

**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Clover Park School District	)	File No. EB-09-ST-0053
WQKY968	)	
	)	
Lakewood, Washington	)	NOV No. V201032980001
	)	
	)	

**NOTICE OF VIOLATION**

**Released: January 27, 2010**

By the District Director, Seattle Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Clover Park School District, licensee of radio station WQKY968, in Lakewood, Washington.

2. On January 10, 2010, in response to complaints of interference, an agent of the Enforcement Bureau's Seattle Office monitored radio station WQKY968 located at 10903 Gravelly Lake Drive SW, Lakewood, Washington, and observed the following violation:

- a. 47 C.F.R. § 90.403(e): "Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference." At the time of the investigation, the agent observed that the WQKY968 transmitter in Lakewood, Washington, was emitting a signal approximately every 55 seconds lasting approximately 7 seconds on 153.020 MHz. There was no evidence of monitoring for communications in progress.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Clover Park School District, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the Clover Park School District. All

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

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replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Seattle Office  
11410 NE 122<sup>nd</sup> Way, Suite 312  
Kirkland, Washington 98034-6927

4. This Notice shall be sent to Clover Park School District at its address of record.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Kristine McGowan  
District Director  
Seattle District Office  
Western Region  
Enforcement Bureau

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*