DISABILITY AND COMMUNICATION ACCESS BOARD

ANNUAL REPORT

FY 2013-2014

Overview

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

This report highlights key accomplishments for fiscal year 2013-2014.

Members of the Disability and Communication Access Board

Peter Fritz, Chairperson

Michael Okamoto, Vice Chairperson

Pauline Aughe

Ed Chevy

Nani Fife

Barbara Fischlowitz-Leong

Robin Inaba

Ann Ito

Lance Kaneshiro

Tamar Lani

Lucy Miller, Ph.D.

Lynn Murakami-Akatsuka

Glenn Nakamura

Anthony Riecke-Gonzales

Lawrence Scadden, Ph.D.

Kirby Shaw

Bryant Yabui

Staff of the Disability and Communication Access Board

Executive Director: Francine Wai

Planning and ADA Coordination: Debbra Jackson

Program and Policy Development Unit: Charlotte Townsend, William Nakamatsu, Leonard Lau, Kristine Pagano, Geraldine Kealoha, Jacob Dalton (until 1/14)

Facility Access Unit: Mona Higa, Curtis Motoyama (until 10/13), Duane Buote, Nyree Oshiro (eff. 2/14), David Poe, Rodney Kanno (eff. 5/14), Gary Batcheller (until 3/14), Laurie Palenske

Special Parent Information Network: Susan Rocco, Jan Tateishi

Administrative Support Unit: Cindy Omura, Rene Clymer

Civil Rights and Justice

The **Civil Rights** of persons with disabilities is the assurance that such persons shall be afforded equal access to participate in or benefit from a program, service, or activity, and shall not be denied access solely on the basis of disability. The assurance of civil rights overarches all aspects of DCAB's work and overlaps with most of the agency's other activities. DCAB has the responsibility as the primary resource and coordinator to ensure compliance with the Americans with Disabilities Act (ADA) in state government through the implementation of Executive Memorandum 12-06. DCAB's efforts are supported in part by a memorandum of agreement (MOA) with the Pacific ADA Center in Oakland, California.

Major accomplishments in the area of **Civil Rights and Justice** were:

ADA Coordination

- As the State ADA Coordinator, staffed 3 State ADA Coordinators meetings. Overall, fielded 249 non-design ADA-related technical assistance calls from agencies. New ADA Coordinators for the Office of the Lieutenant Governor, the Departments of Taxation (DoTax), Labor and Industrial Relations (DLIR), Transportation (DOT), and University of Hawaii (UH) West Oahu were appointed and oriented by DCAB as part of its coordination responsibilities.
- Attended 3 County ADA Coordinators' meetings and provided technical assistance as needed to the City and County of Honolulu and the Counties of Maui, Kauai, and Hawaii.
- Revised the DCAB "Programs and Services Manual" and distributed to State and County ADA Coordinators.
- Conducted 7 trainings on the ADA Titles II and III to state or local government and private entities.
- Provided technical comment on a proposed state web site policy to the Office of Information Management and Technology (OIMT).
- Entered into a MOA with a consultant to develop the ADA Coordinators' web site with an estimated completion in Fall 2014.

Systems Advocacy

- Provided DCAB comments to the U.S. Department of Justice (DOJ) on the proposed rules to amend ADA Titles II and III to conform to the ADA Amendments Act.
- Provided technical assistance to the Hawaii Civil Rights Commission (HCRC) to revise their fact sheet on assistance animals in housing.
- Provided DCAB comments to the County of Hawaii, Department of Parks and Recreation, on their proposed rules impacting access for children with disabilities.
- At the state legislature, monitored and/or testified on disability-related legislation on service animals, pets in restaurants, zoning of community homes, access to movie theaters, accessibility of documents on web sites and electronic copies, public agency meetings, and voting.

Facility Access

Facility Access ensures the maximum inclusion of persons with disabilities through the design and construction of buildings, facilities, and sites that are free of architectural and design barriers. DCAB is responsible, per §103-50, Hawaii Revised Statutes (HRS) and Hawaii Administrative Rules (HAR) Title 11, Chapter 216, to review plans and specifications for the construction of buildings, facilities, and sites of the state and county to comply with the design requirements of the ADA, the Federal Fair Housing Act, and other guidelines issued by DCAB.

Major accomplishments in the area of **Facility Access** were:

Document (Blueprint) Review Process

- Conducted 1,084 state and county document reviews (662 new and 422 resubmittals) as required under §103-50, HRS.
- Updated an agreement with the Hawaii Housing Finance and Development Corporation (HHFDC) to review projects with tax credits administered by HHFDC.
- Initiated an internal procedure to track projects that are either in the planning, design, or active construction phase that have not been submitted for review under §103-50, HRS.
- Issued 2 interpretive opinions, Docket 2014-01 on handrails and Docket 2014-02 on ramps, applicable to §103-50, HRS projects.
- Reviewed and commented upon 18 master plans of state and county government.
- Amended HAR Title 11, Chapters 216 and 217 to reflect the new fee schedule, as well as to update obsolete provisions.

Outreach and Public Education to the Design Community

- Responded to 484 requests for technical information from design professionals.
- Coordinated 2 full day conferences: "Accessible Communication Design Features" (September 2013) with approximately 140 attendees, and "Public Rights-of-Way, Rail and Transit Oriented Design" (April 2014) with approximately 100 people in attendance.
- Conducted 4 trainings on accessible design for the design community.
- Prepared 11 "Access E-Bulletins" to keep the design community abreast of new developments in accessible design.

Policy and Code Analysis

- Provided recommended policy guidelines to the Department of Hawaiian Home Lands (DHHL) relating to the design and construction of homes for recipients with disabilities.
- Provided comments to the ICC/ANSI A117.1 Committee on amendments to improve access and harmonize with the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- Convened a Working Group on Outdoor Developed Areas Accessibility Guidelines to provide recommendations for state design guidelines for picnic facilities, camping facilities, trails, and beach access.
- Provided testimony to the U.S. Access Board on the proposed guidelines for passenger vessels. Reviewed the Federal Transit Administration (FTA) Guidance on Airport Signage.

(A separate report on the implementation of §103-50, HRS is available.)

Communication Access

Communication Access includes the provision of auxiliary aids and services that permit the effective exchange of information. Communication access occurs through communication access providers (such as sign language interpreters), as well as through telecommunication and electronic information devices, auxiliary aids, and services. DCAB is responsible for the testing and credentialing of American Sign Language interpreters who seek a state credential, per Chapter 348F, HRS, and HAR Title 11, Chapter 218. DCAB has developed and implemented the Hawaii Quality Assurance System (HQAS) and local language proficiency tests to meet this legal obligation.

Major accomplishments in the area of **Communication Access** were:

Administering the HQAS Program for American Sign Language Interpreters

- Tested and credentialed 10 HQAS applicants.
- Initiated the HQAS Continuing Education Unit (CEU) program and recruited 23 HQAS interpreters in the program. Began development of a new secure web site for the HQAS CEU program for interpreters to track and monitor their CEU information online.
- Updated the list of Communication Access Providers and reposted on the DCAB web site to assist agencies in knowing the credentials of current providers.
- Coordinated workshops on "Medical Terminology" (October 2013), "Additional Medical Terminology and Anatomy," and "Code of Ethics and Informed Consent" (January 2014).

Technical Assistance and Outreach

- Provided technical assistance to UH-Hilo, Disability Services Office regarding captioning for students who are deaf, hard of hearing and deaf-blind, and to DOH regarding captioning and audio-description for their films promoting Healthy Foundations.
- Reviewed the new Federal Communications Commission (FCC) rules issued February 2014 and a fact sheet on captioning in televisions.
- Served on the panel at the APCO/NENA 911 Conference on access to the Next Generation 911 (NG 911) system.
- Conducted 4 workshops on communication access, primarily for state agencies.
- Prepared and distributed 3 "Communication Access E-News" to inform the community on the latest information on communication access.
- Partnered with the Hawaii Civil Rights Commission (HCRC) on a campaign to educate the public on the ADA requirements for effective communication in health care settings, including drafting of fact sheets, and participating in a joint Senate/House hearing on the issue.
- Coordinated with the Department of Human Services (DHS) to clarify policies and procedures for authorizing and paying for sign language interpreters in the QUEST program through its contracting health plans.

Parking

Accessible parking spaces are uniquely designed and located to accommodate the needs of qualified individuals with mobility disabilities. A disabled person parking permit authorizes the use of accessible parking spaces. DCAB is the state agency responsible, in conformance with Chapter 291, Part III, HRS and HAR Title 11, Chapter 219 to administer the statewide parking program for persons with disabilities.

Major accomplishments in the area of **Parking** were:

Issuance of Placards

- Procured all annual supplies and dispersed as needed to the counties.
- Implemented MOAs with the counties to issue first time, temporary, and replacement placards. The counties issued 17,206 placards and were reimbursed $117,816 for their services. In addition, the counties collected $85,477 from consumer transaction fees. As of June 30, 2014, there were 94,897 active permits in circulation.
- Administered in-house renewals of the parking placard by mail. Distributed 17,685 renewal notices and issued 13,880 long-term placards upon renewal by mail.
- Drafted standard operating procedures for: 1) Certification Timeline for Issuance of Parking Placards; and 2) Procedure for Acceptance and Retention of a Signed Parking Permit Renewal Application. Updated the "Parking Reference Manual."
- Retrieved 12,127 expired parking placards through an aggressive "Business Reply Mail" program.
- Mailed 2,065 estate letters and retrieved 989 parking placards due to death retrieval efforts for a return rate of 48%.
- Supported successful passage of legislation to allow Advanced Practice Registered Nurses to sign the parking certification form. Upon passage, revised literature and forms to comply with the new law.
- Supported amendments to the Revised Ordinances of Honolulu Section 15-24-10 of the Traffic Code to create consistency with the state parking law.

Enforcement, Public Education, and Awareness

- Worked with the Department of Accounting and General Services (DAGS) Parking Enforcement, UH campuses and DOT Airports regarding accessible parking spaces being used by employees and other enforcement issues.
- Responded to 225 inquiries on parking not related to issuance, and 8 inquiries on accessible design of parking stalls.
- Developed a 30-second video on the proper use of an accessible parking permit and aired the video during the month of July 2013 on KHNL/KFVE.

- Developed a prototype parking locator app and populated with 476 photos of accessible parking stalls. The app will be fully mobilized by January 2015.

(A separate report on the implementation of the parking program is available.)

Education and Training

Education and Training includes formalized early intervention, secondary educational systems, and post-secondary educational institutions that provide learning through instructional curriculum. DCAB fulfills its Education and Training goals through a MOA with the Department of Education (DOE) to operate the Special Parent Information Network (SPIN) and staff the Special Education Advisory Council (SEAC). This MOA is in its 28th year of operation.

Major accomplishments in the area of **Education and Training** were:

Parent Access to Information on Educational Rights

- Co-hosted the "Footsteps to Transition Fair" in Windward District for secondary students with disabilities and their families.
- Coordinated the SPIN Conference "Hit a Home Run with SPIN" (April 2014) with 470 attendees, 16 workshops, and 68 exhibitors.
- Fielded 1,257 calls and emails on the SPIN "warm line" requesting information and/or offering information or technical assistance to families and professionals who support children with special needs.
- Prepared 4 "SPIN News" and one "Special Edition" newsletter and distributed to parents of special education students and interested professionals.

- Explored options for publishing an updated "Parent's Guide" based on the revisions to Chapter 60. Created a 3-page online brochure on the introduction of a new statewide assessment for posting on the DOE and SPIN web sites.

- Updated the SPIN/SEAC web site with information on community resources, events, agendas and minutes, and due process hearings, etc.

Educational Systems Advocacy

- Provided feedback to the DOE on the Strive HI Accountability System, Academic Review Teams, DOE implementation of the Ninth Circuit Decision on FAPE to Age 22, Project Po'okela, and School Report Cards through SEAC.
- Supported legislation to end seclusion of students in public schools and restrict the use of restraints. Participated in the development of the "Annual Performance Report" to the Office of Special Education Programs.
- Met with the Deputy Superintendent, the Coalition for Children with Special Needs, and the HCR 145 Workgroup to develop strategies to improve family-school partnerships.
- Made a presentation on "A Parent's Perspective on Positive Behavioral Supports" to UH special education students that was videotaped for archiving.

Emergency Preparedness

Emergency Preparedness includes educating emergency managers, first responders, and planners about access and functional needs of individuals with disabilities during a natural or manmade disaster; and assisting the development and review of emergency operation plans to include individuals with disabilities and others with access and functional needs.

Major accomplishments in the area of **Emergency Preparedness** were:

Planning and Technical Assistance

- Co-sponsored a workshop "Evacuation and Shelter in Place Needs of People with Medical Dependencies During a Disaster" with the Department of Health (DOH) and the Executive Office on Aging.
- Reviewed and edited the City and County of Honolulu's Hurricane Draft Plan.
- Collaborated with the Civil Defense Advisory Council, Hawaii Emergency Preparedness Executive Consortium, Hawaii State Mass Care Council, and RCPG Hurricane Response Framework Combined City and County of Honolulu Work Group to foster improvements in the emergency preparedness system for persons with access and functional needs.
- Provided technical assistance to state agencies regarding forms for employees to voluntarily disclose disability when evacuating during an emergency.
- Coordinated training and site reviews for accessibility of evacuation shelters on Maui, Kauai, and in Hilo and Kona.

Public Education

- Staffed 2 exhibit booths on emergency preparedness for people with access and functional needs at emergency preparedness fairs on Oahu.
- Conducted training at the UH Center on Disability Studies (CDS) on "Building Community Partnerships" at the HEPEC Civil Defense Advisory Council at the Hawaii Emergency Preparedness and Homeland Security Workshop, and at the Ho'opono Services for the Blind Branch of the Division of Vocational Rehabilitation.
- Prepared and distributed 5 "Emergency Preparedness E-News."
- Participated in Makani Pahili 2014 by coordinating the participation of volunteers with disabilities in the full scale exercises. Four Red Cross post-impact sites were visited and assessed for usability.

Transportation and Travel

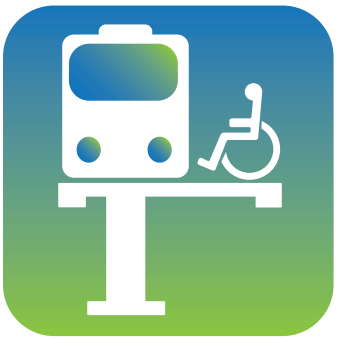
Transportation and Travel includes all means of public and private transit, both intra-state and interstate. Persons with disabilities must have equal access to transportation services to secure and maintain employment, utilize community resources, and participate in social and recreational activities.

Major accomplishments in the area of **Transportation and Travel** were:

Accessible Ground Transportation

- Provided testimony to the City and County of Honolulu regarding Handi-Van transportation "no show" policies and a proposed Handi-Van audit. Reviewed the proposed FTA transportation circular "General Nondiscrimination Provisions, Fixed Route, and Paratransit Obligations."

- Provided comments to the Honolulu Area Rapid Transit Authority (HART) on the configuration of their trains, as well as the design of the boarding platforms. Met with HART staff to discuss scope of coverage for rail accessibility.



- Provided technical assistance to a consumer advocacy group regarding status of new Handi-Van vehicles purchased by the City and County of Honolulu.

- Disseminated information regarding new accessible vehicles for paratransit and fixed routes on Kauai, Maui, and Oahu. Provided technical assistance to the County of Hawaii as they analyze whether their commuter bus routes have morphed into a fixed route system that would then require complementary paratransit.

Air Travel

- Provided technical assistance to the Honolulu International Airport staff to create service animal relief stations. Responded to a consumer on Hawaiian Airlines policy regarding the use of bulkhead seating for passengers with disabilities.

- Updated DCAB's "Travelers Tips" and posted on the DCAB web site. Established links with the web pages of the Hawaii Convention and Visitors Bureau (HCVB) and DCAB to assist the Hawaii Tourism Authority (HTA) to promote travelers with disabilities to Hawaii.

- Provided comments to the U.S. Department of Transportation on proposed rules relating to accessibility of aircraft and stowage of wheelchairs and accessibility of web sites and automated kiosks at U.S. airports.

Community Living and Employment

Community Living enhances the skills, abilities, and life goals of persons with disabilities and promotes independence and self-determination. Employment includes options that allow youth and adults with disabilities to participate in rewarding work experiences.

Major accomplishments in **Community Living and Employment** were:

Community Living

- Participated on the Hawaii Family Caregiving Coalition, City and County of Honolulu Age Friendly City Working Group, Deaf and Hard of Hearing Advisory Board, Child and Adolescent Mental Health Division's (CAMHD) Grievance and Appeals Committee, Footsteps to Transition Committee, Children's Mental Health Matters Committee, Waiver Policy Advisory Committee, CDS Advisory Committee, Project Laulima Workforce Development Work Group, Developmental Disabilities Division's Natural Support Committee, and CAMHD Evidence Based Services Committee to improve access and increase the quality of services for persons with disabilities.

- Co-authored the "2014 Aging and Disability Legislative Report" on services to elderly and disabled persons.
- Provided testimony on legislation on the Silver Alert program, insurance coverage for hearing aids, the definition of developmental disabilities, Medicaid Buy In, Center for Deaf and Hard of Hearing, cochlear implants, Feeling Safe Being Safe program, and an Auditor's study to increase the insurance coverage for hearing aids.
- Provided staff analysis on the Hawaii Public Housing Authority's (HPHA) Five-Year Plan for low- and moderate-income families.

Employment

- Provided technical assistance to the Department of Human Resources Development's (DHRD) Reasonable Accommodation Policy and Sample Medical Authorization Form.
- Coordinated with the DHRD EEO Officer to develop a series of DHRD workshops on "Reasonable Accommodation and the Interactive Process" and served as a resource for the monthly workshops for state employees.
- Provided extensive technical assistance on 21 complex reasonable accommodation requests by employees with disabilities, primarily in state government employment.

Other Program Issues

DCAB strives to ensure that the community will receive information on services, programs, activities, and issues relating to persons with disabilities. As such, DCAB redesigned a new web site with accessibility features as part of the overhaul of state web sites.

DCAB staff continued to reduce its community information and referral activities as the responsibility for information and referral shifts to the Aging and Disability Resource Centers.

State of Hawaii Department of Health

Disability and Communication Access Board

919 Ala Moana Boulevard, Room 101

Honolulu, Hawaii 96814

Phone: (808) 586-8121 (V/TTY)

Fax: (808) 586-8129

Email: dcab@doh.hawaii.gov

Web site: http//health.hawaii.gov/dcab/

Neil Abercrombie, Governor

Linda Rosen, M.D., M.P.H., Director of Health

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, Hawaii 96801-3378, or at (808) 586-4614 (voice) within 180 days of a problem.