



DISABILITY AND COMMUNICATION ACCESS BOARD

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MINUTES

Disability and Communication Access Board General Meeting

Location: Virtual Location Via Zoom

Date: January 20, 2022

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

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

ABSENT: Ron Awa, Justin Tokioka, Board Members

GUESTS: Michelle Agsalda, Deputy Attorney General, Department of the Attorney General; Peter Fritz; Kekai Kaaumoana-Cummings; Mandi Morgan, Educational Specialist for the Deaf, Hard of Hearing, Deaf-Blind Programs, Department of Education; Jessica Pomales; Donald Sakamoto, Citizens for a Fair ADA Ride; Annette Tashiro, Statewide Independent Living Council of Hawaii

SIGN LANGUAGE

INTERPRETERS: Mala Arkin and Carie Sarver

REAL TIME

CAPTIONER: April Chandler

- I. Chairperson Nikki Kepo'o called the meeting to order at 11:01 a.m. and informed attendees of the rules on public participation and the new provisions under Act 220, Session Law of Hawaii 2021 effective January 1, 2022.
- II. Roll was called and Board members, staff, and guests introduced themselves.
- III. The meeting minutes of the September 16, 2021 General meeting were approved as circulated (M/S/P Horvath/Daniel-Kanetake).
- IV. Executive Director's Report

Kristine Pagano, DCAB Administrative Officer reported that this year's DCAB budget is stable. Staff will be monitoring the budget bills during this legislative session that may impact DCAB and will keep Board members informed as to the progress of the bill.

She reported there are currently two vacant positions, the Communication Access Specialist and the Planner and ADA Coordinator. Staff was not able to request for new

general funds, and the Communication Access Specialist position will be abolished. Interviews for the Planner and ADA Coordinator position will be scheduled soon, and the goal is to fill the position by March 31, 2022.

As of December 20, 2021, Christine Holmes is the new Program Support Technician I. Kristine Pagano reported that the Parking Program is fully staffed.

Board member Violet Horvath inquired about the responsibilities of the Communication Access Specialist which will be abolished; will the responsibilities be distributed to other staff. Kristine Pagano responded that the functions of the position still remain (i.e., testing of applicants for the Hawaii Quality Assurance System, administer the continuing education program, provide technical assistance, etc.), and will be distributed to other staff.

Chairperson Nikki Kepo'o introduced new Board member Charlotte Townsend and asked her to provide background information.

V. Committee Reports

A. Executive Committee

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

B. Legislative Committee

Chairperson Dean Georgiev and Committee member Violet Horvath informed the Board that the Committee would be meeting on January 24, 2022, to review legislation.

C. Standing Committee on Communication Access

Committee member Gerald Isobe reported that the Committee did not meet but wanted to provide an update on communication access activities. 1) DCAB and Clear Access Interpreting Services LLC presented three workshops for State agencies and other covered entities on making remote proceedings accessible to persons with disabilities; seventy participants attended the workshops; 2) Comprehensive Services Center provided a twelve-week program via Zoom on Interpreter Skills Building. The sessions covered and analyzed the American Sign Language (ASL) affect, articulation, constructed discourse and content including non-manual ASL markers in lexical and modifiers. The course also studied cultural differences of deaf, hard of hearing, cochlear implants, mainstream and deaf schools; and 3) Dendros Group will provide professional development on racial consciousness for sign language interpreters working in Hawaii through a series of eight (two hour) virtual workshops.

Chairperson Nikki Kepo'o asked Mandi Morgan, Educational Specialist for the Deaf, Hard of Hearing, Deaf-Blind Programs (DHHDB) with the State Department of Education (DOE) to provide an update on the guidelines developed under a workgroup from the DHHDB Programs with DOE.

Currently, the guidebook is in the vetting process. Mandi Morgan mentioned that the guidelines were one of the goals that DOE-DHHDB has on an action plan that was approved recently. The DOE-DHHDB developed an action plan of short and long term goals to improve education for students who are deaf, hard

of hearing, or deaf-blind. In the action plan, DOE-DHHDB has set up goals to help with students transitioning from the Department of Health (DOH) and the Department of Human Services (DHS), Division of Vocational Rehabilitation (DVR). DOE-DHHDB also is trying to fill vacancies and support current staff. In addition, DOE is supporting educational interpreters to improve their skills by making new requirements that will help educational interpreters meet goals for students to become more successful. The DOE-DHHDB is transitioning from having a workgroup to developing an advisory committee. This advisory committee will be able to hold DOE-DHHDB accountable in meeting goals on the action plan and provide advice on what is needed to move forward to create a successful program for students with communication disabilities.

Board member Violet Horvath asked for clarification on transitioning of programs from the DOH, DHS-DVR to the DOE.

Mandi Morgan responded that DOH works with students (age zero to three), with any type of hearing loss. The DOE works with students from age three to age twenty-one. The DOE-DHHDB would like to work with DOH when the child is ready to transition to DOE for school. It is the belief that this would allow for a smoother transition for parents and their child(ren) into DOE programs as DOE becomes more student centered for their child with a disability than DOH. Educating families about DOE-DHHDB programs and services, would allow children with disabilities to be placed in the least restrictive environment.

When a child with a disability turns fourteen years old, DOE can refer the student to DVR to receive vocational rehabilitation services. Mandi Morgan would like to work with DVR to also make transitioning easier for students when they prepare to go out into the workforce, public or to be great citizens in their communities.

Chairperson Nikki Kepo'o inquired about a timeline for publishing the DOE guidebook. Mandi Morgan responded that the guidebook is still a work in progress and pending. DOE-DHHDB has a goal to submit the guidelines to the Attorney General's Office for review by February 15, 2022. Chairperson Nikki Kepo'o asked when the advisory committee will have their meeting. Mandi Morgan responded she hoped at the end of February or in early March.

Guest Kekai Kaaumoana-Cummings asked Mandi Morgan to clarify the goals for children ages zero to five, and keiki who are deaf, hard of hearing, and deaf-blind. Mandi Morgan explained the DOE can begin working with students at the age of three to find a program that best addresses the type of communication and environment a student needs to succeed. DOE will assess student needs to ensure that the student receives the maximum support from programs and transition to independent adults.

D. Standing Committee on Facility Access

Committee Chairperson Marie Kimmey reported that the Committee did not meet since the last DCAB General meeting. She provided an update of activities for the Facility Access Unit (FAU). The Unit reviewed two hundred forty four projects from October 1, 2021 to December 31, 2021 of which one hundred twenty eight were new submittals. The FAU collected \$196,630 in fees during that same period. The Unit responded to ninety three requests for technical information from design professionals and distributed five "Access E-Bulletins." The FAU conducted virtual training for DCAB's series of Basic Training presentations

intended to prepare individuals, with limited knowledge of accessibility requirements for the annual conference: Session 1, November 3, 2021 (28 attendees); Session 2, November 17, 2021 (22 attendees); Session 3, December 1, 2021 (21 attendees); and Session 4, December 15, 2021 (23 attendees).

E. Standing Committee on Parking

Committee Chairperson Summer Kozai reported that the Committee met on January 18, 2022. She reported that there were approximately 5,000 placards issued and 200 special license plates reauthorized or issued. Of the placards, about 1,500 were temporary, 3,500 were long term, and fifty four were Disabled Paid Parking Exemption Permits (DPPEP). Of the long term placard, about 1,200 were issued by DCAB and the renewal rate was sixty five percent.

She also reported on public education, quality assurance and outreach efforts. DCAB supplied 1,500 additional DPPEP informational flyers to the Honolulu Police Department, which are attached to citations. Ten inquiries were submitted through the web page to report abuse of a disability parking placard. Staff is developing a web page where the public may report accessible parking spaces that are non-compliant with the design standards. This will allow staff to follow-up with technical assistance on accessible parking spaces.

She also reported that letters were mailed to approximately 3,200 estates of deceased placard holders; of these, forty five percent were returned, five percent of the estates informed staff that the placard was either lost or destroyed and ten percent of the letters were returned as undeliverable.

Staff procured and distributed to the issuing agencies month and year decals, and blue identification cardstock. Staff sent eight hundred thirty five reminder emails to permittees of a pending permit expiration date.

Guest Donald Sakamoto inquired about if there was an estimate of issued and returned of handicap special license plates for motor vehicles. Committee Chairperson Summer Kozai responded 200 plates were issued, but there are no stats for how many special license plates were returned after the vehicles were sold, etc. Committee will work on getting those stats for the next meeting.

F. Special Parent Information Network

Board member Phyllis Meighen reported that SPIN Advisory members are planning a meeting later this month to begin planning for the 2022 annual conference. Staff has been exploring the option of a hybrid conference using the newly renovated University of Hawaii Campus Center. A tentative reservation has been placed for October 22, 2022 pending how much progress can be made in protecting the public from COVID-19 in the intervening months.

She also reported that Daintry Bartoldus, Executive Administrator for the State Council on Developmental Disabilities (SCDD), and Amanda Kaahanui, were interviewed on January 6, 2022 on the launch of the Hawaii ABLE Savings Program. While Hawaii was able to pass legislation six years ago requiring the development of an ABLE Program for Hawaii residents, it was not until late 2021 that a decision was made to partner with the ABLE for ALL Saving Program administered by the State of Oregon. The interview resulted in an article on the Hawaii Public Radio webpage and a live recording of Amanda Kaahanui as a

parent, and Daintry Bartoldus with the SCDD emphasizing the equity aspects of the tax-free savings program for families of children with disabilities who qualify for Social Security benefits, which includes self advocates. The article can be viewed at: <https://www.hawaiipublicradio.org/local-news/2022-01-10/new-state-program-gives-financial-and-social-equality-to-individuals-with-disabilities>.

The 2022 Footsteps to Transition Fair will be held virtually on February 5, 2022. It is intended to help link middle and high school students with disabilities with agencies that can aid in their transition to adult services and or offer higher education and employment opportunities once these students have exited high school.

Presentations are planned from the DOE, the DVR, the Developmental Disabilities Division and the Center on Disability Studies. SPIN is one of eight organizations who have been planning all year for the event. SPIN staff have been assisting with reservations and will be available virtually to answer questions about SPIN's program. For more information on the Fair, individuals can go to the 2022 Annual Footsteps to Transition Fair website at: <https://footstepstotransition.weebly.com>.

VI. Old Business

A. ADA Coordination Update

Kristine Pagano reported that staff provided technical assistance to thirty callers on issues related to the ADA. Key Departments/agencies included: the Hawaii State Judiciary, Stadium Authority, Department of the Attorney General, the State House of Representatives; and to Title III places of public accommodations, and individuals with disabilities.

B. U.S. Access Board, Proposed Advisory Guidelines for Aircraft Onboard Wheelchairs and U.S. Department of Transportation, Notice of Proposed Rulemaking – Accessible Lavatories on Single-Aisle Aircraft - Reopening of Comment Period

Bryan Mick provided an update on the proposed guidelines for accessible lavatories on single aisle aircraft. The Department of Transportation placed suggestions into Tier 1 (limited improvements to lavatories and establishing standards for onboard wheelchairs) and Tier 2 (fully accessible lavatories); and to implement Tier 1 in a very timely manner.

DCAB submitted testimony in support of Tier 1 while encouraging DOT to have fully accessible lavatories. The comment period was reopened, and a public hearing was held to gather additional comments for onboard wheelchairs requirements. Staff did not provide comments because it was technical in nature. The process is moving and hopefully final regulations would be adopted by the end of the year.

VII. New Business

A. Office of Information Practices – New Guidelines Effective January 1, 2022

Kristine Pagano reported, Act 220 SLH 2021 was effective January 1, 2022. Governor Ige signed an emergency proclamation temporarily suspending in person meeting locations requirements until February 28, 2022. The link on the proclamation relating to the Sunshine Law can be found on the Governor's website.

Guest Peter Fritz stated that Act 220 brought attention to how to submit written testimony, which requires the inclusion of a post office address and an electronic contact. He sent notices to other agencies regarding their meeting notices that did not include the information and notified Office of Information Practices (OIP) about exclusion of information. OIP advised several agencies to cancel their meetings due to noncompliance. He also wanted to bring to the Board's attention that an email address wouldn't satisfy as an electronic contact.

VIII. Open Forum

Chairperson Nikki Kepo'o thanked DCAB staff for addressing other agencies not providing enough timeline to providing accommodations to persons with disabilities.

Guest Donald Sakamoto thanked the Honolulu City Clerk's Office and the Honolulu City Council for reading the bills and resolutions in full, for those who are blind or using the phone. As to the reapportionment maps for the state and the county, he testified and expressed his concerns as a blind person when reviewing the maps and reading them due to the very vague descriptions. He also announced that the Honolulu Rate Commission will hold a meeting on proposed TheBus and Handi-Van fare increases and is looking for recommendations and public input.

Guest Peter Fritz expressed concern about the language being used on meeting notices for requesting accommodations. Consider rewriting where it doesn't use particular words that make it sound as if the requestor is going to be penalized if not notifying the agency in enough time to acquire the accommodation. He also brought up his concern on wording of agendas being provided in alternate formats.

IX. Chairperson Nikki Kepo'o announced the next General meeting is scheduled for March 17, 2022 at 11:00 a.m.

X. The meeting was adjourned at 12:15 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/

CINDY Y. OMURA