



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: July 18, 2019
Time: 11:00 a.m. to 1:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Approval of Meeting Minutes of May 16, 2019
- IV. Executive Director's Report
 - Budget
 - Personnel
 - Other Administrative Issues - Update
- V. Committee Reports
 - A. Executive Committee (No report)
 - B. Legislative Committee (No report)
 - C. Standing Committee on Communication Access
 - Hawaii Administrative Rules, Title 11, Chapter 218, "Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind" – Public Hearing, August 15, 2019
 - HQAS Continuing Education Workshops - Update
 - Recommended Fee Schedule and Interpreter Handbook
 - Communication Access Conference – July 31, 2019
 - 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
 - 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"
- Other Parking Activities from the Plan of Action

- F. Special Parent Information Network
- Update of Activities from the Plan of Action

VI. Old Business

- A. ADA Coordination Update
- B. Report of the Permitted Interaction Group (PIG) pursuant to Hawaii Revised Statutes §92-2.5 on reviewing and interviewing of candidates for the position of Executive Director of the Disability and Communication Access Board (DCAB). (Verbal)
- C. Guiding Principles on Pedestrian Access
- D. Nominating Committee Report and Election of Officers (refer to report of the Nominating Committee)

VII. New Business

- A. Approval of Plan of Action for Fiscal Year 2019-2020
- B. Appointment of Committees
- C. Board Meeting Schedule for Fiscal Year 2019-2020

VIII. Open Forum

IX. Announcement of Next Meeting

X. 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 July 15, 2019. If a response is received after July 15, 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: July 18, 2019
Time: 11:00 a.m. to 1:00 p.m.

PRESENT: Bill Bow, Chairperson; Anthony Akamine, Monty Anderson-Nitahara, Pauline Aughe, Ron Awa, Rosanna Daniel-Kanetake, Violet Horvath, Gerald Isobe, Nikki Kepo'o, Summer Kozai, Phyllis Meighen, Amy Tsuji-Jones, Bryant Yabui, Board Members; Francine Wai, Debbie Jackson, Kristine Pagano, Kirby Shaw, Duane Buote, Bryan Mick, Colin Whited, William Roberts, DCAB Staff

ABSENT: Scott Fleming, Dean Georgiev, Marie Kimmey, Justin Tokioka, Board Members

GUEST: Peter Fritz

SIGN LANGUAGE

INTERPRETERS: Mala Arkin and Carie Sarver

I. The meeting was called to order at 11:22 a.m. by Chairperson Bill Bow.

Bill Bow introduced new Board member Gerald Isobe who replaced Misella Tomita. Members introduced themselves to new Board member Gerald Isobe. Gerald Isobe introduced himself as a consumer (deaf/hard of hearing) who is a long time federal employee.

II. Minutes of the May 16, 2019 meeting were approved as circulated (M/S/P Anderson-Nitahara/Akamine).

III. Executive Director's Report

Francine Wai reported on several administrative items. The first relates to the Operational Expenditure plan for this fiscal year, meaning how we plan to spend this year's appropriation. We will assume that there are no restrictions, although we have not yet heard from the administration as to any potential spending restrictions. What we do know is that the Department of Budget and Finance is only releasing twenty-five percent of the full year appropriation, the equivalent of

the first quarter allotment until September 30, 2019. There are several changes being implemented that impact our program, one of which is that all purchase orders are transitioning to an online system. In addition, it is more difficult to manage full-year expenses, such as payments to the Counties, resulting in staff issuing four quarterly purchase orders in the quarter of activity, rather than in advance or for the full year. However, once we make those adjustments this year, we should be on track for future years. Francine Wai credited Kristine Pagano for ensuring that all those changes are implemented smoothly in the office. In fact, she is doing this so well that she is assisting the State Council on Developmental Disabilities which does not have a budget or fiscal officer.

With respect to personnel, Francine Wai reported the hiring and orientation of Glenn Arakaki as our newest Facility Access Specialist II. Also, our summer intern, William Roberts' last day will be August 1, 2019, a day after the Communication Access Conference. With respect to the position of the Executive Director, you will hear a report from the Permitted Interaction Group (PIG) later in the agenda. However, she noted that she will still be here for the next meeting in September and her retirement date is contingent upon the actions of the PIG. Francine Wai has committed to completing the Expenditure Plan for this fiscal year, the Supplemental Budget request will be discussed by the Executive Committee at its next meeting, and any legislative package through the administration. She has also committed to completing Manuals on the process of appointing, confirming, and orienting Board members, on the process of hiring an Executive Director, on Board meetings, and an Orientation Guide for the new Executive Director, all of which are internal documents for the smooth transition to a new Executive Director and Chairperson. In addition, she will be working with the DCAB Administrative Officer to write the internal procedural guidelines for many activities that are not written but in her head. Finally, the historical background of the Board, the parking law, the facility access law, and the interpreter credentialing law will also be completed (the first three are done) and posted on the DCAB web site for historical reference.

IV. Committee Reports

A. Executive Committee (No report)

Chairperson Bill Bow reported that the Executive Committee will meet on August 1, 2019 to discuss the budget and operational expenditure plan for this fiscal year.

B. Legislative Committee (No report)

C. Standing Committee on Communication Access

Chairperson Nikki Kepo'o reported that the Standing Committee on Communication Access will meet this afternoon after today's Board meeting. A public hearing for the proposed Hawaii Administrative Rules (HAR), Title 11, Chapter 218, "Communication Access Services for Deaf,

Hard of Hearing, and Deaf-Blind” will be held at DCAB on August 15, 2019 at 10:00 a.m.

The Committee awarded funds to two entities to host Continuing Education Unit (CEU) workshops. Staff is currently working with both recipients to schedule the workshops. The Committee is currently working on the structure of the recommended communication access providers fee schedule. DCAB has also entered into a Memorandum of Agreement (MOA) with the Dendros Group to develop a handbook for hiring sign language interpreters, which will be geared towards state agencies to make the rules more user-friendly.

The DCAB Communication Access Conference will be hosted on Wednesday, July 31, 2019 from 8:00 a.m. – 4:30 p.m. at the Ala Moana Hotel. Registration is free and includes a continental breakfast and lunch. CEUs are being offered to American Sign Language interpreters.

D. Standing Committee on Facility Access

Board member Ron Awa reported for the Committee. He stated that the Committee has not met since the last meeting. The Facility Access Unit (FAU) conducted 329 project reviews from April 1, 2019 to June 30, 2019 and collected \$206,136 in fees during that same period of time.

The 2020 Disability Access Conference will be scheduled in June 2020 in order to not conflict with the National ADA Symposium set for the middle of May. The last basic training session was completed in June and the FAU plans to offer the sessions again in fall 2019 and spring 2020. The next step will be to develop a condensed version of the training for the neighbor islands.

Finally, the new Facility Access Plan Submission and Review System has been in use since April 1, 2019. Access to the system by consultants has been successfully implemented. The administrative access is still in the process of working out a few bugs and adding additional functions.

E. Standing Committee on Parking

Chairperson Pauline Aughe reported that the Committee has not met since the last Board meeting in May. Year-end statistics have already been reported at the Planning Meeting. The one statistic not in the year-end report is the long term permit renewal rate, which was sixty-four percent for the fourth quarter of fiscal year 2019.

She noted that the Committee continues to work on the changes to the HAR, Title 11, Chapter 219, “Parking for Persons with Disabilities” in order to implement Act 87 that passed this year as well as to make other

improvements in the rules. The Committee hopes to have a proposal for the full Board's consideration soon.

The Committee is ironing out the conceptual and procedural aspects of issuing a third placard that would distinguish those people who are exempt from payment of meter fees because they are physically not able to feed a meter.

For the placard death retrieval effort, 2,496 letters were sent to the estates of deceased permittees. To date, 1,134 (45%) were returned, 128 (5.1%) were reported as lost or disposed of by the family, and 368 (15%) were returned by the post office as undeliverable. These rates compare favorably to the 2018 effort where thirty-five percent of the placards were returned, seven percent were reported as lost or disposed of, and twenty percent were returned as undeliverable.

F. Special Parent Information Network

Board member Phyllis Meighen reported that the next SPIN Conference is set for April 18, 2020 with a theme of Dr. Seuss. The Advisory Committee discussed adding members from the autism community, Easter Seals, as well as self-advocates. She also announced that SPIN staff has prepared the Annual Report for the Special Education Advisory Council (SEAC) for School Year 2018-2019. Every July, SPIN staff develops and disseminates a special edition of the SPIN News that focuses on a special skill set. The July 2019 issue focused on marathon skills and resiliency traits for parents to enhance the quality of their family life.

V. Old Business

A. ADA Coordination Update

Debbie Jackson referred members to her written ADA Coordination Report which was mailed to all members, for which there were no comments. She verbally highlighted the trip to the National ADA Symposium attended by three staff, Rodney Kanno, Bryan Mick, and herself. Of special note (other than the coinciding of a pending hurricane and tornado) was a visit to the Texas Rangers/Dallas Cowboys Stadium where staff was able to observe a very accessible arena with an excellent jumbo monitor system with real time captioning services.

B. Report of the Permitted Interaction Group (PIG) pursuant to Hawaii Revised Statutes §92-2.5 on reviewing and interviewing of candidates for the position of Executive Director of the Disability and Communication Access Board (DCAB)

Board member Nikki Kepo'o reported on behalf of the Permitted Interaction Group (or PIG, as its name is shortened). The PIG was charged at the May 16, 2019 Board meeting with the authority to review

and screen applications for the position of Executive Director, interview applicants, conduct appropriate reference checks, and make a recommendation to the Board. The members of the PIG included, at the start, Bill Bow, Nikki Kepo'o, Pauline Aughe, Marie Kimmey, Phyllis Meighen, Rosanna Daniel-Kanetake, and Francine Wai. Due to personal time constraints, Rosanna Daniel-Kanetake removed herself from the PIG. Although Francine Wai was on and worked with the PIG, it was determined that she would not be a participant in the live interviews, nor did she score the applicants interviewed.

The PIG received applications for the position and went through a lengthy process of more than two months screening and interviewing the applicants. This included reviewing the position description, receiving applications that were sent to a location other than the DCAB office to maintain confidentiality, an initial screening to choose those who were determined to merit an interview, a first interview, and a second interview. In addition to the actual interviews, multiple meetings were held to discuss the interview questions, ratings, results, and recommendations. The PIG took into account education, work experience, knowledge base, and skills, along with their presentation during the interview. The PIG is comfortable with its analysis of the candidates.

The PIG has concluded its preliminary work and arrived at a point where they have made a decision as to a preferred candidate. The PIG has decided not to reveal the name because reference checks and background checks are not completed and as a result cannot confirm a conditional offer of employment. We are maintaining the confidentiality of the applicant at this time as well. However, the PIG is able to state that the desired candidate has significant local disability civil rights experience and knowledge of local systems and resources.

The Board will have, in its next meeting, sufficient information on the candidate, assuming all relevant personnel matters and employment details are satisfactory to the candidate and the PIG.

C. Guiding Principles on Pedestrian Access

Bryan Mick referred members to a staff summary on Guiding Principles on Pedestrian Access. The guiding principles are being recommended similar to the principles that were approved for public and paratransit fares, allowing staff to respond quickly to changes at the County level that impact people with disabilities. Bryant Yabui commented that a missing element is the issue of poor visibility and safety for people crossing the streets, noting the placement of bus stops that are too close to the end of the block and near a crosswalk, blocking the pedestrian's sight. As a result, the Board suggesting adding an additional principle number 12 to read: "Ensure maximum visibility and audibility at pedestrian crossings." Anthony Akamine also noted that the audibility issue is important for people who are blind or who have low vision. The Board voted to approve

the Guiding Principles as proposed with the referenced amendment (M/S/P Akamine/Kepo'o).

D. Nominating Committee Report and Election of Officers

Board member Summer Kozai reported on behalf of the Nominating Committee. The proposed slate of officers for next year is Pauline Aughe as Chairperson and Nikki Kepo'o as Vice Chairperson. There were no nominations from the floor. The slate of officers was approved as recommended (M/S/P Kozai/Meighen).

VI. New Business

A. Approval of Plan of Action for Fiscal Year 2019-2020

Francine Wai reported that the Board met earlier today to discuss the Proposed Plan of Action. The Board voted to approve the Plan of Action as proposed with the following three amendments:

Add objective: 1.1.9 Coordinate with the Office of Information Practices regarding the implementation of Act 244 regarding wording on agendas in providing auxiliary aids and services.

Add objective: 3.14 Conduct implementation and outreach efforts regarding a revised HAR, Title 11, Chapter 218, including the new Hawaii State Language Interpreter Credential, recommended fee schedule, and accompanying handbook.

Add objective: 7.1.7 Advocate for additional seating and transit safety measures for persons with disabilities beyond the minimum requirements of the Americans with Disabilities Act.

(M/S/P Akamaine/Kepo'o)

B. Appointment of Committees

Francine Wai noted that Committee membership will remain the same from last year with the exception of Gerald Isobe substituting for Misella Tomita on the Standing Committee on Communication Access. All members present expressed their desire to stay on the same committees. Francine Wai will work with new Board Chairperson Pauline Aughe to confirm chairpersons for the committees.

C. Board Meeting Schedule for Fiscal Year 2019-2020

Regular meetings will continue on the third Thursdays of the month at 11:00 a.m. However, there will be a special Board meeting on August 1, 2019 at 11:00 a.m.

VII. Open Forum

Bill Bow, noting that this is his last meeting as Chairperson, thanking members for their support during his tenure and wished Pauline Aughe well as she takes over the helm for next year.

VIII. Announcement of Next Meeting

The next Board meeting is scheduled for August 1, 2019. After that, the next meeting will be held on September 19, 2019, 11:00 a.m.

IX. Adjournment

The meeting was adjourned at 12:45 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,



FRANCINE WAI



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DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING July 18, 2019

ADA Coordination Report

Since the last meeting on May 16, 2019, ADA activities of all DCAB staff included:

1. Provided technical assistance (TA) to one hundred eight (108) callers for May and June 2019 on issues related to the ADA. Key departments/agencies were: Judiciary, State Senate; Departments of Accounting and General Services (DAGS) – Aloha Stadium, Agriculture (DoAg), Business, Economic Development, and Tourism (DBEDT), Employee Retirement System (ERS), Hawaii Housing Finance and Development Corporation (HHFDC), Health (DOH) – Executive Office on Aging, DOH – State Council on Developmental Disabilities, Judiciary, University of Hawaii (UH) at Hilo, UH-Manoa, and the County of Hawaii. Examples of significant TA to the following State and County ADA Coordinators were:

Department/Agency

Issue and TA provided

Agriculture

Received a request for an interpreter for a public meeting. How do they obtain an ASL interpreter and who pays for it?
The agency hosting the meeting pays for and obtains the requested auxiliary aid for the meeting. Referred the caller to interpreter referral agencies in Hawaii to obtain an interpreter for their meeting.

University of Hawaii at Manoa

A student coming for the Fall semester uses a service animal is coming from the Mainland. What does the person need to know to bring their service animal to Hawaii?
The Department of Agriculture has requirements that must be satisfied for same day release of service animals at the airport. Their website lists requirements that must be met for the animal to be released from quarantine. Referred caller to the Department of Agriculture's website with information on requirements for Guide Dogs and Service Animals.

County of Hawaii

Has a parent of a child with autism who wants their child enrolled in a summer fun program. The child needs 1-1 supervision, and the class has 40 children. What type of service can be provided to the child?
The county has a summer fun program for children

with disabilities, can the mother be referred to that program?

If the mother wants her child in an integrated program, she has the right to request a personal care attendant (PCA) for her child. The county can ask if the PCA needs to know the child, and if there is someone the mother can recommend to be the PCA for the program.

2. Hosted four (4) webinars related to ADA issues:
 - Three (3) webinars sponsored by the National ADA Network on:
 - “Question and Answer Session on Accommodating Students with Disabilities Enrolled in Medical and Health Science Programs”
 - “Emergency Stair Travel Devices”
 - “Effective Communication: What Does It Mean?”
 - One (1) webinar sponsored by the U.S. Access Board on:
 - “Accessible Rights of Way”
3. Provided technical assistance to the following Departments/agencies on reasonable accommodations for employees with disabilities: DAGS, Department of Education, Judiciary, UH-Manoa, DOH, DBEDT - Hawaii Community Development Authority.
4. Three (3) staff members attended the ADA Symposium in Grapevine, Texas from June 16–20, 2019.
5. Coordinated and hosted a Disability Awareness Conference, conducted one ADAAG Session 4 Training on Chapters 9 and 10, one training on an Overview of ADA and Title II Service Animals for the Judiciary, and one Service Animal Regulation Presentation for the Wahiawa Neighborhood Board meeting.
6. Maintained current information on the ADA Coordinators secured web site and DCAB’s web site by ensuring current lists of State and County ADA Coordinators were available.

Any questions regarding ADA Coordination activities should be directed to Debbie Jackson at (808) 586-8121 or debbra.jackson@doh.hawaii.gov.



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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING July 18, 2019

TOPIC: Broad policy statement on the mobility and safety of pedestrians with disabilities

SUMMARY:

The State of Hawaii and the Counties often consider legislative proposals that share the common goal of increasing pedestrian safety. The Board has previously adopted a general position of support for these proposals and this document would provide further guidance to staff as DCAB prepares testimony on the various proposals.

ANALYSIS:

Pedestrians with disabilities are especially vulnerable to accidents in the public right of way including collisions with vehicles. For example, persons who use wheelchairs and other mobility devices and persons of short stature are lower to the ground and are therefore less visible to drivers looking over the hood of their vehicles. In addition, pedestrians with a mobility disability – such as persons with arthritis, vascular and orthopedic conditions – may not have the agility or reflexive speed to avoid clashing with an approaching vehicle. People with auditory or visual disabilities may not be able to avoid a collision with a vehicle or other obstacle as easily as someone without those disabilities. Pedestrians with disabilities are also disproportionately affected by objects or obstacles that obstruct or reduce accessibility.

STAFF RECOMMENDATION:

Staff recommends that DCAB formally adopt the following principles to apply to the State and the four Counties:

1. Prioritize the safety of pedestrians over the travel times of vehicles.
2. Utilize technology to assist with enforcement.
3. Implement best practices from other jurisdictions around the world.
4. Follow the principles contained in Complete Streets and Vision Zero. Complete Streets is a design focused policy which optimizes streets for all modes of transportation including vehicles, pedestrians, bicyclists, and others. Vision Zero is a set of principles, programs, and polices that aim to reduce pedestrian deaths due to vehicles to zero.
5. Increase public outreach and education on pedestrian safety issues and ensure these outreach and education issues are delivered in an accessible format.

6. Prioritize the construction or modification of infrastructure to ensure pedestrian safety and accessibility.
7. Ensure that any new modes of transportation do not encroach on the accessibility of existing infrastructure, such as sidewalks, curb ramps, entrances to buildings or sites, or parking meters.
8. Follow the best design guidelines of accessibility, not only in the Americans with Disabilities Act Accessibility Guidelines (ADAAG) but also the proposed Public Right of Way Accessibility Guidelines (PROWAG).
9. Proactively ensure pedestrian routes are maintained free of obstacles.
10. Adopt zoning and development standards that encourage and promote mixed-use development and pedestrian connections such as sidewalks, accessible crosswalks, etc.
11. Recognize that traffic speed is an important element of pedestrian safety.

SPIN Report for July 2019

SPIN Advisory Annual Planning Dinner

Members of the SPIN Advisory Committee met June 21st to review the year's activities and plan for the upcoming contract year—July 1, 2019 to June 30, 2020. This included reviewing the Education objectives and activities in the Plan of Action and selecting a theme for the 2020 SPIN Conference. Members chose “Dr. Seuss” as a unifying theme for the April 18, 2020 conference and discussed potential additions to the Advisory Committee, including representatives from The Autism Community in Action (TACA), the Hawaii Autism Society, and Easter Seals Hawaii as well as self-advocates Benjamin Chu and Renee Manfredi and Renee's mother Michelle Manfredi.

Special Education Advisory Council (SEAC) Report for SY 18-19

SPIN staff drafted a 16-page report for member review and final submission to the Superintendent of Education, Dr. Christina Kishimoto, on July 2nd. The report includes a 4-page infographic highlighting data that illustrates major areas of improvement needed for the academic success of students with disabilities eligible for special education services and supports. The report can be found at <http://seac-hawaii.org/wp-content/uploads/2019/07/19-Annual-Report.pdf>.

Special Edition SPIN News

Every July, SPIN staff develop and disseminate a 4-page “special edition” of the SPIN News that focuses on an issue important to parents of children with disabilities. The July 2019 issue focuses on marathon skills and resiliency traits that can be adopted by parents and used year after year to enhance the quality of their family life. These skills were originally outlined by Dr. Ann Turnbull of the Beach Center on Disability at the University of Kansas. She gave permission to SPIN to disseminate them to our Hawaii families. For a copy of the Special Edition, go to <http://spinhawaii.org/wp-content/uploads/2019/07/2019-Special-Edition.pdf>.