

RECEIVED

DOCKET FILE COPY ORIGINAL

MAR 16 2001

FEDERAL COMMUNICATIONS COMMISSION

OFFICE OF THE SECRETARY

IN RE FCC reallocation and sale of 216-220 MHz Band, ET Docket No. 00-
221

COMMENT FROM : Linda Peshek, Stark county, Ohio. Parent of three children with hearing disabilities, sent February 22, to FCC. Email copy received at FCC-CIB-DRO 2/28/01

Dear Ms. Salas,

I am writing to comment on a proposed sale or reallocation of 216-220 MHz band. I am the mother of three children, two of whom are hearing impaired (Chris age 11 and Laura age 7). Chris and Laura are profoundly deaf and use cochlear implants and hearing aides and ear level FM hearing aid devices to listen and speak. Our school system, Jackson Local in Massillon, Ohio has generously provided for Chris and Laura to use personal desktop FM Systems and Classroom soundfield amplification systems to listen to their teachers so that they can attend regular public school. Chris and Laura have Individual Education Plans that provide these systems and my husband and I have purchased additional equipment, such as back up exterior cochlear implant systems and extra FM microphones for Chris' ear level FM systems. In short our children are "wired for sound" at home and at school. Because our children use a type of therapy called "Auditory Verbal" they use only their residual hearing and the devices I noted in order to communicate i.e., listen and speak.

It is my understanding that the FCC may be proposing to sell the band widths that my children use in order to listen in school and at home. We believe our FM systems use the frequencies proposed to be sold. This has upset me and my family so I have contacted an Attorney with the Department of Justice and will pursue all remedies to prevent this infringement upon my children's right to hear. My children struggle on a daily basis to listen to an imperfect signal because they are deaf. The technology that they use is very technical and at its best works only to the extent that they operate as "hard of hearing persons" when all pieces of technology are working perfectly. I remember reading in "Yes, You Can Heather," that the former Miss America, Heather Whitestone struggled in college in downtown Birmingham Alabama because trucker's CB transmissions broke in to her audio FM unit while she was in class. She was forced to leave that college because note taking could not supplement her education when she could not hear. Fortunately for Heather, she was old enough to know that there was interference. My daughter Laura just turned seven years old on Sunday, and is in first grade. She has trouble figuring out if there is interference in her listening systems. For extended periods of time we did not know that Laura was experiencing problems with her technology in preschool because she is not a sophisticated listener like her brother Chris who manages FM unit BTE's and Cochlear implant information bilaterally. Therefore, Laura can only use a desk top amplification system that the teacher can listen to and check at all times of the school day.

Education struggles are only a small part of what our children endure. They undergo hours of listening therapy each week, special tutoring, and have undergone surgeries for implantation of the cochlear implant with hours of "mapping" to supply sound electronically to their brains. I feel as though my husband and I have walked through fire to get our children to a point where they can fit in to the mainstream of our society through the use of

No. of Copies rec'd 2
DATE CODE

advanced technology and education.

In addition, we worry daily about things that most people have never even heard of, for example; precautions we must take to prevent the children's map from being hurt by electrostatic discharge; Batteries that don't work to the power they claim on the box, because no device has ever tested its limits like the implant, health and magnetic field issues that zap the internal device implanted inside of their heads requiring reimplantation.

The thought that the FCC would sell the FM connection that my children use to sound and a mainstream education terrifies me and my family. We will not allow this to happen and will seek immediate injunctive relief to prevent the FCC from selling these band widths because we believe this is a violation of due process and equal protection under our United States Constitution.

Furthermore, we believe the FCC is attempting to circumvent The Americans with Disabilities Act (ADA) with its prohibition of discrimination against individuals on the basis of a disability. Did you think we would not notice that our children were being denied their right to listen and participate in school and at home? Your sale of these band widths will not give primary consideration to the requests of children and adults who are deaf or hard of hearing.

Historically people who are deaf have been segregated from the mainstream of society. This cannot be tolerated in this century. I do not believe that you intend to segregate my children, but an auction of their connection to sound in school and at home will have that effect. I urge you to reconsider because otherwise there are literally millions of people with hearing loss in this great country who will suffer irreparable harm. Not only children who are hearing impaired use classroom soundfield systems to access the sound of their teacher's voice. In our local Stark County I have helped raise money to place soundfield systems which use this band width in over 100 classrooms. These are children with normal hearing who benefit from these systems and they too, will also be hurt by this egregious action. My children, my husband, and I have a voice and we will be using it to vigorously fight this infringement upon their right to listen, learn and speak in this great United States of America.

Sincerely,
Linda Peshek

CC: Christine Dierenger, Director Special Education Services, Jackson Local Schools

Kathleen Trieber, Executive Director, Quota International

Darryl Perrine, Quota International, 6th District (Ohio Governor))

Sara Blair Lake, Executive Director, Auditory Verbal International

Heidi Karthan, President, Natural Communication Inc.

Donna Sorkin, Executive Director, AG Bell Association

Representative Ralph Regula (Ohio)

Senator George V. Voinovich

Senator Mike DeWine