



Annual Report for FY 2012

HIGHLIGHTS OF INITIATIVES AND ACCOMPLISHMENTS



State of Hawaii
Department of Health
Disability and Communication Access Board
919 Ala Moana Blvd., Room 101
Honolulu, HI 96814



OVERVIEW

The Disability and Communication Access Board (DCAB) is a Governor-appointed, statewide, 17-member Board whose mission is to advocate and promote the full integration of independence, equal access, and quality of life for persons with disabilities in society.

**This Report highlights key accomplishments from
July 1, 2011 to June 30, 2012.**

DCAB BOARD MEMBERS

Barbara Fischlowitz-Leong, Chairperson
Lucy Miller, Ph.D., Vice-Chairperson

Ed Chevy
Dorothy Fife
Peter Fritz
Mark Giblin
Robin Inaba
Ann Ito
Lance Kaneshiro
Glenn Morgan
Lynn Murakami-Akatsuka
Glenn Nakamura
Mark Obatake
Anthony Riecke-Gonzales

STAFF

Francine Wai, Executive Director
(See inside back cover for full staff listing)

CIVIL RIGHTS

State and County ADA Coordination and Training

Fiscal year 2012 was a significant year in the life and maturation of the ADA. Recently amended rules for Title II (relating to state and local government) and Title III (relating to public accommodations) went into full effect. As a result, DCAB embarked on an aggressive campaign to educate covered entities about their compliance obligations.

- Coordinated quarterly meetings of State Department ADA Coordinators to keep them abreast of the latest developments in the ADA and continued to provide technical assistance on complex ADA complaints and issues to achieve informal resolution. Three (3) newly appointed State Department ADA Coordinators were oriented by DCAB.
- Hosted 21 teleconferences and webinars to offer national in-service training to ADA Coordinators.
- Served as a resource to the 4 County ADA Coordinators at their quarterly meetings and offered assistance in resolving ADA issues.
- Served as trainer or speaker in 21 workshops or training sessions relating to either Title II or Title III of the ADA. The workshops focused on the recently amended rules of the Department of Justice (DOJ). The most significant topics (aside from the amended design guidelines) were the amended rules on service animals, other power driven mobility devices, ticketing, and communication access.



Access to Culture and the Arts

- Sponsored 2 workshops with Betty Siegel of The John F. Kennedy Center for the Performing Arts entitled *Making Culture and the Arts Accessible to Everyone* for culture and arts organizations and *2010 ADA Requirements for Accessible Seating and Ticketing* for theaters, stadiums, and auditoriums.



State and County Legislation and Rules

- As a follow-up to Act 175-2011, hosted a forum with service animal handlers to assist the Hawaii Civil Rights Commission (HCRC) develop a fact sheet titled *Assistance Animals as a Reasonable Accommodation in Housing*.
- Monitored and testified, as appropriate, on proposed legislation at the 2012 Legislature to:
 - Provide greater access and flexibility for Board members with disabilities to participate in meetings remotely (Act 202);
 - Fund the voting system to conduct the 2012 elections and ensure compliance with federal law and access for persons with disabilities (Act 7); and
 - Appropriate funds for a telephone-based reading service to provide access to current print media for persons who have visual impairments (Act 199).



DBTAC ADA training and technical assistance was supported, in part, through an annual Memorandum of Agreement with the Pacific ADA Center in Oakland, California.



FACILITY ACCESS

§103-50, Hawaii Revised Statutes Document Reviews

The 'new' Americans with Disabilities Act Accessibility Guidelines (ADAAG), adopted by DOJ in September 2010, went into effect on March 15, 2012. In recognition of the lengthy process of state and county design and construction, DCAB adopted the design guidelines January 1, 2011. Fiscal year 2012 represented the first full year of document reviews under the new guidelines.



- Conducted 888 document reviews of buildings, facilities, and sites of the state and counties. Of the documents submitted, 531 were new projects and 357 were resubmittals, indicating that 40% of the projects reviewed had deficiencies when originally submitted.
- Introduced and achieved passage of Act 277 in the 2012 Legislature to give DCAB the authority to charge a review fee for its document review process under §103-50 Hawaii Revised Statutes effective January 1, 2013.

Technical Assistance and Training

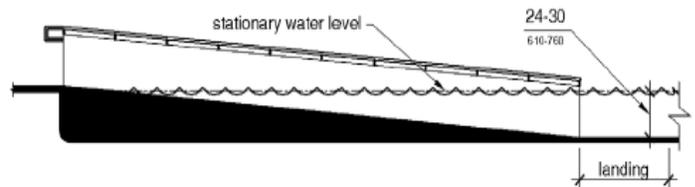
- Coordinated a conference, *2010 ADA Standards for Accessible Design* with Paul Beatty and Earlene Sesker, Accessibility Specialists with the U.S. Access Board, to approximately 250 design professionals.
- Sponsored a workshop by the U.S. Access Board for health care and design professionals on the Proposed Rulemaking on Accessibility Standards for Medical Diagnostic Equipment, as required under the Patient Protection and Affordable Care Act.
- Sponsored a workshop by the U.S. Access Board on the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way.

- Conducted 8 training sessions on accessible design for the architectural and engineering community.
- Responded to 796 requests for technical assistance on accessible design, primarily from architects, civil engineers, and facility managers either by phone, email, or fax.
- Issued 10 *Access E-Bulletins* to 543 design professionals and project managers to inform them of the latest developments in accessible design standards and guidelines.



Policy and Code Development

- Provided testimony to the U.S. Access Board on its Notice of Proposed Rulemaking on Public Rights-of-Way.
- Provided testimony to the U.S. Access Board on its Advanced Notice of Proposed Rulemaking on Medical Diagnostic Equipment.
- Provided testimony to the U.S. DOJ on its proposed extension of compliance date for accessibility to pools and spas.



- Provided testimony to the International Code Council on proposed updates to the ANSI A117.1 standards as it relates to accessibility.
- Provided input to the State Department of Business, Economic Development, and Tourism in its ongoing development of recommended guidelines for electric vehicle charging stations.
- Provided input to the City and County of Honolulu in the development of guidelines for installation of accessible parking meters.

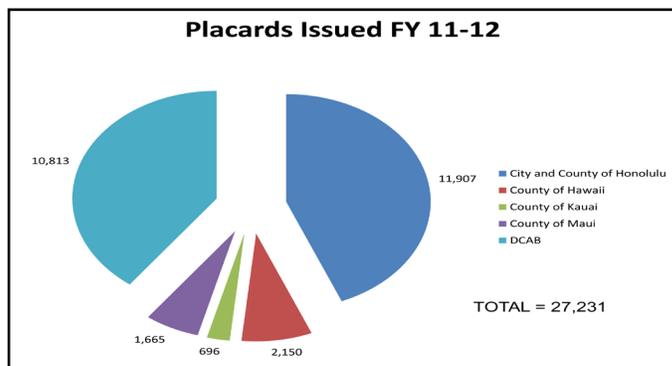


PARKING

DCAB administers the parking program for persons with disabilities in the State of Hawaii per §291, Part III, Hawaii Revised Statutes, and in compliance with Federal Law, P.L. 100-641.

Issuance of Parking Placards to Qualified Persons with Disabilities

- Coordinated the issuance of 27,231 placards (including purchasing and disbursing the placards, decals, identification cards, and application forms) to qualified persons with mobility impairments by the 4 Counties in FY 2012.
- Of the 27,231 placards issued, 22,295 (82%) were permanent long-term placards and 4,936 (18%) were temporary placards issued for a period of 6 months or less.



- Mailed 13,286 renewal notices and issued 10,813 placards from DCAB.
- Continued Memoranda of Agreement with the Counties, pursuant to Act 141, for the Counties to issue all placards (other than renewals for long-term placards) on behalf of the State, and reimbursed the Counties approximately \$112,176 for this service. The Counties also collected \$77,906 in transaction fees, for total income of \$190,082.

Quality Assurance Program

- Removed 10,105 expired placards from circulation (9,089 upon renewal; 600 from deceased permittees; 416 through other outreach efforts).

Accessible Parking Spaces

- Collaborated with the County police departments and parking control agencies to enforce the proper use of accessible parking spaces by contacting businesses and management companies to encourage voluntary compliance. Met with Honolulu Police Department to discuss enforcement of disabled parking and the proper use of access aisle/respective signage.
- Worked with state departments to problem solve the enforcement of accessible parking spaces. Most notable were the University of Hawaii System (Manoa, Hilo, and Hawaii Community College), Department of Transportation Airports, Department of Accounting and General Services (Aliioli Hale), and the Hawaii State Library System (Manoa and Aina Haina).



- Provided technical assistance to private businesses who assigned employees with disabilities public accessible parking spaces as a reasonable accommodation.
- Arranged for a month long television public service announcement campaign on the *Proper Use of a Accessible Parking Stall and Respective Access Aisle*.



Parking Related Legislation and Rules

- Introduced legislation to create a funding source for the parking program using the motor vehicle registration fee. The effort was not successful but the bill will be reintroduced again in 2013.
- Updated Hawaii Administrative Rules, Title 11, Chapter 219, *Parking for Persons with Disabilities* to reflect changes in Act 141 as well as other desired operational changes, including the in-house renewal program.

COMMUNICATION ACCESS

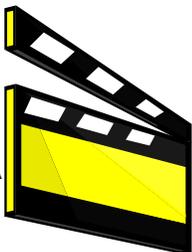
Hawaii Quality Assurance System (HQAS)

- Tested and credentialed 2 sign language interpreters.
- Successfully amended Hawaii Administrative Rules, Title 11, Chapter 218, *Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind* to establish a continuing education unit program for interpreters, signed by the Governor on October 13, 2011.
- Completed the development of a continuing education unit (CEU) program, effective February 2012, with 7 HQAS interpreters participating in the program at the conclusion of FY 2012.
- Maintained (and published on the DCAB web site) a list of interpreters and their national or state credential available as a resource for agencies seeking to procure the services of an American Sign Language (ASL) interpreter.



Communication Access Training and Education

- Initiated the production of a series of videos in ASL to provide information to individuals who are deaf on their rights under the ADA to be completed in FY 2013.
- Conducted a training to County of Kauai staff on communication access requirements under the ADA.
- Provided ongoing technical assistance to the Judiciary's Committee on Court Interpreting and the Office of Language Access to ensure consistency in the use of ASL interpreters with limited English speaking interpreters statewide.



- Prepared 1 issue of the *Communication Access E-Bulletin*.

Communication Access Policy Standards and Rules

- Provided testimony to the U.S. Access Board on the Notice of Proposed Rulemaking regarding the Electronic and Information Technology Access Standards for Section 508.
- Provided testimony to the Federal Communications Commission (FCC) on Next Generation 911 and Closed Captioning of IP Delivered Protocol.



Web site Access

- Provided technical assistance to various state agencies, including the Office of the Governor, on accessible web sites, primarily captioning of web streaming videos.
- Sponsored 2 workshops by MataiNet, Inc. for state and county agencies on how to make web sites accessible to persons with disabilities particularly low vision (screen reader) users or those who are deaf or hard of hearing.
- Initiated efforts to redesign the DCAB web site to provide greater accessibility.



COMMUNITY LIVING

Community Based Services

- Monitored and testified, as appropriate, on the following legislation at the 2012 session that was successfully enacted into law:

- Relating to Mortality Review of Deaths of Persons with Developmental or Intellectual Disability (Act 162);



- Relating to the Hawaii Early Intervention Coordinating Council membership (Act 96);
- Relating to Employment Exemption for Domestic Services for Persons with Developmental and Intellectual Disabilities (Act 158); and
- Bills relating to an appropriation for early childhood education (Act 269) and the Aging and Disability Resource Centers (Act 237).

- Resolutions declaring the month of April as Autism Awareness Month (HCR 150) and requesting the Legislative Reference Bureau to conduct a study on requiring insurance coverage for the diagnosis and treatment of autism spectrum disorders (HCR 177).



- Partnered with the American Association of Retired Persons (AARP) to co-sponsor 2 workshops on *Aging in Place* and *Home Modification for Persons with Disabilities*.
- Continued to work with the Executive Office on Aging as they plan to expand the role of the County Area Offices on Aging to become Aging and Disability Resource Centers. This collaboration included the development of a memorandum of agreement.

Community Living Committees

DCAB provided family-centered input (via representation by SPIN staff) on the following committees to increase the quality and quantity of services to individuals with disabilities and their families:

- Provided input to the Medicaid Waiver Standards regarding the Developmental Disabilities (DD) Medicaid Waiver (Policy Advisory Committee on Medicaid Waiver, Developmental Disabilities Division).



- Planned community activities to bring awareness to children's mental health needs (Children's Mental Health Matters Committee).
- Helped to maintain and advertise a new web site -- Help Your Keiki -- aimed at educating families and increasing utilization of evidence-based interventions to help children and teens with mental health disorders (Evidence Based Services Committee, Child and Adolescent Mental Health Division).
- Assisted in planning for system enhancements to provide for the unmet needs of youth with co-occurring mental health disorders and developmental disabilities (System of Care Expansion Grant Planning Committee).
- Reviewed complaints from consumers and private providers regarding the delivery of children's mental health services (Grievance and Appeals Committee, Child and Adolescent Mental Health Division).
- Assisted in screening potential presenters for the Developmental Disabilities strand of the *2012 Pac Rim Conference* (Center on Disability Studies Community Advisory Council).



EMERGENCY PREPAREDNESS AND PLANNING INITIATIVES

- Served on the following committees to ensure that people with disabilities are included in emergency preparedness efforts: Alternate Care Sites Task Force, Makani Pahili Planning Committee, University of Hawaii (UH) Center on Disability Studies-Hawaii Emergency Preparedness Advisory Council, Hawaii Emergency Preparedness Executive Committee, and the City and County of Honolulu's Department of Emergency Management (DEM) Working Group on Evacuation of Persons with Disabilities.



- Coordinated and facilitated a panel of individuals with disabilities presenting at the Department of Health (DOH) *Na Lima Kakoo Conference*. Coordinated with trainers and the DOH, UH Center on Disability Studies, and State Civil Defense (SCD) to conduct a Functional Assessment Service Team (FAST) training.



- Coordinated volunteers with disabilities to participate in the DEM's Nanakuli High School Shelter Exercise. Participated as an exhibitor for DCAB at the Mililani Emergency Preparedness Fair.
- Participated in the *2011 Inclusive Emergency Management National Capacity Building Conference* sponsored by the Federal Emergency Management Agency (FEMA) Office of Disability Integration and Coordination.
- Provided technical assistance to SCD and the County Emergency Management agencies regarding accessible transportation during an emergency and to SCD to develop a survey tool for hurricane shelters.
- Published 7 editions of the *Emergency Preparedness E-Bulletin*.

EMPLOYMENT

Employment Policies and Procedures

- Fiscal year 2012 was the first full year of implementation of the Equal Employment Opportunity Commission's (EEOC) rules on the Americans with Disabilities Act Amendments Act (ADAAA). State law, §378, Hawaii Revised Statutes, as enforced by the Hawaii Civil Rights Commission (HCRC), requires minimum conformance with the ADAAA. DCAB provided testimony on the HCRC's proposed Hawaii Administrative Rules, Title 12, Chapter 46, *Relating to Disability Discrimination in Employment*, adopted by the HCRC on January 24, 2012.



- Began participation on a long-term project of the Department of Human Resources Development to update state position descriptions to more accurately reflect essential functions of the job.



Reasonable Accommodation

- Provided extensive consultation on 15 complex reasonable accommodation cases for state employees with disabilities.
- Revised the *State Accommodations for Employees with Disabilities Manual* with changes based upon the ADAAA and posted on the DCAB web site.

Employment Training

- Conducted 4 workshops on Title I of the ADA employment provisions, focusing on reasonable accommodation and the changes in the EEOC rules under the ADAAA.



EDUCATION (Special Parent Information Network)

The goals and objectives of DCAB in the area of Education and Training are carried out by the Special Parent Information Network (SPIN) under a Memorandum of Agreement with the State Department of Education (DOE). DCAB is in its 28th year of partnering with DOE to support parents of students with disabilities.

Parent and Professional Training

- Sponsored its annual conference, *SPIN the Case for Evidence-Based*, with 429 participants who attended 16 individualized presentations ranging from inclusive education to positive behavioral supports.
- Provided 4 workshops to diverse audiences-- university students in educational psychology, special education surrogate parents, members of the Learning Coalition, and attorneys and lay advocates at the *Access to Justice Conference*.



SPIN News and Information

- Published 4 editions of the *SPIN Newsletter* and 1 online *Special Edition* issue.
- Maintained a web site and provided "e-blasts" of timely information to members of our list-serve.
- Reached out to parents and professionals at approximately 13 conferences and community events to provide information.



SPIN 'Warm Line'

- Provided information on programs and services available to support a child with special needs through 1,204 warm line phone calls and emails.



Individuals with Disabilities Education Act (IDEA) Implementation

- Served on work groups to review data and suggest improvement activities for the Special Education Section's Annual Performance Report to the U.S. DOE on how well Hawaii is meeting the needs of students with disabilities.
- Met monthly with the DOE leadership to discuss problem areas in the delivery of special education services.



Staff Support to SEAC



The Special Education Advisory Council (SEAC) is mandated by the Individuals with Disabilities Education Act (IDEA) to advise the Superintendent of Education regarding the unmet needs of students with disabilities.

- Provided logistical and technical support for 9 regular meetings of SEAC and preparation for an Annual Performance Plan meeting, as well as reports and testimonies to the Department, the Board of Education and the Legislature. For copies of SEAC's *Annual Report* and *Due Process Report*, go to <http://www.spinhawaii.org/SAP/sap.html>.
- Met with consultants from WestEd to discuss SEAC's role in the Department's reorganization.

Family Empowerment

- Planned a Children's Mental Health Awareness Day as part of the Children's Mental Health Matters Committee.
- Assisted the Child and Adolescent Mental Health Division in developing and publicizing a new parent web site on evidence-based services for youth with mental health conditions.



TRANSPORTATION AND TRAVEL

Ground Transportation

- Reviewed and provided comment on the *Human Services Transportation Coordination Plan 2012* as a member of the Coordinated Transportation Strategies and Operations Committee of the City and County of Honolulu.
- Participated in the review of the *2009 Human Services Transportation Coordination Plan* to summarize goals and project outcomes for the revised 2012 Plan for the Department of Transportation Services, as a member of the Committee on Accessible Transportation for the City and County of Honolulu.
- Provided training on the ADA paratransit regulations to the Citizens for Fair ADA Rides consumer group.
- Provided technical assistance to Oahu Transit Services staff on policies and procedures for accessible bus and paratransit services as a member of the City and County of Honolulu's Committee on Accessible Transportation.



Transit Services staff on policies and procedures for accessible bus and paratransit services as a member of the City and County of Honolulu's Committee on Accessible Transportation.

- Trained ground transportation providers contracted by the state on disability awareness and sensitivity best practices, and provided technical consultation on vehicle accessibility compliance.

Air Transportation

- Provided staff comments about accessible services and facility design at the Honolulu International Airport and the Kahului Airport for the Federal Aviation Administration audit review.



- Provided testimony to the U.S. Department of Transportation on its proposed rules for the Air Carrier Access Act for airport service animal relief areas, airport kiosks, and air travel web sites.

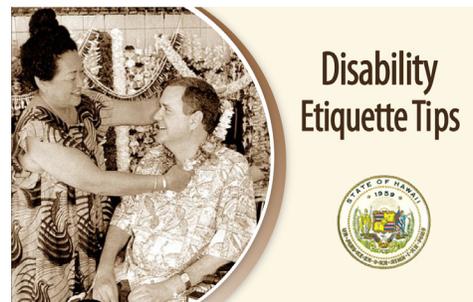
Water Travel

- Provided customer service training to a private cruise line on servicing customers with disabilities.



OTHER KEY ACTIVITIES

- Fielded 1,125 requests for information on programs, services, and laws (other than the SPIN line or the design fax line). This 'service' represented a reduction from the prior year (of 1,966 requests) due to the transition of the information and referral component of DCAB's office to the Executive Office on Aging's Disability Specialist.
- Continued to update and expand the DCAB web site to include archives of newsletters and the updated *Key to Resources*.



- Developed a *Disability Etiquette Tips* card on interacting with a person with a disability for ongoing community awareness efforts.
- Continued to coordinate monthly reports with neighbor island disability groups (Mayor's Committees/Commission on Persons with Disabilities, Developmental Disabilities Committees, Disability Rights Hawaii, State Independent Living Council) to ensure the maximum dissemination of information on DCAB activities and emerging national disability issues.



STAFF

Francine Wai, Executive Director

Debra Jackson, Planner/ADA Coordinator

Charlotte Townsend, Coordinator Program and Policy Development Unit

William Nakamatsu, Program Specialist

Judy Paik, Program Specialist

Leonard Lau, Program/IT Specialist

Kristine Pagano, Communication Access Specialist

Jacob Dalton, Program Support Technician

Curtis Motoyama, Facility Access Coordinator

Gary Batcheller, Facility Access Specialist

Duane Buote, Facility Access Specialist

Mona Higa, Facility Access Specialist

David Poe, Facility Access Specialist

Laurie Palenske, Facility Access Support Specialist

Susan Rocco, SPIN Coordinator

Jan Tateishi, SPIN Program Specialist

Cindy Omura, Secretary/Researcher

Rene Clymer, Clerk Typist/Researcher

Geraldine Kealoha, Office Assistant

Nondiscrimination in Services

We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability.

Write or call our department Affirmative Action Officer at
P.O. Box 3378, Honolulu, HI 96801-3378,
or 808-586-4614 (voice) within 180 days of a problem.

