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

FEB 22 2001
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Part 2 of the Commission's)
Rules to Allocate Spectrum Below 3 GHz)
For Mobile and Fixed Services to Support)
the Introduction of New Advanced Wireless)
Services, including Third Generation)
Wireless Systems)
)
Petition for Rulemaking of the Cellular)
Telecommunications Industry Association)
Concerning Implementation of WRC-2000;)
Review of Spectrum and Regulatory)
Requirements for IMT-2000)
)
Amendment of the U.S. Table of Frequency)
Allocations to Designate the 2500-2520/)
2670-2690 MHz Frequency Bands for the)
Mobile-Satellite Service)

ET Docket No. 00-258

RM-9920

RM-9911

To the Commission:

COMMENTS OF THE COUNCIL OF THE GREAT CITY SCHOOLS

The Council of the Great City Schools, the coalition of over 50 of the nation's largest central city school districts, requests the consideration of the following comments regarding the Commission's January 5, 2001 Notice of Proposed Rulemaking (NPRM) on the possible use of frequency bands below 3GHz to support the introduction of new advanced wireless services (FCC 00-455).

SUMMARY

The Council of the Great City Schools opposes the reallocation of the 2500-2690 MHz band away from educational institutions, the predominant entities operating Instructional Television Fixed Services (ITFS) in this portion of the spectrum. As an educational resource, the spectrum is of great worth, particularly to the large city school systems that enroll the largest number of students, employ the highest number of teachers, and occupy the greatest number of school buildings. The Council of the Great City Schools

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represents approximately 30% of the nation's Hispanic students, 35% of the nation's African American students, and 25% of the nation's children living in poverty. The spectrum is an especially valuable asset to these students; where shallow resources and a historically deep digital divide have left school districts struggling to provide the technology that has enhanced teaching and learning elsewhere. The Council maintains its opposition with the following findings:

1. URBAN SCHOOL DISTRICTS DEPEND ON THE 2500-2690 MHZ SPECTRUM FOR THE EDUCATIONAL PURPOSES ORIGINALLY INTENDED BY THE FCC, SUCH AS PROVIDING INSTRUCTIONAL PROGRAMMING, PROFESSIONAL DEVELOPMENT, AND DISTANCE LEARNING.
2. THE YEARLY E-RATE REIMBURSEMENTS HAVE INCREASED THE TECHNOLOGY CAPACITY OF THE NEEDIEST SCHOOL DISTRICTS, IMPROVING THEIR ABILITY TO INTEGRATE ADVANCED TECHNOLOGY SERVICES INTO THEIR EDUCATION PLAN, AND THEREFORE, TO TAKE ADVANTAGE OF THE OPPORTUNITIES OFFERED BY THE SPECTRUM.
3. URBAN SCHOOL DISTRICTS HAVE TAKEN ADVANTAGE OF PAST CHANGES IN FCC REGULATIONS TO ENHANCE THE SERVICES PROVIDED WITH ITFS.
4. URBAN SCHOOL DISTRICTS WILL LOSE MAJOR FINANCIAL AND PLANNING INVESTMENTS MADE FOR ITFS IF THE 2500-2690 MHZ BAND AND THE EDUCATIONAL SERVICES IT PROVIDES ARE REALLOCATED.
5. A KEY ELEMENT TO THE FUTURE SUCCESS OF URBAN SCHOOL DISTRICTS IS TECHNOLOGY SERVICE, AND CONTINUED USE OF THE 2500-2690 MHZ SPECTRUM WILL ALLOW SCHOOL DISTRICTS TO EXPAND THEIR TECHNOLOGY CAPACITY, AND ASSEMBLE, FOR EDUCATIONAL PURPOSES, "THE PROVISION OF WIRELESS SERVICES" SOLICITED IN THE NPRM.

COMMENTS OF THE COUNCIL OF THE GREAT CITY SCHOOLS

The Council of the Great City Schools, the coalition of over 50 of the nation's largest central city school districts, is pleased to submit comments pursuant to the Commission's January 5, 2001 Notice of Public Rulemaking, and opposes the reallocation of the 2500-2690 MHz band away from the education-serving institutions which currently operate the Instructional Television Fixed Services (ITFS) on this portion of the spectrum. As an educational resource, the spectrum is of great worth, particularly to the large city school systems that enroll the largest number of students, employ the highest number of teachers, and occupy the greatest number of school buildings. The Council of the Great City Schools represents approximately 30% of the nation's Hispanic students, 35% of the nation's African American students, and 25% of the nation's children living in poverty.

The spectrum is an especially valuable asset to these students; where shallow resources and a historically deep digital divide have left school districts struggling to provide the technology that has enhanced teaching and learning elsewhere.

1. URBAN SCHOOL DISTRICTS DEPEND ON THE 2500-2690 MHZ SPECTRUM FOR THE EDUCATIONAL PURPOSES ORIGINALLY INTENDED BY THE FCC, SUCH AS PROVIDING INSTRUCTIONAL PROGRAMMING, PROFESSIONAL DEVELOPMENT, AND DISTANCE LEARNING.

Urban school districts are taking advantage of the opportunity ITFS offers by providing instructional content and professional development over the spectrum, the benefit originally intended by the FCC. One such beneficiary is Jefferson County Public Schools in Louisville, Kentucky, which enrolls approximately 100,000 K-12 students, 40% of who are eligible for free lunch. The district provides 160 hours of instructional programming per week over four channels, as well as professional development programming and after-school material. The channels reach all 150 school buildings and every classroom and allows the district superintendent to address all 5,600 teachers simultaneously.

2. THE YEARLY E-RATE REIMBURSEMENTS HAVE INCREASED THE TECHNOLOGY CAPACITY OF THE NEEDIEST SCHOOL DISTRICTS, IMPROVING THEIR ABILITY TO INTEGRATE ADVANCED TECHNOLOGY SERVICES INTO THEIR EDUCATION PLAN, AND THEREFORE, TO TAKE ADVANTAGE OF THE OPPORTUNITIES OFFERED BY THE SPECTRUM.

The federal E-Rate program provides discounts on telecommunications services to school districts and libraries throughout the country, with priority given to the entities with the highest number of students receiving free and reduced price lunch. According to the Universal Service Administrative Company, approximately 70% of the program's total benefit has gone to urban schools and libraries over the last two years, focusing over \$2.4 billion on technology progress in the neediest areas. For many school districts, the E-Rate provided resources for technology projects and initiatives that were otherwise unfunded, and in some instances, had been for some time. With the E-Rate, urban school districts have been able to make substantial progress on their technology plans: wiring schools and classrooms, installing and upgrading networks, and increasing the capacity of the district to take on new technology projects.

The 2500-2690 MHz spectrum provides similar relief to urban school districts, supplying a valuable technology resource to educators and students that schools would otherwise be unable to afford. The benefits of the E-Rate, coupled with ITFS opportunities, will provide districts with a greater capacity to take advantage of emerging technology, to enhance teaching and learning, and make headway in closing the digital divide. Just as projects were left incomplete and technology plans unfinished prior to the E-Rate, reallocating the spectrum that needy school districts depend on would hinder, and possibly even halt, future technology progress in urban schools.

3. URBAN SCHOOL DISTRICTS HAVE TAKEN ADVANTAGE OF PAST CHANGES IN FCC REGULATIONS TO ENHANCE THE SERVICES PROVIDED WITH ITFS.

The ITFS was used for one-way analog video service until 1996, when the FCC permitted licensees to digitize their ITFS spectrum. Districts with the capacity have taken advantage of this change, and have moved, or are in the process of moving, their schools to digital service. With the benefits of the E-Rate and the regulation changes, the Milwaukee Public Schools is revising their technology plan to include digital use for the district. In San Diego County, three-quarters of the schools have been moved to digital service, and \$1.2 million has been paid to vendors to complete the project.

In 1998, the FCC approved the use of two-way transmissions on ITFS frequencies, making the provision of voice, video, and data services possible. Urban schools are currently exploring the possibilities this newest change allows, providing high speed Internet to their classrooms and adding video-on-demand to their collection of instructional services. Denver Public Schools provides two-way instruction over the spectrum in evening adult education classes. Urban school districts have the technology savvy necessary to take advantage of the spectrum, and the opportunity it provides to bridge the digital divide.

4. URBAN SCHOOL DISTRICTS WILL LOSE MAJOR FINANCIAL AND PLANNING INVESTMENTS MADE FOR ITFS IF THE 2500-2690 MHZ BAND AND THE EDUCATIONAL SERVICES IT PROVIDES ARE REALLOCATED.

With the recent changes in FCC regulations and the quickening pace of technology advancement in school districts, a substantial amount of planning and financial investment has been made in developing the ITFS spectrum. For example, Broward County Public Schools (Florida), the sixth largest school district in the nation with over 230,000 students, recently has invested millions of dollars for services provided over 2500-2690 MHz. The district uses the spectrum to broadcast 8 channels over 15 hours a day, provide video-on-demand instruction, and bring high-speed Internet to classrooms. Broward County recently completed the expensive, but important, move of bringing digital service to all 240 school buildings in the district. The School Board of Broward County has purchased towers and open-air receivers, as well as studio time for instructional programming. The district has digitized its local intranet for improved data transfer, and is investigating what school operations can be improved by using the spectrum and wireless data transfer.

The argument that school districts and educational entities can use another portion of the spectrum is not a feasible option. The use of the spectrum is a well-established and integral part of school district operations. The FCC's *Interim Report* of November 15, 2000 on the 2500-2690 MHz spectrum acknowledges this by stating that, "ITFS has become a crucial part of the curriculum of many educators." The equipment and

configuration changes necessary to move the incumbent system to a new location, or multiple new locations, on the spectrum will incur additional costs for urban districts, in addition to the investment that districts have already made for existing equipment or services. Also, relocating ITFS to a higher or lower position on the spectrum incurs the same problems for school districts that commercial companies are trying to avoid. The trees, buildings and other obstructions that impede the businessman's cellular telephone service in certain areas will also impede educational material such as student data, teacher training materials, or Internet service for the classroom.

5. A KEY ELEMENT TO THE FUTURE SUCCESS OF URBAN SCHOOL DISTRICTS IS TECHNOLOGY SERVICE, AND CONTINUED USE OF THE 2500-2690 MHZ SPECTRUM WILL ALLOW SCHOOL DISTRICTS TO EXPAND THEIR TECHNOLOGY CAPACITY, AND ASSEMBLE, FOR EDUCATIONAL PURPOSES, "THE PROVISION OF WIRELESS SERVICES" SOLICITED IN THE NPRM.

Urban school districts have shown that an increased technology capacity allows them to offer a creative and complex variety of services. These services have expanded with the financial support the E-Rate provides, and the infrastructure support ITFS allows. FCC regulation changes have allowed them to expand further, as school districts move to digital service and wireless data transfer. The NPRM of January 5, 2001 cites the Commission's desire for a flexible policy on spectrum management, and the notion of a "broad range of advanced services that may be introduced over time." The Council of the Great City Schools contends that school districts and current ITFS licensees are working towards the goals of the FCC, and have used their current spectrum allocation to develop services for improving education. Access to the spectrum has led to invention and an increased arsenal of technology services a district can offer. The Commission's recent *Interim Report* on 2500-2690 MHz states, "The frequency band is in a state of rapid evolution and development by both ITFS and MDS licensees...." This demonstrates that the development trend still continues, and should be supported by preserving the current spectrum allocation for ITFS and the school districts that depend on it.

CONCLUSION

The primary interest of the Council of the Great City Schools is to ensure that the neediest schools and school children are not left behind in antiquated schools with inadequate services and equipment. Urban school districts have made substantial progress on closing the digital divide by taking advantage of opportunities that allow them to build their technology capacity. As the complexity and importance of technology continues to increase, preservation of the 2500-2690 MHz allocation for educational institutions is necessary for the nation's neediest urban school districts to keep pace.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael Casserly". The signature is written in a cursive style with a large, prominent initial "M".

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Council of the Great City Schools

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