

Good Shepherd Center

4100 Maple Avenue / Baltimore, Maryland 21227-4099 / (410) 247-2770

December 28, 2009

Received & Inspected

JAN - 4 2010

FCC Mail Room

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC: 02-6

RE: CC Docket No. 02-6 – REQUEST FOR REVIEW AND WAIVER

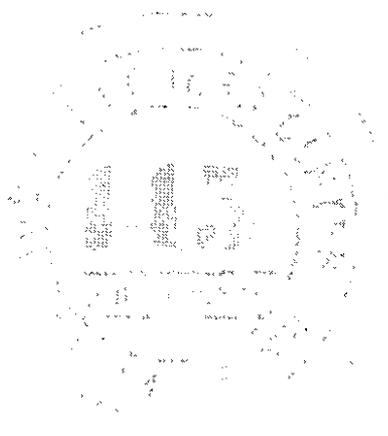
Dear Ms. Dortch:

Good Shepherd School is requesting an FCC review of USAC *Decision on Appeal* dated November 12, 2009, regarding USAC's revision of Good Shepherd's Service Start Date from July 1, 2008 to April 1, 2009 in the Form 486 Notification Letter for Funding Year 2008, thereby reducing Good Shepherd School's funding year in 2008-2009. Although our appeal to USAC was denied, Good Shepherd School would like our original Service Start Date of July 1, 2008 reinstated for funding year 2008-2009 based on an FCC review and, if necessary, waiver.

Applicant Name:	Good Shepherd School
Billed Entity Number:	23551
Funding Year:	2008-2009
Form 471 Application Number:	608408
Form 486 Application Number:	494571
Funding Request Number(s):	1700202, 1715907, 1716279, 1716620, 1717269, 1725984, 1725613, 1725773

Contact Information:

Sandra Litz
Director of Development
Good Shepherd Center
4100 Maple Avenue
Baltimore, MD 21227-4099
410-247-2770 (voice)
410-247-5224 (fax)
slitz1@goodshepherdcenter.org



No. of Copies rec'd 0
List ABCDE

SUMMARY OF APPEAL TO FCC

Good Shepherd School received a Form 486 Notification Letter Report dated August 12, 2009 adjusting Good Shepherd's Service Start Date from July 1, 2008 to April 1, 2009 because USAC determined that Good Shepherd School did not have a valid technology plan for the period July 1, 2008 through April 1, 2009. Their decision is based on two judgments. The first judgment, addressed in Part A below, is that Good Shepherd School's technology plan reviewer was not approved by USAC which Good Shepherd believes is an incorrect judgment and would like the FCC to review. USAC's website did not provide a certified reviewer for Good Shepherd School as a *non public school not affiliated with any group*. USAC referred Good Shepherd School to the Maryland State Department of Education (MSDE) for their list of reviewers to find a Technology Plan Approver for Good Shepherd School. The reviewer on the MSDE website for *non public schools not covered by any other organization* was Dr. Davina Pruitt-Mentle. She was presented on the MSDE website as having the authority to review and approve technology plans. Since Good Shepherd was referred to the MSDE by USAC, where Dr. Pruitt-Mentle is listed as an authorized reviewer and approver, we believe it makes no sense for USAC to now say she is not authorized to approve technology plans. The Code of Federal Regulations concerning technology plans states:

CFR 47 54.504(b) (2) (vii)
The school, library, or consortium including those entities has a technology plan that has been certified by its state or an independent entity approved by the Commission.

The second judgment by USAC that Good Shepherd School would like reviewed by the FCC is the USAC ruling that Good Shepherd's technology plan does not cover the period of time July 1, 2008 through April 1, 2009. Good Shepherd School is requesting a review of this, and a possible waiver, if necessary, based on the information presented in Part B below.

PART A- REQUEST FOR REVIEW – Good Shepherd School requests that the FCC uphold the validity of the School's Technology Plan Approvers

USAC's Decision on Appeal states: *During review of the technology plan, it was determined that the approved plan report from Davina Pruitt-Mentle (dated July 29, 2006), and the technology plan approval letter from Greg Talley (dated July 29, 2006), were not listed as USAC-certified Technology Plan Approvers according to School and Libraries Website...The applicants are required to obtain approvals of their technology plans from their state, the Administrator, or an independent entity approved by the Commission and certified by USAC as qualified to provide such approval.*

As a nonpublic independent school that is not a member of the Association of Independent Maryland Schools (AIMS), Good Shepherd School did not have an approver on the

USAC/SLD website in 2006, 2007 or 2008. (*See Attachment A*) Good Shepherd Center is not part of the Archdiocese nor of AIMS and therefore could not use approvers listed on the USAC website for private independent schools. (Dr. Carole Redline became available for *nonpublic independent schools that are not a member of any group* on April 1, 2009.) The Commission stated in the Fifth Report and Order (FCC-04-190, paragraph 55): “*non-public schools and entities that cannot or do not choose to secure approval of their technology plan from their states may obtain technology plan approval from USAC-certified entities.*” Clearly the Commission did not intend to require that state approvers be certified by USAC. In this case, Good Shepherd School received technology plan approval from the state. Good Shepherd’s technology plan was approved by Dr. Pruitt-Mentle, identified on the MSDE website as the technology plan approver for *Nonpublic schools not covered by any other organization*.

If, as USAC suggests, only approvers listed on the USAC website can approve plans, private schools in Maryland, except Catholic schools and members of the Association of Independent Maryland Schools, would have been prevented from receiving E-Rate funding, since there were no technology plan approvers listed on the USAC website for those schools. If the Commission finds that, contrary to the Fifth Report and Order, state approvers must be certified by USAC, Good Shepherd School requests a waiver similar to the waiver granted to the Pennsylvania School for the Deaf in the Brownsville Order (FCC-07-37, footnote 21).

Attachment A includes the page from the USAC/SLD Website which shows there are no approvers on the USAC Website for our organization. In addition, the attachment includes the E-Rate page from the Maryland State Department of Education which includes Davina Pruitt-Mentle as an authorized approver.

PART B – REQUEST FOR REVIEW AND POSSIBLE WAIVER – Good Shepherd School is requesting that the Service Dates of July 1, 2008 through June 30, 2009 be allowed to stand for all its FRNs (1700202, 1715907, 1716279, 1716620, 1717269, 1725984, 1725613, 1725773) because Good Shepherd believed that its Technology Plan had been approved for this period based on information displayed on the Maryland State Department of Education website.

Good Shepherd submitted a technology plan that we believed covered the period 2006-2009 to the Maryland State Department of Education in that our technology plan did not change during this period. In response, the school received notice from Dr. Pruitt-Mentle, identified on the MSDE website as the technology plan approver for private schools, that the technology plan had met all the criteria for approval. The notice from Dr. Pruitt-Mentle did not mention a restricted time frame. (*See Attachment B*)

The Maryland State Department of Education website (E-Rate page) indicated that Dr. Pruitt-Mentle was authorized to approve technology plans and was an authorized agent of the Maryland State Department of Education (MSDE) complying with USAC’s statement, *The*

applicants are required to obtain approvals of their technology plans from their state (USAC Decision on Appeal, November 12, 2009). The technology plan approval process for the Maryland State Department of Education is different from the approval process defined for USAC/SLD but this difference in approval process is not documented or explained on the MSDE website. In the USAC/SLD process, the approver directly gives the school/library the Technology Plan Approval Letter. In the MSDE approval process, the approver, in this case Dr. Pruitt-Mentle, generates a *Technology Plan Approval Report* with Greg Talley, as E-Rate Coordinator, generating a *Technology Plan Approval Letter*. On April 6, 2009, Mr. Greg Talley of the Maryland State Department of Education faxed us a copy of a letter from him, dated July 29, 2006 (*See Attachment C*), which indicates our technology plan was approved for only the 2006-2007 school year. Because we did not have this letter, (we only had Dr. Pruitt-Mentle's *Technology Plan Approval Report*) and, because of the similarity of Dr. Pruitt-Mentle's report to a regular technology plan approval letter and her apparent authority, Good Shepherd School believed in good faith that we had a valid technology plan approval letter. In addition, because Good Shepherd submitted a technology plan for 2006-2009 and there was no reference to a time frame in Dr. Pruitt-Mentle's report, Good Shepherd School believed the approval was good for three years. The MSDE website did not explain that a *Technology Plan Approval Report* should be followed by a *Technology Plan Approval Letter*. It did not say that, in addition to a letter from Dr. Pruitt-Mentle, Good Shepherd School also needed a letter from Mr. Greg Talley, Telecommunications Coordinator and E-Rate Coordinator for MSDE. When Good Shepherd School discussed this issue with Mr. Greg Talley, saying that we had received an approval letter from him for 2006 but not years 2007-2009, he sent us a *Technology Plan Approval Letter* covering the period of 2006-2009 to make up for this deficiency. (*See Attachment D*)

Good Shepherd's situation is similar to that of the applicants described in paragraph 8 of the Brownsville Order (FCC 07-37): "*Petitioners missed deadlines for developing or obtaining approval of their technology plans. USAC denied their applications not because the applicants refused to develop or obtain approval of their technology plans, but because Petitioners failed to show that they had met the deadlines when USAC requested technology plan documentation. Indeed, many Petitioners thought they had complied with the deadlines and provided copies of their technology plans or approval letters when they responded to subsequent inquiries by USAC staff, when they appealed the funding decisions with USAC, or when they appealed the funding decisions with the Commission. We find that, given that these violations are procedural, not substantive, rejection of these Petitioners' E-Rate applications is not warranted.*"

If the FCC upholds the USAC statement that "During the review of your application....USAC determined that the technology plan did not cover the entire funding year by program rules," Good Shepherd School is requesting that the FCC waive this rule for Funding Year 2008 so that full funding can be restored for our organization.

Attachment B is our Technology Plan Approval Report dated July 29, 2006 from MSDE Approver, Dr. Davina Pruitt-Mentle

Attachment C is a fax from Mr. Greg Talley dated April 6, 2009 regarding our Technology Plan Approval.

Attachment D is a Technology Plan Approval Letter from Mr. Greg Talley covering the Years 2006-2009

Attachment E is the Form 486 Notification Letter for Funding Year 2008 with reduced Service Start Dates and the USAC Administrator's Decision on Appeal.

SUMMARY OF REQUEST TO FCC

In conclusion, Good Shepherd School is requesting a review of the USAC/ SLD *Decision on Appeal* statement that the *approved plan report from Davina Pruitt-Mentle (dated July 29, 2006), and the technology plan approval letter from Greg Talley (dated July 29, 2006), were not listed as USAC-certified Technology Plan Approvers according to School and Libraries Website*. As stated previously in this appeal, Good Shepherd School did not have a USAC-certified Technology Plan Approver on the Schools and Libraries Website and was referred to the Maryland State Department of Education by USAC themselves. The Commission stated in the Fifth Report and Order (FCC-04-190, paragraph 55): "*non-public schools and entities that cannot or do not choose to secure approval of their technology plan from their states may obtain technology plan approval from USAC-certified entities.*" In this case, Good Shepherd School received technology plan approval from the state. Good Shepherd's technology plan was approved by Dr. Pruitt-Mentle, identified on the MSDE website as the technology plan approver for *Nonpublic schools not covered by any other organization*. If, as USAC suggests, only approvers listed on the USAC website can approve plans, private schools in Maryland, except Catholic schools and members of the Association of Independent Maryland Schools, would have been prevented from receiving E-Rate funding, since there were no technology plan approvers listed on the USAC website for those schools. If the Commission finds that, contrary to the Fifth Report and Order, state approvers must be certified by USAC, Good Shepherd School requests a waiver similar to the waiver granted to the Pennsylvania School for the Deaf in the Brownsville Order (FCC-07-37, footnote 21).

Second, Good Shepherd School is requesting the reinstatement of the Service Dates of July 1, 2008 through June 30, 2009 for all the following FRNs: 1700202, 1715907, 1716279, 1716620, 1717269, 1725984, 1725613, and 1725773, because of our belief, based on the

information on the MSDE website, that our technology plan had been approved by Dr. Pruitt-Mentle for three years. The Maryland State Department of Education E-Rate site indicates that Dr. Pruitt-Mentle is authorized to approve technology plans, as an authorized agent of MSDE. This agent/ principal relationship provided Good Shepherd Center with a good faith basis for believing that Dr. Pruitt-Mentle had the authority to approve our technology plan for the period 2006-2009 since the School's technology plan did not change during this time period. The MSDE website does not define the procedure to follow for technology plan approval i.e. the difference between a *Technology Plan Approval Report* and a *Technology Plan Approval Letter*. When Good Shepherd School contacted Mr. Greg Talley, E-Rate and Telecommunications Coordinator for MSDE, regarding this confusion, he generated a *Technology Plan Approval Letter* for 2006-2009 to correct this deficiency. Good Shepherd believes that its situation is similar to that of the applicants described in paragraph 8 of the Brownsville Order (FCC 07-37): "*Petitioners missed deadlines for developing or obtaining approval of their technology plans. USAC denied their applications not because the applicants refused to develop or obtain approval of their technology plans, but because Petitioners failed to show that they had met the deadlines when USAC requested technology plan documentation. Indeed, many Petitioners thought they had complied with the deadlines and provided copies of their technology plans or approval letters when they responded to subsequent inquiries by USAC staff, when they appealed the funding decisions with USAC, or when they appealed the funding decisions with the Commission. We find that, given that these violations are procedural, not substantive, rejection of these Petitioners' E-Rate applications is not warranted.*"

If the FCC upholds the USAC statement that "During the review of your application...USAC determined that the technology plan did not cover the entire funding year by program rules," Good Shepherd School is requesting that the FCC waive this rule for Funding Year 2008-2009 so that full funding can be restored for our organization. Good Shepherd School is a residential treatment center and school for high school age girls that are having emotional and behavior problems. Most of our students, if not all, are disadvantaged and at-risk. Good Shepherd School relies on funding from the USAC E-Rate program to supplement programming. This funding is important for the full functioning of Good Shepherd to heal and prepare these young people to rejoin their community. As stated in paragraph 10 of the Brownsville Order (FCC 07-37): "*..denying Petitioners' requests would create undue hardship and prevent these otherwise eligible schools and FCC libraries from potentially receiving funding that they truly need to bring advanced telecommunications and information services their students and patrons. By contrast, waiving the applicable technology plan rules for these Petitioners and granting these requests will serve the public interest by preserving and advancing universal service.*"

While Good Shepherd School tries to follow all the rules of the E-Rate program, because of the lack of specificity on the MSDE site, conflicting procedures between the MSDE and USAC sites, and the sense that Good Shepherd School fell through the cracks on the USAC site because *independent nonpublic schools that don't belong to any organization* did not have a USAC technology plan reviewer in 2006, 2007 and 2008, the School finds it needs to

Good Shepherd-FCC Letter of Appeal

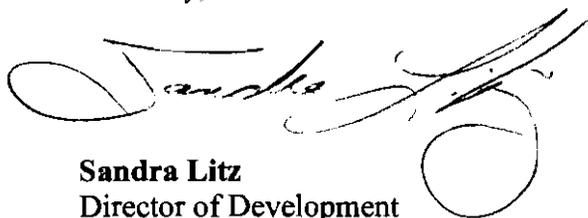
December 22, 2009

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submit this appeal. We understand that the technology plan requirements are necessary to guard against the waste of public funds, but we are a small organization that has used our E-Rate funds for the good of our school. Good Shepherd hopes you will consider this Appeal in a positive light by reinstating our Service Start Dates to a full funding year of July 1, 2008 to June 30, 2009.

Thank you for the opportunity to submit this information. If you should need further information or clarifications, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Litz". The signature is fluid and cursive, with a large loop at the end.

Sandra Litz
Director of Development
Good Shepherd School
4100 Maple Avenue
Baltimore, MD 21227-4007
410-247-2770, ext. 208
slitz1@goodshepherdcenter.org

Enclosures: Attachments A, B, C, D, E

ATTACHMENT A

Page from the USAC/SLD website showing there are no approvers on the USAC website for our organization. Erate page from the Maryland State Department of Education website where we were referred by USAC. It includes the name of Dr. Davina Pruitt-Mentle as an authorized approver.



Universal Service Administrative Company



Schools and Libraries

[SL Main](#) > [Reference Area](#) > Technology Plan Approvers Search Results

About the Schools and Libraries Program

- Overview of the Program
- Overview of the Process
- Training Presentations
- Service Provider Conference Calls
- Eligible Services List
- Appeals
- Audits
- Suspensions and Debarments
- Update Contact Information
- Document Retention Requirements
- Site Visits
- Changes and Corrections
- Commitment Adjustment (COMAR)

Certified Technology Plan Approvers Results

State: MD, Entity Type: IND/PRIV

1. Association of Independent Maryland Schools (AIMS)

SLD Certification Date - 11/21/2000

Primary Contact

Name: Pamela L. Nolin
 Title: Director of Operations
 Address: 890 Airport Park Road, Suite 103
 Glen Burnie, MD 21061
 Phone: (410) 761-3700
 Fax: (410) 761-5771
 E-Mail: pnolin@aimsmd.org

Notes: Please be advised you should only contact this organization if you are a member school.

Schools and Libraries Tools

- Apply Online
- Calendar/Reminders
- Required Forms
- Reference Area
- Search Tools
- Program Compliance - W/Disability/504

[New Search](#)

Content Last Modified: May 2, 2003



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MSDE Home

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 - > Bridge to Excellence
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 - > Family Literacy
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Programs

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e-Rate

The Schools and Libraries Universal Service Program (E-rate) was established as part of the Telecommunications Act of 1996 with the express purpose of providing affordable access to telecommunication services for all eligible schools and libraries, particularly those in rural and inner-city areas. The Program provides discounts of 20% to 90% on telecommunication services, Internet access, and internal connections. In order to receive discounts, schools and libraries must submit applications to the Schools and Libraries Division of the Universal Service Administrative Company.

For more information on the program and to access application information, go to the [Schools and Libraries web site](#)

Technology Plan Requirements: ([link to word document with requirements](#))

Additional E-rate Resources:

[PowerPoint presentations from the SLD Year 5 E-rate training workshop](#)

[E-rate Central](#)

Contact Information for approval of technology plans in Maryland:

Public Schools

Jayne Moore,
 Director of Instructional Technology and School Library Media Programs
 MD State Department of Education
 Telephone: 410-767-0382
 Fax: 410-333-2128
jmoore@msde.state.md.us

Catholic Schools in Archdiocese of Baltimore

Ronald Valentl
 410-547-5393

Catholic Schools in Archdiocese of Delaware

Karen Bolte
 302-573-3133

Maryland Lutheran Schools

Sally Hiller
 703-971-9371

Members of Association of Independent MD Schools (AIMS)

Susan Smith
 410-761-3700

Nonpublic schools not covered by any of the above organizations

- > Data
- > Projects
- > Publications
- > Standards and Policies
- > Resources
- > School Library Media
- > Title I
- > Title III
- > 21st Century Learning Centers
- > Troops to Teachers

Davina-Pruitt-Mentle, Director, Educational Technology Policy / Research and Evaluation
University of Maryland, College Park
Telephone: 301-405-8202
dpruitt@umd.edu

Contact Information

Greg Talley, Telecommunications Coordinator
Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201
Phone: 410-767-0075
Email: gtalley@msde.state.md.us

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ATTACHMENT B

**Technology Plan Approval Letter from
Dr. Davina Pruitt-Mentle dated July 29, 2006**

Technology Plan Approval Report

To: Maggie McCarty
CC: Greg Talley
From: Davina Pruitt-Mentle
Date: 7/29/2006
Re: Good Shepherd's Technology Plan

Good Shepherd's Technology Plan Technology Plan that has ___ has not ~~XX has met the standards~~ and criteria outlined in the following checklist.

CHECKLIST

Successful technology plans align the overall education or library service improvement 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 connections between the proposed physical infrastructure of the information technology and the plan for professional development, curriculum reform, and library service improvements.

~~XXX Has met~~ The plan establishes clear goals and a realistic strategy for using telecommunications and information technology to improve education or library services.

~~XXX Has met~~ The plan has a professional development strategy to ensure that staff know how to use the new technologies to improve education or library services.

~~XXX Has met~~ The plan includes an assessment of the telecommunication services, hardware, software, and other services that will be needed to improve education or library services.

~~XXX Has met~~ 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 or library services.

___ ~~Needs Improvement~~ The plan includes an evaluation process that enables the school or library to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise. A stronger case could be made if DATA were included

First Reviewers: Davina Pruitt-Mentle (chair), M. Brown, A. Knapp, J. Perry & C. Martin

Second Reviewers: Davina Pruitt-Mentle (chair), J. Sung, J. Schmidt & M. Lim

Third Reviewers: Davina Pruitt-Mentle (chair), K. Simpson, K. Wright & J. Schmidt

Areas of concerns and specifics related to criteria not met in the Technology Plan Checklist

1. **Needs Improvement** The plan includes an evaluation process that enables the school or library to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise.

The evaluation becomes a critical component in achieving goals that e-rate enables. This technology plan mentions:

Measuring Progress Towards Goal:

The School's infrastructure will be measured by:

- i. Number and type of computers in each classroom
- ii. Number of computer projection devices available (e.g., LCD panels, projectors, or monitors)
- iii. Percentage of classrooms connected to the Internet and the capacity of the Internet connection (goal is 100%)
- iv. Availability of instructional support available through technology
- v. Teacher knowledge and skills with computer use, Internet use, and technology integration into the classroom see notes below
- vi. Timelines and expenditures will be reviewed monthly to ensure that all cabling, networking, and upgrades are proceeding as scheduled.

In terms of the implementation of new technologies, vendors are required to submit timelines which are approved and integrated into the Center's master schedule. These timelines and related expenditures are supervised by a member of the Information Management team or a professional in our Facilities Department. The agreed upon schedules are reviewed monthly to ensure that all cabling, networking, and upgrades are proceeding as scheduled. Where are the schedules and example(s)—"live" data would make a stronger case

In addition to pre and post testing to quantify staff learning, —"live" data would make a stronger case

the IM department's staff training is always followed by an evaluation sheet to ensure customer satisfaction. The IM department reviews both the testing for content knowledge how, as well as the satisfaction inventories and makes adjustments and improvements in content and teaching styles to address the feedback received from the consumer.

All departments at XXXXXXXXXXXX participate in a continuous improvement process. Each year, departments submit goals and objectives to the administrator, and these goals and objectives are reviewed quarterly and semi-annually to ensure that departments remain on track with submitted goals. The IM department will conduct regular (quarterly) assessment of submitted goals to ensure that they are working towards their goals each year. Examples here

In addition to initiating and scheduling training on standard applications (i.e., Outlook and Microsoft Office programs), the I.M. staff also initiates quarterly surveys and requests feedback from staff on content that they would like to know more about. Special-interest training programs are developed to teach these skills. Examples here needed—ie survey—results—training scheduled based on surveys—number who participated at the scheduled training and outcomes (“smile sheet” as well as content knowledge (pre/post) summary data

Faculty and Administrative uses of technology are currently measured by the degree to which staff and administrators: How is all this monitored? Collected? Examples or data would again confirm

- i. Communicate with staff members and other colleagues
- ii. Communicate with parents/guardians or referring agencies of students
- iii. Post/view/access intranet announcements or information
- iv. Participate in online discussion groups or collaborative projects
- v. Diagnose and place students with online diagnostic software
- vi. Maintain attendance and/or grades on the online student database
- vii. Generate and administer tests
- viii. Calculate grades and generate progress reports using the online system
- ix. Maintain data on students through our online student database
- x. Analyze and/or report students/school improvement data
- xi. Create instructional materials/visuals/presentations
- xii. Access curriculum/school improvement material from the Internet
- xiii. Research educational topics of interest
- xiv. Maintain an inventory of school equipment and resources

ATTACHMENT C

Fax from Greg Talley dated April 6, 2009

Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201-2595



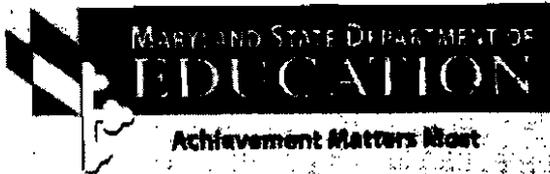
Fax

To:	Sandra Litz Good Shepherd School	From:	Greg Talley MD. State Department of Education
Fax:	410-247-5224	Pages:	2
Phone:		Date:	4/6/09
Re:	Tech Plan Approval 2008	cc:	

Urgent For Review Please Comment Please Reply Please Recycle

• **Comments:** Attached – Technology Plan letter/certification.

If you have questions or need more information, contact me at 410-767-0075.



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street, Baltimore, MD 21201 410-767-0100 410-333-8442 TTY/TDD

July 29, 2006

Ms. Maggie McCarty
Good Shepherd School
4100 Maple Avenue
Baltimore, MD 21227

Dear Ms. McCarty:

Based upon the recommendation of reviewers of the Technology Plan submitted by Good Shepherd School, we are pleased to inform you that the Plan meets the requirements for the School and Libraries Universal Service Program (B-Rate). This letter, as well as the attached Certification of Technology Plan Approval certificate, should be kept with all of the other paperwork related to your applications for Universal Service Program discounts. The Plan is approved for the 2006 – 2007 school year and should serve as a valuable guide for all technology-related activities for the year.

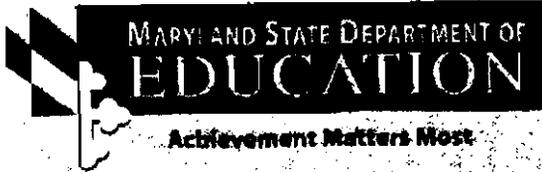
If you have any questions or need clarification regarding this letter or the attached documents, please call or e-mail me (410-767-0075; gtalley@msde.state.md.us).

Sincerely,

Greg Talley, Telecommunications Coordinator
Office of Information Technology

GT/mj

Attachments



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street, Baltimore, MD 21201 410-767-0100 410-333-6442 TTY/TDD

**CERTIFICATION OF TECHNOLOGY PLAN APPROVAL
for
SCHOOLS AND LIBRARIES UNIVERSAL SERVICE PROGRAM**

Good Shepherd School has a technology plan that has met the standards and criteria outlined in the following checklist for school year 2006 through 2007.

CHECKLIST

- ✓ 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 know 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 or library services.
- ✓ The plan includes an evaluation process that enables the school or library to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise.

ATTACHMENT D

**Technology Plan Approval Letter from Mr. Greg Talley
for Years 2006-2009**



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street, Baltimore, MD 21201 410-767-0100 410-333-6442 TTY/TDD

December 28, 2009

Ms. Sandra Litz
Good Shepherd School
4100 Maple Avenue
Baltimore, MD 21227

Dear Ms. Litz:

Based upon the recommendation of reviewers of the updated Technology Plan submitted by Good Shepherd School, we are pleased to inform you that the Plan meets the requirements for the School and Libraries Universal Service Program (E-Rate). This letter, as well as the attached Certification of Technology Plan Approval certificate, should be kept with all of the other paperwork related to your applications for Universal Service Program discounts. The Plan is approved for the 2006 - 2009 school years and should serve as a valuable guide for all technology-related activities.

If you have any questions or need clarification regarding this letter or the attached documents, please call or e-mail me (410-767-0075; gtalley@msde.state.md.us).

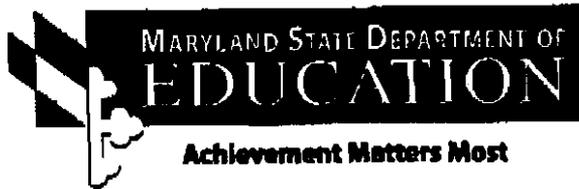
Sincerely,

A handwritten signature in black ink that reads "Greg Talley".

Greg Talley, Telecommunications Coordinator
Office of Information Technology

GT/sl

Attachments



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street, Baltimore, MD 21201 410-767-0100 410-333-6442 TTY/TDD

CERTIFICATION OF TECHNOLOGY PLAN APPROVAL
for
SCHOOLS AND LIBRARIES UNIVERSAL SERVICE PROGRAM

Good Shepherd School has a technology plan that has met the standards and criteria outlined in the following checklist for school years 2006 through 2009.

CHECKLIST

- 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 know 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 or library services.
- The plan includes an evaluation process that enables the school or library to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise.

ATTACHMENT E

Form 486 Notification Letter for Funding Year 2008-2009 with reduced Service Start Dates and the USAC Administrator's Decision on Appeal.



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2008-2009

November 12, 2009

Sandra Litz
Good Shepherd School
4100 Maple Avenue
Baltimore, MD 21227-4007

Re: Applicant Name: GOOD SHEPHERD SCHOOL
Billed Entity Number: 23551
Form 471 Application Number: 608408
Form 486 Application Number: 494571
Funding Request Number(s): 1700202, 1715907, 1716279, 1716620, 1717269,
1718662, 1725613, 1725773, 1725984, 1742956,
1757414
Your Correspondence Dated: September 30, 2009

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2008 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1700202, 1715907, 1716279, 1716620, 1717269,
1718662, 1725613, 1725773, 1725984, 1742956,
1757414

Decision on Appeal: **Denied**
Explanation:

- USAC records show that Good Shepherd School is requesting discounts on services other than "POTS" wireless and wireline telephone services for which a Technology Plan is required. With regard to Funding Request Numbers (FRNs) 1717269 and 1715907, the services requested also included PRIs and Internet Access/data services, per the Item 21 documentation. The requested services are not considered basic services. Therefore, a technology plan is required.

During review of the technology plan, it was determined that the approved plan report from Davina Pruitt-Mentle (dated July 29, 2006), and the technology plan approval letter from Greg Talley (dated July 29, 2006), were not listed as USAC-certified Technology Plan Approvers according to the Schools and Libraries website (<http://www.sl.universalservice.org/reference/tech/default.asp>). In addition, this approved technology plan did not cover the services requested for Funding Year 2008. It states that "(t)he Plan is approved for the 2006-2007 school year..." and not for the period of 2006-2009 as you state on a good faith basis on appeal. Another approved technology plan dated April 1, 2009, was provided during the technology plan review. According to the approval letter the "technology plan covers the period starting on April 1, 2009 ending on April 1, 2011," and it was signed by a USAC-certified Technology Plan Approver. According to the program rules, a technology plan must be written at the time the Form 470 is filed and must be approved before the start of service. You certified on your FCC Form 486 that the technology plan for the services received as indicated on the form was approved. During the review of your application, however, USAC determined that the technology plan did not cover the entire funding year as required by program rules. Accordingly, the service start date was adjusted to correspond with your technology plan approval date and the funds were reduced accordingly. In your appeal, you did not show that USAC's original decision was incorrect. Consequently, your appeal is denied.

- FCC rules require applicants to certify on their FCC Form 470 and FCC Form 471 that the entities receiving products and/or services other than basic telephone service are covered by an individual and/or higher-level technology plan that has been, or is in the process of being approved. *See* 47 C.F.R. sec. 54.504(b)(2)(iii) and (iv); 47 C.F.R. sec. 54.504(c)(1)(iv) and (v). The applicants are required to obtain approvals of their technology plans from their state, the Administrator, or an independent entity approved by the Commission and certified by USAC as qualified to provide such approval. On their FCC Form 486, applicants confirm that their plan was approved before they began receiving services. Pursuant to the FCC's Fifth Report and Order (FCC 04-190, released August 13, 2004), FCC rules require technology plans to include five mandatory content elements relating to the applicant's educational development strategies. *See* 47 C.F.R. sec. 54.508 for technology plan requirements. In cases where an applicant provides technology plan documentation that is deficient (*e.g.* is outdated or will expire before the end of the relevant funding year), USAC shall: (1) inform the applicant promptly in writing of any and all deficiencies, along with a clear and specific explanation of how the applicant can remedy those deficiencies; and (2) permit the applicant to submit correct documentation, if any, within 15 calendar days from the date of receipt of notice in writing by USAC. *See* Requests for Review or Waiver of Decisions of the Universal Service Administrator by Brownsville Independent School District Brownsville, TX, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-482620, et al.; CC Docket No. 02-6, Order, FCC Rcd 6045, FCC 07-37 para.12 (March 28, 2007).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in

full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

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

Schools and Libraries Division
Universal Service Administrative Company

Note Regarding Good Shepherd Center's Form 486 Notification Letter Report

Please note that Good Shepherd School's FRNs 1742956, 1757414, 1718662, and 1742914 were cancelled through a *Form 500* during Funding Year 2008 so they are not included in this appeal and should remain cancelled. FRN 1717269 was reduced with the *Form 500* but Good Shepherd School would like the Service Start Date reinstated for this FRN to July, 1, 2008 as well. The four cancelled FRNs are included on Good Shepherd's Form 486 Notification Letter from USAC, although without a funding commitment, even though they were cancelled. Good Shepherd School wants to make sure these four FRNs continue cancelled as submitted in Form 500. Good Shepherd is not sure if their inclusion on the Form 486 Notification Letter Report (albeit without funding commitments) is standard procedure even though cancelled through a Form 500 or if this is a clerical error on the part of USAC.



Schools and Libraries Division

FORM 486 NOTIFICATION LETTER
(Funding Year 2008: 07/01/2008 - 06/30/2009)

August 12, 2009

SANDRA LITZ
GOOD SHEPHERD SCHOOL
4100 MAPLE AVE
BALTIMORE, MD 21227-4007

Re: Form 486 Application Number: 494571
Applicant's Form 486 Identifier: REVISED YU

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

NEXT STEPS

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - Form 486 Number 494571 and ERN(s) as assigned by USAC,
 - "Form 486 Notification Letter for Funding Year 2008", AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
100 South Jefferson Road
P.O. Box 902
Whippany, NJ 07981

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (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 by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. 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.

A guide to the data reported in our letter reports is posted in the Reference Area of our website. Complete Program information, including invoice deadlines is also posted on our website. You may also contact our Client Service Bureau by email using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736, or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2008)

Funding Request Number: 1700202
Form 471 Application Number: 608408
Service Provider Name: CDW-G
Service Provider Identification Number: 143005588
Billing Account Number: 6578561
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$221.40

Funding Request Number: 1715907
Form 471 Application Number: 608408
Service Provider Name: Sprint Communications Co. L.P.
Service Provider Identification Number: 143005695
Billing Account Number: N/A
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$2,541.57

Funding Request Number: 1716279
Form 471 Application Number: 608408
Service Provider Name: Light Industries Service Corp. dba Panurgy Chesapeake Region
Service Provider Identification Number: 143020377
Billing Account Number: GOODSH
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$6,318.00

Funding Request Number: 1716620
Form 471 Application Number: 608408
Service Provider Name: Cavalier Telephones, LLC
Service Provider Identification Number: 143021457
Billing Account Number: 3306673
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$3,604.50

Funding Request Number: 1717269
Form 471 Application Number: 608408
Service Provider Name: Cavalier Telephone, LLC
Service Provider Identification Number: 143021457
Billing Account Number: 3306673
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$3,369.41

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2008)

Funding Request Number: 1718662
Form 471 Application Number: 608408
Service Provider Name: CDW-G
Service Provider Identification Number: 143005588
Billing Account Number: 6578561
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date

Funding Request Number: 1725613
Form 471 Application Number: 608408
Service Provider Name: Sharp Communication Services, Inc.
Service Provider Identification Number: 143028606
Billing Account Number: 410-247-2770
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$3,159.00

Funding Request Number: 1725773
Form 471 Application Number: 608408
Service Provider Name: CDW-G
Service Provider Identification Number: 143005588
Billing Account Number: 6578561
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$641.04

Funding Request Number: 1725984
Form 471 Application Number: 608408
Service Provider Name: Citrix Systems, Inc
Service Provider Identification Number: 143031684
Billing Account Number: N/A
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date
Adjusted Funding Commitment: \$168.75

Funding Request Number: 1742956
Form 471 Application Number: 608408
Service Provider Name: Light Industries Service Corp. dba Panurgy Chesapeake Region
Service Provider Identification Number: 143020377
Billing Account Number: GOODSH
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2008)

Funding Request Number: 1757414
Form 471 Application Number: 608408
Service Provider Name: Computer Cable Installation Company
Service Provider Identification Number: 143011921
Billing Account Number: GoodShepherd
Service Start Date: 04/01/2009*
Service Start Date Change Explanation: TPA Adjusted Service Start Date

FORM 500 NOTIFICATION LETTER REPORT
(Funding Year 2008)

Funding Request Number (FRN): 1717269
Form 471 Application Number: 608408
Service Provider Name: Cavalier Telephone, LLC
Service Provider Identification Number (SPIN): 143021457
Billing Account Number: 3306673
Reduce FRN: \$13,477.64; \$13,477.64

Funding Request Number (FRN): 1718662 ✓
Form 471 Application Number: 608408
Service Provider Name: CDW-G
Service Provider Identification Number (SPIN): 143005588
Billing Account Number: 6578561
Cancel FRN: \$0.00; \$0.00

Funding Request Number (FRN): 1742914 ✓
Form 471 Application Number: 608408
Service Provider Name: Light Industries Service Corp. dba Panurgy Chesapeake Region
Service Provider Identification Number (SPIN): 143020377
Billing Account Number: GOODSH
Cancel FRN: \$0.00; \$0.00

Funding Request Number (FRN): 1742956 ✓
Form 471 Application Number: 608408
Service Provider Name: Light Industries Service Corp. dba Panurgy Chesapeake Region
Service Provider Identification Number (SPIN): 143020377
Billing Account Number: GOODSH
Cancel FRN: \$0.00; \$0.00

Funding Request Number (FRN): 1757414 ✓
Form 471 Application Number: 608408
Service Provider Name: Computer Cable Installation Company
Service Provider Identification Number (SPIN): 143011921
Billing Account Number: GoodShepherd
Cancel FRN: \$0.00; \$0.00