



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • TTY (808) 586-8162

AGENDA

Disability and Communication Access Board General Meeting

Location: Kamamalu Building
1010 Richard Street, Conference Room 111A
Date: November 21, 2019
Time: 11:00 a.m. to 1:00 p.m.

TIME LIMITATION ON PUBLIC TESTIMONY/COMMENTS: Members of the public are allowed up to two (2) minutes to provide testimony or comments per agenda item. An exception may be given for persons who have a communication disability.

- I. Call to Order
- II. Roll Call
- III. Introduction: Dr. Bruce Anderson, Director, Department of Health
- IV. Approval of Meeting Minutes of September 19, 2019
- V. Executive Director's Report
 - FY 2020 Expenditure Plan
 - Supplemental Budget Request – Update
 - Personnel – Update
 - Other Administrative Issues – Update
- VI. Committee Reports
 - A. Executive Committee
 - B. Legislative Committee
 - C. Standing Committee on Communication Access
 - Recommended Fee Schedule and Manual for Hiring Interpreters – Update
 - Hawaii Administrative Rules, Title 11, Chapter 218, “Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind” – Update
 - HQAS Continuing Education Workshops – Update
 - Other Communication Activities from the Plan of Action
 - D. Standing Committee on Facility Access
 - Document Reviews and Database – Update
 - Other Facility Activities from the Plan of Action

- E. Standing Committee on Parking
 - Parking Program Issuance and Statistics – Update
 - Eligibility and Certification Issues
 - Public Education Quality Assurance and Outreach Efforts – Update
 - Implementation of Act 87 (2019) and Hawaii Administrative Rules, Title 11, Chapter 219, “Parking for Persons with Disabilities” – Update
 - Other Parking Activities from the Plan of Action
 - F. Special Parent Information Network
 - Update of Activities from the Plan of Action
- VII. Old Business
- A. ADA Coordination Update
 - B. U.S. Access Board, Public Comment on the Proposed Advisory Guidelines for Aircraft Onboard Wheelchairs – Update
 - C. S. 1754/H.R. 3215 – The Disaster Relief Medicaid Act – Update
- VIII. New Business
- A. Proposed Legislative Position Statements for 2020 Legislature (refer to staff summary)
 - B. U.S. Access Board Study on Wheelchair Restraint Systems on Aircraft (refer to staff summary)
- IX. Open Forum
- X. Announcement of Next Meeting
- XI. Adjournment

Board packets are available for inspection in the DCAB office, and by mail or by email upon request.

If you need an auxiliary aid/service or other accommodation due to a disability, contact Cindy Omura at (808) 586-8121 or dcab@doh.hawaii.gov as soon as possible, preferably by November 18, 2019. If a response is received after November 18, 2019, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternative formats such as large print, Braille, or electronic copy.



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MINUTES

Disability and Communication Access Board General Meeting

Location: Kamamalu Building
1010 Richard Street, Conference Room 111A

Date: November 21, 2019

Time: 11:00 a.m. to 1:00 p.m.

PRESENT: Pauline Aughe, Chairperson; Anthony Akamine, Monty Anderson-Nitahara, Ron Awa, Bill Bow, Violet Horvath, Nikki Kepo'o, Marie Kimmey, Summer Kozai, Phyllis Meighen, Justin Tokioka, Board Members; Kirby Shaw, Kristine Pagano, Duane Buote, Bryan Mick, Colin Whited, Cindy Omura, Staff

ABSENT: Rosanna Daniel-Kanetake, Scott Fleming, Dean Georgiev, Gerald Isobe, Amy Tsuji-Jones, Board Members

GUESTS: Maggie Clark, Barbara Fischlowitz-Leong, Peter Fritz, Josiah Nishita, Donald Sakamoto

SIGN LANGUAGE

INTERPRETERS: Mala Arkin and Carie Sarver

- I. The meeting was called to order by Chairperson Pauline Aughe at 11:04 a.m.
- II. After the roll call, Chairperson Pauline Aughe introduced Dr. Bruce Anderson, Director of the Department of Health. Dr. Anderson thanked the Board for inviting him and complimented the Board on selecting Kirby Shaw as the new Executive Director of DCAB. He thanked members for their service on the Board. He expressed appreciation to Francine Wai, who retired after forty-one years of public service. He also informed the Board that Francine Wai was nominated and selected as the Department's Manager of the Year for the second time in her career, that the Facility Access Unit was nominated and selected as the Team of the Year, and that Cindy Omura was nominated for Employee of the Year.

Chairperson Pauline Aughe made an announcement that the Board will limit public comments/testimony to two minutes on each agenda item. She stated that the time limit would allow the Board to conclude its meetings within the allotted two hours and allow members to make their flight arrangements, etc. She noted that this is authorized under the Sunshine Law.

III. Approval of Meeting Minutes of September 19, 2019

The Board approved the September 19, 2019 meeting minutes as circulated (M/S/P Horvath/Kimmey).

IV. Executive Director's Report

Kristine Pagano, DCAB's Administrative Officer, reported on the Supplemental Budget Request. She stated the Department of Budget and Finance (B & F) and the Governor's Office reviews the operations and capital improvement programs and budget requests of all Departments. She noted that DCAB's request for a full time Communication Access Specialist was rejected. Therefore, staff reviewed DCAB's budget and determined to appeal for only a half-time Communication Access Specialist position. She noted that DCAB is still awaiting a decision on the appeal.

Guest Peter Fritz said that he spoke with the Office of Enterprise Technology Services (ETS) regarding an added part time Technical Assistant position at DCAB. He asked if the Technical Assistant position is the same as the Communication Access Specialist which was referred to by Kristine Pagano. Kirby Shaw said that the position will focus on content and ensure that the content is accessible to persons with communication disabilities; and it was not different from what DCAB requested in the past. Guest Peter Fritz requested a copy of the position description for the proposed Communication Access Specialist.

Kirby Shaw reported that Debbie Jackson formally retired as of October 31, 2019. He also reported that staff is in the process of interviewing for the Program and Policy Development Coordinator and the Planner/ADA Coordinator/Legislative positions. Francine Wai and Debbie Jackson have agreed to volunteer to complete tasks that they committed to. Guest Donald Sakamoto inquired about the number of applicants for the two positions. Kirby Shaw responded that it was inappropriate to release the information.

V. Committee Reports

A. Executive Committee

No report was given because the Committee did not meet since August 1, 2019.

B. Legislative Committee

Board member Violet Horvath reported for Committee Chairperson Rosanna Daniel-Kanetake. The Legislative Committee met on October 17, 2019, but did not have a quorum. However, the two members present, Violet Horvath and Rosanna Daniel-Kanetake, discussed with staff a proposal to establish legislative position statements on anticipated topics for the 2020 Legislative Session. While the two members supported the proposal in concept, they thought it would be appropriate to seek input from the other Legislative Committee members who were not in attendance. Therefore, an email was sent to Committee members to inform them of the proposal and to seek their input. The email noted that if they did not comment or disagree, the proposal would be presented to the Board at its November meeting. A majority of members affirmed their support for the proposal. A staff summary on the proposed legislative position statements was sent out and would be presented for a vote under New Business.

C. Standing Committee on Communication Access

Committee Chairperson Justin Tokioka reported that the Committee met twice since the last Board meeting on September 19, 2019. The Committee is currently working on finalizing the Recommended Fee Schedule for sign language interpreters to be approved at its next Committee meeting and can then be adopted at the next DCAB General meeting on January 16, 2020.

He reported that the Hawaii Administrative Rules, Title 11, Chapter 218 entitled, "Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind," was forwarded to the Deputy Attorney General for review. Once approved, the rules will be forwarded to the Governor for final approval with an effective date of January 1, 2020.

He also reported that DCAB funded workshops were hosted by the Hawaii Registry of Interpreters for the Deaf on October 11 and 12, 2019 at Temple Emanu-El. These workshops were related to "Power, Privilege, and Oppression." Staff is working with Wendell "Wink" Smith, Jr. to schedule a workshop for December 7, 2019 at Kapiolani Community College. This workshop is free and online registration is available for those interested in attending.

The next Committee meeting is scheduled for Friday, December 13, 2019.

D. Standing Committee on Facility Access

Committee Chairperson Marie Kimmey reported that the Facility Access Unit (FAU) reviewed one hundred fifty-four projects from October 1, 2019 to November 18, 2019, of which sixty-five were new submittals. The FAU collected \$108,535 in fees during that same period of time.

The 2020 Disability Access Conference is scheduled for June 2, 2020 at the Ala Moana Hotel. The U.S. Access Board will send Bill Botten and Juliet Shoultz to do presentations on Recreation Facilities, Assembly Areas, Public Rights of Way, and Transportation Facilities. The FAU is still searching for a keynote speaker.

She also reported that the FAU basic training series, Sessions 1 and 2 are completed, Session 3 is scheduled for January 23 and 24, 2020, and Session 4 will be scheduled in March 2020. A condensed, one day, basic training course, six hours in length, will be offered on the neighbor islands. The following neighbor island trainings have been confirmed: Kauai - February 4, 2020 and Maui - February 11, 2020. A date for the Hawaii island has not been confirmed.

The Committee met this morning and discussed Interpretive Opinion DCAB 2011-01 Street Parking, an amendment to address van signage, placement of accessible parallel street parking near midblock crossings, and obstructions on sidewalks adjacent to accessible street parking. The Interpretive Opinion amendment was tabled until the January Committee meeting due to lack of quorum.

The Committee discussed street parking adjacent to bike lanes which is currently an issue on Oahu. The FAU will research any guidance on designs that address this type of layout and will look at drafting a request for an interpretive opinion to provide requirements and recommendations for parallel street parking located adjacent to bike lanes.

E. Standing Committee on Parking

Committee Chairperson Summer Kozai reported that the Committee met immediately prior to the Board meeting.

The parking statistics for the first quarter of this fiscal year were approximately 8,400 placards and 461 special license plates issued. Of the placards issued, 6,300 were long term and 2,000 were temporary. Three thousand long term placard renewals were issued by DCAB; with a renewal rate of fifty-nine percent.

She reported that the Committee also discussed eligibility and certification issues related to the parking permit application. About two years ago, DCAB split the parking permit application form into two forms, one for first time, replacement, and temporary permits to be issued by the counties, and the other form for renewal of long term placards to be issued by DCAB. She noted that applicants and certifiers were getting confused and were using incorrect forms which delayed placard issuance. Therefore, staff is planning to reintroduce a single form for issuing temporary and long term placards pursuant to Act 87 (2019) – Relating to Parking for Disabled Persons.

The introduction of the single form is important because a separate application form will be introduced pursuant to Act 87. Act 87 clarifies that the exemption from payment of parking fees is only an exception for licensed drivers who are unable to reach or operate a parking meter or unattended pay station because of a physical disability. Such persons will use the separate form to apply for a new disabled paid parking exemption permit. The new forms will feature the reworded eligibility language adopted under Act 87, aimed at physicians and Advanced Practice Registered Nurses to properly certify that applicants qualify for an appropriate disability parking permit.

She also reported that the Committee discussed staff public education and quality assurance outreach efforts and decided to discontinue promoting the parking locator app. The Committee hopes to reallocate those efforts.

She also stated that staff is preparing the final draft of the Hawaii Administrative Rules, Title 11, Chapter 219 entitled, "Parking for Disabled Persons," for transmittal to the Deputy Attorney General for review, and then to the Governor for approval to hold public hearings.

For the placard death retrieval effort, approximately 2,500 letters were issued to the estates of deceased permittees. To date, 1,288 or 51% were returned, 130 or 5% were reported as lost or disposed of by the family, and 368 or 15% were returned by the U.S. Postal Service as undeliverable.

F. Special Parent Information Network

Phyllis Meighen reported that the Special Parent Information Network (SPIN) staff and Special Education Advisory Council (SEAC) members were given the opportunity to attend the Department of Education's (DOE) semi-annual conference on October 8 and 9, 2019 intended primarily for special education teachers and administrators. As valuable as the workshop sessions were, links to conference materials on the DOE Intranet offered more detail regarding special education laws, procedures and programs. Staff will use this additional knowledge to impart up-to-date information to families.

She reported that the DOE is calling its proposed ten-year strategic plan "2030 Promise Plan" (2020-2030). SPIN staff had an opportunity to attend two meetings to provide input on the plan. The first was organized by the DOE and the Hui for Excellence in Education on October 22, 2019, to provide constructive comments regarding both the five student promises — Hawaii, Equity, School Design, Empowerment and Innovation — as well as the metrics used to measure progress toward goals. The second event was a community meeting on November 7, 2019, organized by the Board of Education and attended by a wide array of stakeholders. Its purpose was to determine which of the current and proposed strategic plan indicators were likely to be the most effective tools in advancing positive educational outcomes in the three most vulnerable student populations — students with disabilities, English Learners, and students within economically challenged families.

She also reported the Footsteps to Transition Fair, held on November 2, 2019, at Kapolei Middle School, was the result of a year's worth of planning by SPIN, the DOE, and a number of community agencies. It drew families from across Oahu and middle and high school youth with disabilities who were eager to learn more about the transition process to adult services, as well as local resources to help them on the journey.

VII. Old Business

A. ADA Coordination Update

Kirby Shaw referred members to the ADA Coordination Report for August and September compiled by Debbie Jackson. He asked members if they wanted to dispense with putting the Report on the agenda going forward because the Report is for informational purposes, the information is included in the DCAB Quarterly Reports, and it does not require a vote. Members discussed whether the Report should be eliminated from inclusion on future agendas and decided to leave the Report on the meeting agendas.

Guest Peter Fritz commented that if the Report is included on the agenda and discussed, it becomes a public document under the Sunshine Law.

B. U.S. Access Board, Public Comment on the Proposed Advisory Guidelines for Aircraft Onboard Wheelchairs – Update

Bryan Mick reminded members that at the last meeting a vote was taken to support the efforts of the U.S. Access Board to establish guidelines and specifications for onboard wheelchairs that can be positioned over the toilet. A draft letter of support was not submitted because it stated that the Board supported the idea to enhance the travel ability of people with disabilities. Kirby Shaw said the advisory committee which is advising the U.S. Department of Transportation, the U.S. Access Board and disability advocacy groups is looking at twenty years before aircraft can incorporate accessible lavatories. Until that occurs, the effort is to design a prototype wheelchair that would fit into the lavatories of existing aircraft to allow some persons with disabilities to perform certain non-toileting tasks relating to hygiene or medical needs in private. Chairperson Pauline Aughe reviewed the draft letter and wanted to add that this is a bigger accessibility issue beside toileting capabilities. Board members discussed the accessibility of lavatories on current aircraft. Nikki Kepo'o suggested that the letter should state that the Board supports the interim onboard wheelchair, but that it sees broader access issues that need to be addressed. Chairperson Pauline Aughe recommended that the Board support the interim solution and would like to have the primary use of the lavatory. Nikki Kepo'o asked if the Board could just offer comments instead of a letter of support. Kirby Shaw said the Board could offer comments. Bill Bow asked if the wheelchair being looked at now, is not functional. Kirby Shaw said there is no prototype now, and they are seeking input on a prototype design to fit into existing lavatories.

Bill Bow motioned that the Board's letter should not state support for the prototype design because it does not address the primary function of the use of the toilet and that it should suggest the redesign of the wheelchair for the primary use of existing lavatories. Violet Horvath proposed an amended motion that the Board's letter should acknowledge that the device will help get people to the lavatory, but state that it is not a solution and it is not acceptable to wait twenty years for a solution. **MOTION:** The Board voted to adopt the amended motion (M/S/P Bow/Kepo'o).

C. S. 1754/H.R. 3215 – The Disaster Relief Medicaid Act – Update

Bryan Mick reported that S. 1754 was referred to the Senate Finance Committee and H.R. 3215 was referred to the House Ways and Means Committee and Energy and Commerce Committee. No hearings have been scheduled and staff will monitor the progress.

VIII. New Business

A. Proposed Legislative Position Statements for 2020 Legislature

Kirby Shaw reported that Legislative Committee discussed the use of broad legislative position statements for the 2020 Legislature. The retirement of both Francine Wai and Debbie Jackson left a void on tracking and testifying on legislation related to persons with disabilities. Thus, the thought behind the proposed legislative position statements was similar to the thought behind

the guiding principles on pedestrian safety approved by the Board. The position statements would focus on the subject matters of parking, nondiscrimination against persons with disabilities, civil rights, communication access, service and other types of animals, building code design, facility access, community based services, employment, transportation and mobility services, emergency preparedness, and other administration. They may also include taxation, mobility aids, hearing aids, and other assistive devices for persons with disabilities. They would be based on the positions DCAB took on legislation in prior sessions. The position statements will be fleshed out by the Legislative Committee and brought to the Board for a vote at the next meeting. The position statements will allow staff to quickly prepare testimony during the fast paced legislative session. **MOTION:** The Legislative Committee will meet in December to draft proposed legislative position statements on broad subject matter headings so staff can act on behalf of the Board quickly for the 2020 legislative session, and present the proposed legislative position statements for approval at the Board's January meeting (M/S/P Horvath/Kimmey).

Board member Violet Horvath stated that if Committee members had an understanding of the votes and thinking in the past, it would assist in making an informed decision. Nikki Kepo'o commented that the guiding principles are based on DCAB's previous and current positions.

B. U.S. Access Board Study on Wheelchair Restraint Systems on Aircraft

Bryan Mick reported that the U.S. Access Board is undertaking a study to assess the feasibility of equipping aircraft with restraint systems so that passengers can remain in their wheelchairs on flights. A peer-reviewed report on the panel's findings will be published at the conclusion of the project and submitted to Congress. The report is expected by October 2021. Staff will prepare a summary for the Board once the report is published.

VIII. Open Forum

Guest Donald Sakamoto, an advocate for Citizens for a Fair ADA Ride, informed the Board that in December 2018 the Oahu Transit Services (OTS) systems crashed. A letter was sent to the City and eleven days later a letter was received stating that the system was fixed. The system crashed again in May 2019. A complaint was filed with the Federal Transit Administration. The deadline for the City to respond to the complaint is December 1, 2019.

Guest Peter Fritz informed that he and DCAB staff Colin Whited attended an informational briefing on voting by mail in 2020. He said people should advocate for the provision of accessible transportation (i.e., Handi-Van, taxis) for individuals with disabilities who cannot complete the ballot by mail; one of the few service centers will not be around the corner for accessible materials; and people need to be trained to know what the accessible features are. Colin Whited stated that the Help America Vote Act requires a physical location for voting and that right now there are a limited number of such places planned. He said that no accessible polling places are planned for the island of Lanai, so that is a potential violation. He expressed hope for a resolution prior to the primary election.

Guest Donald Sakamoto, who is blind, commented that he voted in the last election, and that problems arose regarding his signature. He contacted the Research Office and inquired about what he should do. He was told to put an "x" on the signature line before a witness. Guest Peter Fritz commented that there have been a number of discussions about sending out signature cards to have a fresh signature on file.

Guest Josiah Nishita, County Clerk for Maui County, expressed his willingness to work with the Board and to reach out to persons with disabilities. He wanted to clarify that they are having trouble finding staff and a facility to house a service center on Lanai. The Legislature put in specific requirements for all voter service centers to be open at the same times and same dates statewide, which is causing an issue on Lanai. They checked over a dozen facilities for a two-week time period; staffing is also an issue; and they have their own operational constraints. They asked the Legislature for additional locations that they can open, not only on Lanai, but other geographical locations. They are asking the Legislature to allow opening service centers for shorter durations, so they can provide access at more facilities. They spoke with the Maui Department of Transportation about the feasibility of providing free bus transportation on election days, and plan to contact the Maui Economic Opportunity to find out about providing rides to polling places. If it is feasible to them, they will ask the Maui County Council for support in the next budget session. They want to ensure fair and equal access to everyone. He said providing alternate format ballots is an option and that they are open to recommendations. Board members inquired about available facilities on Lanai. Guest Josiah Nishita indicated that they want a neutral site for voting. They have been working closely with emergency management agencies and other agencies because many polling places are used as emergency shelters, and therefore, there is a need for coordination. That is the reason for requesting additional flexibility to address these kinds of issues while still retaining access to residents of Lanai. He added that Molokai has its own set of issues.

IX. Announcement of Next Meeting

Chairperson Pauline Aughe announced that the next DCAB General Meeting will be on January 16, 2020 in DCAB's conference room beginning at 11:00 a.m.

X. Adjournment

The meeting adjourned at 12:47 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,



CINDY Y. OMURA



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DISABILITY AND COMMUNICATION ACCESS BOARD General Meeting November 21, 2019

ADA Coordination Report

ADA activities of all DCAB staff in August and September included:

1. Provided technical assistance (TA) to one hundred eighty five (185) callers on issues related to the ADA. Key Departments/agencies were: Office of the Governor, Judiciary (2x), Legislative Reference Bureau, Office of Elections, Public Access Room; Attorney General (AG) (2x), Education (DOE) (2x), Health (DOH) (2x), Human Resources Development (DHRD) (2x), Human Services (DHS) (2x), Land and Natural Resources (DLNR), Transportation (DOT) (2x), University of Hawaii (UH) – Community Colleges, UH–Hilo, UH–West Oahu; the Counties of Hawaii (3x), Kauai, Maui, and City and County of Honolulu – Department of Emergency Management and Neal Blaisdell Center.
2. Hosted seven (7) webinars related to ADA issues:
 - Five (5) webinars sponsored by the National ADA Network on:
 - “FEMA’s Office of Disability Integration and Coordination – Who We are & How We Serve”
 - “Insights on Traveling with a Disability”
 - “The Fair Housing Act and Persons with Disabilities”
 - “Evaluating and Managing Accessibility in 3rd Party Web Content”
 - “Evaluating Websites for Accessibility Under the Section 508 Standards”
 - Two (2) webinars sponsored by the U.S. Access Board on:
 - “Accessible Education Facilities”
 - “Evaluating Websites for Accessibility”
3. Provided technical assistance to the following Departments/agencies on reasonable accommodations for employees with disabilities: DAGS, DHRD, DHS (2x), DOE (3x), and State Libraries.
4. Conducted ADAAG Session 1 training (2x), eight trainings (Accessible Documents Basic, Advanced Documents, Accessible Digital Content Creation, Advanced Digital Content Editing, each training conducted twice), training on ADA Title II on Service Animals for State Library staff, and one ADA Orientation for new State ADA Coordinators.
5. Staffed one (1) State ADA Coordinators meeting, and attended and participated in one (1) County ADA Coordination meeting.
6. Maintained current information on the ADA Coordinators secured website and DCAB’s website by ensuring current lists of State and County ADA Coordinators were available.

Any questions regarding ADA Coordination activities should be directed to Kirby Shaw at (808) 586-8121 or kirby.shaw@doh.hawaii.gov.



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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL BOARD MEETING November 21, 2019

TOPIC: Proposed Legislative Position Statements for the 2020 Legislature

SUMMARY:

Given the retirement of the former Executive Director and former Planner/ADA Coordinator/Legislative staff person, the Legislative Committee proposes that the Board adopt a series of broad legislative position statements on issues affecting persons with disabilities for the 2020 Legislature. This will facilitate taking positions more quickly, especially with the unknown staffing situation.

ANALYSIS:

Due to the rapid pace of the legislative session and short testimony deadlines that do not always allow for bringing a measure to the attention of the Legislative Committee, having broad position statements will facilitate the timely preparation and submittal of testimony on bills and resolutions during the 2020 Legislature. The position statements will be based upon the positions the Board took during the most recent legislative sessions on the subject matter below.

- Parking
- Non-discrimination Against Persons with Disabilities/Civil Rights
- Communication Access
- Service and Other Animals
- Building Code, Design, and Facility Access
- Community Based Services and Employment
- Transportation and Mobility
- Emergency Preparedness
- Administration

The Committee will delegate to the staff the authority to present testimonies to the Legislature based upon the position statements. The Legislative Committee acknowledges that it is impossible to predict all possible bills or resolutions in advance of the session. Therefore, the position statements will be a starting point and will be amended as unanticipated issues arise. The Legislative Committee expects to meet much less frequently than in the past due to the adoption of the overarching position statements. Staff will continuously provide updates to the Committee on the status of the measures upon which staff submits testimony. This proposal is consistent with written guidance from the Office of Information Practices.

STAFF RECOMMENDATION:

Staff recommends that the Board adopt the Legislative Committee's proposal in concept. In addition, the adoption of legislative position statements allows staff to quickly prepare and submit testimony. If the Board approves the proposal, the Legislative Committee will meet to fully flesh out the position statements in December and present them to the full Board for approval at the January meeting.



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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING November 21, 2019

TOPIC: U.S. Access Board Study on Wheelchair Restraint Systems on Aircraft

SUMMARY:

The U.S. Access Board (Access Board) is undertaking a study to assess the feasibility of equipping aircraft with restraint systems so that passengers can remain in their wheelchairs on flights. Congress directed the Access Board to study this question in its most recent reauthorization of the Federal Aviation Administration. The Access Board has enlisted the Transportation Research Board (TRB), which is part of the Congressionally chartered National Academy of Sciences, to conduct this assessment and to issue a report. The Access Board and TRB will consult the Federal Department of Transportation, aircraft manufacturers, air carriers, and disability advocates in the course of the study, as directed by the Act.

TRB will organize an expert panel to assess and evaluate the feasibility of equipping passenger aircraft with in-cabin wheelchair restraint systems. This panel will include experts in aircraft manufacturing, aeronautics, aviation safety, accessibility, disability policy, airline operations, and other disciplines. It will examine the design, engineering, and safety requirements for equipping aircraft with locking or tiedown mechanisms for non-motorized and motorized wheelchairs used as seats. If such restraint systems are found to be feasible, the panel will then assess how they can be used to accommodate passengers using wheelchairs through all phases of flight, from boarding to deplaning. A peer-reviewed report on the panel's findings will be published at the conclusion of the project and submitted to Congress. The report is expected by October 2021.

ANALYSIS:

The ability to use a personal wheelchair in flight would be a large improvement for people with disabilities who are traveling by air. Not only would the experience of flying be improved, but this would reduce one of the most common complaints of damage to personal wheelchairs that are stowed on airplanes.

STAFF RECOMMENDATION:

Staff will prepare a staff summary for DCAB on the published expert panel's report.

SPIN Report for November 2019

2019 State Special Education Conference

SPIN staff and SEAC members were given the opportunity to attend the Department of Education's semi-annual conference on October 8th and 9th intended primarily for special education teachers and administrators. As valuable as the workshop sessions themselves, were links to conference materials on the DOE Intranet that offered more detail regarding special education laws, procedures and programs than information offered to the public at large. Amanda and Susan will use this additional knowledge to impart up-to-date information to families.

Promise 2030 Events

The Department of Education is calling its proposed 10-year strategic plan "2030 Promise Plan" (2020-2030). SPIN staff had an opportunity to attend two meetings to provide input on the plan. The first was organized by DOE and the Hui for Excellence in Education on October 22nd to provide constructive comments regarding both the five student promises — Hawaii, Equity, School Design, Empowerment and Innovation — as well as the metrics used to measure progress toward goals.

The second event was a community meeting on November 7th organized by the Board of Education and attended by a wide array of stakeholders. Its purpose was to determine which of the current and proposed strategic plan indicators were likely to be the most effective tools in advancing positive educational outcomes in the three most vulnerable student populations — students with disabilities, English Learners, and students within economically challenged families.

Footsteps to Transition Fair

The Fair, held on November 2nd at Kapolei Middle School, was the result of a year's worth of planning by SPIN, the Department of Education, and a number of community agencies. It drew families from across Oahu middle and high school youth with disabilities who were eager to learn more about the transition process to adult services as well as local resources to help them on the journey.