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STATE OF DELAWARE
OFFICE OF INFORMATION SERVICES
OFFICE OF TELECOMMUNICATIONS MANAGEMENT
WILLIAM PENN BUILDING
801 SILVER LAKE BOULEVARD
DOVER, DELAWARE 19904

TELEPHONE: (302) 739 - 9640
FAX: (302) 739 - 9642

RECEIVED

March 22, 2001

MAR 28 2001

Letter of Appeal
Federal Communications Commission
Office of the Secretary
445 - 12th Street, S.W.
Room TW-A325
Washington, DE 20554

FCC MAIL ROOM

No. of Copies rec'd 0
List A B C D E

Reference: CC Docket No. 96-45 and 97-21
Funding Year 3: 07/01/2000 - 06/30/2001
Appellant Name: MILFORD SCHOOL DISTRICT
Appellant Billed Entity Number: 126321
Appellant Form 471 Application Number: 198352
Funding Request Number being appealed: 430758
Date of SLD Administrator's Decision on Appeal - Funding Year 2000-2001: March 16, 2001
Funding Commitment Decision Explanation: Denial for failure to provide an approved technology plan.

This appeal is entered to request that this FRN qualify for the requested funds for Telecommunications Services. The original denial was for failure to provide verification of an approved Technology Plan. I have documented proof that the requested verification was provided to the SLD under the terms and conditions set by the SLD and thereby ensuring compliance.

The SLD first contacted the State on 3/11/2001 and allowed a deadline of end-of-business on March 19, 2001 for compliance by SLD Program Compliance Associate Manager, Mr. Andy Easley (973-884-8428), as evidenced by an email attached (see Attachment A). In a subsequent conversation with State of Delaware Department of Education contact, Ms. Denise Allen, on 3/13/2001 (see Attachment B - "Communication/Activity Log - Denise Allen"), Mr. Easley agreed to extend the deadline to 3/20/2001 and agreed to accept a "fax certification" letter.

The Technology Plan was submitted by the Milford School District Director, Mr. Robert Sutcliffe, to the appropriate State of Delaware Department of Education contact, Ms. Denise Allen, at 4:54 pm on March 19, 2001, via email with the Technology Plan as a direct attachment to that email (see Attachment C). Based on this electronic delivery to the approval body at the State of Delaware within the deadline period stipulated, Ms. Allen contacted Mr. Easley via fax on 3/20/2001 to convey that the Technology Plan had been received by the deadline set. Her fax and the required "official verification on Department of Education letterhead" with the signature of the Secretary of Education, Valerie Woodruff, is attached (see Attachment D)



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Page Two

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However, the SLD acted on the "Administrator's Decision on Appeal - Funding Year 2000-2001" letter issued on March 16, 2001 (see Attachment E) and issued the Denial prior to the agreed-upon date for compliance. This is a premature denial and was duly noted by Andy Eisley in a telephone conversation with Denise Allen on 3/20/2001.

Based on this documented evidence of compliance with the terms and conditions set forth by SLD Program Compliance, I respectfully request that the denial condition be reversed.

If any additional information is required to process this FRN, please notify the Applicant Contact (see below) immediately so this FRN can be finalized and qualified for funding.

Respectfully yours,

Kay R. Buck, Manager - Voice/Video
State of Delaware USF/E-Rate Contact - Telecommunications Services
801 Silver Lake Blvd.
Dover, DE 19904
(phone) (302) 739-9649
(fax) (302) 739-9642
(email) buck@ois.state.de.us

Attachments

Cc: D. Allen - DOE
R. Sutcliffe - Milford School District

To: Kay R. Buck@Telecom@ois
From: "Andy Eisley" <aeisley@neca.org>
Cc: ismtp@oissmtp2@servers [<denallen@state.de.us>]
Subject: Technology Plans for Several E-Rate Appeals
Attachment: Headers.822
Date: 03/11/2001 10:40 AM

Ms Buck,

I am currently in the process of reviewing the following Year Three E-Rate Appeals Application Numbers 198333, 198338, 198339, 198349, 198352, and in order to complete my review I need to verify if the schools listed on the applications have approved technology plans. I have spoke with Denise Allen at the Delaware Department of Education regarding the status of technology plans for these schools, so I am copying her on this e-mail.

Ms. Allen indicated that the following schools did have approved technology plans:

Poly Tech School District (App #198349)
Seaford School District (App #198339)
Caesar Rodney School District (App #198333)

For these schools I need official verification on Department of Education letterhead that they do have an approved technology plans, and I need to know when these plans were approved.

Ms Allen indicated that the following schools did not have technology plans:

Sussex County Vo-Tech School District (App #198338)
Milford School District (App #198352)

For these schools I need verification that they do not have approved technology plans. If they do indeed have approved technology plans, I need the same information as required above.

If you have any questions please feel free to contact me. Please fax the required information to my attention at the number listed below. In order to complete my review in a timely manner I must receive this information no later than the end of business on Monday, March 19th, 2001.

Thank you for your attention to this matter.

Sincerely,

Andrew Eisley
Associate Manager- Program Compliance
Schools and Libraries Division
Voice: (973)-884-8428
Fax: (973)-581-6759
e-mail: aeisley@sl.universalservice.org

1546

calendar

ATTACHMENT B

837-8907

COMMUNICATION / ACTIVITY LOG

Denise Allen

Date	Communication / Activity	Result	Complete
3/13	Dr. Tina Hoff - Library # - Can KCCS purchase equipment?	- call Gerry 3226 emailed answer software -	Subscriptions
3/13	Andy Easley - will give us until Tues. 3/20		Fax certification
3/13	Lori Roe - About budget sheets	Called & left message	
3/13	Dorcel Spence -> * calling Key Buck.	fax - FCC format 422-1608	
3/13	Tom Summers Tsummers 744-5047	Jr. High + Middle school / charter 8th grade - faxed 739-2578	
3/13	Cecelia SPIN # Fund Commitment Letter - #3 (2000-2001)	yr.	
	Christina 888-203-8100		
3/13	Gary Brittingham	TLCF plan coming	
3/13	Stanton Middle Elma Fuller	Red Clay Principal - changing sent article & newsletter	to set schedule

*

*

ATTACHMENT C

To: Denise Allen@ASB@DPI
From: "Bob Sutcliffe" <BSUTCLIF@mail.milford.k12.de.us>
Cc: ismtp@oissmtp2@servers["Bonnie Wilson"
<BWILSON@mail.milford.k12.de.us>],
ismtp@oissmtp2@servers["Dorcell Spence"
<DSPENCE@mail.milford.k12.de.us>]
Subject: Milford School District Technology Plan
Attachment: MILFORD SCHOOL DISTRICT TECHNOLOGY PLAN March01.doc, Headers.822
Date: 3/19/01 4:54 PM

Attached is the Technology Plan for Milford School District. At the direction of Dorcell Spence, my friend and colleague, I am sending it to you by Tuesday, March 20. Please note that I have put a paper copy in the mail to you, however, it will not reach you by that date. Please contact me, if you have any questions or concerns. Thank you.

Robert R. Sutcliffe, Ed.D.
Director of Secondary Education
Milford School District
302-422-1604
fax 302-422-1608

Technology Management and Design
PO Box 1402
Dover, DE 19903-1402
(302)739-4583 (Voice)
(302)739-4221 (Fax)

DELAWARE DEPARTMENT
OF EDUCATION

FAX COVER SHEET

TO: Andy Easley FAX #: 973-581-6759

COMPANY NAME: Schools + Libraries

FROM: **Denise Allen, Education Associate
Library/Media/Technology**

OF PAGES 3 (Including Cover Page)

TODAY'S DATE: 3/20/01

SUBJECT: Certification Approval Letters.

COMMENTS Signed Certification Letters!!
Secretary Woodruff was in so I was able
to get her signature.

Urgent _____ For Review _____ Please Reply _____ Please Comment _____

Any Questions or problems with transmittal, I can be reached at (302) 739-4583.



DEPARTMENT OF EDUCATION
THE TOWNSEND BUILDING
P.O. BOX 1402
DOVER, DELAWARE 19903-1402
DOE WEBSITE: <http://www.doe.state.de.us>

VALERIE A. WOODRUFF

Secretary Of Education

Voice: (302) 739-4601

FAX: (302) 739-4654

**Certification of Technology Plan Approval
for
Schools and Libraries Universal Service Program**

The Delaware Department of Education assures that the Milford School District has a technology plan that has met the standards and criteria outlined in the following checklist.

Checklist

Successful technology plans align the overall education objectives with the following five criteria. To qualify as an approved Technology Plan for a Universal service Program discount, the plan must meet these criteria. It is critical that technology planning not be viewed or treated as a separate exercise dealing primarily with hardware and telecommunications infrastructure. There must be a strong connections between the proposed physical infrastructure of the information technology and the plan for professional development, curriculum reform, and library service improvements.

- The plan establishes clear goals and a realistic strategy for using telecommunications and information technology to improve education.
- The plan has a professional development strategy to ensure that staff knows how to use the new technologies to improve education.
- The plan includes an assessment of the telecommunication services, hardware, software, and other services that will be needed to improve education.
- The plan provides for a sufficient budget to acquire and maintain the hardware, software, professional development, and other services that will be needed to implement the strategy for improved education.
- The plan includes an evaluation process that enables the district to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise.

Sincerely,

Valerie Woodruff,
Secretary of Education

Pc: Denise D. Allen

EDUCATION INFO HELP LINES:
(800) 464-4357 (IN STATE)
(800) 273-9500 (OUT OF STATE)

THE STATE OF DELAWARE IS AN EQUAL OPPORTUNITY
EMPLOYER AND DOES NOT DISCRIMINATE OR DENY
SERVICES ON THE BASIS OF RACE, COLOR, RELIGION,
NATIONAL ORIGIN, SEX, DISABILITY AND/OR AGE.

TEACHER CERTIFICATION INFO:
(888) 759-9133



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2000-2001

March 16, 2001

Kay R. Buck
State of Delaware, Office of Information Services
Re: Milford School District
801 Silver Lake Boulevard
Dover, DE 19904

19 2001

Re: Billed Entity Number: 126321
471 Application Number: 198352
Funding Request Number(s): 430758
Your Correspondence Dated: July 12th, 2000

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Three Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 30-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 for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 430758
Decision on Appeal: **Denied in full**
Explanation:

- Your appeal claims that you provided all requested information to the SLD, and therefore should not have been denied for failing providing sufficient documentation. Accordingly, you would like the SLD to reconsider their decision to deny this request.
- After thorough review of your appeal it has been determined that you did respond to all inquiries from the SLD, you were unable to provide verification that the Milford School District has an approved technology plan. The request in question is for Centrex Service, and in accordance with program rules an approved technology plan is required in order to receive discounts on this type of service. During the review of your appeal, the Delaware Department of Education was contacted, and they verified that an approved technology plan was not in place for this entity. Consequently, you

are ineligible to receive discounts on this request for Centrex Service, and your appeal is denied in full.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted on the website at <www.universalservice.org>. **You must file your appeal with the FCC no later than 30 days from the date on this letter for your appeal to be filed in a timely fashion.**

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

Schools and Libraries Division
Universal Service Administrative Company