



DISABILITY AND COMMUNICATION ACCESS BOARD

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MINUTES

Disability and Communication Access Board General Meeting

Location: Virtual Location Via Zoom

Date: September 16, 2021

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

PRESENT: Nikki Kepo'o, Chairperson; Pauline Aughe, Ronald Awa, Rosanna Daniel-Kanetake, Dean Georgiev, Violet Horvath, Gerald Isobe, Marie Kimmey, Michael Nojima, Gerald Ohta, Board Members; Kirby Shaw, Kristine Pagano, Duane Buote, Bryan Mick, Susan Rocco, Sue Radcliffe, Cindy Omura, Staff

ABSENT: Anthony Akamine, Scott Fleming, Summer Kozai, Phyllis Meighen, Justin Tokioka, Amy Tsuji-Jones, Board Members

GUESTS: Donald Sakamoto, Citizens for a Fair ADA Ride, Jessica Pomales, Hawaii Pacific University

SIGN LANGUAGE

INTERPRETERS: Carie Sarver and Sabina Wilford

- I. Chairperson Nikki Kepo'o called the meeting to order at 11:01 a.m. and reminded attendees of the rules on public participation.
- II. Roll was called and Board members, staff, and guests introduced themselves.
- III. The minutes of the July 15, 2021 Annual Planning Meeting and General meeting minutes were approved as circulated (M/S/P Horvath/Awa).
- IV. Executive Director's Report

Kirby Shaw reported the DCAB general fund restriction for the year is 1.92 percent for a total of \$15,778. There are no restrictions to the other funds. He informed Board members that DCAB will seek passage of the \$1.00 bill in the 2022 legislative session to bring a sustainable source of new funding to pay for the parking program and other office expenses.

Kirby Shaw informed Board members of four vacancies within DCAB: DCAB Office Assistant (may fill position by end of October), two DCAB Program Support Technician I (may fill positions by November DCAB meeting), and the Communication Access Specialist positions. Staff couldn't obtain a sustainable funding plan for the next six years which is required to fill the Communication Access Specialist position. Staff will be pursuing contracting with third parties to perform some of the functions of the Communication Access position for the next two years and will seek funding in the 2023 legislative session.

He announced that effective September 20, 2021, DCAB will fill the Program Support Technician II position.

Chairperson Nikki Kepo'o asked for clarification on the Communication Access Specialist position funding. Kirby Shaw explained about the funding and said the current Communication Access Specialist position will be redescribed to include additional duties which may include website accessibility, livestreaming, hearings, meetings that are remotely held, etc.

She said submission of legislation will have started prior to the November Board meeting; is there reason to involve the Board for input or positions to any of the bills. She was concerned about the disability community's needs not being met and being informed.

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 Gerald Isobe reported that the Committee has not met since June 18, 2021. He noted that DCAB has contracted with three vendors to provide needed workshops and mentorship training for sign language interpreters to improve their skills, and training and workshops for State agencies and other covered entities on making remote proceedings accessible to persons with disabilities.

D. Standing Committee on Facility Access

Committee Chairperson Marie Kimmey reported that that the Facility Access Unit (FAU) reviewed two hundred fifteen projects from July 1 to September 9, 2021 of which one hundred three were new submittals. The FAU collected \$145,590 in fees during that same period.

She stated that Interpretive Opinions DCAB 2021-01 Wet Bars and DCAB 2021-02 Recessed Elements at Grab Bars were adopted by the Committee. Interpretive Opinion 2021-01 Wet Bars clarified what types of sinks would be allowed to use the parallel approach exceptions in section 606.2 and Interpretive Opinion 2021-02 Recessed Elements at Grab Bars to allow recessed elements at grab bars to include a mounting flange as long as the thickness is within industry standard for that component and is no greater than 1/4".

The Committee discussed potential topics for the 2022 Disability Access Conference and talked about other technical assistance materials that would be a good resource for the architecture and engineering community.

E. Standing Committee on Parking

Committee Vice Chairperson Violet Horvath reported the Committee met on September 9, 2021. She reported statistics for July and August 2021, the issuance of 3,629 placards and 179 special license plates. Of the placards, approximately 950 were temporary, 2,500 were long term, and one hundred fifty were the Disabled Paid Parking Exemption Permit (DPPEP). DCAB issued about 840 long term placard renewals. The renewal rate was seventy three percent.

She reported that DCAB began issuing the DPPEP as of July 1, 2021. The DPPEP is a parking permit which allows qualified permittees to park in metered parking stall without feeding the meter. DCAB requested, in meeting with the County Police Departments and other parking enforcement agencies, such as the Department of Land and Natural Resources, Department of Accounting and General Services, and Department of Transportation to refrain from issuing a citation and instead issue a warning to permittees parked at a meter until August 15, 2021. Parking enforcement issued DCAB supplied warning flyers through August 15, 2021. DCAB received a few calls from individuals who received tickets and were not aware of the new regulation since August 15, 2021. Guest Donald Sakamoto inquired about how the updated information regarding parking meter exemptions was disseminated to out of state visitors. Bryan Mick responded that staff would advise individuals to check with the travel destination on the parking jurisdiction and to also check the DCAB website on the parking reciprocity rules. It was also suggested that DCAB reach out to car rental companies to provide information on the parking meter exemption.

Staff received seventeen inquiries through a webpage reporting abuse of a disability parking permit; of which sixteen inquiries were regarding a hotel in Waikiki. Staff provided technical assistance to the hotel on the abuse of a parking permit. A similar webpage to report accessible parking spaces with non-compliant design is being developed.

She also reported that a crosscheck with the Department of Health's Vital Records Division was performed and about 3,200 records of deceased permittees were flagged. Those placard records were changed to invalid status in the parking database. Letters were mailed to the estates of deceased permittees to retrieve their placard.

F. Special Parent Information Network

Susan Rocco reported that SPIN's Advisory Committee has expanded by two to include representatives from the Developmental Disabilities Division and the Exceptional Support Branch of the Department of Education (DOE). The upcoming virtual conference, "SPIN's Journey into the Wilderness" to be held on October 23, 2021 scheduled from 9:00 a.m. to 1:30 p.m. The conference topics were just finalized and can be found on the SPIN conference website. Registration opened the first week of September, and to date there are about a hundred people who are pre-registered. She also reported that the Advisory Committee welcomes Board members to attend and or share the conference flyer with any interested individuals.

Susan Rocco reported that SPIN staff have been assisting the DOE's Monitoring and Compliance (MAC) Branch in developing parent friendly infographics that

educate the public on the key indicators reported to the Office of Special Education Programs (OSEP) on an annual basis as part of their continuous monitoring on each state's implementation of the Individuals with Disabilities Education Act regulations. The first two infographics on the Parent Involvement Survey and Preschool Outcomes were shared at the Special Education Advisory Council's September meeting and disseminated to the public. SPIN will also be developing companion infographics explaining the data and improvement activities for each indicator with MAC.

She reported that SPIN staff presented workshops to the Kapiolani Community College's Disability Office attended by over 40 participants regarding the challenges a special education student faces when transitioning from high school to college and to a class of University of Hawaii Special Education students on teacher leadership. The presentation and discussion centered on expectations that families have of teachers and other helping professionals—information, hope, emotional support, access to services and respect.

VI. Old Business

A. ADA Coordination Update

Kirby Shaw reported that staff provided technical assistance to eighty five callers on ADA issues. Key Departments/agencies included: Health (DOH); Human Services (DHS), Vocational Rehabilitation (VR); Education (DOE), Library for the Blind and Print Disabled, Hawaii State Public Library System; Land and Natural Resources (DLNR); Attorney General; Office of the Governor; Office on Equality and Access to the Courts, Judiciary; Hawaii State House of Representatives; Hawaii State Senate; Hawaii Tourism Authority; University of Hawaii (UH) – Hilo; County of Hawaii, City and County of Honolulu, County of Kauai, and the County of Maui. In addition, staff provided technical assistance to private entities and individuals with disabilities who made inquiries on the ADA.

Board member Violet Horvath inquired what were the topics which staff provided technical assistance. Kirby Shaw responded that staff received two complex questions on miniature horses and the use of miniature horses as a service animal,

Guest Donald Sakamoto provided information on an article which appeared in Civil Beat regarding dialysis patients who have COVID and the paratransit system refusal to provide service.

Chairperson Nikki Kepo'o inquired about legislation on hearing aids and insurance. Kirby Shaw replied that staff typically follows those bills and submits testimony in support of the bill. He explained that staff will be following carryover bills from last legislative session and new bills would be brought to the Legislative Committee for action. Chairperson Nikki Kepo'o inquired about DCAB's participation on a working group. Kirby Shaw said that the working group was not convened.

VII. New Business

A. Seek Passage of DCAB \$1.00 Bill in 2022 Legislative Session – Relating to Funding for Parking for Disabled Persons SB 1143/HB 989 (2021)

Kirby Shaw said the \$1.00 bill which would add a dollar to the annual vehicle registration fee, concerns funding the DCAB's parking program in its entirety, including staff, reimbursing the counties, parking database, and purchasing materials to operate the program. Staff will not be introducing a new bill, but will pursue passage of the two carryover bills, Senate Bill 1142 and House Bill 989.

VIII. Open Forum

Guest Donald Sakamoto inquired about Senate Bill 548 and the establishment of a voters with special needs advisory committee at the state and county level. Kirby Shaw said he would inquire with the Governor's Office and Senator Karl Rhoad's office on the status of the advisory committee.

Board member Violet Horvath said the Governor put in to place the standards of care for health care in case our systems are overwhelmed. Discussion ensued on the standards of care and its affect on age and individuals with a disability.

Guest Donald Sakamoto informed the Board about an agreement with the Department of Justice and the County of Hawaii to ensure public and paratransit transportation for passengers with disabilities.

Chairperson Nikki Kepo'o spoke on meeting notices, hearings, and the Sunshine Law. Virtual hearings are not easily accessible for the disability community. There isn't any other option than going online and there is no allowance to make accommodations while testimony is being given. Guest Donald Sakamoto commented about attending City Council hearings and hand carried floor versions of bills not being accessible. Kristine Pagano said DCAB is working with a contractor to provide training to State and County entities on communication access issues at virtual meetings.

Susan Rocco wanted to commend the State Council on Developmental Disabilities and the Department of Health's Developmental Disabilities Division for being proactive in distribution of vaccinations to be able to push the status of persons with disabilities above other groups to have vaccines available.

IX. Chairperson Nikki Kepo'o announced the next General meeting is scheduled for November 18, 2021 at 11:00 a.m.

X. The meeting was adjourned at 12:27 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/
CINDY Y. OMURA