



DISABILITY AND COMMUNICATION ACCESS BOARD

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MINUTES

Disability and Communication Access Board General Meeting

Location: Virtual Location Via Zoom

Date: July 15, 2021

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

PRESENT: Pauline Aughe, Chairperson; Anthony Akamine, Rosanna Daniel-Kanetake, Scott Fleming, Dean Georgiev, Violet Horvath, Nikki Kepo'o, Marie Kimmey, Summer Kozai, Phyllis Meighen, Michael Nojima, Gerald Ohta, Board Members; Kirby Shaw, Kristine Pagano, Duane Buote, Susan Rocco, Bryan Mick, Sue Radcliffe, Kamaile Hopfe, Cindy Omura, Staff

ABSENT: Ronald Awa, Gerald Isobe, Justin Tokioka, Amy Tsuji-Jones, Board Members

GUESTS: Andrea Armitage, Deputy Attorney General, Department of the Attorney General; Brian Black, Civil Beat; Peter Fritz; Donald Sakamoto, Citizens for a Fair ADA Ride; Annette Tashiro, Statewide Independent Living Council

SIGN LANGUAGE

INTERPRETERS: Darlene Baird and Michele Morris

- I. Chairperson Pauline Aughe called the meeting to order at 11:06 a.m. and read the rules on public participation.
- II. Roll was called and Board members, staff, and guests introduced themselves.

NOTE: The Nominating Committee report on the proposed Slate of Officers for fiscal year 2021-2022 was taken out of order.

Vice Chairperson Nikki Kepo'o reported for the Nominating Committee and presented the proposed slate of officers for next fiscal year. The proposed slate: Nikki Kepo'o, Chairperson and Violet Horvath, Vice Chairperson. The Nominating Committee members were Nikki Kepo'o, Marie Kimmey, and Summer Kozai. There were no nominations from the floor and the slate of officers was approved (M/S/P Kimmey/Ohta; Abstain: Kepo'o).

Kirby Shaw thanked Pauline Aughe for her dedication, input, and for serving two years as Board Chairperson. Chairperson Nikki Kepo'o continued with the Board agenda.

III. The minutes of the May 20, 2021 meeting were approved as circulated (M/S/P Kimmey/Ohta).

IV. Executive Director's Report

Kristine Pagano reported that the DCAB general fund has a five percent restriction for the first quarter; the other funds have no restrictions. Kirby Shaw reported that DCAB was able to encumber funds for two Counties for reimbursement of issuing the parking placards.

Kirby Shaw reported on personnel issues. He reported that staff is currently in the process filling the vacant Office Assistant position. The Program and Policy Development Unit will be losing three staff, who provide support to the parking program (i.e., issuing placard renewals, receiving applicant information, updating records, fielding calls, etc.). The office has been in contact with the Department of Health to expedite filling the positions as quickly as possible.

V. Committee Reports

A. Executive Committee

The Committee did not meet, and no report was given.

B. Legislative Committee

The Committee did not meet, and no report was given.

C. Standing Committee on Communication Access

Committee member Nikki Kepo'o reported that the Committee met twice since the last Board meeting. She reported that the Communication Access Specialist position is currently unfunded, and the Committee agreed that a top priority will be to advocate to get the position funded. She said there are currently forty four interpreters with the Hawaii State Sign Language Interpreter Credential (HSSLIC) and twenty eight interpreters enrolled in the Continuing Education Program. Staff administered one Hawaii Quality Assurance System test.

She reported that DCAB has contracted with the (1) Dendros Group to provide continuing education opportunities related to topics of "Power, Privilege, and Oppression (PPO)." Nationally certified interpreters are required to earn at least ten hours of continuing education units related to PPO, each certification cycle. (2) Comprehensive Service Center to develop and deliver a professional development and mentoring program for sign language interpreters, by way of training, mentorship, and guidance as appropriate and based on the individual needs of the interpreters participating in the program. (3) Clear Access to provide trainings and workshops to State agencies on making remote meetings accessible to persons with disabilities, particularly individuals with communication disabilities.

D. Standing Committee on Facility Access

Committee Chairperson Marie Kimmey said that the Committee did not meet since the last Board meeting. She reported that the Facility Access Unit reviewed three hundred twenty eight projects for the period of April 1 to June 30, 2021, of which one hundred sixty two were new submittals. The Unit collected \$271,071 in fees during that same time period.

She reported that the virtual 2021 Disability Access Conference was held on May 27 and 28, 2021, with four presentations from the U.S. Access Board staff. Each session had approximately one hundred forty five registered participants in attendance. Certificates of completion, session evaluations, and question and answer responses were sent out to all participants who logged in to the presentations.

E. Standing Committee on Parking

Committee Chairperson Summer Kozai said that the Committee met on July 8, 2021. She reported that approximately 5,700 placards and 230 special license plates were issued in the fourth quarter. Of the placards, about 1,600 were temporary and 4,100 long term. DCAB issued about 1,500 long term placards, with a renewal rate of seventy one percent.

She reported on public education, quality assurance, and outreach efforts that includes the following: (1) a webpage that allows the public to submit photos of a placard being misused received nine submissions in the fourth quarter. When enough information was provided, follow up with the permittee or business was conducted; (2) a similar webpage to report accessible parking spaces that have a non-compliant design is being developed. A permittee survey conducted earlier this year reported over half the permittees encountering non-compliant accessible parking spaces.

She reported that the Governor signed the Hawaii Administrative Rules, Title 11, Chapter 219, "Parking for Persons with Disabilities" on June 15, 2021, which included a new placard, the Disabled Paid Parking Exemption Permit (DPPEP). Staff revised the application form to include the DPPEP, and the form was distributed to issuing agencies, with the first DPPEPs issued on July 1, 2021. To date, fifty-eight DPPEP placards have been issued. A press release was issued by the Department of Health (DOH) and forwarded to various advocacy groups. Responses to the press release included, the Star Advertiser's Kokua Line published information, KHON-2 aired two stories including one with an interview of the DCAB Executive Director, and KITV-4 and Hawaii News Now aired stories on the new law and placard.

Notifications were sent to permittees who have valid a email address on file, physicians and advanced practice registered nurses, administrators of hospitals and large network providers, large private parking companies informing them of the change to the law. The county police departments and state agencies with enforcement divisions have agreed to issue warnings instead of citations through August 15, 2021 to help disseminate the information on the DPPEP and parking meter exemption, and to allow enough time for applicants to submit their paperwork and for staff to process applications.

She reported staff performed a crosscheck with vital records and about 5,800 records were flagged, with letters sent to the estates of deceased permittees. Thirty four percent of placards were returned, thirteen percent were returned undeliverable, and five percent had been discarded or were not found.

The County Memorandums of Agreements for the period 2021-2023 have been signed to continue issuance of the first time long term, temporary, and replacement placards.

F. Special Parent Information Network

Board member Phyllis Meighen reported on the Special Parent Information Network's (SPIN) activities. SPIN offered a three-part series of webinars called "Small Bites" covering aspects of transition. The workshops were aimed primarily at parents of children with disabilities of all ages and were also attended by helping professionals and were well received.

She reported SPIN continued to plan for the virtual Annual SPIN Conference scheduled for October 23, 2021. A general theme of navigation was selected with a tentative plan to assemble the conference program as a "wilderness guide" to help families navigate the new normal where the delivery of medical care and educational services have been heavily impacted by the COVID-19 pandemic.

She reported SPIN staff completed the Special Education Advisory Council (SEAC) annual report. Each report contains the data infographic to inform the reader of the status of special education students in regards to key success indicators such as academic achievement, school attendance, school discipline, graduation rates, etc. SPIN analyzed Return to Learn data – data reporting required by the Board of Education to help analyze the impact of the pandemic – in addition to data submitted to the Office of Special Education Programs on an annual basis.

VI. Old Business

A. ADA Coordination Report

Colin Whited reported DCAB staff provided technical assistance to one hundred seven callers on issues related to the ADA. Key departments/agencies included: Office of the Governor, Judiciary, Hawaii State House of Representatives, Hawaii State Senate, Hawaii Civil Rights Commission, Education (DOE), Health (DOH), Human Services (DHS), Labor and Industrial Relations (DLIR), Aging and Disability Resource Center, Department of the Attorney General, Hawaii Emergency Management Agency, Office of Language Access, University of Hawaii (UH), County of Hawaii, City and County of Honolulu, County of Kauai, and the County of Maui.

He reported staff (1) provided a presentation for the Maui Commission on Persons with Disabilities on June 10, 2021, which included an overview of DCAB's programs and services; (2) hosted three webinars related to ADA

issues; and (3) 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.

B. Nominating Committee Report and Election of Officers

The Nominating Committee agenda item was taken out of order and reported earlier in the minutes.

VII. New Business

A. Approval of Plan of Action for Fiscal Year 2021-2022

Discussion was continued from the Annual Planning meeting on meeting agenda accommodation notices and the proper placement of the objective in the Plan of Action.

Under Civil Rights and Justice, objective 1.1.3 will be reworded to include "This includes education on the obligation under the ADA, to provide adequate time and opportunity to request services and encouragement to do so, and continue to try and fulfill requests even after posted deadline"; change to Priority 1.

Under Education and Training, objective 4.1.1 reference to the Fall 2020 conference will be deleted.

Under Emergency Preparedness, added two new objects, "Participate in a Governor convened advisory group to ensure that persons with limited English proficiency and persons with communication disabilities have access to information concerning emergency preparedness and natural and manmade disasters before, during, and after they occur. Assist in developing a report to the Legislature for appropriate legislation, per Senate Resolution 74, SD1 (2021)" (Priority 1) and "Create and maintain a page on the Disability and Communication Access Board website and on social media platforms with information that is in accessible formats to disseminate emergency preparedness information that is relevant to Hawaii. Information shared will be from nonprofits such as American Red Cross, county, state and federal emergency agencies. (Priority 1)" Chairperson Nikki Kepo'o and Board member Gerald Ohta said communication access is important in emergency preparedness for persons with disabilities and for individuals with limited English proficiency to receive information.

Under Parking, deleted the objective which referenced amending the Hawaii Administrative Rules, Title 11, Chapter 219 "Parking for Persons with Disabilities. The administrative rules were amended and signed by the Governor on June 15, 2021, and renumbered objectives. Added two new objectives "Administer in-house the statewide issuance of the Disabled Paid Parking Exemption Permit by mail. (Priority 1)", and "Explore possibilities of a State or county agency enforcing accessible parking design requirements (Priority 1)." Reworded objective 8.1.3 to delete reference to the Memorandums of Agreement effective date", objective 8.1.6 to reference the Disabled Paid Parking Exemption Permit and special license plates, and

objective 8.4.2 added “Create and maintain a mechanism to communicate with permittees...”. Board member Violet Horvath asked if objective 8.3.4 on exploring possibilities of a State or county agency enforcing accessible parking design requirements should be raised from a priority 3 to priority 2.

Under Administration, objective 11.1.7 added reference to the operations of the Disability and Communication Access Board office and the Kamamalu Building.

Board member Gerald Ohta asked, in reviewing the Travel and Transportation section, whether staff considered what the “new normal” might be and the review of it (i.e., all the changes at the airport, harbors, how they handle people, etc.). Kirby Shaw replied that staff did not. Board member Gerald Ohta said staff may want to review the objectives and come back with recommendations at a later date.

Guest Donald Sakamoto said that he attended a National Federation of the Blind meeting on the mainland. He said an individual had spoken with the U.S. Secretary of Transportation about the airlines and people certifying guide dogs who have to complete triplicate forms before boarding the plane.

The Plan of Action was approved with amendments that were discussed at the meeting (M/S/P Ohta/Kimmey).

B. Appointment of Committee Chairs

Committee Chairpersons will remain the same for next fiscal year with the exception of the Legislative Committee and the Standing Committee on Communication Access.

C. Board Meeting Schedule for Fiscal Year 2021-2022

Staff suggested that the meeting schedule be kept on Thursday, every other month. The Board voted to accept staff’s recommendation (M/S/P Horvath/Meighen).

VIII. Open Forum

Guest Donald Sakamoto addressed two items, Senate Bill 548, which establishes voters with special needs advisory committees at the state and county levels. Will DCAB be participating on the advisory committee to provide input for next year’s elections. House Bill 72 Relating to Electric Scooters, it’s a big issue for persons who are blind or visually impaired. Kirby Shaw said DCAB would submit testimony regarding the use of electric scooters, and it should be one of the transportation guiding principles, if not it should be added.

IX. Chairperson Nikki Kepo'o announced the next DCAB General meeting is scheduled for September 16, 2021 at 11:00 a.m.

X. The meeting was adjourned at 1:05 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,


CINDY Y. OMURA