



BOARD AGENDA

Special Board Meeting

MIDWEST CITY - DEL CITY PUBLIC SCHOOLS

Wednesday, October 18, 2023, at 10:00 AM

Mid-Del Board of Education, Board Room

7217 S.E. 15th St.

Midwest City, Oklahoma 73110

Following is a list of the business to be conducted by the Board of Education at the above mentioned meeting. The Board of Education may discuss, make motions and vote upon all matters appearing on this Agenda. Such votes may be to adopt, reject, table, reaffirm, rescind, or take no action on any Agenda matter.

- I. Opening Exercises:
 - A. Call to Order and roll-call recording of members present and absent
 - B. Moment of Silence
 - C. Flag Salute
- II. Approval of the agenda.

- III. Vote to approve or not approve return of funds to Universal Service Administrative Co. (USAC) in the amount of \$46,823.96 for the FY2007 E-rate application. An E-rate audit conducted in FY2009 determined the E-rate discount calculation was improperly calculated resulting in USAC sending a demand letter to return funds.- Ms. Woodard

- IV. Vote to approve or not approve a Resolution authorizing the sale of the District's General Obligation Building Bonds, Series 2023B, and setting forth the following items:
 - A. Fixing the amount of bonds to mature each year
 - B. Fixing the time and place the bonds are to be sold
 - C. Authorizing the Clerk to give notice of said sale as required by law

- V. Adjourn
This agenda was posted at the Board of Education Center, 7217 S.E. 15 Street, Midwest City, Oklahoma, on October 16, 2023, at 1:15 pm, in accordance with the Open Meeting Law.

The next Regular Board meeting is November 13, 2023.




Dr. Rick Cobb
Superintendent

7217 S.E. 15th Street
Midwest City, OK 73110
(405) 737-4461

Mailing Address:
P.O. Box 10630
Midwest City, OK 73140
Fax: (405) 739-1615

Jacqueline Woodard
Chief Financial Officer

To: Board of Education and Dr. Rick Cobb

From: Jacqueline Woodard, Chief Financial Officer 
Erin Rennick White, Executive Director of Technology

Date: October 18, 2023

Re: Approval of the Issuance of a Purchase order for the Recovery of E-Rate Monies for Federal Request Numbers: 1545705, 1550804, and 1599784

In the spring of 2008, we were notified of an audit of E-rate monies conducted by the Universal Service Administrative Company (USAC). USAC selected certain Federal Request Numbers (FRN's) to test for compliance for various funding years. Auditors visited the district on-site for several weeks testing for allowable equipment purchases and inventory; bids for both board approved or not approve/non-selected vendors for services; documentation of technology plan approval at the local and state levels; and documentation of free and reduced counts. They also conducted school site visits to view equipment purchased with E-rate monies.

As a result of this visit we received an audit report from USAC that detailed the findings and the need to recover monies. The District refunded \$55,268.78 in December 2010, for equipment (12 access points) that could not be located at Sooner Rose at the time of their site visit.

The auditors identified that 3 of the school sites had their discount rate incorrectly calculated which resulted in a drop in the discount rate from 90% to 80%. For the funding request with OneNet, this resulted in a decrease of 10% or \$1,104. For the other two funding requests, the drop to 80% put them below the funding threshold for "Priority Two" funding which means they were not eligible for any funding in that category. Therefore, the entire amount on the other two funding request had to be rescinded which is \$45,719.96. Kellogg & Sovereign appealed the discount findings to USAC on October 18, 2010, USAC quickly denied the appeal. In 2011, Kellogg & Sovereign filed an additional appeal to the Federal Communication Commission (FCC), the rulemaking body for E-rate. The FCC did not make a decision until August 31, 2023. Kellogg and Sovereign has informed the district that the FCC does not have a timeline in which they have to make decisions and there is no option for an additional appeal.

In summary, the refund amount that is requested is \$46,823.96 to be paid from the Insurance Fund. This payment is due 30 days from the demand letter which is by November 2, 2023.

Attachments:
Letter of Appeal
Demand Payment Letter



1101 Stadium Drive, Ada, OK 74820 · office: 580.332.1444 · fax: 580.332.2532 · email: jkellogg@kelloggllc.com

October 18, 2010

Letter of Appeal
 Schools and Libraries Division
 Box 125-Correspondence Unit
 80 South Jefferson Road
 Whippany, NJ 07981

Contact Name:

Jane Kellogg, Consultant
 1101 Stadium Drive
 Ada, OK 74820
 Phone: 580.332.1444, Fax: 580.332.2532
 Email: jkellogg@kelloggllc.com

Applicant:

Midwest-City Del City School District
 Billed Entity Number: 140258

Year	Form 471#	FRN	Service Provider	SPIN	COMAD Reason	Recovery Amount
2004	406999	1116296	United Systems	143004698	Discount Calculation	83,057.80
2006	515310	1446760	OneNet	143015254	Discount Calculation	828.00
2006	515310	1445133	Southwestern Bell Telephone	143004662	Discount Calculation	2,754.56
2006	515310	1446829	Cox Telecom	143005575	Discount Calculation	0.00
2006	526958	1452821	United Systems	143004698	Discount Calculation	11,610.00
2006	526958	1452500	United Systems	143004698	Discount Calculation	11,610.00
2006	526958	1452768	United Systems	143004698	Discount Calculation	11,610.00
2006	526958	1452577	United Systems	143004698	Discount Calculation	11,610.00
2007	559836	1545705	OneNet	143015254	Discount Calculation	1,104.00
2007	559836	1545636	Nextel of Texas	143000889	Discount Calculation	0.00
2007	562205	1550804	United Systems	143004698	Discount Calculation	11,610.00
2007	562205	1551257	United Systems	143004698	Discount Calculation	22,410.00
2007	578369	1599784	United Systems	143004698	Discount Calculation	34,109.96

Dear Appeals Processor:

We are appealing the adjustment of funding for the above listed funding requests related to Midwest City Del City School District ("District"), Billed Entity Number 140258.

The reason for the funds to be recovered as stated in the Funding Commitment Adjustment reports is that during the course of an audit it was determined that the applicant incorrectly calculated their E-rate discount. The Funding Commitment Adjustment Reports are included in Attachment A.

The commitment adjustment report for funding year 2004 FRN 1116296 explains that “the applicant calculated its 90% discount using the correct number of students eligible for free and reduced meals but did not use the appropriate total enrollment data. ”

According to the commitment adjustment report for the funding requests affected in funding year 2006, the reason for the adjustment was “the beneficiary calculated its discount percentage using only the number of students aged 5-17, instead of including eligible pre-kindergarten and adult education students resulting in a higher percentage being used.”

According to the commitment adjustment report for the funding requests affected in funding year 2007, the reason for adjustment was “the beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher percentage being used.”

Each year that the Erate applications were filed, the beneficiary believed that they were in full compliance with the guidelines provided to them by the Child Nutrition Department at the Oklahoma State Department of Education or in discussions with the Client Service Bureau at the Universal Service Administrative Company (“USAC”).

In the case of Oklahoma Public Schools, the collection of the low income data is conducted by food service personnel each school day following the guidelines established by the United States Department of Agriculture (USDA) and the Child Nutrition Office of the Oklahoma State Department of Education. This information is collected each fall through completion of the Low-Income Student Count form – see Attachment C and the partial snapshot below. This form is the official form that is completed by Oklahoma school districts and submitted to the Child Nutrition department at the Oklahoma State Department of Education.

The number of students attending on a given day constitutes the enrollment data, the number of those students that qualify for Free/Reduced Lunch Counts determine the eligibility numbers on the forms.

Details on how the food service staff is to complete the Low Income Student Count form is provided in the training Food Service managers receive annually and through the Child Nutrition department and in the Compliance Document – See: <http://www.sde.state.ok.us/Schools/ChildNut/Programs/Compliance.pdf>.

The Low-Income Student Count Report Instructions are on Page 116.

The instructions shown below are extracted from this document:

SANDY GARRETT
State Superintendent of Public Instruction
OKLAHOMA STATE DEPARTMENT OF EDUCATION

County 55 District 1052

LOW-INCOME STUDENT COUNT

School Site Information				Students Enrolled and Eligible for Free/Reduced				
Site Number	Site Name	Grade Span Low-High	Site Enrollment Ages 5-17	Free/Reduced	Ages 4 and Under	Ages 5-17	Ages 5-17 Ages 18 and Over	Total Free / Reduced
105	BARNES ES	EC - 06	384	Free:	4	129	0	133
				Reduced:	2	45	174	47
110	CLEVELAND BAILEY ES	EC - 06	366	Free:	5	121	0	126
				Reduced:	3	42	163	45
115	COUNTRY ESTATES ES	EC - 06	377	Free:	7	193	0	200
				Reduced:	4	46	239	50
120	DEL CITY ES	EC - 06	519	Free:	14	302	0	316
				Reduced:	0	57	354	57
125	EAST SIDE ES	EC - 06	482	Free:	15	284	0	299
				Reduced:	7	96	380	103
130	EPPERLY HEIGHTS ES	EC - 06	649	Free:	13	425	0	438
				Reduced:	3	76	501	79
135	PLEASANT HILL EC CTR	EC - 03	113	Free:	16	72	0	88
				Reduced:	4	6	78	10

LOW-INCOME STUDENT COUNT REPORT
INSTRUCTIONS

School Site Information: Complete the form for each accredited site. When entering the information on the Web site, verify that the site numbers and names are correct. *PLEASE contact 405-521-3327 if there are any discrepancies.* Include the Grade Span that will be the lowest grade to the highest grade for each site. Valid grades are: Early Childhood (EC), kindergarten (KG), and 1 through 12. If *OPENING* a site, please contact the Accreditation Section at (405) 521-3333 before adding the new site to this form.

Site Code: Counts must be reported by accredited site number; i.e., 105, 705. If one cafeteria serves more than one school site, report each school site separately—not as one. Every accredited school site must be included. Nonaccredited sites must not be included.

Site Name: The name of the site identified by site number in Column 1.

Grade Span Low-High: Grades included at site identified in Columns 1 and 2.

Note: If a school district has VIRTUAL students, this information MUST BE REPORTED in a separate section of the Low-Income Report.

Site Enrollment Aged 5-17: Current enrollment for ALL students at this site, aged 5 through 17 as of October 1. Enrolled students who attend a nonaccredited site must be reported at the ACCREDITED site they should be attending. This figure must come from the October 1 Accreditation Report.

NOTE: This information is used for Title I purposes only. The actual statewide Low-Income Report will use TOTAL current enrollment figures verified by the Accreditation Section as of October 1.

Students Enrolled and Eligible for Free/Reduced-Price: Enter the number of students who are CURRENTLY ENROLLED and ELIGIBLE for FREE or REDUCED-PRICE meals in the following categories. Enrolled students who attend a nonaccredited site must be reported at the ACCREDITED site they should be attending. Ages are as of the month of October. Virtual students should be included. (Students enrolled in adult education courses or out-of-home placement students are not to be reported on the Low-Income Report. Adult education classes are those conducted for the following purposes or groups: General Education Development [GED], Temporary Assistance for Needy Families [TANF], English as a Second Language (ESL), family literacy, life skills, etc.)

Since the numbers collected through these forms directly impact all federal programs, the District and the state work diligently to be sure they are collecting the correct information each day and that the reports reflect the true picture of the low income level of the school site and district.

No specific guidelines are given to the district by USAC as to what numbers from the Oklahoma state low income student count form are to be included. The only state-level guidance is regarding eligibility for non-traditional K-12 students and facilities (head start, pre-kindergarten, adult education and juvenile justice). See: <http://www.usac.org/sl/applicants/step01/non-traditional-k-12/k-12-eligibility-table.aspx>.

The instructions on completion of the Block 4 of the Form 471 do not specify if the applicant may list only Ages 5-17, or all students. Missing is guidance regarding students who are 18 and over, students who dropped out and are completing their GED's, etc. In the absence of specific instructions from USAC on a state by state basis, the school district personnel must rely on the data provided them by their state reporting procedures.

We have included the Form 471 Block 4 guidance below which provides very broad guidelines.

Form 471, Block 4 Guidance:

Calculating Each School's Site-Specific Discount (Columns 4-7 and 9-10)

Item 9a, Column 4: List the total number of K-12 students in each school. For "New School Construction" or for an "Administrative Entity," enter "0" in this item.

Item 9a, Column 5: Provide the number of students eligible for NSLP as of the October 1st prior to the filing of this form, or use the most current figure available. For "New School Construction" or for an "Administrative Entity," enter "0" in this item. You may choose to use an actual count of students eligible for the NSLP or use federally approved alternative mechanisms to determine the level of poverty for purposes of the universal service discount program. Schools using a federally approved alternative mechanism may use participation in other income-assistance programs, such as Medicaid, food stamps, Supplementary Security Income (SSI), federal public housing assistance (Section 8), or Low Income Home Energy Assistance Program (LIHEAP) to determine the number of students that would be eligible for the NSLP. See 34 C.F.R. § 200.28(a)(2)(i)(B). For more information, please refer to the "Alternative Discount Mechanisms Fact Sheet" posted on the SLD section of the USAC web site.

Item 9a, Column 6: For each school, divide Column 5 by Column 4 to arrive at the percentage of students eligible for NSLP. Discount calculations may be rounded up only when fully half a discount point is reached. For example, an urban school with a discount eligibility of 34.499% will round down to 34%, and an urban school with a discount eligibility of 34.500% will round up to 35%. For eligibility discounts of less than 1%, however, there is no rounding. For "New School Construction" or for an "Administrative Entity," leave this item blank.

Item 9a, Column 7: Using the percentage in Column 6 and the Discount Matrix (see below), you should determine the percentage discount to which the school is entitled. If you file online, the system will calculate this figure for you. If you have any questions about determining this figure, contact CSB. For "New School Construction" or for an "Administrative Entity" ONLY, enter the Weighted Average Discount for the School District. (A preparatory worksheet containing all the

schools in the School District must be submitted documenting the Weighted Average Discount for the School District. If you are submitting your application on paper, a worksheet including all schools in the School District must be submitted and labeled "All Schools in the School District."

Similarly, the January 22, 2010 News Brief provided only the following information regarding how to calculate discounts and contains no state-level details.

January 22, 2010 USAC News Brief:

Calculating Discounts

In Block 4 of the Form 471, applicants list the individual recipients of service for a particular Block 5 funding request and calculate the appropriate discount level for those recipients. The Form 471 Instructions¹ provide detailed guidance on calculating discounts; below we have provided a high-level summary of discount calculations for specific situations.

As always, we encourage you to file online. Warning messages and informational pop-ups can help you through the discount calculation process and avoid the problem resolution activities that occur during USAC's data entry of paper forms.

General Information

To calculate the discount for an individual entity (recipient of service), you need two pieces of information:

- The urban or rural status of the entity, which you can determine using the physical location of the entity and the appropriate state list linked to the guidance document Rural/Urban Classification.*
- The percentage of students eligible for the National School Lunch Program (NSLP). (See below for a short discussion of alternatives to NSLP.)*

You can then find your discount in the Discount Matrix posted on the USAC website. Locate the row that includes the percentage of students eligible for NSLP and then find your discount in the urban or rural column, as appropriate.

Following is information on how to calculate discounts for different types of entities:

Individual school

Divide the number of students eligible for NSLP at the school by the total number of students at the school. Use this number (the percentage of students eligible for NSLP) and the urban or rural status of the school to look up the discount on the Discount Matrix.

¹ Instructions same as quoted earlier.

School district

List each individual school in the school district in a Block 4 worksheet and calculate the E-rate discount for each school as described above. Then multiply the E-rate discount for each school by the number of students in the school (the "weighted product"). Add together all the weighted products and divide the result by the total number of students in the school district to get the "weighted average discount" for the school district.

While the information above is informative, it does not provide specific guidance regarding what the source of the information should be other than to follow the guidelines established by USDA in determining eligibility and in reporting those numbers through the State approved process.

Midwest City-Del City school district personnel completed the Block 4 of their Forms 471 to the best of their ability in compliance with USAC rules and guidelines. The numbers reported to the State of Oklahoma on the Low Income Student Count Forms were considered by the District as the most accurate information available as it was the information they reported directly to the state. This information was the only data available to the person at the district who was responsible for entering the numbers in the Block 4 on the Form 471.

None of the subsequent documents detailed below that affect the final accredited numbers are prepared at the time the Form 471 was filed by the district. In fact, the report that the Oklahoma State Department of Education submits to USAC as the validation document is not available until after the Form 471 'window' closes each year.

Once the Low Income Student Count forms are submitted to the Oklahoma State Department of Education in November or December, the state goes through the process detailed below to validate the accuracy of the information submitted by each district in Oklahoma. Since this validation process occurs during January and February, after a district has submitted their application, it is easy to see how a school district can enter perfectly valid information in the Form 471 but when the state document arrives it doesn't match the numbers on the Low Income Student Count form.

By relying on the enrollment and free/reduced lunch numbers reported to the state on the Low Income Student Count Form, the District entered the numbers that were 'true' to the best of their knowledge at the time of filing the Form 471.

When the auditors questioned the source of the data during the audit, the applicant provided the low income student count forms which matched with the Block 4 data in the related years' Forms 471. The auditors also requested low income documentation from the Oklahoma State Department of Education ("OSDE") for the years under audit. When the auditors compared the OSDE low income data to the information reported on the Block 4 of the relevant funding years' Form 471, there were discrepancies in the total enrollment numbers.

We then contacted the Oklahoma Deputy State Superintendent of Instruction asking for clarification on the discrepancies between the enrollment figures obtained by the district and those in OSDE final low income reports.

The resultant document, quoted below was provided to the Midwest City-Del City audit team during their review to assist them with their review:

Oklahoma State Department of Education Validation

**OKLAHOMA STATE DEPARTMENT OF EDUCATION
METHODOLOGY USED TO DETERMINE THE LOW INCOME DATA REPORTED TO USAC**

-----Original Message-----

From: Patti High [mailto:patti_high@sde.state.ok.us]
Sent: Tuesday, January 20, 2009 5:06 PM
To: Jane Kellogg
Cc: Sharon Lease; Dee Baker; Lealon Taylor; Sandy Garrett

Subject: Clarification on Processes for J Kellogg

Jane, in response to your request for clarification in writing, of the state procedures for collecting and using input data from schools to produce the (e37560) Low Income Report, I offer the following:

A. Process for collecting Oklahoma Fall student enrollment data:

- 1) Each October, school sites enter student enrollment through an on-line Web-based grade grid on the Statistical Information page of the Accreditation Application.
 - The grid collects the enrollment as of Oct. 1, by grade, race/ethnicity and gender.
 - Principals certify the data; then the district Superintendent must certify the data.
- 2) Once the reporting deadline has been reached, the data certified by superintendents is pulled into reports/spreadsheets with site-level, district, and state enrollment totals and comparisons for perusal/approval of the Accreditation office staff.
- 3) When problems are identified, the Accreditation Office rejects the district's application, contacts the district and requires them to modify and re-certify the Application. Proofing reports are re-run as corrections are made until no errors are apparent to Accreditation.
- 4) Once the Accreditation Office is satisfied with the data from all districts, they present the report for Superintendent Garrett's information.
- 5) Once Supt. Garrett reviews the data, reports are released to the public and reports/spreadsheets/files are provided to other staff/sections as needed.

B. The process and procedure for collecting Low Income Counts for Child Nutrition:

Note: All data is entered and certified through the Web-based on-line Child Nutrition Programs (CNP) e-Claims system.

1. *July: As part of the process to renew their annual CNP Agreement, each school district enters a list of accredited school sites and the total number of sites that will be participating in the USDA school food programs. The district then certifies their agreement information. CNP staff review and then approve the agreements beginning in July, and in some cases all the way through September.*
2. *November: Each district enters its claim for October meals served, which includes the total count of students, by free, reduced-price and paid meal eligibility, for whichever October date had the highest free/reduced eligibility count.*
3. *November - after the October Claim has been completed, certified and paid:*
 - *School districts complete the October Low-Income Student Count, entering free and reduced-price eligible counts by age brackets for all sites participating in the meal program.*
 - *Counts are entered only for the sites that are participating in CNP,*
 - *The number of sites entered must equal the number of sites reported as participating on the CNP Agreement, Schedule A.*
 - *The total district free and reduced-price eligibles (sum of all the school site free and reduced counts across all age groups) must match the number of district free and reduced eligible students on their October claim.*

Once the above edits have been passed, and superintendent certified, the district-provided Low Income Student Count becomes 'Approved.'

Note1: October 1 site enrollment counts reported by districts for ages 5- 17 on the Low Income Count Report, are not the same as the Accreditation enrollment number which represents all grades and ages. The Low Income Count enrollment for ages 5-17 is used as the denominator for Title I, to calculate the percentage of free and reduced-price eligible students, ages > or =5 and <18. When all districts' Low Income Student Counts have been approved, that data is provided to the Title I office for their examination and use in federal reporting.

Note2: USDA permits districts to revise claims in subsequent months. If the October claim revisions change any student counts, districts are required to revise their Low-income Count report accordingly, and vice-versa. Then new reports are generated for Title I.

4. *The (e37560) Low Income Report, however, covers free and reduced counts for all age brackets, and therefore uses the full student body October 1 Enrollment count from the Accreditation Application as the denominator in computing %free, %reduced and % low income (free& reduced). The site data is summed to provide the district and county data and percents.*
5. *Once the State Superintendent has reviewed the data, the Accreditation enrollment data is available for release (usually early Feb.), Child Nutrition receives a file from Data Services, with the site and district October1 enrollment totals to use in generating the (e37560) Low Income Report.*

6. In February, the (e37560) Low Income report is printed and published to the web.

*Patti High
Chief Information Officer
Oklahoma State Department of Education
2500 N. Lincoln Blvd., Suite B-17
Oklahoma City, OK 73105-4599*

*405.521.3013 phone
405.522.4264 fax
patti_high@sde.state.ok.us*

The information about the state process provided the District with information they were not aware of when they completed the Forms 471 for funding years 2004, 2006, and 2007. The District discovered that the OSDE used the accreditation report to determine the total enrollment numbers that were used in the state final report.

This information is helpful but would have not changed the information originally reported by the district as the personnel who keyed the Block 4 data on the Form 471 were not aware of the use of the enrollment numbers on the accreditation report nor were the district personnel responsible for completing the Form 471 given access to the accreditation report during the time that the Forms 471 were filed.

Again, we need to emphasize that the state reports that the auditors used to compare enrollment data with the Block 4 information were NOT available to the applicant until AFTER the Forms 471 were filed.

PIA Review

Another point of validation occurs during USAC Program Integrity Assurance (PIA) each year, again well after the numbers have to be collected and submitted as a part of the Form 471 filing process. In current years, a part of the normal USAC review process is for a designated set of PIA reviewers to validate the discount level for each applicant at each site. In Oklahoma, the Low Income Student Count form is compared with the numbers in the official state document created as a part of the SDE review. There may be other sources of data used by the PIA reviewers as a comparison as well, but if so, it is unknown to the school district.

In 2003 this PIA discount review process was in its infancy and not yet implemented. Consequently, most applications went through review supported by the data that was submitted by the district in compliance with the state and federal guidelines, which, was of course the case with Midwest City-Del City schools. Please note that there were NO discount discrepancies identified by the auditors for funding year 2003.

For funding years 2004, 2006, and 2007, we do not know what the PIA review procedures were regarding discount validation, but there were no discrepancies noted by the reviewers during the review process.

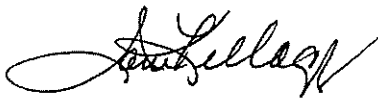
It was not until the Attestation Compliance audit in 2009, that the applicant was notified of any possible discrepancies in data submitted by the person completing the E-rate applications years before. USAC's PIA reviewers did have the official Low Income Student Count Report that the State of Oklahoma provided all seven years under review and no one had ever mentioned a discrepancy in the enrollment numbers.

The return of the funds listed on the commitment adjustment reports total \$202,314.32. The COMAD amount is not reflective of the minor adjustment in the discount % due to the discrepancy in the enrollment numbers because the adjustment calculated by the auditors drops the E-rate discount below the priority two funding floor for the related years. The COMAD amount is excessive and will create undue hardship on the district which seems unwarranted based on the fact that the applicant followed the rules to the best of their ability.

Since the applicant completed the discount information to the best of their ability with the reports available at the time, we believe that the funding commitment should be approved as originally funded. We respectfully request that the Administrator take into consideration the fact that the district followed all guidance they were provided by the state and by USAC guidelines for Block 4 numbers. The specific numbers of students enrolled, and the specific numbers eligible were all from official documents available prior to the close of the filing window.

Therefore, we respectfully request that the funding commitment be approved as originally funded.

Respectfully submitted,



Jane Kellogg
Consultant

Attachments:

- A. Funding Commitment Adjustment Letters
- B. Block 4 Determination Documents
- C. Low Income School Documentation
- D. Letter of Agency

Midwest City - Del City School District

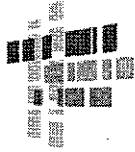
BEN 140258

Form 498 ID

Year	Form 471 #	FRN	Service Provider	SPIN	COMAD Reason	Recovery Amt.
2007	559836	1545705	Onenet	143015254	Discount Calculation	1,104.00
2007	562205	1550804	United Systems	143004698	Discount Calculation	11,610.00
2007	578369	1599784	United Systems	143004698	Discount Calculation	34,109.96
					Total	46,823.96

none due:

2007	559836	1545636	Nextel of Texas	143000889	Discount Calculation	-
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Universal Service
Administrative Co.

Privileged and Contains Confidential Information

Final Demand Payment Letter

Charlie Shelden
MIDWEST CITY-DEL CITY SCH DIST
7217 SE 15TH ST
MIDWEST CITY, OK 73140

10/3/2023

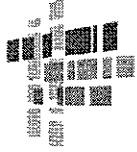
Final Demand for Payment of a Debt Owed to the United States

This letter is the final demand for payment of a debt owed to the United States. On January 31, 2011 USAC sent MIDWEST CITY-DEL CITY SCH DIST a letter demanding repayment of a \$34,109.96 overpayment of Universal Service Funds to MIDWEST CITY-DEL CITY SCH DIST (the "Debt").

Our records indicate that you have not paid the Debt or responded to USAC's demand letter. The Debt is now more than 60 days past due. As we informed you in our first and second demand letters, USAC may assess interest, penalties and administrative costs on the Debt in accordance with the Debt Collection Improvement Act, 31 U.S.C. §3701, et seq. Until the Debt and any charges which may have accrued are paid in full, MIDWEST CITY-DEL CITY SCH DIST applications and requests for benefits pending before the FCC and USAC, including funding commitments and payment requests, will be dismissed pursuant to the FCC's Red Light Rule. For more information on the FCC's Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions>. In determining whether an entity is delinquent for purposes of the FCC's Red Light Rule, the Commission matches the FCC Registration Number of the Debtor to its database of debts; the Debtor's FCC Registration Number will be linked to all other FCC Registration Number's associated with the same Taxpayer Identification Number (TIN).

In addition, the FCC may instruct USAC to offset or recoup the Debt and accrued charges against any monies, including Universal Service Fund disbursements, USAC or the FCC may owe MIDWEST CITY-DEL CITY SCH DIST.

Further, unless an appeal of the Debt is pending, USAC will refer the delinquent Debt and accrued charges to the United States Treasury within 90 days of the date of the First Demand Payment Letter for further collection action. If referred, the United States Treasury will impose an additional surcharge (currently 30% of the Debt). The United States Treasury may offset the Debt and all accrued charges against monies owed to you by the United States. In addition, the United State Treasury may report MIDWEST CITY-DEL CITY SCH DIST's delinquency to credit bureaus and MIDWEST CITY-DEL CITY SCH DIST may be denied federal financial assistance.



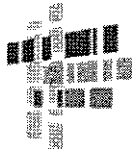
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You previously received information regarding your appeal rights in the Commitment Adjustment Letter.

Payment of the Debt should be made at www.usac.org/pay

If you have questions, or believe that you received this notification in error, please contact us or call the USAC Client Service Bureau at (888) 203-8100 for further assistance.



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First Demand Payment Letter

Charlie Shelden
MIDWEST CITY-DEL CITY SCH DIST
7217 SE 15TH ST
MIDWEST CITY, OK 73140

10/3/2023

DEMAND FOR PAYMENT OF DEBT OWED TO THE UNITED STATES

This letter is to notify you that the Universal Service Administration Company ("USAC"), acting on the behalf of the Federal Communications Commission (FCC or Commission), has determined that MIDWEST CITY-DEL CITY SCH DIST received improper payment of \$7,542.00 from the Universal Service Fund. On February 18, 2020, USAC sent MIDWEST CITY-DEL CITY SCH DIST a Commitment Adjustment Letter informing MIDWEST CITY-DEL CITY SCH DIST of the decision to recover funds for the Funding Request Number(s) (FRNs) listed on the Adjustment Report included in this demand letter. A summary of the relevant FRN(s) with the corresponding recovery amounts and explanations for the recovery sought is as follows:

Total Due: \$11,610.00
Due Date: 11/2/2023

Note: Your due date is adjusted to the next business day when the due date is on a weekend or Federal holiday

<i>FCC Form 471</i>	<i>FRN</i>	<i>Commitment adjustment</i>	<i>Total amount to be recovered</i>	<i>Explanation(s)</i>	<i>Party to recover from</i>
562205	1550804	\$11,610.00	\$11,610.00	Discount Error, Funding Cap	Applicant

See Attached Adjustment Report for more information on the specific FRNs and Explanations listed above.



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The FCC has determined that the \$11,610.00 over payment is a debt owed to the United States (the "Debt") and has instructed USAC to collect payment of the Debt pursuant to the Debt Collection Improvement Act, 31 U.S.C. §3701, et seq. ("DCIA"). Accordingly, USAC hereby demands that MIDWEST CITY-DEL CITY SCH DIST immediately pay the Debt, which is due and owing without further demand within thirty (30) days of this letter (the "Due Date"). Payment instructions are provided below.

If MIDWEST CITY-DEL CITY SCH DIST does not pay the Debt in full on or by the Due Date, the Debt will be delinquent on that date and thereafter, may accrue interest, administrative costs and penalties, in accordance with the DCIA. For further information on the DCIA, and the Treasury and FCC debt collection regulations implementing the DCIA, please see 31 U.S.C. § 3701, et seq., 31 C.F.R. § 900, et seq. and 47 C.F.R. § 1.1901, et seq.

Pursuant to the FCC's Red Light Rule, unless an administrative appeal of the Commitment Adjustment Letter is pending, neither the FCC nor USAC will act on any MIDWEST CITY-DEL CITY SCH DIST funding application(s) or any payment request(s), until the Debt and all charges which may have accrued are paid in full or resolved. In addition, if all or a portion of the Debt and any accrued charges remain after the Due Date, unless an appeal is pending or other satisfactory arrangements have been made, all MIDWEST CITY-DEL CITY SCH DIST applications and requests for benefits will be dismissed. For more information in the FCC's Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions> in determining whether an entity is delinquent for the purposes of the FCC's Red Light Rule, the FCC and USAC match the FCC Registration Number of the Debtor to the FCC's database of debts; the Debtor's FCC Registration Number will be linked to all other FCC Registration Numbers associated with the same Taxpayer Identification Number (TIN).

In addition, if MIDWEST CITY-DEL CITY SCH DIST does not pay the Debt and all accrued charges in full by the Due Date, the FCC may instruct USAC to offset or recoup the Debt and any accrued charges against monies, including Universal Service Fund Disbursements, USAC or the FCC may owe MIDWEST CITY-DEL CITY SCH DIST.

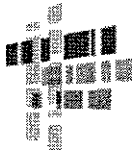
Further, unless an appeal is pending or other satisfactory arrangements have been made, no later than 90 days from the date of this demand letter, USAC will refer the delinquent Debt and any accrued charges to the United States Treasury for further collection action, in which event the United States Treasury will impose an additional surcharge (currently 30% of the Debt). The United States Treasury may offset the Debt and any accrued charges against monies owed to you by the United States. In addition, the United States Treasury may report MIDWEST CITY-DEL CITY SCH DIST delinquency to the credit bureaus and MIDWEST CITY-DEL CITY SCH DIST may be denied federal financial assistance.

MIDWEST CITY-DEL CITY SCH DIST has 15 days from the date of this letter to request a review of the records supporting this Debt. MIDWEST CITY-DEL CITY SCH DIST may also request a written agreement to repay the Debt, but only if it makes the request within 15 days of the date of this letter. An explanation of the process by which MIDWEST CITY-DEL CITY SCH DIST may request a repayment agreement can be found <http://usac.org/cont/making-payments/payment-plans.aspx>. All payment plan requests are subject to FCC approval.

You previously received information regarding your appeal rights in the Commitment Adjustment Letter.

Payment of the Debt should be made at www.usac.org/pay.

If you have any questions, or believe that you received this notification in error, please contact us or call the USAC Client Service Bureau at (888) 203-8100 for further assistance.

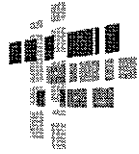


Adjustment Report

FCC Form 471 Application Number:	562205
Funding Request Number:	1550804
Commitment Adjustment:	\$11,610.00
Total Amount to Be Recovered:	\$11,610.00
Explanation(s):	Discount Error, Funding Cap
Party to Recover From:	Applicant
Funding Year:	2007
Billed Entity Number:	139839
Services Ordered:	INTERNAL CONNECTIONS MNT
Service Provider Name:	United Systems, Inc.
SPIN:	143004698
Original Funding Commitment:	\$11,610.00
Adjusted Funding Commitment:	\$11,610.00
Funds Disbursed to Date:	\$11,610.00

Funding Commitment Adjustment Explanation

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During an audit it was determined that USAC erroneously committed funds for FRN 1550804. On the original Form 471 the applicant was approved at a 90 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism. During the audit it was determined that the applicant is only eligible to receive an 80 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Pursuant to the FCC rules, requests for basic maintenance of internal connections are given second priority and, when demand for discounts for basic maintenance of internal connections exceeds available support, funding should be awarded first to applicants eligible for 90% discount level and then at each descending single discount percentage level until funds are depleted. Since it was determined that your FY 2007 request for funding was for basic maintenance of internal connections and approved for 80 percent, and taking into account a fact that there were not sufficient funds for FY 2007 to provide basic maintenance of internal connections to applicants at your discount rate, your funding commitment has been rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.



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Final Demand Payment Letter

Charlie Shelden
MIDWEST CITY-DEL CITY SCH DIST
7217 SE 15TH ST
MIDWEST CITY, OK 73140

10/3/2023

Final Demand for Payment of a Debt Owed to the United States

This letter is the final demand for payment of a debt owed to the United States. On January 31, 2011 USAC sent MIDWEST CITY-DEL CITY SCH DIST a letter demanding repayment of a \$1,104.00 overpayment of Universal Service Funds to MIDWEST CITY-DEL CITY SCH DIST (the "Debt").

Our records indicate that you have not paid the Debt or responded to USAC's demand letter. The Debt is now more than 60 days past due. As we informed you in our first and second demand letters, USAC may assess interest, penalties and administrative costs on the Debt in accordance with the Debt Collection Improvement Act, 31 U.S.C. §3701, et seq. Until the Debt and any charges which may have accrued are paid in full, MIDWEST CITY-DEL CITY SCH DIST applications and requests for benefits pending before the FCC and USAC, including funding commitments and payment requests, will be dismissed pursuant to the FCC's Red Light Rule. For more information on the FCC's Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions>. In determining whether an entity is delinquent for purposes of the FCC's Red Light Rule, the Commission matches the FCC Registration Number of the Debtor to its database of debts; the Debtor's FCC Registration Number will be linked to all other FCC Registration Number's associated with the same Taxpayer Identification Number (TIN).

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MINUTES AND RESOLUTION AUTHORIZING SALE OF BONDS

PURSUANT TO NOTICE GIVEN UNDER THE OPEN MEETING ACT, THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NUMBER 52 OF OKLAHOMA COUNTY, OKLAHOMA, MET IN SPECIAL SESSION IN THE BOARD ROOM OF THE BOARD OF EDUCATION CENTER, 7217 SOUTHEAST 15TH STREET, MIDWEST CITY, OKLAHOMA, IN SAID SCHOOL DISTRICT ON THE 18TH DAY OF OCTOBER, 2023, AT 10:00 A.M.

PRESENT:

ABSENT:

Notice of this special meeting was given in writing to the County Clerk of Oklahoma County, Oklahoma at _____.m. on the ____ day of October, 2023, forty-eight (48) hours or more prior to this meeting, and public notice of this meeting, setting forth the date, time, place and agenda was posted at the Board of Education Center in prominent view and open to the public twenty-four (24) hours each day, seven (7) days each week at _____.m. on the ____ day of October, 2023, being twenty-four (24) hours or more prior to this meeting, excluding Saturdays, Sundays and legal holidays, all in compliance with the Oklahoma Open Meeting Act (as attached hereto).

Notice of said meeting and agenda have also been posted on the School District's website in accordance with Title 74, Oklahoma Statutes, Section 3106.2.

(OTHER PROCEEDINGS)

Thereupon _____ introduced a Resolution by reading the Title, and upon motion by _____ seconded by _____, said Resolution was adopted by the following vote:

Aye:

Nay:

Said Resolution was thereupon signed by the President, attested by the Clerk, sealed with the seal of said School District, and is as follows:

RESOLUTION

A RESOLUTION FIXING THE AMOUNT OF BONDS TO MATURE EACH YEAR, FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD, AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW.

WHEREAS, the issuance of \$472,500,000 of bonds to provide funds for the purpose of improving or acquiring school sites, constructing, repairing, remodeling and equipping school buildings, and acquiring school furniture, fixtures and equipment; or in the alternative to acquire all or a distinct portion of such property pursuant to a lease purchase arrangement (Proposition #1), by Independent School District Number 52, of Oklahoma County, Oklahoma, has been duly

authorized at an election held for that purpose on October 10, 2023, and certified by the County Election Board of Oklahoma County, Oklahoma on the [13th] day of October, 2023, and

WHEREAS, the issuance of \$10,000,000 of bonds to provide funds for the purpose of improving or acquiring school sites, constructing, repairing, remodeling and equipping school buildings, and acquiring school furniture, fixtures and equipment (Indoor Aquatic Center Project); or in the alternative to acquire all or a distinct portion of such property pursuant to a lease purchase arrangement (Proposition #2), by Independent School District Number 52, of Oklahoma County, Oklahoma, has been duly authorized at an election held for that purpose on October 10, 2023, and certified by the County Election Board of Oklahoma County, Oklahoma on the [13th] day of October, 2023, and

WHEREAS, the issuance of \$10,200,000 of bonds to provide funds for the purpose of purchasing transportation equipment and auxiliary transportation equipment; or in the alternative to acquire all or a distinct portion of such property pursuant to a lease purchase arrangement (Proposition #3) by Independent School District Number 52, of Oklahoma County, Oklahoma, has been duly authorized at an election held for that purpose on October 10, 2023, and certified by the County Election Board of Oklahoma County, Oklahoma on the [13th] day of October, 2023, and

WHEREAS, Independent School District Number 52, of Oklahoma County, Oklahoma has previously determined to sell the approved Bonds in separate series, and

WHEREAS, Independent School District Number 52 of Oklahoma County, Oklahoma desires to issue at this time \$7,560,000 of the authorized Building Bonds (Proposition #1) and such bonds shall be known as the \$7,560,000 General Obligation Building Bonds, Series 2023B.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NUMBER 52 OF OKLAHOMA COUNTY, OKLAHOMA:

SECTION 1. That the \$7,560,000 General Obligation Building Bonds, Series 2023B, of Independent School District Number 52 of Oklahoma County, Oklahoma, voted on the 10th day of October, 2023, shall be offered for sale and that the Board of Education of Independent School District Number 52 of Oklahoma County, Oklahoma, will receive bids by sealed bid, electronic bid (via PARITY), or similar secure electronic bid, on the 13th day of November, 2023, until 10:00 a.m. at the Midwest City – Del City Public Schools Board of Education Center, Office of the Superintendent, 7217 Southeast 15th Street, Midwest City, Oklahoma, said Bonds to become due:

\$2,520,000 in two years from their date and \$2,520,000 annually each year thereafter until paid.

Said Bonds shall be awarded by the Board of Education of Independent School District Number 52 of Oklahoma County, Oklahoma, on November 13, 2023, at 6:00 p.m. at a meeting of said Board held in the Board Room of the Board of Education Center, 7217 Southeast 15th Street, Midwest City, Oklahoma, and shall be sold to the bidder bidding the lowest rate of interest the Bonds shall bear, and agreeing to pay par and accrued interest for the Bonds.

SECTION 2. That the Clerk of the Board of Education is hereby ordered and directed to cause notice of the sale of said Bonds to be given as required by law.

Adopted this 18th day of October, 2023.

President, Board of Education

ATTEST:

Clerk, Board of Education

(SEAL)

State of Oklahoma)
)SS.
County of Oklahoma)

I, the undersigned, the duly qualified and acting Clerk of the Board of Education of Independent School District Number 52 of Oklahoma County, Oklahoma, hereby certify that the foregoing is a true and complete copy of a Resolution authorizing the sale of bonds for the purpose therein set out adopted by said Board and transcript of proceedings of said Board at a special meeting thereof held on the date therein set out, insofar as the same relates to the introduction, reading and adoption thereof as the same appears of record in my office.

WITNESS my hand and seal this 18th day of October, 2023.

Clerk, Board of Education

(SEAL)