

Disability and Communication Access Board

ANNUAL REPORT FY 2021-2022

OVERVIEW

The Disability and Communication Access Board (DCAB) is a statewide, Governor-appointed, 17-member Board whose mission is to advocate and promote the full integration, independence, equal access, and quality of life for persons with disabilities in society.

This Report highlights key accomplishments for fiscal year 2021-2022.

DCAB BOARD Members:

- Anthony Akamine
- Pauline Aughe
- Ronald Awa
- Rosanna Daniel-Kanetake
- Scott Fleming
- Dean Georgiev
- Gerald Isobe
- Marie Kimmey
- Summer Kozai
- Phyllis Meighen
- Michael Nojima
- Gerald Ohta
- Justin “Pono” Tokioka
- Charlotte Townsend (from 1/20/22)
- Amy Tsuji-Jones

DCAB Staff:

- Kirby L. Shaw, Executive Director
- Administration: Kristine Pagano, Cindy Omura, Carly Shriver-Kealoha (from 11/1/21)
- Planning and ADA Coordination: Colin Whited (to 10/18/21)
- Program and Policy Development Unit: Bryan Mick, Romala Radcliffe, Scott Castor (from 9/20/21), Christine Holmes (from 12/20/21), Cody Miyasato (from 12/1/21), Kamaile Hopfe (to 8/2/21), Geraldine Kealoha (to 7/30/21), Sean Shinshiro (to 7/27/21)
- Facility Access Unit: Duane Buote, Eric Isidro, Rodney Kanno, David Poe, Alan Tarumoto, Glenn Arakaki, Laurie Palenske, Mylynne Simon
- Special Parent Information Network: Susan Rocco, Amanda Kaahanui

Major accomplishments in the area of CIVIL RIGHTS & JUSTICE:

DCAB is the primary resource for ADA compliance in State government and serves as a systems advocate for civil rights of persons with disabilities.

AMERICANS WITH DISABILITIES ACT (ADA) COORDINATION

- Responded to three hundred twenty seven (327) technical assistance calls on ADA issues (excluding design and employment reasonable accommodation requests that are listed in other sections). Provided technical assistance to ensure that the transition to vote by mail includes considerations to ensure equal access to persons with disabilities.
- Submitted comments and recommendations to the Governor on the following: supporting the measure allowing electronic filing of documents with the Public Utilities Commission; supporting restoration of the Hawaii Civil Rights Commission's jurisdiction over disability discrimination complaints against State entities receiving Federal funding; and supporting the authorization of County Chiefs of Police to designate County employees to issue traffic citations, including citations for parking illegally in reserved accessible parking spaces and abuse of disability parking permits.
- Conducted trainings for various State entities in December 2021.
- Continued to provide technical assistance to the State Legislature to ensure video programmed hearings, virtual proceedings, and other online content are accessible to persons with disabilities.
- Submitted testimony in support of Senate Bill 2144 (Act 172, SLH 2022) - Relating to Information Technology Accessibility for Persons with Disabilities, which requires the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group composed of stakeholders, to develop and publish, and periodically review and update, electronic information technology accessibility standards to be implemented by all state entities.
- Provided technical assistance to various State and County agencies on the ADA, including the Office of Information Practices, concerning the placement of accommodation and auxiliary aids and services request information on meeting notices of boards and commissions subject to the State Sunshine Law; and on providing documents in accessible formats for persons with disabilities.
- Provided technical assistance to various State and County agencies on the ADA, Fair Housing Act and Hawaii law requirements concerning service animals (including miniature horses) and emotional support animals in public and privately owned buildings, facilities and sites.
- Continued to maintain a secured website for State and County ADA Coordinators.
- Continued to maintain a County ADA Coordinators roster and to provide technical assistance to the various Counties on issues related to the ADA.
- Provided technical assistance to private entities and individuals with disabilities who made inquiries on the ADA (especially regarding the legal requirements for the use of service animals, emotional support animals); the provision of auxiliary aids and services such as when a sign language interpreter is appropriate and which party is responsible for hiring interpreters and paying their fees.
- Provided technical assistance and information to persons with disabilities, landlords of single family and multi-family dwelling units, and condominium board members regarding their respective rights and obligations under the Fair Housing Act and Hawaii law on matters relating to service animals, emotional support animals, other reasonable modifications of policy, and reasonable modification of dwelling units to make them accessible for a tenant with a disability.

- Provided technical assistance to the Hawaii Disability Rights Center on ADA Title II requirements for State government livestreaming of hearings, meetings and posting videos online; to an attorney on ADA Title III requirements for a private care home; regarding persons with disabilities and the requirements for wearing face coverings in places of public accommodations during the COVID-19 pandemic; to a legislator and the State Council on Developmental Disabilities on emotional support animals and the ADA and the Fair Housing Amendments Act, and to a person with a disability regarding the requirements for access to the ocean.
- Interviewed by Civil Beat to provide information on "solo only" beach and hiking activities on whether the City and County of Honolulu's Mayor's emergency proclamation discriminated against persons with disabilities who needed assistance in the aforementioned activities; and regarding the purpose of the statutory change concerning the Disabled Paid Parking Exemption Permit and how it affected some residents of a senior living facility in Kailua.

Major accomplishments in the area of FACILITY ACCESS:

DCAB is responsible to review plans and specifications for the construction of State and County buildings, facilities, and site to ensure facility access.

The Facility Access Unit (FAU) staff returned to working in the office full time. The public is welcome to come to the office, however, the FAU has been using virtual platforms for the annual conference and trainings. In addition, meetings with consultants are sometimes done virtually to reduce the risk of COVID exposure.

DOCUMENT (BLUEPRINT) REVIEW PROCESS

- Conducted one thousand two hundred seven (1,207) State and County document reviews as required under §103-50, Hawaii Revised Statutes (HRS); six hundred thirty-one (631) were new, first-time submittals and five hundred seventy-six (576) were resubmittals.
- Issued three (3) interpretive opinions:
 - Docket 2021-01 Wet Bars
 - Docket 2021-02 Recessed Elements at Grab Bars
 - Docket 2022-01 Street Parking at Bike Lanes
- Reviewed nine (9) Master Plans for Draft Environmental Assessment:
 - USGS HVO/PIERC Replacement Facilities Project
 - Sand Island Wastewater Treatment Plant, Bioconversion Facility Capacity Upgrades
 - Waimanalo Research Station Master Plan
 - August Ahrens Elementary School New Classroom Building Project
 - Ahuimanu Wastewater Pre-Treatment Facility Improvements and Equalization Facility
 - Proposed 10 mega-watt photovoltaic electrical generation solar farm
 - Kobayashi Group, Alia (Land Block I) within the Kaiaulu O Kakaako Master Plan
 - Victoria Ward, Limited, Land Block 2, Project 4 (Kalae)
 - Gentry Kalaeloa LLC project consisting of approximately 390 residential units
- Sent out seventy-three (73) letters to ADA Coordinators or Department/agency representatives regarding submission of projects for review, per §103-50, HRS. Received forty-one (41) responses, and twenty-six (26) projects were submitted.

- A quarterly listing of projects reviewed was posted on DCAB's website.

TECHNICAL ASSISTANCE, OUTREACH AND PUBLIC EDUCATION TO THE DESIGN COMMUNITY

- Responded to three hundred seventy five (375) requests for technical information from design professionals under the Americans with Disabilities Act Accessibility Guidelines (ADAAG), Fair Housing Act Accessibility Guidelines, and other relevant design codes, not in connection with the §103-50, HRS document review process.
- Conducted the virtual 2022 Disability Access Conference featuring speakers from the U.S. Access Board and the U.S. Department of Housing and Urban Development (HUD) on "Accessible Transient Lodging," "Accessible Medical Care Facilities," "HUD's Section 504 Design Requirements and the "Deeming Notice"," and "Accessible Residential Housing."
- Conducted five (5) virtual trainings designed to teach basic information to prepare program participants for more complex topics to be covered at the annual conference.
- Prepared and distributed sixteen (16) "Access E-Bulletins." The current distribution is seven hundred five (705) individuals, primarily in the design community.

A separate report on the implementation of §103-50, HRS, is available. The report provides information on the projects reviewed by the Disability and Communication Access Board organized by State or County department/agencies as well as by the type of project.

Major accomplishments in the area of COMMUNICATION ACCESS:

DCAB tests and credentials American Sign Language (ASL) interpreters, establishes rules for the use of communication access through the provision of auxiliary aids and services.

ADMINISTRATION OF THE HAWAII QUALITY ASSURANCE SYSTEM (HQAS) AND CONTINUING EDUCATION PROGRAM (CEP) FOR SIGN LANGUAGE INTERPRETERS

- Provided six (6) technical assistance to covered entities regarding the Hawaii Administrative Rules, Title 11, Chapter 218, including the Hawaii State Sign Language Interpreter Credential and the recommended fee schedule.
- Updated, maintained, and monitored the HQAS interpreters Continuing Education Units status: Currently there are forty three (43) interpreters enrolled in the Hawaii State Sign Language Interpreter Credential (HSSLIC) Program and twenty six (26) interpreters in the Continuing Education Program (CEP).
- Five (5) interpreters inquired about the HQAS credentialing program.
- Continued to update and maintain the current registry of communication access providers on a monthly basis. The updated registry is distributed and posted on the Board's website.
- Completed the videos on how to file a complaint with Hawaii Civil Rights Commission in American Sign Language with captions and audio descriptions.
- Attended two (2) meetings of the Department of Health's Office of Language Access Advisory Council.

- Continued to work with State agencies to ensure online videos are captioned and virtual events are accessible to persons with communication disabilities.
- Coordinated with the Department of Health Office of Planning, Policy, and Program Development; and Hawaii Broadband and Digital Equity Office, Department of Business, Economic Development, and Tourism; to conduct a public forum concerning Federal Communications Commission (FCC) on the Accessibility of Communications Technologies for the 2022 Biennial Report Required by the Twenty First Century Communications and Video Accessibility Act of 2010, and submitted comments to the FCC based on input from the public forum.
- Continued to provide technical assistance to State and County entities on providing effective communication. Sponsored and co-presented with a private contractor three (3) workshops for State agencies and other covered entities on making remote proceedings accessible to persons with disabilities; seventy (70) participants attended the workshops; sponsored a twelve (12) week program (virtual) on Interpreter Skills Building; and sponsored a series of eight (8) two (2) hour professional development workshops (virtual) on racial consciousness for sign language interpreters working in Hawaii.
- Continued to provide technical assistance to individuals with disabilities about their right to effective communication in various settings, including healthcare and social services.
- Attended three (3) meetings of the Deaf and Hard of Hearing Advisory Board.

Major accomplishments in the area of COMMUNITY LIVING & EMPLOYMENT

DCAB advocates for programs that promote full integration in the community and nondiscriminatory employment facilities.

COMMUNITY LIVING & EMPLOYMENT

- Served as members of the Evidence-Based Services Committee, the Center on Disability Studies Family Engagement Partnership Advisory and Community Advisory Council, the Hawaii Department of Education Post-Secondary Work Group, the Windward Community Children's Council, the Footsteps to Transition Planning Committee, the Early Language Workgroup and the COVID-19 Stakeholder Engagement Team.
- Participated with the State Council on Developmental Disabilities in an on-air interview with Hawaii Public Radio regarding the new Hawaii Achieving a Better Life Experience Savings Program.

Major accomplishments in the area of PARKING

DCAB administers the statewide parking program for persons with mobility disabilities under Federal and State law.

ISSUANCE OF PERMITS (PLACARDS AND LICENSE PLATES)

- Issued four thousand nine hundred seven (4,907) long term renewal placards by mail.
- Issued three hundred seventeen (317) Disabled Paid Parking Exemption Permits (DPPEP).
- Retrieved two thousand eight hundred forty four (2,844) voided or expired placards upon renewal or application for a DPPEP.

- Retrieved and voided one thousand five hundred ten (1,510) placards due to the death of a permittee.
- Procured temporary and long term disability parking placards and decals and distributed to the Counties.

PARKING PERMITS (Disability Placards and Special License Plates)

- Successfully passed legislation to add \$1 to the annual vehicle registration fee to fund the parking program. Act 161, SLH 2021 (Senate Bill 3121) - Relating to Funding for Parking for Disabled Persons to increase the State annual vehicle registration fee by \$1 to fund all costs associated with the Statewide Parking for Persons with Disabilities.
- Launched a webpage for the public to report State, local, public and commercial locations that have accessible parking spaces that are not in compliance with design regulations.
- Provided four thousand five hundred (4,500) educational flyers to the Department of Education Drivers Education Program.
- Met with State and County parking enforcement personnel on the parking program to gather feedback on the new DPPEP, and discontinuation of the meter fee exemption for all other permits.
- In conjunction with State and County parking enforcement personnel, placed warning flyers on vehicles displaying disability parking permits parked at spaces with an expired meter.
- Updated the User Guide and developed a new Disabled Paid Parking Exemption Permit User Guide.
- Continued the monthly process of emailing reminder notices to permittees whose permits expire in sixty (60) days.

A separate report on the Parking Program for Persons with Disabilities Annual Accomplishments is available.

Major accomplishments in the area of EDUCATION & TRAINING:

DCAB partners with the Department of Education (DOE) to provide support and information to parents of students with disabilities.

SPECIAL PARENT INFORMATION NETWORK (SPIN) - PARENT ACCESS TO INFORMATION ON EDUCATIONAL RIGHTS

- Coordinated and conducted the Annual SPIN Conference, "SPIN's Journey Through the Wilderness" virtually on October 23, 2021. The Conference consisted of nine (9) live workshops, two (2) pre-recorded workshops and three (3) networking sessions. The Conference was attended by over two hundred thirty (230) participants. Captioned recordings of the workshop presentations were viewed two hundred seventy five (275) times between November 2021 and June 2022.
- Made presentations to five (5) additional parent groups and three (3) mixed groups of parents and professionals throughout the year.
- Staff fielded seven hundred ninety two (792) calls and emails from individuals requesting information, support and technical assistance. Posted Facebook posts were viewed by over one

thousand five hundred (1,500) individuals per month, and sent out sixty five (65) e-blasts on information, resources, and community events.

- Published and disseminated four (4) quarterly e-newsletters to more than one thousand (1,000) recipients.
- Developed nineteen (19) infographics on topics related to special education including infographics developed to help engage stakeholders in the Annual Planning Report process of reviewing key success indicators for special education accountability.
- Continued to update the SPIN website with new resources and infographics. Updated and added captioned workshops to the SPIN Conference website. Created an application for feedback and information sharing and posted on the SPIN Conference website.

INSERVICES TO EDUCATIONAL PERSONNEL

- Made eight (8) presentations to school personnel from public schools and university audiences and co-presented at the Afterschool Alliance Conference.
- Partnered with the Maternal and Child Health Leadership in Neurodevelopmental Disabilities (MCH LEND) program to educate their multidisciplinary trainees on community resources and assist them in developing infographics for families.

SPECIAL EDUCATION ADVISORY COUNCIL (SEAC) SUPPORT

- Reviewed the Office of Special Education Programs determination for Hawaii for school year 2019-2020 and reviewed data, targets and proposed improvement activities for the Annual Performance Report indicators for school year 2020-2021.
- Created two (2) new menu items on the SEAC website--a State Performance Plan/Annual Performance Report Resource page to provide stakeholders with basic information on the federal accountability system for the Individuals with Disabilities Education Act, a Members Portal to connect SEAC members to shared work products and supports.
- Prepared testimony to the Hawaii State Legislature on sixteen (16) bills, including the proposed special education appropriation in the State budget. Provided testimony to the Board of Education on the Elementary and Secondary School Emergency Relief (ESSER-III) proposed spending plan, distance learning and strategic plan indicator data.
- Drafted SEAC's annual report for fiscal year 2020-2021, including recommendations to the Superintendent and a six (6) page infographic on special education data and demographics.

Major accomplishments in the area of EMERGENCY PREPAREDNESS:

DCAB provides technical assistance to emergency managers, first responders, and planners about individuals with disabilities, and others with access and functional needs during a natural or man-made disaster.

EMERGENCY PREPAREDNESS

- Participated in seven (7) webinars that featured federal, state, and academic subject matter experts who presented best practice approaches to increase inclusivity for people with access and functional needs, and those with disabilities, in disaster response. Four (4) webinars were

sponsored by the Federal Emergency Management Agency's Office on Disability Integration and Coordination, which works with internal and external stakeholders to assess and increase disability competency and capacity to serve people with disabilities across the spectrum of emergency preparedness and response. Participated in two (2) webinars by the American Association of Retired Persons Hawaii Branch on emergency preparedness. Participated in one (1) Pacific ADA Center's webinar on "How Personal Assistance Services Promotes Self-Determination of People with Disabilities."

- Maintained readiness to serve as a Department of Health's Office of Public Health Preparedness Oahu Medical Response Corp Member.
- For the October 23, 2021, Preparedness Fair at Kahala Mall, the Disability and Communication Access Board provided the Aina Haina Community Emergency Response Team with four hundred (400) American Sign Language pocket sized pamphlets that can be used by community responders during an emergency.

Major accomplishments in the area of TRANSPORTATION & TRAVEL:

DCAB promotes equal access to transportation services to secure and maintain employment and utilize community resources.

ACCESSIBLE GROUND AND AIR TRANSPORTATION

- Participated as a member in the State of Hawaii's Department of Transportation ADA Advisory Committee.
- Submitted comments to the U.S. Access Board regarding Proposed Advisory Guidelines for Aircraft Onboard Wheelchairs, and to the U.S. Department of Transportation regarding a Notice of Proposed Rulemaking to Require Airlines to Ensure that at Least One Lavatory on New Single-Aisle Aircraft with one hundred twenty five (125) or More Passenger Seats is Large Enough to Permit a Passenger with a Disability (with the Help of an Assistant if Necessary), to Approach, Enter, and Maneuver Within the Aircraft Lavatory, as Necessary, to Use All Lavatory Facilities by Means of the Aircrafts On-board Wheelchair.
- Attended meetings and submitted testimony to the Honolulu City Council and the City and County of Honolulu Rate Commission on the proposed changes to fare categories and rates for the Handi-Van paratransit system.
- Submitted testimony to the Honolulu City Council on a proposed best method to finance and construct accessible public sidewalks.
- Participated as a non-voting member of the City and County of Honolulu Committee for Accessible Transportation.
- Revised four (4) County specific versions of the Disability and Communication Access Board's Traveler Tips that are posted on the Board's website.

OTHER PROGRAM ISSUES & ADMINISTRATION

OTHER PROGRAM ISSUES

- Disability and Communication Access Board website had forty three (43) changes this year.

ADMINISTRATION

- Maintained the information technology network to ensure reliability of centralized backup, security, and databases.
- Maintained the office records management system, inventory system, purchasing and fiscal management and human resources management in coordination with changes required by the Department of Health and Department of Accounting and General Services.
- Submitted testimonies to restore the Communication Access Specialist position and funding in the State budget, House Bill 1600. The position is restored with funding.
- Continued to develop and refine administrative policies, procedures, and protocols concerning the operations of the office and the Kamamalu Building, especially concerning COVID-19 safety measures, office and building security, and neighborhood security.
- Continued to update the Office Manual as needed.

David Y. Ige, Governor

Elizabeth A. Char, MD, Director, Department of Health

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NONDISCRIMINATION STATEMENT: We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. If you have a concern, write or call the Disability and Communication Access Board or the Department of Health Affirmative Action Office at P.O. Box 3378, Honolulu, HI 96801-3378, (808) 586-4614 (v) within 180 days of a problem.