 2008 )

June 7, 2012

Grafton Spinks  
Raynor Services, Inc  
2868 Love Lane  
Friendswood, TX 77546

**- PAST DUE NOTICE -**

**THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR  
ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW**

Re: SPIN: 143022999  
Form 471 Application Number: 581786  
Funding Year: 2007  
FCC Registration Number:  
Applicant Name: TEXAS SERENITY ACADEMY  
Billed Entity Number: 16034288  
Applicant Contact Person: Hagmon Simmons  
Payment Due By: 6/7/2012

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment Letter.

As of 6/7/2012, the debt is past due and delinquent.

**THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES**

1. Debtor is cautioned that failure to make the demanded payment or make other satisfactory arrangements will result in further sanctions, including, but not limited to, the initiation of proceedings to recover the outstanding debt, together with any applicable administrative charges, penalties, and interest pursuant to the provisions of the Debt Collection Act of 1982 (Public Law 97-365) and the Debt Collection Improvement Act of 1996 (Public Law 104-134), as amended (the DCIA), as set forth below.
2. If we do not receive full payment of the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Federal Communications Commission (Commission or FCC) and/or the United States Department of Treasury (Treasury) for debt collection. The FCC has determined that the funds are owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen

if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury (currently 18% of the debt), and you will be charged an additional penalty of 6% a year for any part of the debt that is more than 90 days past due. Interest on the outstanding debt (DCIA Interest) will be assessed at the published investment rate for the Treasury tax and loan accounts (Treasury Current Value of Funds Rate). If, however, you pay the full amount of the outstanding debt within 30 days of the Demand Date, the DCIA Interest will be waived. These requirements are set out at 31 U.S.C. § 3717.

3. When we transfer the debt (to the Commission or later to the Treasury), you may be subject to other administrative proceedings. Your failure to pay the debt may be reported to credit bureaus (see 31 U.S.C. § 3711(e)), the debt will be considered for administrative offset (see 31 U.S.C. § 3716), the debt may be further transferred to collection agencies (see 31 U.S.C. §§ 3711 && 3718), and also the debt may be referred to the United States Department of Justice or agency counsel for litigation. In that situation, you may be subject to additional administrative costs that result from the litigation. Moreover, pursuant to 31 U.S.C. §3720 (B), a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. You should be aware that the discharge of any portion of the debt may be reported to the Internal Revenue Service as potential taxable income.

#### Opportunity of Inspection and Review

4. You have an opportunity to inspect and copy the invoices and the records pertinent to the debt. The Notification of Commitment Adjustment Letter constituted notice of your opportunity to appeal the validity of the debt.

#### Opportunity to Request Repayment Agreement

5. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. In that case, however, you must first provide evidence that demonstrates financial inability to pay the debt in one payment. Your claim of financial inability to pay in one payment is subject to verification (see 31 C.F.R. § 901.8). If your request is approved for further processing, you will be required to execute a written agreement suitable to the Commission. You should be aware that repayment agreements regularly impose a number of obligations on the debtor, including additional administrative charges, audit obligations, and surety bond requirements. For more information on the obligations associated with repayment agreements, see "USAC Repayment Request Procedure"

<http://www.usac.org/fund-administration/contributors/paying-your-invoice/payment-extension-plans.aspx>.

If you desire to exercise any of the above described rights, you must do so in writing which must be delivered to and received at the address below within 30 (thirty) days of the Demand Date. Any required evidence must be submitted at the same time that you submit your request. Failure to provide the written request (and, as appropriate, the required evidence) within the stated time is a waiver of these opportunities.

You may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Division - Program Compliance II,  
Dept. 125 - Correspondence Unit,  
100 South Jefferson Road,  
Whippany, NJ 07981  
Phone Number: 973-581-5395  
Fax Number: 973-599-6582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with the applicant to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full Funds to be Recovered from Service Provider amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Bank of America  
c/o Universal Service Administrative Company (105056)  
1075 Loop Road  
Atlanta, GA 30337  
Phone 404-209-6377

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Universal Service Administrative Company  
P.O. Box 105056  
Atlanta, GA 30348-5056  
Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

**PAYMENT MUST BE RETURNED IMMEDIATELY.**

Complete program information is posted to the SLD section of the USAC web site at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Technical Client Service Bureau by e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: *Hagmon Simmons*  
*TEXAS SERENITY ACADEMY*

Funding Commitment Adjustment Report  
for Form 471 Application Number: 581786

Funding Request Number: 1621331  
Contract Number: 712206  
Services Ordered: INTERNAL CONNECTIONS  
Billing Account Number: N/A  
Original Funding Commitment: \$107,205.11  
Commitment Adjustment Amount: \$107,205.11  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$106,621.46  
Funds to be Recovered from Service Provider : <sup>1</sup> \$106,621.46  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the review, it was determined that the applicants consultant had a relationship with a service provider, Raynor Services, Inc. and received finders fees from Raynor Services, Inc. in which a school selected them as their service provider. FCC rules require applicants to submit a FCC Form 470 to initiate the competitive bidding process and to conduct a fair and open process. Neither the applicant nor the applicants consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way. Since the consultant has engaged in an improper relationship with a selected service provider, which represents a conflict of interest and compromises the competitive bidding process, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from both the applicant and service provider.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING

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<sup>1</sup> Please note that if the Funds to be Recovered from the Service Provider is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it's because you have partially repaid the debt or because the applicant has partially repaid the debt.



Universal Service Administrative Company

Schools & Libraries Division

Demand Payment Letter

( Funding Year 2007: July 1, 2007 - June 30, 2008 )

May 7, 2012

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
HOUSTON, TX 77037

Re: Form 471 Application Number:	581786
Funding Year:	2007
Applicant's Form Identifier:	TSAHIC4717
Billed Entity Number:	16034288
FCC Registration Number:	0014574271
SPIN:	143022999
Service Provider Name:	Raynor Services, Inc
Service Provider Contact Person:	Grafton Spinks
Payment Due By:	6/6/2012

*Handwritten:* 22-382-962

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this letter could result in interest, late payment fees, administrative charges, and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

Funding Commitment Adjustment Report  
Form 471 Application Number: 581786

Funding Request Number: 1621331  
Services Ordered: INTERNAL CONNECTIONS  
SPIN: 143022999  
Service Provider Name: Raynor Services, Inc  
Contract Number: 712206  
Billing Account Number: N/A  
Site Identifier: 16034288  
Original Funding Commitment: \$107,205.11  
Commitment Adjustment Amount: \$107,205.11  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$106,621.46  
Funds to be Recovered from Applicant: \$106,621.46  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the review, it was determined that the applicants consultant had a relationship with a service provider, Raynor Services, Inc. and received finders fees from Raynor Services, Inc. in which a school selected them as their service provider. FCC rules require applicants to submit a FCC Form 470 to initiate the competitive bidding process and to conduct a fair and open process. Neither the applicant nor the applicants consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way. Since the consultant has engaged in an improper relationship with a selected service provider, which represents a conflict of interest and compromises the competitive bidding process, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from both the applicant and service provider.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Bank of America  
c/o Universal Service Administrative Company (105056)  
1075 Loop Road  
Atlanta, GA 30337  
Phone 404-209-6377

If you are located in the Atlanta area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company  
P.O. Box 105056  
Atlanta, GA 30348-5056  
Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

Payment is due within 30 days from the date of this letter.

Complete Program information is posted to the SLD section of the USAC website at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: *Grafton Spinks*  
*Raynor Services, Inc*

## **ATTENTION!**

When sending payments by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express and UPS) please send check payment payable to:

Universal Service Administrative Company (105056)  
1075 Loop Road  
Atlanta, GA 30337  
Phone 404-209-6377

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
HOUSTON, TX 77037

## ATTENTION!

BELOW ARE SEVERAL IMPORTANT CHANGES TO THE TEXT IN THE ACCOMPANYING LETTER

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payment payable to:

Universal Service Administrative Company  
c/o Bank of America  
1075 Loop Road (105056)  
Atlanta, GA 30337  
Phone: 1-404-209-6377

Paragraph 2 of the letter is replaced in its entirety:

2. Unless we receive full payment, evidence that the debt is not owed, or a request for installment payment plan for repaying the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Secretary of Treasury (Treasury) for debt collection. The FCC has determined that the funds are owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, and you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury. The Treasury will impose additional charges (currently 28% of the debt). Additional information regarding the DCIA is available at 31 U.S.C. §§ 3701, 3711, 3716, 3717 and 3720B, the Federal Claims Collection Standards (e.g. 31 C.F.R §900.1, et seq.) and 47 C.F.R. § 1.1901, et seq.

Paragraph 6 of the letter is replaced in its entirety:

6. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. If due to financial hardship you are unable to pay the full amount of the past due invoice in a lump sum, you may contact our Customer Service Office to request an installment payment plan, which will require the payment of interest and execution of a promissory note. If you fail to pay the installment payment plan amount in full, plus accrued interest, penalties, and administrative charges, several administrative or judicial actions may result. First, your delinquent account information will be reported to credit bureaus, your account will be subject to administrative action by the FCC and the Treasury, including administrative offset, denial of certain federal benefits, withholding of action on any pending application (see 47 C.F.R. § 1.1910 (Red Light)), and referral to private collection attorneys. Next, we may refer the circumstances of your delinquency to the FCC's Enforcement Bureau for further action. Finally, your delinquent debt may be transferred to either the Treasury for further administrative collection or the DOJ for enforced collection.

To provide evidence that all or part of the Debt has been paid or request an installment payment plan, you may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Division-  
Correspondence Unit  
30 Lanidex Plaza West, P.O. Box 685  
Parsippany, NJ 07054-0685  
Phone Number: 973-581-5395  
Fax Number: 973-599-6582

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
HOUSTON, TX 77037

Hagmon Simmons  
TEXAS SERENITY ACADEMY  
8500 SWEETWATER  
HOUSTON, TX 77037



Universal Service Administrative Company

Schools and Libraries Division

**Demand Payment Letter**

( Funding Year 2007: July 1, 2007 - June 30, 2008 )

May 7, 2012

*Grafton Spinks  
Raynor Services, Inc  
2868 Love Lane  
Friendswood, TX 77546*

Re: SPIN:	143022999
Service Provider Name:	Raynor Services, Inc
Form 471 Application Number:	581786
Funding Year:	2007
FCC Registration Number:	
Applicant Name:	TEXAS SERENITY ACADEMY
Billed Entity Number:	16034288
Applicant Contact Person:	Hagmon Simmons
Payment Due By:	6/6/2012

You were recently sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds from you for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is also attached to this letter.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this letter could result in interest, late payment fees, administrative charges, and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with the applicant to determine who

will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Service Provider" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

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c/o Universal Service Administrative Company (105056)  
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Atlanta, GA 30337  
Phone 404-209-6377

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Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

**Payment is due within 30 days from the date of this letter.**

Complete Program information is posted to the SLD section of the USAC website at [www.usac.org/sl/](http://www.usac.org/sl/). You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company  
Schools and Libraries Division

cc: Hagmon Simmons  
TEXAS SERENITY ACADEMY

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Funding Commitment Adjustment Report  
Form 471 Application Number: 581786

Funding Request Number:	1621331
Contract Number:	712206
Services Ordered:	INTERNAL CONNECTIONS
Billing Account Number:	N/A
Original Funding Commitment:	\$107,205.11
Commitment Adjustment Amount:	\$107,205.11
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$106,621.46
Funds to be Recovered from Service Provider:	\$106,621.46

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the review, it was determined that the applicants consultant had a relationship with a service provider, Raynor Services, Inc. and received finders fees from Raynor Services, Inc. in which a school selected them as their service provider. FCC rules require applicants to submit a FCC Form 470 to initiate the competitive bidding process and to conduct a fair and open process. Neither the applicant nor the applicants consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way. Since the consultant has engaged in an improper relationship with a selected service provider, which represents a conflict of interest and compromises the competitive bidding process, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from both the applicant and service provider.

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